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# COUNTY OF BRUCE

## OFFICIAL PLAN

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**Adopted By County Council  
May 20, 1997**

**Approved by Minister of Municipal Affairs  
September 15, 1998**

**Approved by the Ontario Municipal Board  
November 16, 1999**

**Five Year Review Approved by MMAH  
June 21, 2010**

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(Consolidation including OMB Decision of Mar 1, 2012 [PL091020] – March 22, 2012)  
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**LAND USE SCHEDULES**

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Schedule 'B': Transportation (North Section)  
Schedule 'B': Transportation (South Section)

Schedule 'C': Constraint (North Section)  
Schedule 'C': Constraint (South Section)  
Schedule 'C-2': Constraint (North Section)  
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Special Policy Area 'A': Dyers Bay (Schedule 1)  
Special Policy Area 'B': Hay Island (Schedule 2)  
Special Policy Area 'C': Lakewood (Schedule 3)  
Special Policy Area 'D': Lake Rosalind (Schedule 4)  
Special Policy Area 'D': Pearl Lake (Schedule 5)  
Special Policy Area 'D': Purvis (Schedule 6)  
Special Policy Area 'D': Silver Lake (Schedule 7)  
Special Policy Area 'E': Arran Lake Campground (Schedule 8)

**APPENDICES**

Note: The Appendices are provided for reference purposes only and do not form part of this Official Plan

Appendix 'A': Traditional Territories of the Saugeen Ojibway Nations (as provided by Saugeen Ojibway Nation)



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## **PART A PLAN FRAMEWORK**

### **1.0 INTRODUCTION**

- .1 The County of Bruce is located in the northern part of Southwestern Ontario and is bordered by Georgian Bay to the north and east, Grey County to the east, Huron County to the south and Lake Huron to the west. The County encompasses an area of approximately 4,048 square kilometres and presently supports a population of approximately 65,349 people as reported in the 2006 Census. Updates to population projections based on future Census data shall be undertaken as part of a subsequent 5 Year Review as required by the Planning Act.
- .2 Bruce County is relatively narrow in shape with a substantial amount of coastline along Lake Huron and Georgian Bay. The shoreline has played a significant role in the development of tourism and resort industries adjacent to the shoreline. The County has traditionally been recognized as a strong agriculturally productive area. Beef cattle are the predominant livestock with some farms reporting dairy animals, swine, poultry, cash crops, fruit and vegetables.
- .3 The County of Bruce is serviced by a series of Provincial Highways as well as a network of County Roads and a grid system of local municipal roads. Significant areas of the County are located adjacent to First Nations lands.
- .4 One of the most significant single geographic features of Bruce County is the Niagara Escarpment. This area serves as a major tourist attraction and stretches north along the easterly portion of the Bruce Peninsula from Wiarton to Tobermory. The Lake Huron and Georgian Bay shorelines are equally significant natural features, which also serve as major tourist attractions from Point Clark in the south to Tobermory in the north. In addition, the County contains many significant watersheds. These features have great importance relative to the environmental attributes, growth and development of Bruce County.
- .5 Bruce County is also strategically located within proximity of the major urban places and transportation corridors of Southern Ontario. It is the intention of Bruce County to benefit from this locational advantage by encouraging sustainable economic development, which is integral to the rural and environmental characteristics of Bruce County. Bruce County contains industries and businesses which are of a national or world scale, which provide economic advantages not only to the residents of Bruce County, but also to the larger Southern Ontario market.

### **1.1 PURPOSE**

- .1 The purpose of the Bruce County Official Plan is to establish a policy framework to guide the physical, social and economic development of the County and to protect the natural environment within the County to the year 2021.
- .2 Through this Official Plan it is County Council's intent to:
  - i) Achieve an orderly pattern of settlement;
  - ii) Protect and conserve good agricultural land;
  - iii) Protect and when possible enhance the quality of the natural environment;
  - iv) Encourage economic development and prosperity; and
  - v) Encourage necessary social, cultural and educational facilities and services.

### **1.2 CONTEXT**

- .1 This Plan was prepared through a four phased work program consisting of:
  - i) A Background Report Phase;
  - ii) An Issue Identification Report Phase;
  - iii) A Goals and Objectives Report Phase; and
  - iv) The Official Plan Phase.

- .2 The documents produced in each phase formed the basis for subsequent phases and were subject to a comprehensive consultation program involving the public, the local municipalities, commenting Ministries and agencies and other stakeholders.
- .3 The first three reports were structured around four broad theme areas – physical, environmental, social and economical. The Background Report identified and described the features and characteristics of the County according to the four theme areas.
- .4 Approximately six years after its approval by the Ontario Municipal Board, a Comprehensive Review was undertaken as required by the Planning Act. This review involved input from the eight local municipalities, interested government agencies, community groups and the general public, and resulted in several changes to the original Official Plan.

### **1.3 HOW TO USE THE PLAN**

- .1 This Plan has several interrelated components, which must be read in order to determine those policies that have an impact on any individual parcel of land within Bruce County.
- .2 The Vision, Goals and Objectives sections provide the framework within which the other policies have been prepared. The Vision, Goals and Objectives should be read in order to understand what the policies are striving to achieve. The General Policies apply to all lands within the County and provide more detailed information on how development will occur in the County. These general policies provide a link between the Vision, Goals and Objectives and the Detailed Land Use policies.
- .3 The Detailed Policies and the associated Schedule 'A' designate all land within the County in appropriate land use designations. By reviewing Schedule 'A', it can be determined what land use designation applies to any parcel of land and what impact surrounding land use designations may have on the parcel. Reading the policies that apply to any individual parcel of land will provide direction related to the development of that land. If the parcel is near the edge of the land use designation, the policies that apply to the adjacent land use designation should also be reviewed to determine if there are policies dealing with the interface area between the two designations that may have an impact on development. This is particularly important when urban, rural and natural environment land use designations abut.
- .4 The Implementation Section indicates the types of planning tools, techniques and studies needed to carry out policies of this Plan. This section also allows local municipalities to develop more refined local planning policies, in conformity with this Plan.
- .5 The following process should be used in determining land use designations and identifying the necessary policies:
  - i) Locate the subject property on Schedule 'A' Land Use and determine its land use designation(s);
  - ii) Locate the subject property on Schedule 'C' Constraints and determine what development constraint(s) effect the property;
  - iii) Review the Detailed Policies, which correspond to the land use designation(s) and development constraint(s) affecting the subject property;
  - iv) Review the General Policies and the Implementation Policies to determine the development intent, planning processes and planning studies effecting the subject property; and
  - v) In addition, local municipalities may have their own Local Official Plan for all, or part of their municipality. These additional local policies, while in conformity with this County Official Plan, will contain more detailed land use policies, which need to be met.
- .6 In determining which land use designations, development constraints or policies affect a property or properties within the County, the County of Bruce Planning & Economic Development Department and/or the local municipality should be consulted.

## **2.0 STRUCTURE OF THE PLAN**

### **2.1 PLAN COMPONENTS**

This Official Plan is comprised of text and schedules and serves as the principle land use planning policy document of the Council of the County of Bruce, and provides direction for public and private initiatives and land use activities, related to growth and development in the County.

PART A            The Plan Framework is included for information and background purposes, it is not part of the Official Plan.

PART B            The Bruce County Official Plan, consisting of text and Schedules 'A', 'B' and 'C', constitutes the Official Plan for Bruce County.

### **2.2 FUNCTION**

.1            Within the County there has traditionally been a combination of upper and lower tier Official Plans and Secondary Plans.

.2            The Bruce County Official Plan provides the planning policy framework and direction for the entire County. Several amendments to the County Plan are in the form of Secondary Plans that provide more detailed planning policy and cover some of:

- The Lake Huron and Georgian Bay Shorelines;
- The Inland Lakes; and
- The Villages and Hamlets.

.3            At the same time, each of the eight lower tier municipalities within the County have their own local Official Plan(s). These local Official Plans apply generally only to the primary and secondary communities. The local Official Plans for the Town of South Bruce Peninsula and the Township of Huron-Kinloss cover not only their primary and secondary communities, but to all other lands within the Municipalities as well. Although all local Official Plans have been prepared within the context of the County Official Plan, they do not form part of the County Official Plan. With the exception of the Town of South Bruce Peninsula and the Township of Huron-Kinloss, none of the other six lower tier municipalities have comprehensive local Official Plans that apply to their entire geographic areas. The County Official Plan acts as the local Official Plan for lower tier municipalities lacking their own local Official Plan.

.4            With the exception of replacing the requirement for Secondary Plans with Local Official Plans, the County Official Plan continues this approach to, and structure of, planning in the County. It is not the policy of County Council that local Official Plans be prepared for all municipalities that do not currently have their own Official Plan. It is the policy of County Council that additional Local Official Plans be prepared to provide further detailed policies, as required for urban areas along the shoreline of Lake Huron and Georgian Bay, surrounding inland lakes and within interior areas, as outlined in this Plan.

.5            As a result, this Plan will function as an upper tier or County Official Plan for all municipalities and as a Local Official plan for some municipalities.

.6            All Local Official Plans, including the policies, schedules, and amendments thereto, must conform to provisions of this Plan.

.7            No public work may be undertaken and no By-Law under the Planning Act may be passed that does not conform to the Plan. Where a conflict in policy exists between this Official Plan and a Local Official Plan, the more restrictive policies shall apply provided that they do not conflict with applicable Provincial policy or regulation.

## **PART B - THE PLAN**

### **3.0 VISION, GOALS AND OBJECTIVES**

#### **3.1 INTRODUCTION**

The Goals, Objectives, Policies and Schedules of this Official Plan descend from the County's Vision, which was established by County Council as the contextual basis and direction for all County initiatives.

#### **3.2 VISION**

- .1 The Vision is a statement designed to provide direction for the goals, values and actions adopted in future initiatives within the County over the next twenty years.
- .2 The Vision for the County of Bruce is one which:

***Protects the quality of life of Bruce County while ensuring the growth of sustainable communities based upon diverse economic opportunities, which respect the natural environment.***

#### **3.3 PRINCIPLE OF SUSTAINABLE DEVELOPMENT**

- .1 The County of Bruce is a diverse Community, which is reflective of the tremendous variety of physical, social and economic attributes of the area. This diversity contributes to the significant range of Community characteristics evident within Bruce County. It is these characteristics, which differentiate Bruce County from other areas of the Province, and give Bruce County its unique appeal.
- .2 To ensure the continued uniqueness and diversity of Bruce County, this Plan attempts to achieve a balance between the demands for new development and the need to preserve the existing attributes of the area. This balance is found within the concept of 'sustainable communities' as identified by the United Nations World Commission on Environment and Development (1987), "Our Common Future". The major principle of this concept is to meet the needs of the present generation without compromising the ability of future generations to meet their own needs.
- .3 As a result, in the interpretation and implementation of this Plan, the principle of sustainable development will be used in the resolution of land use issues.

#### **3.4 COUNTY GOALS & OBJECTIVES**

The County of Bruce has established a number of important Goals and Objectives, which are considered of prime importance to the Community. The Goals and Objectives have been therefore included in this document to serve as a basis for future decision making. The general County Goals have been set out in this Section. The Objectives are generally of a specific nature, and as a result have been included within the beginning of each appropriate policy Section.

##### **3.4.1 County Goals**

###### **.1 Physical**

- i) Ensure that land and resources within the County are utilized efficiently and effectively and in an environmentally sound manner that supports the County's Vision Statement; and
- ii) Encourage orderly physical, social, environmental and economic development in conformity with the goals, objectives and policies of this Plan.

**.2 Transportation**

- i) Develop adequate and appropriate transportation systems and facilities that move people and goods in a safe, environmentally responsible and economically efficient manner within the County, and between the County and other areas.

**.3 Environmental**

- i) Protect and preserve in their natural state, those areas within the County that are ecologically significant;
- ii) Encourage the restoration to a natural state, lands that have been abandoned, neglected or degraded; and
- iii) Protect and enhance air, land and water quality.

**.4 Social**

- i) Maintain the small community environment and enhance the quality of life in Bruce County;
- ii) Ensure the provision of educational, social, recreational, health and cultural facilities and services to meet the needs and resources of County residents;
- iii) Provide affordable housing for all residents of Bruce County;
- iv) Ensure an adequate supply of land is available to accommodate anticipated development to the year 2021 recognizing the future needs and resources of the Community.
- v) Encourage a co-operative and mutual approach to social and land use planning issues with the first Nation Communities.

**.5 Economic**

- i) Provide opportunities for the continued development of a diverse, sustainable and viable economic base within the County, which is compatible with the natural environment;
- ii) Strengthen the industrial and commercial base of the County;
- iii) Recognize the interest in and importance of economic growth of the County;
- iv) Recognize, promote and strengthen tourism as a viable, vital component of the County economy; and, recognize, promote and strengthen the agricultural community as a viable and vital component of the County's economy;
- v) Promote energy generation as a viable form of economic development including, but not limited to, nuclear, renewable alternative and green energy supply.

**.6 Mineral Resources**

- i) Ensure the protection of mineral resources for future extraction to meet existing and future demands.

## **4.0 GENERAL POLICIES**

### **4.1 INTRODUCTION**

General Policies of this Plan are intended to provide policies, which are applicable to more than one land use designation, and to provide direction for the implementation of the Detailed Policies and the preparation of local Official Plans forming part of the County Plan. These policies must be read in conjunction with the Detailed Policies and be interpreted and applied within the context of the Goals and Objectives of this Plan.

### **4.2 GENERAL OBJECTIVES**

- i) Ensure that land identified for development is utilized in an efficient manner;
- ii) Ensure the protection of the natural environment and important natural features;
- iii) Recognize varying approaches to development and settlement patterns across the County;
- iv) Permit planned growth in accordance with County and Provincial policies;
- v) Promote an increased level of cooperation and community involvement in the County's commitment to long range planning;
- vi) Streamline and simplify the planning approval processes, where necessary; and,
- vii) Monitor and update the County Official Plan on a regular basis and encourage the same for all planning documents in the County.

### **4.3 THE ENVIRONMENT**

#### **4.3.1 Objectives**

- i) Identify and protect the County's unique natural resources and environment;
- ii) Identify, conserve, and where possible enhance the natural environment to ensure that natural systems are sustained, which will also serve to maintain human health;
- iii) Maintain, enhance and protect aquatic habitat in and around Bruce County;
- iv) Promote environmentally sound watercourse management that enhances the quality of lakes and rivers;
- v) Protect ground and surface water quality;
- vi) Work in conjunction with local conservation authorities, local municipalities and the public to develop a long-term comprehensive drinking water source protection plan for the County;
- vii) Recognize the role of forests and wetlands in ground and surface water rehabilitation;
- viii) Protect headwater areas of rivers and streams;
- ix) Protect identified significant woodlands;
- x) Protect natural areas along shorelines and rivers;
- xi) Restrict or prohibit development on lands subject to environmental hazards;
- xii) Ensure that growth does not exceed the carrying capacity of the natural environment;
- xiii) Maintain the character of the Niagara Escarpment, a World Biosphere Site by abiding by the Niagara Escarpment Plan and the Niagara Escarpment Planning and Development Act;
- xiv) Collaborate with adjacent municipalities in the preservation of the natural environment;
- xv) Encourage the use of alternate energy sources, such as wind, solar, biomass and hydroelectric;
- xvi) Discourage land uses and activities which are noxious in nature and may contribute to air, water or land pollution;
- xvii) Identify, protect and enhance all Provincially significant wetlands and Areas of Natural and Scientific Interest (ANSI's);
- xviii) Identify and preserve areas of environmental or ecological significance;
- xix) Encourage the preservation of locally significant Environmentally Significant Areas (E.S.A.'s);
- xx) Protect the habitat of endangered and threatened species;
- xxi) Encourage the preparation of watershed and subwatershed plans, where they are deemed necessary; and
- xxii) Discourage the extraction of groundwater that exceeds the recharge capacity of the aquifer.

#### 4.3.2 **General Policies**

- .1 The natural resources of the County shall be protected and managed in order to maintain and preserve a healthy living environment for existing and future generations.
- .2 County Council recognizes that natural areas or features within Bruce County provide a wide range of benefits to the residents of the County. Those areas shall be protected from the negative effects of development.
- .3 Some natural features, such as ANSI and Provincially Significant Wetlands, Escarpment Natural Areas, some Locally Significant Wetlands and areas of Karst topography have been identified and are shown on the Schedules of this Plan. Other features, such as significant ravines, valley, river and stream corridors, significant woodlands, significant portions of threatened and endangered species habitat, significant fish habitat and significant wildlife habitats have not been specifically identified. Dynamic beaches are considered to be significant natural features, yet may or may not be mapped. As more detailed mapping of these natural features becomes available, the appropriate Schedules will be updated to include this more detailed information.
- .4 In the absence of mapping showing the various components of the natural areas, this Plan will rely on Environmental Hazard mapping, ANSI mapping and Wetland mapping to achieve much of the County's environmental goals and objectives. Therefore, new development proposed in or adjacent to these areas must also address all of the applicable natural environment features.
- .5 For some environmentally sensitive areas new development may be permitted within and adjacent to them, provided it can be demonstrated that the development will not have an adverse or negative impact on the area. For other areas such as Environmental Hazard Lands significant habitat of threatened and endangered species and Provincially Significant Wetlands, new development and site alteration is not permitted.
- .6 In the review of site development proposals the proponent and/or review agencies may identify natural heritage features, which have not been incorporated in the Schedules to the Plan. In these instances, the policies of Section 4.3 and 5.8 will apply and the applicant must demonstrate protection of the natural heritage functions and features.

##### 4.3.2.1 **Cold and Warm Water Streams**

No development shall be permitted within 30 metres of the banks of a cold water stream or 15 metres of a warm water stream. Landowners are encouraged to forest the area within 30 metres of any stream to maintain and improve fish habitat, ecological function of the stream and to increase natural connections.

##### 4.3.2.2 **Drinking Water Source Protection**

- .1 The Province of Ontario has established the Drinking Water Source Protection (DWSP) program that is guided by the Clean Water Act, 2006. The purpose of this Act is to protect existing and future sources of drinking water. Under this program, it is the responsibility of a Source Protection Committee to develop Assessment Reports and Source Protection Plans for a Source Protection Region.
- .2 This program is generally designed to protect Municipal Wellhead Protection Areas (WHPA), and Intake Protection Zones (IPZ), as well as Highly Vulnerable Aquifers (HVA) and Significant Groundwater Recharge Areas (SGRA). The Assessment Reports will delineate these areas, determine their vulnerability, and identify and assess threats to these areas. The Source Protection Plans will include policies to be followed by municipalities, landowners, and others, to address significant threats to these areas.

- .3 The County will support the work of the Source Protection Committee as it prepares Source Protection Plans. Once the Source Protection Plans have been completed (legislated deadline: Aug 2012) and approved, the County will assist with the implementation of the Plan by incorporating the appropriate Source Protection Plan policies into the Official Plan.

#### 4.3.2.3 Areas of Natural or Scientific Interest (ANSI)

- .1 County Council recognizes that most ANSI are held in private ownership. The objective of the policies of this section will therefore be to provide for the continued private use while encouraging landowners to voluntarily protect and manage the unique environmental resources of their land. This encouragement can be achieved by demonstrating wise environmental management of public land, the distribution of information concerning the establishment of new ANSI and the management of environmental features found within the ANSI.
- .2 County Council is in a position to influence the nature of development occurring within and contiguous to ANSI. The policies of this Plan seek to protect and improve the natural environment of ANSI affected by the development of land in recognition of the fact that:
- i) The protection, management and renewal of ANSI is essential if the County's natural heritage is to survive;
  - ii) Some forms of development may be accommodated within and contiguous to ANSI;
  - iii) When development and environmental objectives cannot be reconciled, the County shall attempt to protect the affected area by requesting a public agency or non-profit Corporation or the Conservation Authority to acquire the land, or to permit re-evaluation of the ANSI designation, or refuse to approve the development;
  - iv) The policies and objectives of this Section can complement the actions of other agencies in the protection and wise management of the natural environment; and
  - v) The distribution of information on the state of environmental conditions is essential to ensure the survival of the County's natural heritage.
- .3 County Council has designated on Schedule C those areas identified and judged by the Province of Ontario as Areas of Natural or Scientific Interest (ANSI) of Provincial significance.
- .4 County Council is prepared to consider mapping of ANSI at an improved scale to more accurately represent or determine the lands designated ANSI on Schedule C. Such mapping shall be used in the application of policies associated with this Plan and shall be revised as improved information and Environmental Impact Statements indicate more precise boundaries. Where more accurate mapping becomes available, this mapping will be incorporated by Amendment to this Plan.
- .5 It is the policy of County Council to consider the use of land within an ANSI identified on Schedule C in accordance with the underlying land use designation on Schedule A, provided it can be shown that the development would not adversely impact upon the ANSI. In order to further clarify the intent of this policy, the following use of land and buildings as they existed on the date of adoption of this Plan may continue:
- i) Farming operations and the expansion of the same in accordance with the Minimum Distance Separation Formula;
  - ii) Management and harvesting of timber in accordance with sound forest management practices;
  - iii) Construction or expansion of a residence on a legally separated parcel of land existing on the date of the adoption of this Plan, provided that measures are taken to minimize negative impacts on the ANSI and subject to other policies of this Plan, the local Municipal Zoning By-Law and the applicable policies and regulations of other agencies or Government ministries; and,
  - iv) The existing use of the area for public recreational uses.



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- .6 It is the policy of County Council that when a change in the use of land not in conformity with the above policy is proposed for lands within the ANSI such that adverse effects on the ANSI are likely to occur, a full, scoped or check list, Environmental Impact Studies (EIS) in regard to the merits of the proposal as determined by the appropriate Council, shall be prepared prior to the consideration of approval of the proposal according to the policies of Section 4.3.3 [Requirements for Environmental Impact Studies]. Where it cannot be shown that the development proposal will have minimal impacts on the ANSI, such proposal shall be refused.
- .7 ANSI are identified by the Province of Ontario. It is the policy of County Council to ensure that an EIS is reviewed with respect to the merits of the proposal. A recommendation will then be submitted to the County and/or local municipality for consideration of the proposed change in the use of the land.
- .8 It is the policy of County Council that the lands identified as ANSI, which are privately owned, are not free and open for the public to use. Public access to ANSI on privately owned lands may occur by permission of the land owner, and the use of other mechanisms such as Land Trusts or Conservation Easements.
- .9 County Council recognizes that the existing statutory powers of the County to fully achieve the objectives of environmental protection are inadequate.
- .10 In order to supplement the provisions of the above policies, County Council may from time to time consider:
- i) The acquisition (by donation) of ANSI that may be suitable for the extension of existing County forests or for the establishment of new County forests;
  - ii) Negotiating with the owners of an ANSI to have all or part of it privately preserved or managed in accordance with sound environmental practices, or conveyed by the owner to a public authority;
  - iii) The use of conservation measures such as Land Trusts or Conservation Easements; and,
  - iv) Requesting the public agency or non-profit Corporation, or the Conservation Authority, having jurisdiction to acquire such ANSI.

#### 4.3.2.4 Locally Significant Wetlands

- .1 County Council shall encourage the protection of locally significant wetlands.
- .2 Development, which may have a significant impact on lands, located within locally significant wetlands, may require the preparation of an Environmental Impact Study, by the proponent, to ensure that the ecological function of the lands, and the ecological function of the lands, are not negatively impacted by the proposed development. An EIS shall be prepared in accordance with the policies of Section 4.3.3 [Environmental Impact Studies].

#### 4.3.2.5 Provincially Significant Wetlands

- .1 Schedule C to this Plan identifies Provincially Significant Wetlands. The following policies apply to those wetlands.
- .2 It is the policy of County Council that development except for infrastructure permitted by the Provincial Policy Statement shall not be permitted within Provincially Significant Wetlands.
- .3 It is the policy of County Council that development may be permitted on adjacent lands only if it does not result in any of the following:
- i) A loss of wetland function;
  - ii) Subsequent demand for future development, which will negatively impact on existing wetland functions;
  - iii) Conflict with existing site specific wetland management practices; and

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- iv) Loss of contiguous wetland areas.
  - .4 Wetland Area is a single continuous wetland, which may be composed of one or more wetland types.
  - .5 Adjacent lands are those lands within 120 metres of an individual wetland area.
  - .6 It is the policy of County Council that the policies of Section 4.3.2.5.3 i), ii), iii) and iv) shall be addressed by an Environmental Impact Study (EIS), prepared in accordance with established procedures and carried out by the proponent. The EIS shall be subject to review and comment by the appropriate Provincial authority, the Conservation Authority, where one exists, and other public authorities having jurisdiction.
  - .7 Development proposals may be considered on adjacent lands without an Amendment to this Plan, in accordance with the abutting land use designation if supported by a site specific EIS indicating how the above policy has been met.
  - .8 It is the policy of County Council that wetlands shall be designated in local Official Plans where they exist, and that policies be included to preclude new development within Provincially Significant Wetlands.
  - .9 It is the policy of County Council that Provincially Significant Wetlands shall be zoned in the local Municipal Zoning By-Law to preclude new development within Provincially Significant Wetlands.

#### 4.3.2.6 Significant Woodlands

- .1 It is the intent of County Council to protect significant woodlands as they are one of the key components of our natural heritage areas. Wood lands provide significant economic value as well as habitat for wildlife, erosion control and maintenance of the 'cold water' for fish habitat.
- .2 Although significant wood lands have not been mapped in this Plan, the following policies shall apply to the protection of wood lands:
  - i) For Townships with less than 30% forest cover, wood lots of 40 hectares or greater are considered significant. Prior to development being permitted in these areas the proponent of the development shall be required to undertake an Environmental Impact Study.
  - ii) For municipalities with greater than 30% forest cover, an Environmental Impact Study shall only be required for developments that propose four or more lots in one development, or that involve the removal of more than 1.0 ha of forest cover in a single proposal. In certain instances, where the County may be concerned about cumulative losses to a significant wood lot, an EIS may also be required.
- .3 Where it cannot be demonstrated through the preparations of an Environmental Impact Study that the proposed development will not impact on the habitat/resource function of the wood lot, the development shall be refused.
- .4 The County recognizes that the evaluation of significant woodlots on a case-by-case basis may no longer be adequate. In this regard, the County shall endeavour to undertake a countywide evaluation of woodlands, provide required mapping, and update this section as required.

#### 4.3.2.7 Threatened and Endangered Species

- .1 Detailed mapping showing the significant portions of the habitat for threatened and endangered species in the county is not included on Schedule C to this Plan. Until such mapping becomes available and is incorporated in the Plan, these heritage resources shall require protection in accordance with the following policies where they are identified by the proponent and/or review agencies as being on or adjacent to a development proposal through individual review. The following policies apply to significant habitat of threatened and endangered species.

- .2 When mapping does become available, it is the policy of County Council to designate such areas in the County Plan. It may be difficult to maintain up-to-date mapping showing significant habitat of endangered species and threatened species given that the listing of the species and their respective rankings change often. Reference should be made to the Ministry of Natural Resources official species at risk list, as updated and amended from time to time.
- .3 It is the policy of County Council that development except for infrastructure permitted by the Provincial Policy Statement shall not be permitted within significant portions of the habitat of threatened and endangered species.
- .4 It is the policy of County Council that development and site alteration may be permitted on adjacent lands only if it has been demonstrated through an EIS, carried out by the proponent, that there will be no negative impacts on the natural features or on the ecological functions for which the area is identified.
- .5 Adjacent lands are those lands within 50 metres of an identified area.
- .6 Development proposals may be considered on adjacent lands without amendment to this Plan, in accordance with the abutting land use designation if supported by a site specific EIS indicating how the above policies have been met.
- .7 It is the policy of County Council that significant habitat of threatened and endangered species be designated in local Official Plans where they exist, and that policies be included to preclude new development within such areas.
- .8 It is the policy of County Council that significant portions of habitat of threatened and endangered species shall be zoned in the local Municipal Zoning By-law to preclude new development within such areas.

#### 4.3.2.8 **Significant Valleylands**

- .1 Detailed mapping showing significant valleylands is not included on Schedule C to this Plan. Until such mapping becomes available and is incorporated in the Plan, significant valleylands are identified on a case-by-case basis.
- .2 When mapping does become available, it is the policy of County Council to designate such areas in the County Official Plan.
- .3 It is the policy of County Council that no development or site alteration may be permitted within or adjacent (50 metres) to a significant valleyland unless it has been demonstrated through an EIS, carried out by the proponent, that there will be no negative impacts on the natural features or the ecological function of the significant valleylands.

#### 4.3.2.9 **Deer Wintering Areas**

- .1 Detailed mapping showing deer wintering areas in the County is not included on Schedule C to this Plan. The deer wintering areas are identified on a case-by-case basis.
- .2 In the interim, it is the policy of County Council that development or site alteration may be permitted within or adjacent (120 metres) to deer wintering areas only if it has been demonstrated through an EIS, carried out by the proponent that there will be no negative impacts on the deer wintering area.

#### 4.3.2.10 **Significant Wildlife Habitat**

- .1 Detailed mapping showing the significant wildlife habitat in the County is not included on Schedule C to this Plan. Until such mapping becomes available and is incorporated in the Plan, these heritage

resources are identified on a case-by-case basis.

- .2 It is the policy of County Council that no development except for essential municipally owned infrastructure shall be permitted within areas of significant wildlife habitat provided no adverse environmental impact will result.
- .3 It is the policy of County Council that no development or site alteration may be permitted within 120 metres to significant wildlife habitat unless it has been demonstrated through an EIS, carried out by the proponent, that there will be no negative impacts on the natural features or on the ecological functions for which the area is identified.

#### 4.3.2.11 **Karst**

The Bruce-Grey Regional Groundwater Study identifies areas of karst topography. This mapping is at a regional scale and therefore all areas may not be adequately shown. Development or site alteration in areas having karst topography shall not proceed in the absence of a detailed evaluation. The evaluation shall investigate the potential threat of the proposed development or site alteration on groundwater resources and shall be completed by an individual who specializes in karst topography. Development shall be prohibited unless it can be shown that these threats can be overcome through mitigation resources.

#### 4.3.2.12 **Headwater/Recharge Areas**

- .1 It is the intent of County Council to protect headwater areas, groundwater recharge areas and aquifers as one means of protecting groundwater and surface water from degradation. In doing so, the County acknowledges that comprehensive mapping indicating the location of these areas for the entire County is not available from the appropriate Provincial authority. Where mapping or site specific studies or observations for headwater areas, groundwater recharge areas is made available by the proponent and/or review agencies, new development will be required to demonstrate protection of these sensitive water resources and that the associated environment and any water resource uses are not detrimentally impacted.
- .2 County Council will encourage consultation and communication between the County, local municipalities, the appropriate Provincial authority, interested agencies, and development interests to identify and protect headwater areas, groundwater recharge areas and aquifers.

#### 4.3.3 **Requirements for Environmental Impact Studies**

- .1 In order to achieve County objectives for the protection of the natural environment, development proponents shall be required to prepare an EIS for any proposal that is:
  - i) In, or within 120 metres of, a provincially significant wetland;
  - ii) In, or within 60 metres of, a locally significant wetland;
  - iii) In, or within 120 metres of, the habitat of threatened or endangered species;
  - iv) In, or within, 120 metres of, a significant woodland, significant valleyland, significant wildlife habitat, deer wintering areas;
  - v) In, or within 120 metres of, fish habitat;
  - vi) Within the '100 Metre Buffer Zone' or '2 Year Time of Travel (WHPA-B)' for Wellhead Protection Areas or within a 'Intake Protection Zone 1 (IPZ-1)' or 'Intake Protection Zone 2 (IPZ-2)' for Intake Protection Zones;
  - vii) Within known areas of karst topography;
  - viii) In, or within 50 metres of Areas of Natural and Scientific Interest (ANSI) Earth Science.
- .2 Regardless if any of the above appear on Schedules of this Plan or are identified by the proponent and/or review agencies.

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- .3 The EIS shall be prepared prior to any development approvals and any site alteration (except as may be necessary for the preparation of pre-development studies or surveys) or development. In considering the loss of functions or features, particularly with regard to wetlands and fish habitat, the proponent is also advised to consult with the First Nations to determine potential impacts on resource, utilization, aboriginal interests, and other cultural values.
- .4 The proponent is encouraged to consult early in the application process with the County and other appropriate agencies regarding the specific EIS requirements.
- .5 Should review of the EIS determine that the natural features or functions can not be protected development will not be approved.
- .6 An EIS shall be carried out as follows:
- i) Be completed by a qualified professional;
  - ii) The study shall consist of:
    - a) A description of the purpose of the undertaking, the duration of impacts to the site, as well as the possible effects of the proposed undertaking;
    - b) A description and statement of the rationale for:
      - 1) The undertaking;
      - 2) The alternative methods of carrying out the undertaking; and,
      - 3) The alternatives to the undertaking.
    - c) A description of:
      - 1) The environment that will be affected or that might reasonably be expected to be affected, directly or indirectly;
      - 2) The effects that will be caused or that might reasonably be expected to be caused to the environment; and
      - 3) The actions that are necessary or that may reasonably be expected to be necessary to prevent, change, mitigate or remedy the effects or the effects that might reasonably be expected upon the environment by the undertaking.
    - d) An evaluation of the undertaking's advantages and disadvantages.
    - e) The cost for preparing an EIS shall be the responsibility of the proponent.
- .7 It is the policy of County Council to involve the affected Conservation Authority, the Province, and the local municipalities whenever an EIS is required.
- .8 The County may allow for the waiving of the requirement for the preparation of an EIS when: a) a development is subject to a duplicate or similar environmental assessment process; or b) a development is minor in nature; or c) the site conditions for a development are such that the preparation of an EIS would serve no useful purpose for the protection of the significant environmental features. The County may seek outside independent advice as to whether the proposed development is minor OR advice as to whether an EIS would serve any useful purpose.

#### 4.3.4 Conservation Authority Regulations

Written permission maybe required from the applicable Conservation Authority pursuant to Ontario Regulations – Development, Interference with Wetlands and Alterations to Shorelines and Watercourses where development or site grading is proposed within a Regulated Area as shown on schedules filed with the Conservation Authority where such mapping exists or otherwise generally within or near the Hazard Lands designation.

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#### **4.4 POPULATION AND HOUSING**

##### **4.4.1 Population and Housing Objectives**

- i) Direct the majority of the anticipated growth to Primary and Secondary Urban Communities and allow for development within the existing boundaries of Hamlet Communities;
- ii) Ensure a range of housing types and tenure to meet the broad range needs of the County residents;
- iii) Provide opportunities for an adequate supply of affordable housing as directed by the Bruce County Housing Study and as per the requirements of the Provincial Policy Statement;
- iv) Ensure a range of housing types and tenure to meet the needs of the County residents including those persons requiring specialized care;
- v) Provide for intensification in existing urban areas which enhances the positive characteristics of those areas;
- vi) Ensure that new development occurs in a cohesive and efficient manner without undue impact on the social or natural environment; and
- vii) Consult with and work co-operatively with First Nations in promoting and planning for social services.

##### **4.4.2 Population Projections**

- .1 Based upon the population projections supplied in the Bruce County Housing Study (March 2005), the County is expected to have a population of 69,130 permanent residents by 2021. This represents a growth of 5,238 people (8.2%) between 2001 and 2021.
- .2 The Bruce County Housing Study anticipates a healthy population growth in Kincardine and Saugeen Shores over the next 10 years due to the expected expansion at Bruce Power and continued growth in tourism and retirement population. The growth will not be as significant during 2016 to 2021 as immigration is expected to level off and expansion at Bruce Power will have been completed.
- .3 The population growth rate in South Bruce Peninsula and Northern Bruce Peninsula will not be as large during this same time period. Some growth will occur over the next 10 years as a result of tourism activity and the attraction of seniors as a retirement area. However, during the 2016 to 2021 period, no growth is expected due to the aging of the population.
- .4 The populations of South Bruce, Huron-Kinloss, Brockton and Arran-Elderslie are expected to grow at a slow rate or remain stable as a result of the aging of the population and slower growth in agricultural employment.
- .5 Growth is important to the future of the County and its municipalities, however, it must be managed in a way that will minimize adverse impacts on agricultural and heritage features, take into consideration the availability of appropriate types and levels of services and implement the goals and objectives of this Plan.
- .6 Primary and Secondary Settlement areas will remain the primary focus of development activity in the County. Other land use designations in the Official Plan have the potential for limited growth, however due to the difficulty in forecasting growth for small areas, these other designations are not assigned specific forecasts and are to be considered as part of the overall municipal forecasts. It is anticipated that up to 80% of new development will take place in Primary and Secondary Settlement areas.
- .7 Population and Employment Projections to the year 2021 for the lower-tier level municipalities are shown in Tables 1 and 2, respectively.

**Table 1: Population Projections for Bruce County by Municipality to 2021**

Area	2011	2016	2021
Kincardine	13,217	14,142	14,425
Saugeen Shores	13,647	14,603	14,895
South Bruce Peninsula	8,583	8,840	8,840
Northern Bruce Peninsula	3,818	3,933	3,933
South Bruce	5,705	5,591	5,479
Huron Kinloss	5,856	5,739	5,624
Brockton	9,087	8,905	8,727
Arran-Elderslie	6,188	6,065	5,943
<b>Bruce County</b>	<b>66,101</b>	<b>67,818</b>	<b>67,866</b>

Source: County of Bruce Census Update (Housing Study). February 2009. SHS Consulting

**Table 2: Employment Projections for Bruce County by Municipality to 2021**

Area	Employment Projections (persons)		
	2011	2016	2021
Kincardine	7,015	7,506	7,656
Saugeen Shores	7,161	7,663	7,816
South Bruce Peninsula	4,161	4,286	4,286
Northern Bruce Peninsula	1,711	1,762	1,762
South Bruce	3,439	3,370	3,303
Huron Kinloss	3,043	2,982	2,922
Brockton	4,995	4,895	4,798
Arran-Elderslie	3,201	3,137	3,074
<b>Bruce County</b>	<b>35,390</b>	<b>36,309</b>	<b>36,335</b>

Source: Statistics Canada 2006 Census.

#### 4.4.3 Settlement Patterns

- .1 The County of Bruce does not contain a dominant Regional centre. Therefore, the majority of the expected population growth will occur within Primary Communities, Secondary Communities and Hamlet Communities.
- .2 Population growth may occur in other areas of the County subject to the policy provisions of this Plan.
- .3 Non-farm development will be encouraged to locate in existing built-up areas in order to protect productive agricultural lands and to support the service centre function of the built-up areas.

#### 4.4.4 Housing Projections / Number of Residential Units Required

- .1 Statistics Canada findings show that household size in Bruce County dropped by 2.6% between 1991 and 1996 and dropped a further 4.6% between 1996 and 2001. Due to the aging of the population, household size is expected to continue to drop. However, in areas close to Bruce Power, the drop may be less because of an expected influx of larger families into the surrounding municipalities.
- .2 As stated in the Bruce County Housing Study, while the household size is expected to increase in the Municipality of Kincardine and the Town of Saugeen Shores because of the in-migration of younger families to work at Bruce Power, the continued attraction of seniors to retire in the area during the same time period will contribute to declines in household size, therefore, balancing the two factors. As a result, a decrease of 3.0% in household size from 2001 to 2006. From 2006 to 2011 and from 2011 to 2016 household size is not expected to increase or decrease due to the families moving in

and those moving out. A small decline is expected from 2016 to 2021 due to continued aging of the population.

- .3 In all other areas of the County, a decline in household size is expected due to the aging of the population. A decline of 2% in household size is expected between 2001 and 2006 and 2006 to 2011. A further decline in average household size is expected in these areas for 2011 to 2016 and 2016 to 2021.
- .4 In order to meet the anticipated population rate, an average of 197 dwelling units per year must be erected in Bruce County from 2001 to 2021.

**Table 3: Household Projections for Bruce County by Municipality to 2021**

<i>Area</i>	<i>Projected Households</i>		
	<i>2011</i>	<i>2016</i>	<i>2021</i>
<i>Kincardine</i>	<i>5,421</i>	<i>5,801</i>	<i>6,100</i>
<i>Saugeen Shores</i>	<i>5,822</i>	<i>6,230</i>	<i>6,551</i>
<i>South Bruce Peninsula</i>	<i>3,826</i>	<i>3,980</i>	<i>4,021</i>
<i>Northern Bruce Peninsula</i>	<i>1,785</i>	<i>1,857</i>	<i>1,876</i>
<i>South Bruce</i>	<i>2,098</i>	<i>2,077</i>	<i>2,056</i>
<i>Huron Kinloss</i>	<i>2,314</i>	<i>2,290</i>	<i>2,267</i>
<i>Brockton</i>	<i>3,656</i>	<i>3,619</i>	<i>3,582</i>
<i>Arran-Elderslie</i>	<i>2,473</i>	<i>2,448</i>	<i>2,423</i>
<i>Bruce County</i>	<i>27,394</i>	<i>28,302</i>	<i>28,876</i>

*Source: County of Bruce Housing Study. March 2005. SHS Consulting. County of Bruce Census Update (Housing Study). February 2009. SHS Consulting*

- .5 All the data points to the aging of the population over time and growth in small households. As a result, a wider range of dwelling types such as apartments and townhouses will be required. In addition, the substantial share of non-family households (mostly singles) which are currently experiencing affordability problems would benefit from additional smaller, affordable units such as bachelor and one bedroom apartment units. As such, a mix of development that provides a better overall balance of dwelling types would be appropriate.

#### 4.4.4.1 General Housing Policies

- .1 The following policies are intended to enable a wide variety of housing by type, size and tenure throughout the County as directed by the Provincial Policy Statement. These policies shall be incorporated into local Municipal Official Plans, as appropriate.
  - i) Local municipalities with Official Plans shall include in their Plan policies to ensure a range of housing types, housing densities and housing options to meet the needs of local residents, being mindful of the anticipated housing demands outlined in Section 4.4.4 [Housing Projections/Number of Residential Units Required].
  - ii) County Council shall, in conjunction with the respective local municipality, ensure that a wide range of housing is provided by encouraging the implementation of The County Housing Study or, where they exist, municipal housing statements when approving plans of subdivision at the local and County level.
  - iii) A supply of residential land should be maintained at all times in the urban centres to accommodate the growth that is anticipated over the next 10 years (minimum), as directed by the Provincial Policy Statement. The supply of land should take into consideration opportunities for intensification and redevelopment.
  - iv) Housing developments should be affordable to the residents of the County and shall include all forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements.



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- v) The County and local municipalities shall support opportunities to increase the supply of housing through intensification and redevelopment in appropriate locations, taking into account municipal services, existing facilities such as parks and schools, all modes of transportation, including walking and cycling, compatibility with adjacent land, environmental considerations, health and safety, and the demonstrated demand for the proposed type of dwellings.
  - vi) Housing intensification shall be located primarily in Primary and Secondary Urban Communities and will be permitted in other built-up areas with full municipal services. In built-up areas with partial services, housing intensification may be considered on existing lots for the purposes of redevelopment and minor infilling. All housing intensification is subject to the policies of this Plan.
  - vii) Local municipalities with Official Plans shall include in their Plan policies requiring duplex/semi-detached housing meaning a building or structure with no more than two (2) 'dwelling units', to be included in the same zone or zoning category as a single detached dwelling unit and that similar zoning provisions shall apply to both types of dwelling units.
  - viii) The creation of rooming, boarding and lodging houses in appropriate locations;
  - ix) The creation of residential units above commercial uses in the downtown and other appropriate commercial areas;
  - x) The establishment of Garden Suites in accordance with the following:
    - a) In considering development applications, the term Garden Suite means a one-unit detached residential structure containing bedroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable. A Garden Suite is intended to meet the temporary housing needs of elderly parents, family members with special needs, or other similar individuals, on the same lot as the caregivers.
    - b) Garden Suites may be permitted within the Residential designation subject to the requirements of the Comprehensive Zoning By-law and the local Official Plan, where applicable.
    - c) The Comprehensive Zoning By-law may provide Garden Suite regulations which:
      - 1) Require the Garden Suite to be detached and accessory to a primary dwelling unit;
      - 2) Restrict any business or commercial enterprise from taking place within the Garden Suite;
      - 3) Require the Garden Suite to meet all requirements of the Comprehensive Zoning By-law, including yard setbacks;
      - 4) Prohibit the use of a mobile home; and
      - 5) Require the Garden Suite to be connected to municipal water and sewer services.
    - d) The Comprehensive Zoning By-law may provide Garden Suite regulations that:

As a condition to passing a by-law authorizing the temporary use of a Garden Suite, the Municipality under the powers of the Planning Act, may enter into an agreement with the owner or occupant of the Suite to cover issues such as:

      - 1) Conditions for removal of the Garden Suite from the property;
      - 2) The Garden Suite shall not be used as a rental dwelling unit for profit or gain;
      - 3) The Garden Suite meets all health, safety, servicing, fire and building code standards;
      - 4) The need for bonding of security to ensure that certain conditions of the agreement are met; and,
      - 5) Other issues deemed important by the Municipality.

- e) Garden Suites may be subject to Site Plan Control.
- xi) The establishment of Secondary Suites in accordance with the following:
  - a) The term Secondary Suite means a separate residential unit subsidiary to, and located in the same building as, its principal dwelling unit; and its creation does not result in a semi-detached, duplex, triplex, converted house or converted dwelling house, dwelling unit, accessory or accessory dwelling unit, as otherwise may be defined. A Secondary Suite may house elderly parents or other family members, or may be rented as a residential unit.
  - b) Secondary Suites may be permitted within the Residential designation subject to the requirements of the local Official Plan, where they exist and the Comprehensive Zoning By-law, where the zoning by-law permits a detached or semi-detached dwelling.
  - c) The Comprehensive Zoning By-law may provide Secondary Suite regulations which:
    - 1) Govern compatibility with the main dwelling and surrounding land uses;
    - 2) Restrict any business or commercial enterprise from taking place within the Secondary Suite;
    - 3) Set out restrictions involving the unit size, alteration to the outside of the principal dwelling, parking requirements, and water and sewer/septic servicing requirements;
    - 4) Require municipal registration of the Secondary Suite.
  - d) One Secondary Suite is permitted in any detached dwelling, semi-detached dwelling unit, or duplex building in any zone that permits these dwelling types provided:
    - 1) It does not change the streetscape character along the road on which it is located;
    - 2) It not be a stand-alone, principal unit, capable of being severed;
    - 3) It only exists along with, and within the same building as, its principal dwelling unit.
  - e) A Secondary Suite is not permitted on a lot that is legally non-conforming with respect to lot width or lot area.
  - f) The principal and Secondary Suites must share the parking area and yards provided for the principal dwelling unit, and no new driveway may be created;
  - g) Where a Secondary Suite is located on a lot, a Garden Suite is not permitted on that lot.
- .2 Local Official Plans, where they exist, shall have regard to site specific characteristics for neighbourhood compatibility in order to address matters relating to the physical character of infill or redevelopment projects. Such matters as building height, lot coverage and parking, should be addressed in local Plans to guide the approval of zoning, site plans, and/or minor variances, which occur as a result of infill or intensification projects
- .3 Where local Official Plans do not exist, the County Official Plan shall have regard to the same site specific characteristics for neighbourhood compatibility in order to address matters relating to the physical character of infill or redevelopment projects.
- .4 In view of the expected employment increase of approximately 1,500 temporary staff at Bruce Power during the reconstruction phase in the next few years and the associated heightened concerns

regarding the resulting impact on the rental housing market, in particular the affordability of rental units for the existing lower income families, local Municipalities in the vicinity of Bruce Power shall be encouraged to work in partnership with Bruce Power officials, the County and other housing groups or agencies to address and effectively resolve the short-term housing needs of the temporary Bruce Power employees.

#### 4.4.4.2 Affordable Housing Policies

- .1 In addition to the above-noted housing policies, the following shall also apply to address the issue of affordable housing.
- .2 The Provincial Policy Statement requires the County to have an appropriate range of housing types and densities to meet projected requirements of current and future residents. In order to ensure affordable housing is provided within a Municipality, 30% of new residential development and residential intensification shall be affordable to meet the housing needs of family incomes up to the 60<sup>th</sup> percentile.
- .3 Using this Provincial standard, the results of the Bruce County Housing Study would suggest that the local Municipalities within the County are currently meeting the requirements of the Provincial Policy Statement with regard to affordable rental units and affordable house purchases.
- .4 Meeting the requirement of the Provincial Policy Statement does not, however, mean the County of Bruce has no housing affordability issues. The problem in the County occurs with the families that are earning less than \$30,000 (gross) per year. This group represents approximately 30% of the County's population.
- .5 The policies stated below are intended to provide clear direction to the County and the local Municipalities to:
  - i) Continue to provide rental housing and housing for purchase that is deemed affordable as per the requirements of the Provincial Policy Statement; and,
  - ii) Provide affordable rental housing to the 30% of the families that are earning less than \$30,000 (gross) annually.
  - iii) The County and the local Municipalities shall, within their legislative authority implement the Provincial Policy Statement regarding housing by encouraging housing forms and densities designed to be affordable to moderate and lower income households, through the policies of this Plan, by way of the following:
    - a) The County and local municipalities shall strive to ensure that 30% of new residential development and residential intensification be affordable to meet the housing needs of incomes up to the 60<sup>th</sup> percentile in the local municipalities;
    - b) The County shall encourage local Official Plans to require a minimum of 30% of all new residential development to occur in the form of medium and high density;
    - c) The County shall encourage local Official Plans to require a minimum of 30% of all new residential development to be available as rental housing;
    - d) Local Official Plans may permit accessory apartments in appropriate residential zones and/or neighbourhoods subject to appropriate standards of health and safety and the provision of municipal water and sanitary sewers;
    - e) This Plan and local Official Plans shall support increased residential densities, adequate land supply and residential intensification;

- f) This Plan and local Official Plans shall promote new developments that involve a mix of housing types and densities that will contribute to an efficient utilization of land and services;
  - g) This Plan and local Official Plans shall promote alternative development standards of a case-by-case basis for residential developments as a means of improving land use efficiency and providing affordable housing;
  - h) Local Official Plans shall not preclude medium density residential development from occurring along local roads where municipal water and sanitary sewers are available;
  - i) Local Municipalities shall be encouraged to undertake, periodically as need arises, a monitoring report describing how targets for housing form, ownership and the issue of affordability are being met. The report should identify:
    - 1) Proportion of new ownership and new rental housing by form;
    - 2) Analysis of vacant lands that are designated for residential development and serviced with Municipal water and sanitary sewers;
    - 3) Affordability of the new housing by housing form and ownership in comparison to the recognized affordable housing definition for the Municipality;
    - 4) Rental vacancy rates;
    - 5) Future development projects intended to provide affordable housing;
    - 6) Infill and intensification projects approved by Council;
    - 7) An analysis of land and building costs for new residential construction.
- .6 The County and the local Municipalities shall implement the recommendations of the Bruce County Housing Study by encouraging the creation of new rental housing units intended to be affordable to the 30% of the County's population earning \$30,000 per year or less, through the policies of this Plan, by way of implementing the aforementioned policies of Section 4.4.4.2 [Affordable Housing Policies] and the following additional policies:
- i) The County of Bruce and the local Municipalities shall enact a Municipal Housing Facilities By-Law under Section 110 of the Municipal Act that would enable Bruce County and local municipalities to provide incentives to the public and private sectors to create new affordable rental units;
  - ii) The County of Bruce and the local Municipalities shall provide a grant-in-lieu of residential development charges, planning fees and building permit fees for new affordable housing developments in return for a commitment by the developer to meet specified affordability targets;
  - iii) The County of Bruce shall establish an Affordable Housing Reserve Fund to provide incentives to private and community organizations for the creation of affordable housing and for other affordable housing purposes;
  - iv) The County of Bruce and the local Municipalities have a "housing first" policy for surplus municipal lands. Specifically, the first priority in the decision making process respecting surplus or potentially surplus municipal property shall be affordable housing development and that the surplus property be made available for affordable housing purposes at a reduced cost; and
  - v) The County and Local Municipalities shall promote, and where possible, assist in the administration of County, Provincial and Federal housing programs.

## **4.5 ECONOMIC DEVELOPMENT**

### **4.5.1 Objectives**

- i) Identify, protect and promote the County's natural resources and environment which are fundamental to a sound tourism and recreation industry;
- ii) Consider energy conservation when assessing private sector proposals;
- iii) Encourage the development of technologies and methodologies to assess environmental quality and impacts;
- iv) Identify and support those industries and trends that are key to the County's economic future;
- v) Encourage the development of the Bruce Energy Centre Complex as a sustainable agricultural and energy development complex;
- vi) Promote a broader range of growth to provide employment opportunities within the County;
- vii) Make provisions for land, services and facilities to satisfy the requirements of economic activities;
- viii) Direct industry requiring municipal water and sewer services to areas where those services can be provided;
- ix) Encourage value added development of resources and products;
- x) Broaden and encourage the range of business activity including home industries in the County that can adapt to economic change;
- xi) Recognize and promote local economic development initiatives;
- xii) Encourage the creation and support of necessary infrastructure for economic development, including telecommunication infrastructure;
- xiii) Encourage the development of industry based upon the reduction, reuse and recycling of secondary (waste) material;
- xiv) Stimulate the growth of the tourism industry by encouraging the improvement of existing services and facilities for existing and future tourists;
- xv) Promote a four season tourism industry that includes both private and public facilities;
- xvi) Identify and promote the County's natural resources which create recreation and tourism potential;
- xvii) Identifying, protecting and promoting the agricultural community and resources in the County; and,
- xviii) Encourage and promote opportunities to work with the First Nations in seeking mutually beneficial and socially and environmentally sustainable economic development opportunities.

### **4.5.2 General Policies**

- .1 County Council recognizes the economic importance to Bruce County of agriculture, tourism, the Bruce Nuclear Power Development, the Bruce Energy Centre and other forms of business, industrial and recreational and resource development. County Council recognizes industrial lands as employment areas.
- .2 County Council shall foster a favourable climate for sustainable economic development of the County and shall promote the County as a desirable location for new business investment.
- .3 County Council shall facilitate the expansion and diversification of the economic base of the County to create a balance amongst various employment opportunities.
- .4 County Council shall encourage Primary and Secondary Urban Communities to maintain at least a five-year supply of serviced or serviceable lands at all times to meet residential, commercial and industrial needs, taking into account the consumption of serviced lands, the need to balance population growth with employment opportunities, and the ease of servicing.

## **4.6 TRANSPORTATION**

### **4.6.1 Objectives**

- i) Minimize the environmental and financial costs associated with the development of transportation systems and facilities in the County;
- ii) Encourage all jurisdictions to consult with each other in transportation upgrading and maintenance programs;
- iii) Encourage the continued existence and development of public and private airports, which serve the County;
- iv) Encourage the development of public and private harbour facilities and recreational marine facilities, including marine transportation system, to serve the public and enhance the economic diversity of the County;
- v) Maintain and enhance the carrying capacity of the existing and proposed County road system;
- vi) Encourage a railway network for the movement of goods and people within the County, and between the County and other areas;
- vii) Encourage the preservation of railway rights-of-way for possible future use as transportation, utility or recreation corridors; and,
- viii) Recognize, promote and encourage recreational transportation routes including canoe routes, cross-country ski, snowmobile, hiking and bicycle trails.

### **4.6.2 General Policies**

- .1 County Council supports the planning, design and operation of a fully integrated County transportation network composed of Provincial highways, County roads, local roads, scenic roads, railways, recreational trails, airports and harbours.
- .2 The transportation network is designed to facilitate the movement of people and goods within and through the County.
- .3 The transportation network depicted on Schedule 'B' anticipates the future needs of the County, as well as future alterations to Provincial and County transportation systems to maintain an adequate transportation network. It is the policy of County Council to encourage the Ministry of Transportation to construct a 4-lane highway to serve the long term needs of Bruce County, or alternately to provide traffic passing areas on Provincial Highways. Such highways will help strengthen the economy of the County including the tourism, agricultural, industrial, mineral resource and other sectors
- .4 The Roads transportation network is classified on the basis of road function as indicated on Schedule 'B'. Where additional land is required for widenings, realignments, extensions and intersection improvements, such land shall be obtained, wherever possible, in the course of approving plans of subdivision or the granting of severances and minor variances, site plan agreements or through development agreements. Where the construction of new or improvements/alterations to existing transportation components are undertaken, any surplus lands which do not meet the minimum lot requirements of the local Municipal zoning by-laws shall be amalgamated where possible with adjoining lands.
- .5 Roads within the Planning Area shall be classified according to Section 4.6.3 [Roads].
- .6 An Official Plan Amendment to Schedule 'B' of this Plan is required when major re-routing of roads are made to the Provincial highways and County road system indicated on Schedule B.

### **4.6.3 Roads**

#### **4.6.3.1 Arterial Roads**

- .1 The policies of this section shall apply to all County roads as identified as Arterial roads on Schedule

'B' of this plan.

- .2 County Council wishes to maintain and upgrade the Arterial Highway system to ensure improved regional access to major markets and urban centres, within and outside of the County.
- .3 County Council in consultation with the local municipalities shall encourage the construction of by-passes around Primary and Secondary Urban Areas, where traffic volumes and congestion warrant.

#### 4.6.3.2 **Collector Roads**

- .1 The policies of this section shall apply to all roads identified as Collector Roads or Proposed Collector Roads on Schedule 'B' of this Plan.
- .2 The County shall ensure a continued program of improvements to the County Collector Road network, or Primary Urban Communities, Secondary Urban Communities, Rural Recreational Area, the BNPD / BEC and other major destination points.

#### 4.6.3.3 **Local Roads**

- .1 County Council encourages local municipalities to provide local roads, which are consistent with and accessible by the road network of the adjacent municipality, the County and the Province.
- .2 New development on existing private roads may be considered by the local municipality provided that such development occurs on lots which existed on the date of adoption of this Plan and which could legally be conveyed on that date, provided that all other policies of this Plan are met and subject to appropriate zoning. No new private roads shall be permitted.
- .3 Private roads are those roads not maintained by a municipality, located either on a municipal or private right-of-way providing access to a cluster of residential uses.
- .4 This policy shall not be interpreted so as to prohibit development of Plans of Condominium using private roadways of a standard suitable to the municipalities.

#### 4.6.3.4 **Provincial Highways**

- .1 There are three provincial highways serving the County of Bruce (Highway 6, Highway 9 and Highway 21) which are under the jurisdiction and control of the Ministry of Transportation (MTO). Development that falls within the MTO's permit control areas as defined under the Public Transportation and Highway Improvement Act is subject to all the safety and geometric requirements of the MTO.
- .2 New entrances or the upgrading of entrances, location of buildings, signs and encroachments within the MTO's permit control area of a provincial highway shall be subject to the approval of the MTO. MTO requirements may conflict with this Official Plan and therefore in such a situation, the highway standard would apply.
- .3 For major development proposals for large traffic generators located within the permit control area of a provincial highway, MTO will require an application to prepare a transportation impact assessment in accordance with its "General Guidelines for the preparation of Traffic Impact Studies". The main purpose of a traffic impact study is to demonstrate how the transportation impacts of a proposed development or redevelopment can be mitigated and addressed in a manner that is consistent with the objectives of MTO. The traffic impact study also serves as the basis for the identification and evaluation of transportation related improvements or measures to be included as a condition of access approval, including funding for the development or redevelopment.
- .4 All applicants proposing changes to an existing development, or the construction of a new development or land use change that requires a minor variance, severance, official plan amendment or zoning by-law amendment within the MTO's permit control areas are advised to consult with the

MTO prior to making formal submission of their application under the Planning Act, as access to development is strictly controlled.

- .5 The County and the MTO shall work together co-operatively with respect to the planning of land development and associated access connections within MTO's permit control areas adjacent to all provincial highways and intersections within the County, in order to protect, for future safety, operation and capacity of both the provincial highway network and the County's transportation corridors for the movement of people and goods.

#### 4.6.3.5 **County Roads**

- .1 The County has by-laws to regulate the construction or alteration of any entrances; for structural setbacks for the installation of signs on or adjacent to County Roads; and for drainage onto County rights-of-way. Any proposed development must conform to these by-laws.
- .2 A County road shall have a minimum right-of-way width of 30 metres for those road sections shown as 'rural' on Schedule 'B' Transportation. All other County Roads shall have a minimum right-of-way width of 20 metres for those road sections shown as 'urban' on Schedule 'B' Transportation.
- .3 Where rights-of-way widths are less than the minimum, or where additional widening are needed for daylight triangles, road cuts and fills, or turning lanes, the County shall require that sufficient road widening be provided through the development approval process in accordance with the provisions of the Planning Act. Where there has been no application through the development approval process, the County shall acquire or expropriate the necessary lands for such widenings.
- .4 Notwithstanding any road widening provisions in this Official Plan no road widening shall be taken along the West Road until the completion of a Municipal Class Environmental Assessment undertaken by the County of Bruce pursuant to Part II.1 of the Environmental Assessment Act and that any subsequent road widening shall be in accordance with the findings of this Environmental Assessment.
- .5 Any proposed road improvements to the West Road as designated on Schedule 'B' Transportation shall be subject to the requirements of the Municipal Class Environmental Assessment undertaken by the County of Bruce pursuant to Part II.1 of the Environmental Assessment Act including consultation with the Saugeen Ojibway Nation, and any proposed development applications that might prejudice the completion of this Municipal Class Environmental Assessment shall be considered premature by the County.

#### 4.6.3.6 **Scenic Roads**

It is the policy of County Council to develop a County network of scenic roads, either through the county road system or jointly with local municipalities.

#### 4.6.4 **Railway**

County Council supports the re-introduction of rail service to the Bruce Nuclear Power Development/Bruce Energy Centre area in order to facilitate and provide for the development of a world class agricultural and energy development complex, by:

- i) Encouraging upper levels of Government to recognize the importance of rail service to the Bruce Nuclear Power Development/Bruce Energy Centre area; and
- ii) Encouraging the retention of railway rights-of-way as single ownership lands.

#### 4.6.5 **Recreational Trails**

- .1 If railway rights-of-way are not required for transportation purposes then the County Council will encourage their conversion to other public uses, which may include multi-use recreational trails and



utility corridors.

- .2 County Council encourages the development of recreational trails including hiking trails, canoe routes, the Bruce Trail, biking, skiing and snowmobile trails. In this regard, County Council encourages local municipalities, to determine if the provision of trail linkages, as part of a new development, would facilitate the development of a comprehensive trail system throughout the County. County Council also encourages the local municipalities to permit trails throughout the rural area, without requiring an Amendment to the Zoning By-Law. Consideration of the compatibility of the proposed trails and the adjacent uses should be included as part of any conversion.

#### 4.6.6 Airports

- .1 County Council will encourage the continued improvement of municipality owned licensed airports or airstrips in the County while recognizing the need to minimize interference with the natural and Community environment. Zoning By-Laws and Local Official Plans shall incorporate regulations concerning land uses, height restrictions and buffer areas surrounding local airports.
- .2 County Council encourages the preparation of airport master plans, which address, amongst other things, the appropriate mix of airport and airport related uses as one method of supporting economic growth in the County. The recommendations of these plans may be incorporated into the County and local Official Plan, when they exist.
- .3 County Council will encourage the continued expansion of airports to support economic development.
- .4 To protect airports from incompatible development:
- i) New residential development and other sensitive land uses will not be permitted above 30 NEF/NEP, as set out on maps approved by Transport Canada,
  - ii) Redevelopment of existing residential uses and other sensitive land uses or infilling of residential and other sensitive land uses may be considered above the 30 NED/NEP if it has been demonstrated that there will be no negative impacts on the long-term function of the airport.

#### 4.6.7 Harbours

- .1 County Council will encourage a continued program of improved recreational and commercial harbour facilities along the Lake Huron and Georgian Bay shorelines.
- .2 County Council will encourage a deep sea port facility near the Bruce Nuclear Power Development (BNPD) area for the transportation of goods and products beneficial to the BNPD and industries located at the BNPD or the Bruce Energy Centre.
- .3 The First Nations have significant interests in off-shore fisheries and shoreline development issues. County Council will consult with the First Nations on the development of any major new or significantly expanding recreational or commercial harbour facilities. The criteria by which such consultation shall be sought include one or more of the following development components; development adjacent to an identified off-shore spawning shoal (documented or agreed to by the Ministry of Natural Resources), dockage of more than 50 square metres, alteration of more than 10 linear metres of shoreline, and any project involving dredging.

### 4.7 SERVICES AND UTILITIES

#### 4.7.1 Objectives

- i) Have most of the future development in the County as a whole will occur on municipal or communal servicing systems;
- ii) Provide for limited growth on private water supply and sewage disposal systems;

- iii) Ensure piped servicing systems are used in an efficient manner;
- iv) Prepare a major servicing and infrastructure strategy; and,
- v) Encourage water and energy conservation, and solid waste diversion as options to meet existing and future servicing needs.

#### 4.7.2 General Policies

- .1 The provision and operation of services and utilities and their responsible planning, construction and maintenance along with the minimization of conflicts with other land uses are important issues to County Council. County Council is intent on ensuring that the services and utilities (public or private) necessary to serve the County now and in the future are provided in a comprehensive, cost effective manner while minimizing negative impact on the natural environment.
- .2 Water and sewage servicing infrastructure may be allowed in any land use designation of this Plan, and will not require an Amendment to this Plan. However, when such facilities are proposed within an area of environmental sensitivity, the proponent shall seek and obtain the approval of the appropriate approval authorities, prior to commencing any construction.
- .3 County Council is committed, either independently or in co-operation with the local municipalities and Provincial agencies and ministries, to carry out broad studies in identifying environmentally responsible and cost effective solutions to the provision and operation and maintenance of necessary Municipal services.
- .4 It is the policy of County Council to minimize the impact of municipal services on the natural environment by:
  - i) Encouraging the conservation of water;
  - ii) Direct development to those locations best suited to the proposed method of servicing; and
  - iii) Encourage the use of appropriate and innovative technologies.
- .5 County Council shall encourage local municipalities to give priority to the provision of Municipal services within urban areas for development and redevelopment proposals that utilize Municipal servicing in an efficient compact manner.
- .6 In considering the location, design and construction of utilities, the proponent shall pursue all reasonable measures to mitigate negative impacts on the natural and built environments.

#### 4.7.3 Waste Management

- .1 The County's Waste Management Plan assigns certain waste diversion powers to the County and certain responsibilities to the local municipality. The County-wide diversion activities will be monitored by the County and each year a report will be submitted to the County identifying any unresolved areas of concern with respect to existing diversion programs. The County has the legislative basis to assume further waste diversion responsibilities or delegate back to local municipalities, should the need arise.
- .2 The intent of the sharing of diversion responsibilities is to take advantage of economies of scale and expertise offered by County involvement as well as utilizing the services of the local municipality. Successful operation of the diversion system is based on communication, cooperation and the recognition of the common goal of maximum diversion from landfill. The short term target set by the County is 50% by the year 2000.
- .3 The residual material remaining after diversion will require disposal. The County's Waste Management Master Plan encourages the use of existing licensed landfill capacity in a shared use system rather than identify new capacity for the few areas that will require space over the next 20 years. The County has the authority to enter into agreements with local municipalities to allow the shared-use of existing sites. When the existing capacity is exhausted, the County has the

responsibility to provide new disposal capacity for Bruce County residents. The County also has the responsibility to explore alternative waste disposal technologies, i.e., mixed waste processing and energy from waste incineration.

- .4 Every five years the County will review the documentation on the existing sites in the County to verify the remaining County-wide capacity and identify when certain areas will require new capacity.
- .5 County Council recognizes that studies addressing for waste disposal and encouraging reduction in the volume of material going to sanitary landfill sites must continue. Policies for managing land uses and controlling environmental impacts from sanitary landfill sites, as well as policies for their after-use, are included in this Plan. These policies incorporate, where applicable, the findings and recommendations of the County's Waste Management Master Plan.
- .6 The County recognizes all existing active and closed landfill facilities depicted on Schedule C as constraints to development. Local Municipal Official Plans and Zoning By-laws shall identify existing landfill facilities in their planning documents and protect these facilities from incompatible land uses.
- .7 No new lots shall be created within 500 metres of an identified sanitary landfill site without the approval of the appropriate authority. This policy shall generally not prohibit development on existing lots of record or within fully serviced urban areas.
- .8 The County will cooperate with the Governments of Ontario and Canada in the development of programs, which aim at reducing the quantities of solid waste generated at source.
- .9 County Council will continue to support and promote reduction, re-use, and recycling of waste in Municipal, industrial, commercial and institutional operations and the location of associated facilities throughout the County.

#### 4.7.4 Major Utilities

- .1 Major utilities including oil lines, gas lines, water lines, or energy, inter-regional and/or inter-Provincial communication lines traversing the County above or below ground shall be constructed, maintained and operated as follows:
  - i) Lines are to be located in an orderly and economic manner for those areas they are intended to serve;
  - ii) Lines are to be located in such a manner that their impact on people, the adjacent land uses, and the natural environment is minimized.
- .2 Land and buildings owned by Hydro One and/or Ontario Power Generation and used for executive or administrative purposes, or held under license from Hydro One and/or Ontario Power Generation and any other undertakings of Hydro One and/or Ontario Power Generation, which have not been approved under the Environmental Assessment Act, shall be subject to the policies of this Plan and local Official Plans, where they exist.
- .3 Council will exempt from the provisions of this Plan in compliance with the Planning Act, electric power facilities which are owned by or are located on easements of Hydro One and/or Ontario Power Generation and which have been approved under the Environmental Assessment Act. As well, existing electric power facilities are not subject to the provisions of this Plan.
- .4 County Council will seek the cooperation of corporations and commissions, responsible for the regulation, transmission and delivery of hydro, gas, oil and communication services within the County in planning the future development and staging of their systems in order to implement the policies in this Plan and local Municipal Official Plans.
- .5 County Council encourages, where feasible, the multiple use of utility corridors including the rights-of-way of roads and railroads including their use for recreational trails and corridors.

#### 4.7.5 **Water and Sewer Services**

It is the intent of County Council that a hierarchy of water and sewage servicing systems be established in the County. The hierarchy is for eventual full municipal services in all Primary and Secondary Urban Communities. The Hamlet, Rural Recreational Area, Inland Lake Areas, Estate Residential and Travel Trailer Park and Commercial Campground designations identified in this Plan will be serviced by a combination of communal and private systems. Development in the remainder of the County will generally occur on the basis of individual water supply and septic systems.

##### 4.7.5.1 **Infrastructure**

Planning for water and sewage services shall recognize that:

- i) Full municipal water and sewage services are the preferred form of servicing. In areas serviced by full municipal sewage and water services development will be permitted only if sufficient reserve water and sewage plant capacity will be available to accommodate the development, and other approved development;
- ii) Communal services are the preferred means of servicing multiple unit/lot developments in areas where full municipal sewage and water services do not exist AND where full municipal services are not feasible (environmentally or economically) AND where site conditions are suitable over the long term;
- iii) Development may be serviced by individual on-site services where the use of communal systems is not feasible (environmentally), and where site conditions are suitable over the long term; and,
- iv) Partial services are generally discouraged, but may be used in the interim until full or communal services become available. Partial services may also be used to address failed services or due to physical constraints.

##### 4.7.5.2 **Multi Year Sewage and Water Servicing Plan – Local Official Plans**

A Multi-Year Sewage and Water Servicing Plan shall be prepared in support of any new Local Official Plan and/or as part of any review or update to an existing Local official Plan as required by the Planning Act (i.e., master planning process under the Municipal Class Environmental Assessment Act). A Multi-Year Sewage and Water Servicing Plan shall be prepared with reference to applicable Ministry of Environment Guidelines. The Local Official Plan shall take direction from the conclusions and recommendations of the Multi-Year Sewage and Water Servicing Plan, the Provincial Policy Statement and any other background studies carried out in support of the Servicing Plan.

##### 4.7.5.3 **Water & Sewer Servicing Study – Planning Applications**

- .1 A Water and Sewer Servicing Study shall be prepared at the discretion of the County of Bruce in support of:
  - i) A Local Official Plan Amendment proposing major new development on lands that have not been reviewed as part of a Multi-year Sewage and Water Servicing Plan or similar type of study; or
  - ii) An application to expand a settlement area boundary where the lands to be incorporated within the settlement area have not been previously reviewed as part of a Multi-Year Sewage and Water Servicing Plan; or
  - iii) Any planning application that has the potential for significant environmental health risks that need to be addressed; or
  - iv) Any planning application which has the potential to significantly affect the carrying capacity of the regional groundwater system in providing potable drinking water and/or the assimilative capacity of a receiving water body for sewage waste disposal.

- .2 The policy direction for an Official Plan Amendment, or planning approval of any type, shall have high regard for the conclusions and recommendations of the Water & Sewer Servicing Study and any other background studies carried out in support of the Study.
- .3 The Water & Sewer Servicing Study shall be completed to the satisfaction of the County, the local municipality and the County of Bruce and may include the following:
- i) An assessment of the appropriate type and level of servicing necessary to support future growth and development including financing, phasing and administrative requirements;
  - ii) An analysis of the hydrology and hydrogeology to determine the capability of surface and groundwater water resources to provide sufficient quantity and quality of water supply and to accept sewage effluent in consideration of the ecological function of water resources in achieving the Environmental Goals and Objectives of this plan;
  - iii) Where municipal services exist an assessment of existing servicing systems, their capacities and their condition, and identify requirement upgrades, and/or expansion;
  - iv) Where subsurface sewage treatment and disposal is proposed, an assessment of the long term suitability of the soil conditions;
  - v) An identification of existing or potential restrictions to future growth and development;
  - vi) An assessment of the potential impact of new growth and development upon natural environment; and
  - vii) An assessment of the economic feasibility of the proposed servicing.

**4.7.5.4 Interim Servicing – Primary Urban Communities**

Walkerton	Mildmay	Ripley	Lucknow
Kincardine	Tiverton	Southampton	Port Elgin
Warton	Chesley	Tara/Invermay	Paisley
Sauble Beach (serviced area only)			

Where a Multi-Year Sewage and Water Servicing Plan as required by Section 4.7.5.2 [Multi-Year Sewage and Water Servicing Plan – Local Official Plans] does not exist AND where full municipal services are not feasible (environmentally or economically) within a portion of the settlement boundaries of a full services Primary Urban Community, new development may be permitted on partial services as an interim solution (i.e., 3-7 years) provided that:

- i) The development is infilling within a developed area that is currently partially serviced or, is the development of existing lots of record that is surrounded by an area that is currently partially serviced; and
- ii) The uses shall be limited to those that would not normally require excessive amounts of water or generate large volumes of waste water; and
- iii) All new lots are to be of a size, dimension and orientation that would permit said lots to be divided to create two or more lots in conformity with the local zoning by-law for lots serviced with municipal water and sewer services. The new lots shall be subject to a site specific zoning amendment that regulates the location of all new development in order to ensure that a future lot severance is possible; and
- iv) A Nitrate Study as per Section 4.7.5.8 [Servicing Reports, Studies, Plans and Statements] concludes that the development will not have a negative impact on the groundwater; and
- v) Any other Studies or Reports as required by County of Bruce and/or municipality are submitted; and
- vi) Major new development shall only be permitted if the development is serviced by municipal water and sewer or communal water and sewer service.

**4.7.5.5 Servicing – Secondary Urban Communities, Hamlet, Rural Recreational, Inland Lake and other Identified Designations**

Where a Multi-Year Sewage and Water Servicing Plan as per Section 4.7.5.2 [Multi-Year Sewage and Water Servicing Plan – Local Official Plans] does not exist, AND where full municipal services are not

available, new development in the listed designations may be permitted to be serviced only in accordance with the following policies:

	<b>FULL MUNICIPAL</b>	<b>PARTIAL SERVICES</b>	<b>PRIVATE SERVICES</b>	<b>COMMUNAL SERVICES</b>
<b>SECONDARY URBAN</b>	Permitted	Permitted	Not Permitted	Permitted
<b>RURAL RECREATIONAL</b>	Permitted	Permitted	Permitted	Permitted
<b>INLAND LAKE</b>	Permitted	Permitted	Permitted	Permitted
<b>HAMLET</b>	Permitted	Permitted	Permitted	Permitted
<b>ESTATE</b>	Permitted	Not Permitted	Not Permitted	Permitted

Private Services: the provision of individual on-site sewage or water services.

Partial Services: the provision of either water service or private communal water service OR municipal sewage service or private communal sewer service.

Communal Services: the provision of communal water AND communal sewer services.

#### 4.7.5.5.1 Secondary Urban Communities Designation

Tobermory	Lion's Head	Allenford
Elmwood	Huron-Kinloss Lakeshore	Kincardine Lakeshore
Formosa	Teeswater	Sauble Beach (partial serviced area only)

- i) Permitted Servicing shall be limited to Full Municipal, Partial or Communal Services only. Full private services shall not be permitted.
- ii) For applications proposing to use Partial Services, lot creation shall be limited to infilling or rounding out within existing designation boundary as of June 21, 2010.
- iii) All applications for lot creation based on private septic and with a proposed lot area of less than 4047 square metres [1.0 acres] per lot shall submit a Nitrate Study as per Section 4.7.5.8 [Servicing Reports, Studies, Plans and Statements].
- iv) A Servicing Options Statement as per Section 4.7.5.8 [Servicing Reports, Studies, Plans and Statements] shall be submitted with any application for lot creation on lands that have the potential for more than five lots OR for development proposals that have the potential to generate significant quantities of wastewater or use significant quantities of groundwater.
- v) New lots created by consent or other planning approvals, and proposed to be serviced by a private sewage disposal system, shall be zoned so as to require the building envelope for the primary building/structure to be located in close proximity to the geographic centre of the new lot. The location of the building envelope for the primary building may take into consideration environmental and physical constraints present on the new lot.
- vi) Applications proposing development on Communal Services shall be in accordance with Section 4.7.5.6 [Communal Policies].
- vii) Applications for subdivisions, condominiums, marinas, resorts or other major developments may be required to provide a Hydrogeological & Terrain Analysis Report and/or Assimilation Study and/or Lot Servicing Plan as per Section 4.7.5.8 [Servicing Reports, Studies, Plans and Statements] at the discretion of the County of Bruce.

#### 4.7.5.5.2 Rural Recreational Area Designation

- i) Permitted Servicing shall be limited to Full Municipal, Private, Partial or Communal Services.
- ii) For applications proposing to use Partial Services, lot creation shall be limited to infilling or rounding out within existing designation boundary as of June 21, 2010.
- iii) All applications for lot creation based on private septic and with a proposed lot area of less than 4047 square metres [1.0 acres] per lot shall submit a Nitrate Study as per Section 4.7.5.8 [Servicing Reports, Studies, Plans and Statements].

- iv) A Servicing Options Statement as per Section 4.7.5.8 [Servicing Reports, Studies, Plans and Statements] shall be submitted with any application for lot creation on lands that have the potential for more than five lots OR for development proposals that have the potential to generate significant quantities of wastewater or use significant quantities of groundwater.
- v) New lots created by consent or other planning approvals, and proposed to be serviced by a private sewage disposal system, shall be zoned so as to require the building envelope for the primary building/structure to be located in close proximity to the geographic centre of the new lot. The location of the building envelope for the primary building may take into consideration environmental and physical constraints present on the new lot.
- vi) Applications proposing development on Communal Services shall be in accordance with Section 4.7.5.6 {Communal Policies}.
- vii) Applications for subdivisions, condominiums, marinas, resorts or other major developments may be required to provide a Hydrogeological & Terrain Analysis Report and/or Assimilation Study and/or Lot Servicing Plan as per Section 4.7.5.8 [Servicing Reports, Studies, Plans and Statements] at the discretion of the County of Bruce.

#### 4.7.5.5.3 Inland Lake Designation AND Hamlet Designation

Alvanley	Cargill	Greenock	Park Head
Amberley	Chepstow	Holyrood	Pine River
Arkwright	Clavering	Hepworth	Pinkerton
Armow	Dobbinton	Kinloss	Purple Valley
Barrow Bay	Dyer's Bay	Kinlough	Riversdale
Belmore	Eden Grove	Mar	Spry
Bervie	Elsinore	Miller Lake	Scone
Burgoyne	Ferndale	Millarton	Underwood
Carlsruhe	Glamis	North Bruce	Whitechurch
All Inland Lake designated areas			

- i) Permitted Servicing shall be limited to Full Municipal, Private, Partial or Communal Services
- ii) For applications proposing to use Private Services, lot creation shall be limited to no more than five lots or residential units per development application.
- iii) For applications proposing to use Partial Services, lot creation shall be limited to infilling or rounding out within existing designation boundary as of June 21, 2010.
- iv) All applications for lot creation based on private septic and with a proposed lot area of less than 4047 square metres [1.0 acre] per lot shall submit a Nitrate Study as per Section 4.7.5.8 [Servicing Reports, Studies, Plans and Statements].
- v) A Servicing Options Statement as per Section 4.7.5.8 [Servicing Reports, Studies, Plans and Statements] shall be submitted with any application for lot creation on lands that have the potential for more than five lots OR for development proposals that have the potential to generate significant quantities of wastewater or use significant quantities of groundwater.
- vi) New lots created by consent or other planning approvals, and proposed to be serviced by a private sewage disposal system, shall be zoned so as to require the building envelope for the primary building/structure to be located in close proximity to the geographic centre of the new lot. The location of the building envelope for the primary building may take into consideration environmental and physical constraints present on the new lot.
- vii) Applications proposing development on Communal Services shall be in accordance with Section 4.7.5.6 {Communal Policies}.
- viii) Applications for subdivisions, condominiums, marinas, resorts or other major developments may be required to provide a Hydrogeological & Terrain Analysis Report and/or Assimilation Study and/or Lot Servicing Plan as per Section 4.7.5.8 [Servicing Reports, Studies, Plans and Statements] at the discretion of the County of Bruce.

#### 4.7.5.5.4 Estate Designation

- i) Permitted Servicing shall be limited to Full Municipal or Communal Services only
- ii) Applications proposing development on Communal Services shall be in accordance with

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Section 4.7.5.6 [Communal Policies].

**4.7.5.6 Communal Policies**

- .1 All applications proposing to use an existing communal water or communal sewer system shall submit a Reserve Capacity Statement as per Section 4.7.5.8 [Servicing Reports, Studies, Plans and Statements].
- .2 All applications proposing to utilize/construct a new communal water and/or sewer system shall submit:
  - i) Hydrogeological & Terrain Analysis Report as per Section 4.7.5.8 [Servicing Reports, Studies, Plans and Statements]; and
  - ii) Assimilation Study as per Section 4.7.5.8 [Servicing Reports, Studies, Plans and Statements].

**4.7.5.7 Municipal Water and Sewer Services - New or Expansion**

The provision of new and/or expanded municipal water and sewer services shall be subject to the following:

- i) The availability of municipal water and sewer facilities;
- ii) The financial ability of the municipality to provide or extend these services;
- iii) An engineering report confirming that the Municipal supply systems servicing the Community has sufficient capacity to service any existing or committed development, including the provision for a reserve capacity to maintain long-term security; and
- iv) The installation of water and sewer systems where they do not currently exist is dependent on senior government assistance, and the timing of the availability of those services cannot be determined.

**4.7.5.8 Servicing Reports, Studies, Plans and Statements**

- .1 Servicing Options Statement
  - i) A Servicing Options Statement shall be submitted as per the requirements of this Official Plan or when required by the County of Bruce, local municipality or any other agency or ministry. A Servicing Options Statement must demonstrate that the potential for servicing a development on full municipal services and communal sewage and water services has been investigated. A Servicing Options Statement shall at a minimum address the matters as prescribed in Procedure D-5-3 Servicing Options Statement of the Ministry of Environment including the carrying capacity of the natural environment as per Section 4.3.1(xii) [General Objectives – Environment].
  - ii) The Servicing Options Statement shall also develop, and evaluate, alternative development scenarios i.e., different lot densities including clustering principles and different housing types including multiple residential units, that result in the cost per unit and/or lot for communal and/or municipal services being cost competitive to the cost per unit and/or lot for private or partial services.
  - iii) The Servicing Options Statement shall be completed to the satisfaction of the Local Municipality, the County and the appropriate approval authority.
- .2 Nitrate Study
  - i) A Nitrate Study shall be submitted as per the requirements of this Official Plan or when required by the County of Bruce, local municipality or any other agency or ministry. A Nitrate Study shall at a minimum address the matters as prescribed in Procedure D-5-4 Technical Guideline for Individual On-Site Sewage Systems: Water Quality Impact Risk Assessment of the Ministry of Environment. The County of Bruce requires applicants to apply this Procedure to development proposals regardless of the number of proposed lots. No development proposal shall result in a nitrate concentration at each new property boundary of more than 10mg/l of nitrate. The Nitrate Study shall be completed to the satisfaction of the



- ii) Local Municipality, and the appropriate approval authority.  
Development(s) that proposes to use a private individual tertiary sewage system in order to meet the 10mg/l groundwater nitrate loading at the property boundary shall be zoned to recognize that such a treatment system shall be required in perpetuity. A restriction on title, or subdivision agreement/subdividers agreement requiring a tertiary treatment system to be used in perpetuity may be required as a Condition of Consent/Conditions of Draft Approval at the discretion of the County of Bruce.
- .3 Reserve Capacity Statement
- A Reserve Capacity Statement shall be submitted as per the requirements of this Official Plan or when required by the County of Bruce, local municipality or any other agency or ministry. A Reserve Capacity Statement indicates that there is sufficient reserve capacity in a municipal or communal sewage and/or water treatment system to supply a proposed development. A Reserve Capacity Statement may be obtained from the operator of the municipal or communal sewage and/or water treatment system to which the proposed development is to receive service.
- .4 Hydrogeological & Terrain Analysis Report
- i) A Hydrogeological & Terrain Analysis Report shall be submitted as per the requirements of this Official Plan or when required by the County of Bruce, local municipality or any other agency or ministry. A Hydrogeological & Terrain Analysis Report, shall assess the suitability of a site for the proposed method of water supply and sewage treatment, investigate potential impacts upon the availability, quality and quantity of groundwater and determine the form and density of development appropriate to the site.
  - ii) A Hydrogeological and Terrain Analysis Report must thoroughly demonstrate that the site can support the proposed development on the basis of individual private wells and septic systems. Evidence must be provided which ensures sufficient quantity and quality of groundwater exists on the site and the operation of on-site sewage disposal systems will not adversely impact on wells to be constructed on the proposed lot(s) and on neighbouring properties.
  - iii) The Hydrogeological & Terrain Analysis Report shall be completed to the satisfaction of the Local Municipality, the County and the appropriate approval authority.
- .5 Lot Servicing Plan
- A Lot Servicing Plan shall be submitted as per the requirements of this Official Plan or when required by the County of Bruce, local municipality or any other agency or ministry. A Lot Servicing Plan indicates the proposed location of all structures, wells, drainage routes, and sewage system envelopes (including a 100 percent replacement bed area). The Lot Servicing Plan shall be completed to the satisfaction of the Local Municipality, the County and the appropriate approval authority.
- .6 Assimilation Study
- An Assimilation Study shall be submitted as per the requirements of this Official Plan or when required by the County of Bruce, local municipality or any other agency or ministry. An Assimilation Study reviews the assimilative capacity of the groundwater or natural water system to receive proposed wastewater discharges. The Assimilation Study shall be completed to the satisfaction of the Local Municipality, the County and the appropriate approval authority.
- .7 Multi-Year Sewage and Water Servicing Plan
- i) The County of Bruce requires municipalities with the responsibility for sewage and water services to plan for such services by preparing a Multi-Year Sewage and Water Servicing Plan as one component of planning for growth management and preparing official plan policy.
  - ii) The information required for the Multi-Year Sewage and Water Servicing Plan may be found in existing documents at the municipal level including a Development Charges Study, previous Class Environmental Assessments or other similar documentation.

- iii) Matters for consideration in the preparation of a Multi-Year Sewage and Water Servicing Plan in conjunction with official plan policy include: addressing how the municipality intends to service anticipated growth and identify what the implications are for the sewage and water services and the need for new services; investigate measures to resolve existing sewage or water problems within the municipality such as abatement of combined sewer overflows or addressing limitations to sewage collection/pumping stations and water distribution systems. Additional matters for consideration are found in MOE Guideline D-5 Planning for Sewage and Water Services (August 1996).
- iv) If a Multi-Year Sewage and Water Servicing Plan is completed according to the five key features of environmental planning and the requirements of the municipal class environmental assessment process the Ministry of the Environment may recognize work done within the plan as part of future class environmental assessments.

#### 4.7.6 Settlement Capacity Studies

A settlement capacity study shall be prepared in support of a local Official Plan or Amendment where significant development is proposed, or where a settlement area designation is proposed to be expanded or where significant health and safety considerations need to be addressed. Such local Official Plan Amendment shall be prepared in conformity with the conclusions and recommendations of the settlement capacity study. Municipalities are encouraged to prepare comprehensive settlement capacity studies where significant development is proposed. The settlement capacity study shall be completed to the satisfaction of the County, the local municipality and the appropriate authority and shall include the following:

- i) An assessment of the appropriate type and level of servicing necessary to support future growth and development including financing, phasing and administrative requirements;
- ii) An analysis of the hydrology and hydrogeology to determine the capability of surface and ground water resources to provide sufficient quantity and quality of water supply and to accept sewage effluent;
- iii) Where municipal services exist, a servicing capacity study shall be prepared. It shall include an assessment of existing servicing systems and their condition, and identify requirement upgrades, and/or expansion;
- iv) Where subsurface sewage treatment and disposal is proposed, an assessment of the long term suitability of the soil conditions;
- v) An identification of existing or potential restrictions to future growth and development;
- vi) An assessment of the potential impact of new growth and development upon the natural environment; and
- vii) An assessment of the economic feasibility of the proposed servicing.

### 4.8 MINERAL RESOURCE

#### 4.8.1 Objectives

- i) Utilize the aggregate resources of the County in an efficient environmentally sustainable manner;
- ii) Encourage the orderly site extraction of mineral resources and the appropriate development in these areas to ensure the utilization of mineral aggregate resources is not negatively affected;
- iii) Encourage the orderly site extraction of mineral resources and the appropriate development in these areas that would negatively affect the utilization of mineral aggregate resources; and
- iv) Encourage the proper rehabilitation and reuse of extracted sites.

#### 4.8.2 Identified Areas

- .1 Schedule 'C' shows primary and secondary sand and gravel resources and primary bedrock resources as derived from mapping completed by the Department of Mines and Northern Development and utilized by the Ministry of Natural Resources in its Aggregate Resources Inventory.

Tertiary sand and gravel resources should be considered as part of any justification for any change of land use status not related to agriculture, forestry or conservation.

- .2 County Council, in conjunction with the Province of Ontario, has identified likely sources of mineral aggregates and bedrock resources on Schedule 'C', which forms part of this Plan.
- .3 It is the policy of County Council to protect the Mineral Resource Areas shown on Schedule 'C', by not allowing development or land uses, which would hinder the future extraction of the resource with the exception of Urban Areas, Rural Recreational Areas, and Inland Lakes Areas. Extraction of mineral aggregate and bedrock resources are subject to the Aggregate Resources Act.

#### 4.8.3 Permitted Uses

- .1 Within the Mineral Resource Areas shown on Schedule 'C', uses in accordance with the underlying land use designation on Schedule 'A' are permitted subject to the policies of this Plan. Land Uses, which would sterilize the mineral resource, are not permitted except as provided for in Section 4.8.2 [Identified Areas] of this Plan.
- .2 When seeking an approval for a new pit or quarry or the expansion of an existing pit or quarry, the permitted uses associated with such pit or quarry are deemed to include sand and gravel pits, quarries, aggregate storage areas, crushing plants, concrete batching plants and saw houses as well as uses directly related and essential to the primary operation.

#### 4.8.4 General Policies

- .1 All existing licensed or approved pits and quarries are designated on Schedule 'A' by a symbol. The expansion of an existing pit or quarry, as identified on Schedule 'A', by a symbol, may proceed by way of an Amendment to the Local Zoning By-Law provided it does not conflict with the site specific policies contained in Section 4.8.7 [Exceptions] of this Plan.
- .2 The establishment of a pit or quarry on lands not designated for such use on Schedule 'A' shall be subject to the policies of Section 4.8.5 [Establishment/Expansion of New Pits and Quarries] and shall also require an Amendment to this Plan, and an Amendment to the Local Zoning By-Law.
- .3 Prior to making a decision on an Amendment to the Official Plan or Zoning By-Law to permit a new extractive use, or to allow for the expansion of an existing extractive use, the applicant shall provide information in support of the application addressing the issues outlined in Section 4.8.5 [Establishment/Expansion of New Pits and Quarries].

#### 4.8.5 Establishment/Expansion of New Pits and Quarries

##### 4.8.5.1 Supporting Information Requirements

- .1 It is the policy of County Council that for lands not designated Pits and Quarries on Schedule 'A', all applications to establish a pit or quarry shall be accompanied by a justification report for a Class "A" license or Site Plan for a Class "B" license, prepared in accordance with the requirements of the Aggregate Resources Act.
- .2 In addition to the requirements of the Aggregate Resources Act, the applicants shall also prepare a report addressing the following issues:
  - i) Impact on adjacent land uses and residents;
  - ii) Impact on the physical and natural environment, including ground water and surface water impacts, noise, vibration and dust impacts;
  - iii) Compatibility for agriculture and other land uses;
  - iv) Impact on the transportation system;
  - v) Impact on any existing or potential municipal water supply resource areas;

- vi) The manner in which the operation will be carried out;
- vii) The nature of the rehabilitation work that is proposed;
- viii) If the proposal is located outside of the Mineral Resource Area on Schedule 'C', the applicant must demonstrate the quantity and quality of the resource on the proposed site;
- ix) Any other matters deemed necessary by Council; and,
- x) When there is a proposal to extract below the water table an assessment of the impacts on the ground water will be required and the results will have to demonstrate no negative impact on quality, quantity and other uses of the resource.

.3 In considering these matters, the evaluation will be premised on the fact that, notwithstanding the need for mineral aggregate, it is essential to ensure that aggregate extraction is carried out with minimal social and environmental disruption.

#### 4.8.5.2 Locational Criteria

.1 The establishment of new pits or quarries or the expansion of existing pits or quarries shall be subject to the following locational criteria:

- i) In order to preserve the scenic beauty and amenity of the area, extractive operations, will be screened from public view, where possible;
- ii) Gravel pits within 125 m and stone quarries within 215 m of any residential zone or structure used for human habitation shall not normally be permitted. Pits or quarries proposed within such areas shall require an amendment to this Plan. Any proposed amendment to these setbacks shall be supported by an impact study addressing noise, dust, groundwater and traffic impact on the neighbouring residential use or uses.
- iii) No excavation or processing shall be allowed so that its edge is at a point less than 15 metres from the boundary of the site, or 30 metres from any residential structure, highway or such greater distance that the municipality feels warranted. Setbacks may be reduced or eliminated where two licensed operations abut each other;
- iv) No aggregate operation shall be located closer than 50 metres to any body of water or watercourse, or Hazard Land Area;
- v) In the Agricultural area, on prime agricultural land, extraction of mineral aggregates is permitted as an interim use provided that rehabilitation of the site will be carried out whereby substantially the same areas and same average soil quality for agriculture are restored where reasonably possible.
- vi) In the Agricultural area, on prime agricultural land, if extraction is proposed below the water table and complete agricultural rehabilitation is not required, only if it is demonstrated that:
  - a) There is substantial quantity of mineral aggregate below the water table warranting extraction;
  - b) Or the depth of planned extraction in a proposed quarry makes restoration of pre-extractive agricultural capabilities unfeasible;
  - c) There will be minimal impacts on surrounding wells and ponds due to extraction below the water table;
  - d) In those areas remaining above the water table following extraction, agricultural rehabilitation will be maximized; and
  - e) Other reasonable alternatives have been considered by the applicant and found unsuitable.

#### 4.8.6 Wayside Pits and Quarries and Portable Asphalt Plants

Wayside pits and quarries and portable asphalt plants are temporary facilities used only for specific public road construction projects. Unless specifically stated to the contrary in this Plan, these uses shall be permitted in all designations throughout the County without an Amendment to this Plan or any local Official Plans or By-Laws, except in existing built-up areas or environmental sensitive areas as identified in the Plan.

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#### 4.8.7 Exceptions

- .1 **MacLean (OPA #97)**  
Notwithstanding the policies of Section 4.8.3 [Permitted Uses – Mineral Resource] of this Plan, the lands identified as Site Specific Policy Area 4.8.7.1 on Schedule 'A': Land Use Plan shall permit aggregate extraction, located as Lots 13, 14 and 15, Concession 2, geographic Township of Kinloss, Township of Huron-Kinloss; and the site shall be rehabilitated so as to return the excavated areas to agricultural uses.
  
- .2 **BCSOPA #13 (July 1982)**  
In addition to the other policies contained in this Plan, the development of those lands designated for extractive purposes on Part Lot 7, Concession 5, geographic Township of Arran, Municipality of Arran-Elderslie, shall be limited to a total of approximately 16 hectares.  
  
The setback from Burgoyne Creek shall be 30 metres, a berm shall be constructed along the portion of the site sloping towards the creek, and the site shall be rehabilitated so as to return the excavated areas to agricultural use.
  
- .3 **BCSOPA #33 (Aug. 1986)**  
In addition to the other policies contained in this Plan, the development of those lands designated for extractive purposes on Part of Lots 33 and 34, Concession 7 and 8, geographic Township of Brant, Municipality of Brockton, shall be limited to a total area of approximately 36 hectares, and the site shall be rehabilitated so as to return the excavated areas to agricultural use.
  
- .4 **Teeswater Concrete (OPA #111)**  
Notwithstanding the policies of Section 4.8.5 [Establishment/Expansion of New Pits and Quarries] of this Plan, the lands described as Lot 24, Concession 8, geographic Township of Culross, Municipality of South Bruce, and identified as Site Specific Policy Area 4.8.7.4 on Schedule 'A-' General Land, an aggregate extraction area shall be permitted and located no closer than 60 m to any residential zone or structure used for human habitation. All other policies of Section 4.8 [Mineral Resource] shall apply
  
- .5 **BCSOP**  
Notwithstanding any policy to the contrary, the development of those lands designated for extractive purposes on Part Lot 9, Concession 9, geographic Township of Greenock, Municipality of Brockton, shall be permitted up to a total area of approximately 12.6 hectares; Section 4.3 and 4.8.5.2 shall not apply; and, the site shall be rehabilitated so as to return the excavated areas to agricultural use.
  
- .6 **BCSOP**  
In addition to the other policies contained in this Plan, the development of those lands designated for extractive purposes on Part of Lots 9 and 10, Concession 12, geographic Township of Kinloss, Township of Huron-Kinloss, shall be limited to a total area of 41.4 hectares; and the site shall be rehabilitated so as to return the excavated areas to an agricultural use.
  
- .7 **BCSOP**  
In addition to the other policies contained in this Plan, the development of those lands designated for extractive purposes on Part of Lots 26, 27 and 28, Concession 6, geographic Township of Culross, Municipality of South Bruce, shall be limited to a total area of 63.38 hectares; and the site shall be rehabilitated so as to return the excavated areas to an agricultural use.
  
- .8 **BCSOPA #84**  
In addition to the other policies contained in this Plan, the development of those lands designated for extractive purposes on Lot 20, Concession 4 and part of Lot 20, Concession 5, in the geographic Township of Kinloss, Township of Huron-Kinloss shall be limited to a total area of 59 hectares and the site shall be rehabilitated so as to return the excavated areas to an agricultural or forestry use.
  
- .9 **BCSOP**  
In addition to the other policies of this Plan, the development of those lands designated for extractive

purposes on Part of Lot 14, Concession 1, E.B.R., in the geographic Township of Lindsay, Municipality of Northern Bruce Peninsula, an accessory residence for a quarry operator shall be a permitted accessory use in conjunction with a licensed quarry operation.

- .10 BCSOPA #132  
In addition to the other policies contained in this Plan, those lands designated for Extractive purposes on Part Lots 31 and 32, Concession 14, in the geographic Township of Elderslie, Municipality of Arran-Elderslie shall:
- i) Comprise a licensed area of no greater than 25 hectares (61.7 acres),
  - ii) Have an area to be extracted of no greater than 24 hectares (59.3 acres),
  - iii) Be rehabilitated so as to return the excavated areas to agricultural use,
  - iv) Not be excavated below the 248 metre elevation or water table, and
  - vi) Utilize progressive buffering along the northerly license boundary, and maintain the existing tree line along the westerly boundary. This buffering scheme shall be shown in Site Plans and Agreements approved by the Ministry of Natural Resources.
- .11 Gibbons (OPA #8)  
In addition to the other policies contained in this Plan, the development of those lands designated for extractive purposes on Part of Lot 1, Concession 10, geographic Township of Elderslie, Municipality of Arran-Elderslie, shall be limited to a total of 20.2 hectares; and, the site shall be rehabilitated so as to return the excavated areas to an agricultural uses.
- .12 Lang/Lanydone (OPA #9)  
In addition to the other policies contained in this Plan, the development of those lands designated for extractive purposes on Part of Lots 2 and 3, Concession 4, geographic Township of Greenock, Municipality of Brockton, shall be limited to a total of 11.87 hectares. All pit operations shall comply with the plans approved through the Class A Pit License issued under the Aggregate Resources Act. Notwithstanding location criteria to the contrary, lands designated for extractive purposes may abut lands designated 'Natural Environment'.
- .13 Wilson/Bannerman/Blackhorse Golf (OPA #34)  
Note: Official Plan Amendment #34 was deleted in its entirety by BCOPA # 59. See new reference in Section 5.9.7.2 [Blackhorse Golf Course and Gravel Pit (Exceptions – Major Open Space)].
- .14 Arnold (OPA #17)  
In addition to the other policies contained in this Plan, the following policy shall apply to the development of those lands designated for extractive purposes on Part Lot 10, Concession 24, in the geographic Township of Amabel, Town of South Bruce Peninsula extraction is prohibited within 215 metres of the residence on the abutting lot to the south of the subject lands, unless an impact study (addressing noise and dust) is undertaken by a qualified engineer, indicating how dust and noise impacts will be mitigated on said residence. This prohibition shall not apply should the abutting land to the south be rezoned to "extractive industrial"
- .15 BCSOPA #14 (Aug. 1982)  
In addition to the other policies contained in this Plan, the development of those lands designated for extractive purposes on Part Lots 31, 32 and 33, Concession 2, N.D.R., geographic Township of Kincardine, Municipality of Kincardine, shall be limited to a total of about 10 hectares; the limit of excavation along the Northerly and Westerly boundaries shall not extend beyond approximately the 250 metre contour; and, the site shall be rehabilitated so as to return the excavated areas to agricultural use.
- .16 Hayes c/o Davidson (OPA #115)  
In addition to the other policies contained in this Plan, those lands designated for 'Extractive' purposes on Part of Lots 14 and 15, Concession 2, EBR , geographic Township of Lindsay, Municipality of Northern Bruce Peninsula shall :

- 
- i) Comprise a licensed area of no greater than 15.5 hectares (38.3 acres) and an area to be extracted of not greater than 12.8 hectares (31.6 acres);
  - ii) Be rehabilitated progressively so as to return the extracted area to a natural state; and
  - iii) Not be excavated below 204.5 m ASL elevation or 2.0 metres above the water table, whichever is higher.
- .17 Gingerich c/o Davidson (OPA #146)  
Notwithstanding the polices of Section 4.8.7 [Mineral Resources Area] of this Plan, the lands subject to Site Specific Policy Area 4.8.7.17 on Schedule 'A': Land Use Plan (South Section) [Part Lot 32 and Lot 33, Concession 14 in the geographic Township of Elderslie, Municipality of Arran-Elderslie], shall :
- i) Comprise a licensed area of no greater than 15.3 hectares (37.8 acres) and an area to be extracted of no greater than 13.4 hectares (33.1 acres); and,
  - ii) Be rehabilitated progressively so as to return the extracted areas to agricultural use.
- .18 Formosa Environmental Aggregates Ltd. (BCSOPA #128)  
Notwithstanding the polices of Section 4.8.7 [Mineral Resources Area] of this Plan, the lands subject to Site Specific Policy Area 4.8.7.18 on Schedule 'A': Land Use Plan (South Section) [Part Lots 69 and 70, Lots 71 and 72, Concession 1 in the geographic Township of Greenock, Municipality of Brockton], shall :
- i) Section 4.8.5.2.1(iv) shall not apply; and
  - ii) No aggregate operation other than a municipal wayside pit shall be located closer than 30 metres to any body of water or watercourse, or environmental protection area; and
  - iii) That an environmental monitoring plan be prepared by the developer which is acceptable to the MOE, MNR and SVCA; and
  - iv) That the developer prepare environmental monitoring reports – at a frequency determined by the MOE, MNR and SVCA – with the understanding that failure to meet minimum environmental standards will result in the automatic suspension of the licence. In addition to being submitted to the MOE, MNR and SVCA, the environmental monitoring plan and reports shall be submitted to the local Council and County planning staff for their review and comment; and
  - v) That a traffic impact report be prepared by the developer which is acceptable to the Ministry of Transportation, Bluewater Board of Education, Bruce County highways and the local Council. Such a report should identify as a minimum, the range of possible haul routes, anticipated range of trucks per day under a slow market, medium market and high market demand for the aggregate; and
  - vi) That the developer provide guarantees that, in the event that wells within 1000 metres of the quarry go dry, that water for personal consumption and/or livestock will be supplied immediately (under 12 hours) at the expense of the quarry owner, in the short term. Further that a mechanism be put in place to ensure the long term supply of water to effected parties.
- .19 Van Slightenhorst (OPA #159)  
In addition to the other policies contained in this Plan, those lands designated for Extractive purposes on Concession 7, Lots 11 – 13, geographic Township of Arran, Municipality of Arran Elderslie shall:
- i) Comprise a licensed area of no greater than 17.1 hectares (42.2 acres) and an area to be extracted of no greater than 13.6 hectares (33.6 acres); and,
  - ii) Be rehabilitated progressively so as to return the extracted areas to an agricultural use.
- .20 Big Island Quarries / R. Gibson (BCOPA #171-12.54)  
In addition to the other policies contained in this Plan, those lands designated for Extractive purposes on Concession 25, South Part Lot 11, in the geographic Township of Amabel, in the town of South Bruce Peninsula shall :
- i) Comprise a licensed area of no greater than 10.25 hectares (25.3 acres) and an area to be extracted of no greater than 7.4 hectares (1.83 acres); and,
  - ii) Be rehabilitated progressively so as to return the extracted areas to a forested state.

## **4.9 COMMUNITY FACILITIES**

### **4.9.1 General Policies**

Facilities for such purposes as education, culture, the arts, heritage and religion, health facilities, municipal and public administrative facilities, and community facilities for such purposes as day care centres shall be permitted in appropriate locations visible and accessible to the residents of the County.

### **4.9.2 Locational Guidelines**

Specialized community facilities such as museums and community colleges and regional community facilities such as hospitals, places of worship, high schools and major community centres, which serve the entire, or a large proportion of the County's population should be situated in accordance with the following criteria:

- i) Should demonstrate there is a need for the proposed facility;
- ii) Strategically located in order to minimize travel time and be readily accessible;
- iii) Generally located within Primary, Secondary or Hamlet Areas;
- iv) Protected and separated from incompatible uses and utilize proper buffering measures where required;
- v) Located on a site adequate to accommodate buildings, future expansions, accessory parking and landscaping;
- vi) Have access to major traffic thoroughfares;
- vii) Combined, where possible, with open space and other institutional uses;
- viii) An appropriate level of water supply and sewage disposal is available;
- ix) There is no reasonable alternative location which would avoid locating on agricultural areas; and,
- x) Shall meet the requirements of the Minimum Distance Separation Formulae

## **4.10 HERITAGE**

In cases where archaeological resources involve First Nations heritage sites or burial grounds, the First Nations shall be consulted regarding the manner in which these resources and features are to be dealt with.

### **4.10.1 Objectives**

- .1 Encourage the conservation of land, buildings and sites of historic, architectural and archaeological value.
- .2 County Council encourages the identification, acquisition, restoration and conservation of the historical, cultural, architectural and archaeological assets of the County.
- .3 In accordance with the Ontario Heritage Act, the County encourages Local Councils to support the creation of Local Architectural Conservation Advisory Committees to inventory and designate buildings, sites and districts of historical, cultural or architectural merit.
- .4 Development on lands containing possible archaeological resources or areas of archaeological potential, should occur in such a manner as to avoid destruction or alteration of these resources. Where this is not possible, the development proponent shall conserve the resources through removal and documentation in accordance with the Ontario Heritage Act.



#### **4.11 ENERGY CONSERVATION AND DEVELOPMENT**

It is the policy of County Council, when considering development or redevelopment, to encourage, where practical, measures which lead to the conservation of energy resources. These measures may include:

- i) Maintaining a reasonably compact urban form;
- ii) Establishing efficient pedestrian and vehicular transportation networks;
- iii) Providing neighbourhood services and facilities in proximity to residential development to reduce vehicular travel;
- iv) Avoiding development which results in extensive loss of sunlight to adjacent land uses;
- v) Encouraging the energy-efficient design of buildings;
- vi) Encourage the use of energy efficient appliances, heating and cooling systems, low water bathroom facilities, and other innovative technologies;
- vii) Allowing for the placing of buildings on lots to encourage passive solar energy gain;
- viii) Incorporating district heating, solar and wind energy and similar designs into residential, commercial, institutional and industrial development; and,
- ix) Incentives for the use of energy efficient technology.

#### **4.12 WATERSHED PLANNING**

The County encourages the preparation of watershed and subwatershed studies where major development or redevelopment are proposed, which would have a significant downstream impact upon a watershed. These studies are most needed in areas with both development pressures and highly sensitive natural environments to provide some understanding of the relationship between water resources and land use activities. The development of sound watershed and subwatershed plans will require cooperation between all effected municipalities, Government agencies and interested groups to ensure that potential cross boundary environmental impacts are addressed. The results of watershed studies should be incorporated into the County and/or Municipal Official Plans whenever practical.

#### **4.13 SURFACE WATER MANAGEMENT PLANS**

- .1 In order to control flooding, ponding, erosion and sedimentation and to protect, as much as possible, water quality and aquatic habitat or other natural habitat which depend upon watercourses and other water bodies for their existence, surface water management plans (or stormwater management plans) shall be required for some forms of new development. Stormwater management techniques are constantly evolving as well as being dependent on the location. Thus, new development will comply with the stormwater management standards in general acceptance at the time a development application is made, through consultation with the appropriate Government agencies.
- .2 Local Official Plans should implement specific surface water management policies.
- .3 Surface water management plans shall be required for any new development consisting of more than five lots or for commercial or industrial developments with large amounts of impervious area.
- .4 Such plans may be required for other developments, as determined by the local municipality in consultation with the appropriate Government agencies, if the area has existing drainage problems or if runoff could significantly affect adjacent lands or water quality.

#### **4.14 WIND ENERGY CONVERSION SYSTEMS**

Section 4.14 Wind Energy Conversion Systems was deleted in its entirety by way of Modification #23 of the Ministry of Municipal Affairs and Housing Approval of BCOPA 116 as of June 21, 2010.

#### **4.15 NIAGARA ESCARPMENT PLAN**

- .1 The purpose of the Niagara Escarpment Plan is to provide for the maintenance of the Niagara

Escarpment and land in its vicinity substantially as a continuous natural environment, and to ensure only such development occurs as is compatible with that natural environment.

.2 The objectives are:

- i) To protect unique ecologic and historic areas;
- ii) To maintain and enhance the quality and character of natural streams and water supplies;
- iii) To provide adequate opportunities for outdoor recreation;
- iv) To maintain and enhance the open landscape character of the Niagara Escarpment insofar as possible, by such means as compatible farming or forestry and by preserving the natural scenery;
- v) To ensure that all new development is compatible with the purpose of the Plan;
- vi) To provide for adequate public access to the Niagara Escarpment; and
- vii) To support municipalities within the Niagara Escarpment Plan Area in their exercise of the planning functions conferred upon them by the Planning Act.

.3 The use of land within the Niagara Escarpment Plan Area is set out in the Niagara Escarpment Plan, and is generally regulated by the Niagara Escarpment Commission through the Niagara Escarpment Planning and Development Act, the Development Control Regulations (Ontario Regulation 828/90), and local municipal zoning by-laws where Development Control is not in effect. All development, changes of use and lot creation within the Niagara Escarpment Plan Area shall conform to the Land Use Policies and Development Criteria of the Niagara Escarpment Plan, and the appropriate policies of the Bruce County Official Plan and local Official Plans where they exist.

.4 The Niagara Escarpment Plan contains Land Use Policies (Part 1) and Development Criteria (Part 2) which determine where and how proposed development should occur within the Niagara Escarpment Plan Area. The policies and development criteria of the Niagara Escarpment Plan apply to all lands within its boundary and shall take precedence over the policies of the County Official Plan except where the policies of the County of Bruce Official Plan are more restrictive.

.5 The Niagara Escarpment Plan sets out policies and a framework for a Niagara Escarpment Parks and Open Space System, "which includes public lands along the Niagara Escarpment" and the Bruce Trail. Part 3 (Niagara Escarpment Parks and Open Space System) of the Niagara Escarpment Plan contains objectives and detailed policies that apply to these areas.

.6 Lands within the boundary of the Niagara Escarpment Plan Area, a World Biosphere Reserve, as illustrated on Schedule A, Schedule C and Schedule D are subject to the goals, objectives, policies and development criteria of the Niagara Escarpment Plan. The boundary of the Niagara Escarpment Plan Area as illustrated on Schedules A and C, and the designations shown on Schedule D, shall be interpreted in accordance with Section 1.1 [Interpretation of Boundaries] of the Niagara Escarpment Plan.

.7 The following reflects Niagara Escarpment Plan policies and development criteria, which are more restrictive than the County Official Plan, or are included to clarify the General Policies of the County of Bruce Official Plan. It is necessary to review these policies in the context of other related policies of the Official Plan. This Official Plan has not incorporated the Niagara Escarpment Plan in its entirety. Reference to the Niagara Escarpment Plan may also be required.

#### 4.15.1 **ANSI Areas**

In addition to Section 4.3.2.3 [Areas of Natural and Scientific Interest (ANSI)], within the Niagara Escarpment Plan development shall locate outside of the ANSI with setbacks and natural buffer areas. Setbacks shall be established by the Niagara Escarpment Commission in consultation with the Ministry of Natural Resources. Minor encroachments will be considered in relation to:

- i) Specific features for which the ANSI have been identified;
- ii) Protection, natural heritage appreciation, scientific study or educational values and their

- iii) maintenance; and
- iii) Whether appropriate mitigative measures can be applied to protect the ANSI.

#### 4.15.2 Wetland Areas

In addition to Sections 4.3.2.4 [Locally Significant Wetlands] and 4.3.2.5 [Provincially Significant Wetlands], within the Niagara Escarpment Plan Area, development shall locate outside all Provincially, Regionally and Locally significant wetlands. Development may be permitted adjacent to wetlands with suitable setbacks, if it does not result in the following:

- i) Loss of wetland functions;
- ii) Subsequent demand for future development which will negatively affect existing wetland functions;
- iii) Conflict with existing site-specific wetland management practices; and
- iv) Loss of contiguous wetland area.

#### 4.15.3 Woodlands

In addition to Section 4.3.2.6 [Significant Woodlands], in the Niagara Escarpment Plan Area, the objective is to ensure that new development should preserve as much as possible of wooded areas through:

- i) Minimizing disturbance of treed areas;
- ii) Protecting trees during construction through the use of snow fencing, wrapping or other acceptable means; and
- iii) Maintaining tree cover or other stabilizing vegetation on slopes in excess of 25 percent (1 in 4 slope).

#### 4.15.4 Housing

In addition to Section 4.4.3 [Settlement Patterns] and 4.4.4 [Housing Projections / Number of Residential Units Required], within the Niagara Escarpment Plan Area, outside of the Primary and Secondary Urban Communities, the following housing types are not permitted: multiple residential dwellings; rooming, boarding and lodging houses (except for group homes and bed and breakfast establishments). Infilling [outside of Primary and Secondary Urban Communities] may be permitted only where the lot creation conforms to the New Lots Policies of the applicable Niagara Escarpment Plan designation. Within the Niagara Escarpment Plan, bed and breakfast establishments are permitted. They are defined in the Niagara Escarpment Plan as sleeping accommodation for the traveling or vacationing public within a single dwelling which is owned by and is the principal residence of the proprietor, to a maximum of three guest rooms, and may include the provision of breakfast and other meals and services, facilities or amenities for the exclusive use of the occupants.

#### 4.15.5 Transportation and Utility Facilities

In addition to Sections 4.6 [Transportation] and 4.7 [Services and Utilities], within the Niagara Escarpment Plan Area the following policies apply to Transportation and Utilities (including services, roads, waste management facilities):

- i) Only essential transportation and utility facilities are permitted in Escarpment Natural Areas, as shown on Schedule A. "Essential" is defined in the Niagara Escarpment Plan as "that which is deemed necessary to the public interest after all alternatives have been considered".
- ii) The acquisition of land for transportation or utility purposes shall not result in the creation of a building lot that would otherwise not be permitted in the Niagara Escarpment Plan.
- iii) New or expanded waste disposal sites are not permitted in the Niagara Escarpment Plan Area, in accordance with the Niagara Escarpment Plan's definition of Waste Disposal Site.

#### 4.15.6 Individual or Communal Services

In addition to Section 4.7.5 [Water and Sewer Services], within the Niagara Escarpment Plan Area, on existing lots of record, where possible, no sewage system should be allowed closer than 30 metres from the high water mark of any lake, the top of a stream bank or ravine or the edge of any wetland. Where the potential exists for a ground or surface water pollution problem, the applicant shall detail through the appropriate studies, the detrimental effects and how they may be minimized.

#### 4.15.7 Mineral Resource

In addition to Section 4.8 [Mineral Resource], in the Niagara Escarpment Plan Area:

- i) New or expanded pits and quarries may only be permitted within the Escarpment Rural Area designation of the Niagara Escarpment Plan. An amendment to the Niagara Escarpment Plan is required to designate new areas for Mineral Resource Extraction for new or expanding operations in excess of 20,000 tonnes per year.
- ii) Portable asphalt or concrete batching plants are not permitted in the Mineral Resources Extraction Area of the Niagara Escarpment Plan.
- iii) Wayside pits and quarries shall only be permitted within the Escarpment Rural Area designation, subject to the Development Criteria of the Niagara Escarpment Plan.
- iv) Extractive operations including wayside pits and quarries and haul routes shall not conflict with the following criteria:
  - a) The protection of sensitive ecological, geological, historic and archaeological sites or areas.
  - b) The protection of surface and groundwater resources.
  - c) The maintenance of good agricultural areas, in accordance with the Provincial Policy Statement.
  - d) The minimization of the adverse impact of extractive and accessory operations on existing agricultural or residential development.
  - e) The preservation of the natural and cultural landscapes as much as possible during extraction and after rehabilitation
  - f) The minimization of the adverse impact of extractive and accessory operations on parks, open space and the existing and optimum routes of the Bruce Trail.
- v) For quarries licensed prior to June 12, 1985, no extraction shall take place at any point nearer to the brow of the Escarpment than 90 metres (300 feet) measured horizontally. For new quarry operations approved after the date of approval of the revised Plan, no extraction shall take place at any point nearer to the brow of the Escarpment than 200 metres (600 feet) measured horizontally or any greater setback required by the implementing authority.
- vi) Wherever possible, rehabilitation shall be progressive as the extraction proceeds. Progressive rehabilitation may include the use of off-site material, and where on-site material is not available, minimal amounts of off-site material required to stabilize and revegetate disturbed areas, but shall not include any major regrading toward a planned after-use with the deposition of off-site material.
- vii) Uses within Mineral Resources areas shall be in accordance with the Niagara Escarpment Plan.
- viii) Prior to a change of land use, not permitted by the Niagara Escarpment Plan, a Mineral Resource Extraction area designation will require an amendment to the Niagara Escarpment Plan to an appropriate designation of the Niagara Escarpment Plan

#### 4.15.8 Community Facilities

In addition to Section 4.9 [Community Facilities] community facilities are not permitted in the Escarpment Natural Area or Mineral Resource Extraction Area of the Niagara Escarpment Plan. Institutional uses may be permitted in the Escarpment Protection Area and Escarpment Rural Area designations, provided that they are of a small scale and service the local community.

**4.16 NEW SENSITIVE USES IN THE VICINITY OF A WIND ENERGY CONVERSION SYSTEM**

Given that a sensitive land use may be adversely affected by the noise emissions from a Wind Energy Conversion System (WECS or wind turbine), a local Comprehensive Zoning By-Law shall require all sensitive land uses to be setback from a WECS in accordance with the Ministry of the Environment "Noise Assessment Criteria in Land Use planning [Publication LU-131].

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## 5.0 DETAILED LAND USE POLICIES

### 5.1 GENERAL POLICIES

- .1 The Detailed Policies of this Plan apply to specific land use areas within the County, as indicated on Schedule 'A'. These policies must be read in conjunction with, interpreted and applied within the context of the Goals and Objectives, the General Policies, and the Detailed Land Use Policies.
- .2 The Detailed Land Use Policies are intended to provide specific direction for growth and development within various areas of the County. Additional policies, in the form of local Official Plans, may be prepared for local municipalities as required in those municipalities.
- .3 The specific land use designations established through the policies of this section include:
  - i) Primary Urban Communities
  - ii) Secondary Urban Communities
  - iii) Hamlet Communities
  - iv) Inland Lake Development Area
  - v) Agricultural Area
  - vi) Rural Area
  - vii) Estate Residential Area
  - viii) Hazard Land Area
  - ix) Major Open Space Area
  - x) Travel Trailer Park and Commercial Campground Area
  - xi) Niagara Escarpment Plan Area
  - xii) Rural Recreational
  - xiii) Bruce Nuclear Power Development
- .4 Any development proposed on lands identified on Schedule 'C' of this Plan with a constraint(s) must also conform to the conditions of that particular constraint(s), as outlined in this Plan.

### 5.2 URBAN AREAS

#### Introduction

The Goals and Objectives of this Plan direct much of the future growth in the County to the existing urbanized areas including Primary and Secondary Urban Communities and Hamlet Communities and other groupings of residential and non-residential buildings in the rural areas.

#### 5.2.1 Objectives

- i) Provide for the growth and development of primary urban communities, typically composed of towns, which function as regional service centres accommodating the largest concentration and widest range of residential, economic and social opportunities, services and facilities available in the County. In addition, this Plan recognizes the tourism potential of these urban places in the County economy;
- ii) Provide for the growth and development of secondary urban communities, typically comprised of villages, functioning as local service centres accommodating a modest range of residential, economic and social opportunities, services and facilities available to the surrounding area. In addition, this Plan recognizes the tourism potential of these urban places in the County economy;
- iii) Maintain the function of hamlets as settlement areas providing limited services and facilities, and offering an alternative living area; and
- iv) Ensure new areas identified for urbanization represent an appropriate and logical expansion of the urban area. To this end, County Council encourages inter-municipal co-operation on joint planning where urban limits cross municipal boundaries.

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## 5.2.2 Primary Urban Communities

### 5.2.2.1 Area of Application

The Primary Urban Communities designation applies to: Walkerton, Mildmay, Ripley, Teeswater, Lucknow, Kincardine, Tiverton, Sauble Beach (fully serviced area only), Southampton, Port Elgin, Wiarton, Formosa, Chesley, Tara/Invermay, Paisley and Inverhuron.

### 5.2.2.2 General Policies

- .1 It is the policy of County Council to encourage and strengthen the role of Primary Urban Communities as regional service centres within the County. These communities will accommodate the largest concentration and the widest range of residential, tourism, economic and social services and facilities. In addition, this Plan recognizes the importance of other urban communities in abutting Counties of a similar nature as the Primary Urban Communities in Bruce County. Where possible co-operative planning measures should be encouraged.
- .2 It is the policy of County Council to direct the majority of anticipated permanent population growth to Primary Urban Communities.
- .3 It is the policy of County Council that higher order commercial facilities such as shopping centres and department stores serving residents and visitors in the County will locate in the Primary Urban Communities.
- .4 It is the policy of County Council that industrial growth, particularly that requiring municipal water and sewage services will locate in Primary Urban Communities where such services exist.
- .5 It is the policy of County Council that major Community Facilities such as institutional, educational, cultural and recreational facilities shall locate in Primary Urban Communities.
- .6 It is the policy of County Council that all Primary Urban Communities shall ultimately be serviced with municipal water supply and distribution, and sewage collection and disposal systems. In the interim, the policies of Section 4.7.5.4 [Interim Servicing – Primary Urban Communities] shall apply.
- .7 Each Primary Urban Community shall prepare a detailed local Official Plan in accordance with the policies of this Plan to adequately guide and control the future physical, economic and social development of the Community and to more clearly define the boundaries of the urban community. Such Official Plans shall be updated from time to time, as required by the Planning Act.

### 5.2.2.3 Permitted Uses

The permitted uses shall include a broad variety of residential, home occupations, commercial, industrial and institutional land uses. The Plans shall also recognize open space and Hazard Land Areas and transportation facilities. No new livestock operations shall be permitted. No expansion of existing livestock operations shall be permitted beyond the existing livestock units calculated pursuant to the Minimum Distance Separation Formula.

### 5.2.2.4 Local Official Plans

- .1 The local Official Plans for Primary Urban Communities shall contain, as a minimum, land use policies dealing with the following:
  - i) Residential, including low, medium and high density residential uses, affordable housing, special needs housing, infilling and intensification.
  - ii) Commercial, including downtown commercial, highway commercial, marine commercial (where appropriate), shopping centre commercial (where appropriate), neighbourhood commercial, home occupations and home businesses, and other commercial uses, as

- iii) necessary.
  - iv) Industrial, including a broad range of industrial uses, and policies dealing with the redevelopment of industrial sites.
  - v) Institutional, including health, cultural and educational facilities, public recreation facilities, Government offices, public utilities and related uses and activities.
  - vi) Natural Environment, including hazard lands, environmentally sensitive areas and conservation.
  - vii) Recreation and Open Space, including active and passive recreation activities.
  - viii) Other specific land use designations necessary to reflect the unique needs and character of each Primary Urban Community.
- .2 The local Official Plans for Primary Urban Communities shall contain, as a minimum, general development and land use policies dealing with the following issues:
- i) The Natural and Built Environment;
  - ii) Community Improvement;
  - iii) Municipal Services;
  - iv) Heritage Resources;
  - v) Transportation;
  - vi) Economic Development; and
  - vii) Their share of the total future overall County growth projection.
- .3 The local Official Plans for the Primary Urban Communities shall contain, as a minimum, implementation policies dealing with the following issues:
- i) Amendments to the local Official Plan;
  - ii) Comprehensive Zoning By-laws and amendments;
  - iii) Minor variances;
  - iv) Legal non-conforming and non-complying uses;
  - v) Plans of Subdivision;
  - vi) Site Plan Control;
  - vii) Consents;
  - viii) Property maintenance and occupancy;
  - ix) Public consultation;
  - x) Servicing and phasing;
  - xi) Relationship to the County Official Plan; and
  - xii) Other by-laws pursuant to the Planning Act.

#### 5.2.2.5 Future Land Needs

- .1 The land use policies of this Plan have been developed on the assumption that the majority of future urban growth in the County can be accommodated in existing urban areas designated for development purposes.
- .2 It is intended therefore that with the exception of minor boundary expansions, the County will not need to designate new urban areas to accommodate the anticipated future growth of the County over the planning period. However, should an application be proposed to add new large urban areas for development purposes, the following matters should be addressed:
- i) A documented justification of need for the major expansion of the urban boundary including consideration of alternative areas for expansion with the intent of minimizing the impacts on the environment and natural resources, including agricultural lands;
  - ii) A major servicing strategy indicating how the currently designated lands, and proposed new lands will be serviced; and
  - iii) Any other studies required by the Municipal Council.



#### 5.2.2.6 **Consent Policies**

Development by consent for the creation of new lots may be permitted as outlined in a Local Official Plan and in accordance with Section 6.5.3 [Land Division Policies] of this Plan.

#### 5.2.2.7 **Servicing Policies**

Servicing of development will be in accordance with Section 4.7 [Services and Utilities].

#### 5.2.2.8 **Plans of Subdivision**

Subdivision Development where required shall conform with Section 4.7 [Services and Utilities] and Section 6.5.1 [Subdivision and Condominium Approvals and Agreements, and Multi-Unit Developments].

### 5.2.3 **Secondary Urban Communities**

#### 5.2.3.1 **Area of Application**

The Secondary Urban Communities designation applies to: Tobermory, Lion's Head, Allenford, Elmwood, Hepworth, Kincardine Lakeshore, Huron-Kinloss Lakeshore, and Sauble Beach (partial serviced area only).

#### 5.2.3.2 **General Policies**

- .1 It is the policy of County Council to encourage and strengthen the role of Secondary Urban Communities as local service centres and in some instances tourism/recreation centres accommodating a more limited range of residential, tourism, economic and social services and facilities than those provided by the Primary Urban Communities.
- .2 It is the policy of County Council to direct a lesser amount of the anticipated permanent population growth to Secondary Urban Communities.
- .3 It is the policy of County Council that all Secondary Urban Communities shall ultimately be serviced with Municipal water supply and distribution, and sewage collection and disposal systems. In the interim, the policies of Section 4.7.5.5 [Servicing – Secondary Urban Communities, Hamlet, Rural Recreational, Inland Lake and other Identified Designations] shall apply.
- .4 It is the policy of County Council that local Official Plans be prepared for Secondary Urban Communities. Such Plans shall deal with the same matters as the local Official Plans for Primary Urban Communities, as outlined in Section 5.2.2.4 [Local Official Plans].
- .5 It is the policy of County Council that until such time as local Official Plans are prepared, the following policies shall guide development in the Secondary Urban Communities. To the extent necessary to ensure implementation of the intent of this Plan, the following policies shall also apply after the local Official Plans have been prepared.

#### 5.2.3.3 **Permitted Uses**

- .1 The permitted uses shall include a variety of residential, home occupations, commercial, industrial, recreation/open space, institutional facilities, Hazard Land Areas and transportation facilities. No new livestock operations shall be permitted. No expansion of existing livestock operations shall be permitted beyond the existing livestock units calculated pursuant to the Minimum Distance Separation Formula.
- .2 Council recognizes the presence of the Bruce Energy Centre – Industrial Park as an employment area and due regard shall be had to the introduction of uses that would be incompatible or otherwise

compromise the continued industrial use of these lands.

#### 5.2.3.4 Development Policies

- .1 The boundary of Secondary Urban Communities shall be delineated on Schedule 'A' of this Official Plan, or through a local Official Plan, where one exists. The intent of the Boundary of the Secondary Plan is to recognize the extent of existing urban development.
- .2 Secondary Urban Communities shall develop in a manner that is phased and compact.
- .3 Every effort shall be made to strengthen the historic character of the Secondary Urban Communities by requiring new development to complement existing building types and neighbourhood characteristics.
- .4 Development shall not be permitted which would adversely affect a sensitive natural area or a site of historical, geological or archaeological significance.

#### 5.2.3.5 Residential

Residential development proposals shall be evaluated in accordance with the following criteria.

- i) Permitted Uses
  - a) Single detached dwellings and home occupations shall be the predominant form of housing. Where sanitary sewers are available and subject to site plan control, multiple-attached dwelling units may be considered provided provisions for open space and parking are made, and the servicing requirements of the appropriate approval authority or its agent are met. When approving multiple-attached dwelling units, the compatibility of such uses with adjacent development shall be considered. If the lands for which a proposal has been submitted is known or suspected to be contaminated from past or present activity, the proponent will be required to demonstrate to Council that there will be no adverse effect on the proposed use.
  - b) Mobile homes on individual lots shall not be permitted as the primary residence. Mobile homes will be encouraged to locate in mobile home parks.
  - c) The conversion of homes into apartment units will be permitted subject to the provisions of the Zoning By-Law and the adequacy of the lot and services.
- ii) Scale and Intensity
  - a) The local Zoning By-laws shall establish minimum lot sizes for lots created by consent or plan of subdivision based on the provision of full municipal services or partial municipal services and other factors established by the local municipality.

#### 5.2.3.6 Commercial

Commercial development proposals shall be evaluated in accordance with the following criteria. Commercial uses shall be placed in separate Commercial Zone categories in the implementing Zoning By-Law, may be subject to site plan control, and may be permitted in accordance with the following policies.

- i) General Commercial
  - a) General Commercial uses are uses such as offices, retail stores and commercial service establishment, which require a downtown location and which provide for the needs of the Community and the surrounding area.
  - b) Conversion of dwellings to commercial uses adjacent to General Commercial uses may be permitted through re-zoning, provided that the use can be integrated with

adjacent residential uses and adequate facilities such as on-site parking can be provided.

- c) Secondary residences may be permitted to the rear or above the primary general commercial use.
- ii) Highway Commercial
  - a) Highway Commercial uses are uses such as gas stations, building supply outlets, and similar uses that require large sites easily accessible to the traveling public. Uses shall be limited to locations near the periphery of the built-up area and within the Secondary Urban Community, as defined in this Plan or the Local Official Plan where one exists.
  - b) Uses shall be sufficiently set back to accommodate a service road where the eventual provision of such a road appears feasible and desirable.
  - c) Road access points shall be in accordance with the County Highways By-Law to regulate access for County roads and otherwise shall be limited to a maximum of two per lot and shall be designed in a manner that will minimize the danger to vehicular and pedestrian traffic. Consideration will be given to the requirements of the Transportation and Utilities policies of this Plan when evaluating Highway Commercial development.
- iii) Development Policies
  - a) Adequate on-site parking, or alternatively cash-in-lieu, shall be provided to accommodate employees and customers.
  - b) Buildings shall be designed and any lighting or signs be arranged to blend in with the character of adjacent uses.
  - c) Adequate buffer planting or fencing between the commercial use and any adjacent residential areas shall be provided by the commercial developer.
  - d) Adequate municipal services, including storm water management, shall be available to service the development.

#### 5.2.3.7 Industrial

Industrial proposals shall be evaluated in accordance with the following location, land use and design criteria.

- i) Permitted Uses
  - a) Only industrial uses which are not obnoxious or detrimental to the residential environment shall be permitted.
  - b) Where private or partial servicing exists, only industries which do not require large volumes of water for processing nor generate large volumes of waste water will be permitted.
- ii) Development Policies
  - a) Adequate on-site parking facilities shall be provided to accommodate employees and customers.
  - b) Adequate on-site loading facilities shall be provided.
  - c) Adjacent residential or other similar sensitive land uses such as hospitals and extended care facilities shall be protected from adverse effects as may arise from noise, dust, odours and vibrations.
  - d) No discharge of stormwater effluent affecting the quality of any watercourse or the groundwater shall be permitted.

- e) Buildings shall be designed and any lighting or signs be arranged to blend in with the character of adjacent uses.
- f) Adequate distance separation and buffer planting or fencing between industrial areas and any adjacent commercial or residential areas shall be provided by the industrial use.

#### 5.2.3.8 Consent Policies

Development by consent for the creation of new lots may be permitted in accordance with Section 6.5.3 [Land Division Policies] of this Plan.

#### 5.2.3.9 Servicing Policies

Servicing of development shall be in accordance with Section 4.7[Services and Utilities].

#### 5.2.3.10 Plans of Subdivision

Subdivision development, where required, shall conform with Section 4.7 [Services and Utilities] and Section 6.5.1 [Subdivision and Condominium Approvals and Agreements, and Multi-Unit Developments].

### 5.2.4 Hamlet Communities

#### 5.2.4.1 Area of Application

The Hamlet Communities designation applies to:

Alvanley	Cargill	Greenock	Pine River
Amberley	Chepstow	Holyrood	Pinkerton
Arkwright	Clavering	Kinloss	Purple Valley
Armow	Dobbinton	Kinlough	Riversdale
Barrow Bay	Dyer's Bay	Mar	Scone
Belmore	Eden Grove	Miller Lake	Spry
Bervie	Elsinore	Millarton	Underwood
Burgoyne	Ferndale	North Bruce	Whitechurch
Carlsruhe	Glammis	Park Head	

#### 5.2.4.2 General Policies

- .1 It is the policy of County Council to encourage and strengthen the historical role of the Hamlet Communities as local service centres accommodating a more limited range of residential, economic and social services and facilities than those provided by the Primary or Secondary Urban Communities. The boundaries and configuration of Hamlet areas are shown on Schedule 'A' of this Plan.
- .2 It is the policy of County Council to direct a limited amount of the anticipated permanent population growth to the Hamlet Communities. However, it is recognized that certain hamlets, because of environmental or locational constraints and/or changing socio-economic circumstances, may experience little or no growth.
- .3 Local Official Plans prepared for Hamlet Communities may rely on this Plan for general development and implementation policies.
- .4 Until such time as a Local Official Plan is prepared, the following policies shall be used to guide development in Hamlet Communities.

#### 5.2.4.3 Permitted Uses

- i) Detached, semi-detached and duplex residential uses;
- ii) Home occupations
- iii) Community facilities in accordance with Section 4.9 [Community Facilities];
- iv) Publicly owned conservation and/or open space;
- v) Publicly owned facilities;
- vi) Dry industrial uses;
- vii) Commercial uses limited to: (a) those serving the day-to-day needs of the residents of the Hamlet Community and the immediate surrounding area; (b) those serving the surrounding agricultural community and rural residents such as farm implement dealerships, veterinary clinics and other similar uses directly related to and supportive of agriculture; and, tourism related commercial uses such as 'country inns'.

#### 5.2.4.4 Development Policies

- .1 County Council recognizes that some Hamlet Communities are surrounded by the Agricultural and Rural Areas while others are in Rural Recreational Areas.
- .2 It is the policy of County Council that Hamlet Communities shall develop in a manner that is phased and compact.
- .3 Reasonable efforts shall be made to preserve the historic character of the Hamlet Communities.
- .4 Development shall minimize affects on environmentally sensitive natural areas or sites of historical, geological or archaeological significance.
- .5 Development on private water supply and sewage disposal services shall be in accordance with the requirements of the appropriate approval authority. Communal water supply and/or sewage disposal systems may be established, subject to the approval of the local municipality and the appropriate approval authority.
- .6 Municipal or communal sewage disposal systems are not anticipated, except to overcome an existing sewage disposal problem.
- .7 In delineating the limits of a Hamlet Community located in proximity to a Municipal boundary, or in considering development which may straddle one or more municipal boundaries, the local Council shall consult with the Council of the neighbouring local municipality.

#### 5.2.4.4.1 Development Policies – Commercial and Dry Industrial Uses

- i) Dry Industrial uses may be permitted in accordance with Section 5.6.6.3 [Design and Site Plan Criteria (Rural Industrial)];
- ii) Commercial uses may be permitted in accordance with Section 5.6.7.3 [Design and Site Plan Criteria (Rural Commercial)].

#### 5.2.4.5 Consent Policies

Development by consent may be permitted in accordance with the policies of Section 6.5.3 [Land Division Policies] of this Plan.

#### 5.2.4.6 Servicing Policies

Servicing of development will be in accordance with Section 4.7.5 [Water and Sewer Services].

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#### 5.2.4.7 Plans of Subdivision

Subdivision development, where required, shall conform to Section 4.7.5 [Water and Sewer Services] and Section 6.5.1 [Subdivision and Condominium Approvals and Agreements and Multi-Unit Developments].

### 5.3 RURAL RECREATIONAL AREA

#### Introduction

- .1 Much of the Rural Recreational Area along Lake Huron and Georgian Bay has already been developed by way of seasonal and permanent residential uses, and, to a limited extent resort related commercial uses. Much of the remaining Rural Recreational Area that is currently undeveloped is subject to environmental constraints.
- .2 The land designated on Schedule 'A' as Rural Recreational Area has, for the most part, not been subject to intensive site evaluations. Consequently the designation of land as Rural Recreational Area is no assurance that any given land is suitable for development. New developments proposed within the designation shall be reviewed using a cautionary approach, with attention being given in particular to the impacts of new developments on the natural environment.
- .3 The goals and objectives of this Plan encourage the development of a four season tourism industry, the continual improvement to tourism related facilities in the County, and the provisions of land for new residential growth opportunities. However, new development proposals within the Rural Recreational Area shall be assessed on their individual merits and should site conditions be unable to support sound, planned development, new proposals may be refused.

#### 5.3.1 Objectives

- i) Promote the existing function of the Rural Recreational Area as a principal area of the County for tourism and recreation, while providing for limited commercial development, and providing for seasonal and permanent residential development;
- ii) Increase and improve the amount of public access to waterways;
- iii) To protect the natural environment of the Rural Recreational Area including fish habitat;
- iv) To ensure that new development is compatible with existing land uses; and
- v) To promote the upgrading and expansion of existing commercial/tourism related facilities in order to provide a wider range of quality tourism experiences.

#### 5.3.2 Area of Application

The Rural Recreational Area designation applies along the Lake Huron/Georgian Bay coast in those areas that do not have access to municipal water and municipal sewer services, as indicated on Schedule 'A'.

#### 5.3.3 Permitted Uses

- .1 Permitted uses in the Rural Recreational Area shall include seasonal and permanent residential dwellings; public parks and open space uses; commercial uses in accordance with Section 5.3.7 [Commercial Policies (Rural Recreational Area)]; home occupations; home industry; and bed and breakfast establishments. Institutional uses shall also be permitted but shall be limited solely to places of worship.
- .2 Permanent year round residential uses shall be permitted when a detailed local Official Plan has been prepared for an area with specific polices in the local Official Plan permitting permanent residential uses. For those areas without local Official Plans, year round residential uses may be permitted provided the municipality has adopted and applies the requirements of Section 5.3.6 [Seasonal to Permanent Residential Conversion Policies (Rural Recreational Area)] of this Plan.

#### 5.3.4 General Policies

- .1 The majority of the Rural Recreational Area designated lands in the County are not covered by local Official Plans.
- .2 Where local Official Plan coverage does exist, the Rural Recreational Area designation has been applied to the entire area covered by the Local Plan. The policies of the Rural Recreational Area designation are intended to function as parent policies to those areas with local Official Plans, and to provide detailed development policies for those areas along the lakeshore without detailed development policies.

#### 5.3.5 Development Policies

Development within the Rural Recreational Area shall only proceed when a complete and comprehensive evaluation of a proposed development proposal and its location with respect to Hazard Land Areas or other sensitive features has taken place. Depending upon the scale and intensity of a new development proposal, plans and/or studies may be required in order to determine the suitability of the development.

##### 5.3.5.1 Required Studies

- .1 It is recognized that not all Rural Recreational Area development proposals will result in the same potential for impact and that not all proposals, therefore, require the same level of study or evaluation. The need for particular studies, or the level of detail required for a particular study, will depend on the potential for impact on the environment, on ground or surface water resources, or on compatibility with existing land uses. The determination of required studies and level of detail shall be made by the County. The County may consult with the local lower tier municipality, relevant provincial and other governmental agencies, and other groups as identified by the County in determining the required studies and associated level of detail.
- .2 Such studies shall be completed prior to any consideration of any land use approvals including any amendment to this Plan. Where these studies indicate that there will be detrimental environment, social and economic impacts or that development is not compatible with existing land uses, development proposals will be required to be modified or may not be approved. Applications for Plans of Subdivision, condominiums, resorts, large scale marinas or other developments, may require the preparation and submission of the following studies at the sole discretion of the County:
  - i) Servicing Studies  
In accordance with Section 4.7.5 [Water and Sewer Services].
  - ii) Natural Areas Protection and Enhancement  
An Environmental Impact Study shall be prepared by a qualified professional, and shall review and address the requirements of Section 4.3 [The Environment] as a whole. Where an Environmental Impact Study indicates that a development can achieve the County objectives for the natural environment, provision shall be made, where required, for the protection, conservation and enhancement of natural features, areas and functions. Where vegetation retention and/or tree retention is required, a Vegetation Retention Plan and/or Tree Retention Plan shall also be prepared which identifies development envelopes and provisions for retention, protection and, where necessary, replanting.
  - iii) Stormwater Management Plan / Lot Grading Plan  
A Stormwater Management Plan shall be prepared addressing issues surrounding the quantity of stormwater flow and the provision of appropriate treatment to ensure water quality and discharge to a suitable public outlet. On-site and off-site impacts must be considered in formulating an appropriate management strategy. Non-structural management techniques such as site layout following existing natural drainage patterns and structural measures (e.g.

constructed wetland/detention pond) should be considered in sequence from non-structural or structural. A Lot Grading Plan indicating final grades for the overall development of each of the proposed lots shall be prepared by a qualified engineer.

iv) Fisheries Management

Development in proximity to watercourses, including lakes, streams and some wetlands, may affect fish habitat directly or indirectly. In these cases a Fishery Management Plan shall be prepared, with provisions aimed at minimizing negative impacts upon fish habitat. Stormwater management has an important bearing upon fish habitat and therefore there should be a close linkage between stormwater and fisheries management plans.

The Fisheries Management Plan shall also examine the impacts of construction on the Rural Recreational or in a waterbed, the impacts of servicing (sewage, water, hydro, etc.) And shall be undertaken in accordance with the requirements of the EIS requirements in Section 4.3.3 [Requirements for Environmental Impact Studies]. Management studies shall consider the impacts on all fish species and habitat in the study area as well as commercial and recreational fishing in the study area.

v) Other Information

An application may be required to provide other Assessments, Evaluations, Reports, Statements, Studies or Plans as requested by the Province of Ontario, County of Bruce, any lower tier municipality or any agency at the sole discretion of the County of Bruce in accordance with Section 6.19 [Other Information to be Submitted in Support of a Planning Application].

#### 5.3.5.2 Other Development Policies

- .1 Habitable building and sewage disposal systems shall be appropriately setback from the water's edge and all vegetation within the setback shall be left substantially undisturbed. In no case shall the setback for development on a new lot(s) be less than 30 metres from the ordinary high water mark for Lake Huron/Georgian Bay. Setbacks for an existing lot-of-record or for re-development of principal buildings and structures on an existing lot of record shall be encouraged to be the same. Reductions may be considered when supported by an appropriate review of the potential long term impacts to the shoreline and to buildings and structures due to changing water levels.
- .2 New development shall be designed to minimize the visual impact of buildings and structures on Rural Recreational Area. New development shall be designed so that height, bulk, density and massing of built form does not have an unacceptable impact upon the view towards or from the waterfront. As a general rule, built form should be compatible with surrounding uses and be limited to 3 storeys in height. Visual impact considerations shall include the impact of Rural Recreational Area alterations and increased boat traffic through such matters as buffers, screening, vegetation retention plans, siting of facilities, site plan control and other measures under the Planning Act.
- .3 Rural Recreational Area development involving the construction of a marina shall require an extensive examination of the impact of increased boat traffic with regard to aesthetic, noise, and water quality impacts. Implementation of these studies through marina design and operation should consider such methodologies as 'Clean Marinas', 'Blue Flags' and the like. All development involving Rural Recreational Area alterations will require a comprehensive study of environmental impacts including fish habitat, erosion and sedimentation, flooding, wave action and off-shore currents which may affect boating or the adjacent Rural Recreational Area and require avoidance or mitigation
- .4 A new lot(s) shall be limited to, regardless of the type of construction of the building or structure, a seasonal use when any of the following municipal services are not currently provided on the roadway to which the lot(s) will access: year round road maintenance, roadside garbage and recycling pick up. An existing school bus route must be within reasonable distance as determined by the appropriate school board(s).



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### 5.3.5.3 Subdivision Policies

- .1 Seasonal and year round residential development shall take place primarily by registered plan of subdivision in accordance with Section 4.7 [Services and Utilities] and Section 6.5.1 [Subdivision and Condominium Approvals and Agreements and Multi-Unit Developments]. Clustered residential development may also proceed by registered plan of condominium, in accordance with Section 4.7 [Services and Utilities] and Section 6.5.1 [Subdivision and Condominium Approvals and Agreements and Multi-Unit Developments].
- .2 In addition to Section 4.7 [Services and Utilities] and Section 6.5.1 [Subdivision and Condominium Approvals and Agreements and Multi-Unit Developments], all new plans of subdivision and condominium shall be designed to accommodate year round occupancy. It is therefore the intent of this Plan to ensure that new subdivisions and condominiums can be provided with the full range of services prior to development proceeding. Such services include year round road maintenance, school busing, garbage pick up and recycling facilities. The availability of other Community services must also be taken into consideration.
  - i) It is the intent of this Plan that major new residential development in the Rural Recreational Area shall be provided with municipal or communal water and sewer servicing. Servicing shall be in accordance with Section 4.7.5 [Water and Sewer Services].
  - ii) Clustered residential development and other forms of compact development that facilitate the use of communal water and sewer services shall be encouraged. Applicants shall review the potential for clustered residential development and other forms of compact development in their development application.
  - iii) When servicing is proposed by way of private sewage disposal systems for individual lots, the gross density of development shall not exceed 2.47 lots per gross hectare. The number of potential lots shall be rounded down to the closest whole number. Example: 1.9 hectare lot x 2.47 lots per gross hectare = 4.69 lots rounded down to 4.0 lot potential.
  - iv) When servicing is proposed by way of communal sewage disposal system or municipal sewer system, the gross density of development shall not exceed 5 lots per gross hectare. The number of potential lots shall be rounded down to the closest whole number. Example: 1.55 hectare lot x 5.0 lots per gross hectare = 7.75 lots rounded down to 7.0 lot potential.
  - v) Proposals for smaller lot areas may be permitted when supported by studies prepared in accordance with Section 4.7.5 [Water and Sewer Services].
  - vi) In order to avoid narrow, linear parcels of land, the frontage-to-depth ratio for a new waterfront lot shall generally be a maximum of 1:3 and the lot shall conform to the appropriate zoning by-law in reference to minimum lot frontage and any other applicable provisions. Justification for deviation from the 1:3 frontage-to-depth ratio shall be justified in a development application.
  - vii) When waterfront and non-waterfront lot(s) are created, or when waterfront lot(s) are created and the potential for future creation of non-waterfront lot(s) remains, the developer shall be required to provide adequate, usable, water access to the lakeshore for the non-waterfront lot(s) or to provide funds for the improvement of existing public access points to the waterfront.
    - a) As a prerequisite for non-waterfront lot development, the developer shall be required to provide adequate, usable water access to the lakeshore or to provide funds for the improvement of existing public access points to the waterfront.
    - b) Adequate, usable water access shall involve the dedication of improved waterfront lands by the developer to the municipality to be used as public open space. Adequate waterfront access refers to an area or areas that may have boat launching facilities, rest area facilities, parking facilities and swimming facilities. Alternately, adequate waterfront lands may consist of open space or natural areas suitable for passive recreation. In some circumstances, waterfront access may already exist in the area of the development. In these cases, the municipality may require a cash-in-lieu payment, with monies to be used for the improvement of existing

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waterfront park facilities.

- viii) In designing waterfront open space areas within a plan of subdivision, consideration shall be given to other waterfront open space areas in the vicinity and, the provision of pedestrian, bicycle and vehicular linkages to these areas.
- ix) All services required as a result of the development of residential lots shall be constructed to municipal standards.

#### 5.3.5.4 Consents

In addition to the policies of Section 5.3 [Rural Recreational Area], the policies of Section 6.5.3 [Land Division Policies] of this Plan also apply.

#### 5.3.6 Seasonal to Permanent Residential Conversion Policies

The conversion of seasonal residences to permanent residences are permitted in the Rural Recreational Area when:

- i) A detailed local Official Plan has been prepared for the area permitting year round uses, or
- ii) The Municipality has undertaken a comprehensive neighbourhood by neighbourhood review that evaluates the suitability of each neighbourhood for year-round residential uses, and the local municipality has subsequently recognized the area or areas in a year-round residential zone in their comprehensive zoning by-law. Prior to granting recognition to such area in the comprehensive zoning by-law, local council shall be assured that:
  - a) The lands shall front onto an open and maintained road and be serviced with year round road maintenance, school bus service, fire protection, garbage collection and any other service deemed necessary by the local Municipality.
  - b) If the area is serviced by individual sewer and water services, the local municipality must be assured that the private septic systems are designed and suitable for year-round occupancy, and that they will be suitable maintained over the long term. As a condition of providing zoning recognition of year-round residential uses in the Rural Recreational Area designation, the local municipality shall implement a septic re-inspection programme. This may require a comprehensive inspection programme on an area-wide basis by the appropriate professional or agency.

#### 5.3.7 Commercial Policies

- .1 The Rural Recreational Area is one of the primary tourism resources in the County. Commercial uses serving tourist and local resident needs shall be permitted in the Rural Recreational Area.
- .2 Permitted commercial uses in the designation shall be limited to tourist related uses such as lodges or rental cottages and cabins, motels, hotels, accessory residential uses, marinas, retail commercial establishments catering to the day-to-day needs of the local residents as well as tourists, eating establishments, and space extensive commercial recreational uses. Travel Trailer Park and Commercial Campground operations may be established by Amendment to this Plan subject to the criteria in Section 5.10 [Travel Trailer Park and Commercial Campground].
- .3 In addition to the Development Policies for uses in the Rural Recreational Area, the following policies shall apply to commercial uses:
  - i) Commercial uses shall have direct access to a publicly maintained road and shall be located in such a manner that the road pattern provides for the adequate movement of vehicular traffic. Access points to parking areas shall be limited in number and designed in such a manner that will minimize the danger to vehicular and pedestrian traffic. All uses shall provide adequate on site parking facilities.

- ii) Commercial uses shall be buffered by planting and by adequate spatial separation from adjoining residential uses. In determining the level of buffering required, the proximity and density of surrounding residential uses shall be considered.
- iii) The height, bulk and density of all structures shall be such that the development is compatible with the surrounding uses and blend with sites topography and tree-cover. The development shall be planned to minimize visual impact. Particular care shall be taken in maintaining low profile in waterfront areas.

#### 5.3.8 Rural Recreational Areas and Local Official Plans

- .1 It is the intention of this Plan to permit the development of more detailed planning policies for Rural Recreational Area settlements as part of a Local Official Plan.
- .2 Local Official Plans that provide policy coverage within the Rural Recreational Area designation shall include detailed policies addressing development issues unique to the lakeshore areas, and shall include:
  - i) Policies directing both seasonal and year round residential uses, and the circumstances in which year round uses are permitted, including references to scale and intensity of development and public waterfront access availability;
  - ii) Servicing policies addressing private, communal and municipal sewage and water servicing;
  - iii) Detailed commercial use policies dealing with redevelopment of existing uses, and may include policies permitting a broader range of commercial services;
  - iv) Detailed and refined land use designations, such as open space, resort commercial, natural environment or hazard areas, and neighbourhood commercial providing for specific uses within the designations.

#### 5.3.9 Island Development Policies

- .1 Development on Bruce County's islands presents a unique set of circumstances. Some of the islands fall within Areas of Natural and Scientific Interest, while others may be subject to high water problems and other development constraints. Others have been developed for seasonal residential uses or could be made suitable for development.
- .2 In addition to the policies of the Rural Recreational Area, the following policies shall apply to proposed seasonal residential development on Islands:
  - i) That the lands proposed for development are suitable for development purposes.
  - ii) The minimum lot area for new lots on Islands shall be 2 hectares, with at least 1 hectare of the lot area located above the high water mark. This lot area may be reduced if communal servicing and clustered type development is approved.
  - iii) Due to the difficulties in importing fill for class 4 or 6 sewage systems, privies, grey water leaching systems, or other alternate sewage systems shall be considered, provided approval is obtained from the appropriate approval authority or its designated agent.
  - iv) Prior to development proceeding on Islands, it shall be demonstrated that the development has or can be provided with reasonable distance to mainland access, parking, waste transfer facilities and docking facilities. Prior to development proceeding, assurances shall be made that such facilities shall be maintained and remain accessible to Island residents in perpetuity. The construction and maintenance of these facilities shall not place an undue financial burden on the Municipality.
  - v) Local municipalities may include within the Comprehensive Zoning By-Law special requirements for development of new and existing seasonal residential lots located on islands.
  - vi) Conversions to permanent residential uses shall be prohibited due to the difficulties associated with access arrangements, servicing, busing and emergency services.
  - vii) For any development adjacent to, or across from First Nations lands, the First Nation shall be consulted.

- .3 Significant new island development shall require a comprehensive evaluation of the potential long-term consequences to the local municipality and County. Such a study shall examine such matters as access arrangements, emergency services, and assumption or responsibility for physical servicing systems, protection and emergency services.
- .4 Consideration of a reasonable distance to mainland access shall include such safety matters as wave height potential, water temperatures, and distance. Reasonable distance shall also incorporate an evaluation of the potential need for and adequacy of emergency services and access. On-site fire protection capability must be provided for large scale residential, resort, or commercial developments.
- .5 Unless all relevant studies and considerations can demonstrate otherwise, large scale island developments will be discouraged, particularly in areas where there is little existing development.

#### 5.3.10 **Implementation**

The policies of the Rural Recreational Area shall be implemented through the Implementation policies of this Plan, a local Official Plan, the local municipal Comprehensive zoning By-Law and through regulatory planning mechanisms such as site plan control and the use of holding provisions.

#### 5.3.11 **Exceptions – Rural Recreational Areas**

- .1 Bennett c/o Cuesta (OPA #167)  
Notwithstanding the policies of Section 6.5.3.1 [Land Division Policies – General Policies] of this Plan, the lands identified as Site Specific Policy Area 5.3.11.1 on Schedule “A” Land use (North Section), [Lots 8 and 9, Plan 640; 22 and 28 Shore Acres Road, geographic Township of Amabel, Town of South Bruce Peninsula], may be severed into two lots with a minimum lot area of 0.51 ha. All other policies of Section 6.5.3 Land Division Policies shall apply.

### 5.4 **INLAND LAKE DEVELOPMENT AREA**

#### 5.4.1 **Introduction**

- .1 The Inland Lake Development Area designation recognizes existing development around several small inland lakes. All of the inland lakes in the County are environmentally sensitive due to their size, depth, rate of in-flow and rate of out-flow. In some cases, the existing density of development has created problems to the extent that many lakes may be at or above their natural carrying capacity. The Inland Lake Development policies are based on a similar cautionary approach to development as the Rural Recreational Designation.
- .2 New developments shall not be permitted unless it can be proven that the inland lake can sustain the level of development proposed without suffering undue environmental degradation.

#### 5.4.2 **Areas of Application**

The Inland Lake Designation applies to all inland lakes in the County as indicated on Schedule ‘A’.

#### 5.4.3 **Permitted Uses**

Permitted uses shall be in accordance with Section 5.3.3 [Permitted Uses (Rural Recreational Area)].

#### 5.4.4 **General Policies**

- .1 New development will generally take the form of residential infilling in areas already substantially developed or the rounding out of existing development. Such development shall not be interpreted to include any development which would have the effect of significantly expanding the existing built-up area.

- .2 Should a significant development be proposed in the Inland Lakes Designation, other than minor infilling and rounding out of existing development, an Amendment to this Plan is required.
- .3 New developments within the Inland Lakes Designation shall be subject to the Development Policies requirements for all new uses as set out in Section 5.3.5 [Development Policies (Rural Recreational Area)], excepting however that residential plans of subdivision and tourism related resort commercial operations shall require an Amendment to this Plan.

#### 5.4.5 **Inland Lakes Subdivision Policies**

Due to the identified capacity problems associated with development on some Inland Lakes, residential development by way of Plan of Subdivision or Condominium shall proceed by way of Amendment to this Plan.

- i) When reviewing proposed Amendments, special attention shall be paid to the impact of the proposed development on the carrying capacity of the lake;
- ii) The policies in Section 5.3.5 [Development Policies (Rural Recreational Area)] shall be used in determining the appropriateness of Plan Amendments for Plans of Subdivision or Condominiums in the Inland Lakes areas.

#### 5.4.6 **Inland Lakes Residential Consent Policies**

Lot creation by consent shall be permitted in the Inland Lakes Designation subject to Section 6.5.3.6 [Consents – Inland Lake Area].

#### 5.4.7 **Inland Lakes Residential - Development of Existing Lots**

The development of existing lots shall take place in accordance with Section 5.3.5 [Development Policies (Rural Recreational Area)].

#### 5.4.8 **Seasonal to Permanent Residential Conversion Policies**

Seasonal to permanent conversion in the Inland Lakes area shall take place in accordance with Section 5.3.6 [Seasonal to Permanent Residential Conversion Policies].

#### 5.4.9 **Inland Lakes Commercial Policies**

In general, large scale tourism related services shall be encouraged to locate outside of the Inland Lakes Designation. However, the Plan does recognize the need for limited small scale convenience type commercial uses serving the residential developments around inland lakes.

##### 5.4.9.1 **Uses Permitted**

- .1 Permitted Uses in the designation shall be limited to existing commercial establishments. Minor upgrading and expansions to existing operations shall be encouraged. New, small-scale convenience uses serving the needs of immediate residents, such as variety stores and restaurants, shall be permitted.
- .2 The establishment of small scale convenience uses shall be subject to the development criteria in Section 5.3.7 [Commercial Policies (Rural Recreational Area)] of this Plan. However, new commercial developments, and large scale redevelopments shall require an Amendment to this Plan.

#### 5.4.10 **Implementation**

The policies of the Inland Lakes designation shall be implemented through Official Plans, the local Comprehensive Zoning By-Laws and through regulatory planning mechanisms such as Site Plan

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Control and the use of Holding Provisions.

**5.4.10.1 Local Official Plans**

- .1 The adoption of new Local Official Plans and the updating of existing Secondary Plans or Local Official Plans within the Rural Recreational Designation shall be in accordance with the intent and policies of the Inland Lakes Designation.
- .2 Local Official Plans for the Inland Lakes area shall be prepared in accordance with Section 5.3.8 [Rural Recreational Areas and Local Official Plans], excepting, however, that:
  - i) Local Official Plans may include additional policies permitting tourism related and resort type uses, in addition to the small-scale, convenience uses permitted by the Inland Lakes designation.
  - ii) Local Official Plans shall specifically address the issue of new development in regard to the carrying capacity of the Inland Lake.

**5.4.11 Exceptions**

- .1 **Garcia (OPA #57)**  
Notwithstanding the policies of Section 6.5.3.6 [Consents – Inland Lake Areas] of this Plan, the lands identified as ‘Section 5.4.11.1 Exceptions – Inland Lake Development Area’ on Schedule ‘A’ – Land Use may be severed to divide Part Lot 66, Concession 2 NDR, former geographic Township of Brant, Municipality of Brockton, into a total of two (2) parcels (minimum lot size of 4.5 acres) including the retained portion. All other policies of Section 6.5.3 Land Division Policies’ shall apply.
- .2 **Gowan/Crawford (OPA #69)**  
Notwithstanding the policies of Section 6.5.3.6 [Consents – Inland Lake Areas] of this Plan, the lands described as Part Lot 10, Concession 11, geographic Township of Arran, Municipality of Arran-Elderslie, and identified as ‘Site Specific Policy Area 5.4.11.2 ‘ on Schedule ‘A’: Land Use (South Section) may be severed subject to the following:
  - i) That the minimum lot size for ‘Parcel 1’, including lands designated ‘Hazard Land Area’ shall be no less than 3.6 hectares (8.9 acres). All buildings and structures, with the exception of a ‘non-habitable boat house’, shall be setback 30 metres from the ‘Hazard Land Area’ designation. Natural vegetation between the lake and all buildings and structures shall be preserved.
  - ii) That the minimum lot size for ‘Parcel 2’, including lands designated ‘Hazard Land Area’ shall be no less than 1.49 hectares (3.7 acres). All buildings and structures, with the exception of a non-habitable boat house’, shall be setback 30 metres from the ‘Hazard Land Area’ designation. Natural vegetation between the lake and all buildings shall be preserved.
  - iii) That the minimum lot size for ‘Parcel 3’, including lands designated ‘Hazard Land Area’, shall be no less than 1.54 hectares (3.8 acres). All buildings and structures, with the exception of a ‘non-habitable boat house’, shall be setback 10 metres from the high water mark of Arran Lake. Natural vegetation between the lake and all buildings and structures shall be preserved.
  - iv) That the minimum lot size for ‘Parcel 4’, including lands designated ‘Hazard Land Area’, shall be no less than 0.57 hectares (1.4 acres). All buildings and structures, with the exception of a ‘non-habitable boat house’, shall be setback 10 metres from the high water mark of Arran Lake. Natural vegetation between the lake and all buildings and structures shall be preserved.
  - v) All other policies and provisions of Section 5.4, Section 6.5.3, and Section 6.5.3.6 [Consents - Inland Lake Areas] shall apply to Parcels 1, 2, 3 and 4.

## **5.5 AGRICULTURAL AREAS**

### **5.5.1 Introduction**

- .1 The purpose of the Agricultural Areas policies is to protect and strengthen the agricultural Community, which is recognized as a major economic component of the County. The policies protect Agricultural Areas from the intrusion of land uses that are not compatible with agricultural operations.
- .2 The Plan contemplates commercial and industrial uses in the Agricultural Areas that are supportive of the agricultural community and represent supplemental sources of income for farmers. Home industries and home occupations are also permitted.

### **5.5.2 Agricultural Objectives**

- i) Preserve large blocks of Class 1, 2 and 3, farm land in the Agricultural Areas;
- ii) Identify and preserve areas of active ongoing agriculture in the Agricultural Areas;
- iii) Protect farms from incompatible activities and land uses in Agricultural Areas;
- iv) Minimize fragmentation of prime agricultural land in the Agricultural Areas;
- v) Minimize the fragmentation of commercial forest land in the Agricultural Areas;
- vi) Permit small scale farm-related industrial uses that are directly related to the farming operation and are required in close proximity to the farm operation;
- vii) Direct non-agricultural development to settlement areas;
- viii) Promote the agricultural industry; and,
- ix) Preserve and strengthen the Agricultural Area for active farming operations.

### **5.5.3 Area of Application**

- .1 Agricultural Areas include those areas of the Class 1, 2 and 3 soils as defined by the Canada Land Inventory Soil Capability Classification for Agricultural Capability that are greater than 80 hectares in size, and pockets of Class 4, 5, 6, or 7 soils that are smaller than 80 hectares in size. As a result, this designation will include a combination of higher capability and lower capability soils. The designation has been determined based upon the 80 hectare majority of the predominant soil type.
- .2 These areas have been identified as generally prime agricultural soils in the County, based upon the Canada Land Inventory mapping. It is intended that a local municipality may develop a local strategy to identify agricultural areas through an Amendment to this Plan, or by preparation of a Local Official Plan.
- .3 The County recognizes that the identification of prime agricultural areas based on the Canadian Land Inventory has limitations in some areas of the County. As such, the County may, in co-operation with the local municipalities and the Ministry of Agriculture, Food and Rural Affairs, undertake a "Land Evaluation and Area Review (LEAR)". As a result of the LEAR process, the County shall undertake an amendment to this Plan.

### **5.5.4 Permitted Uses**

- .1 Agriculture refers to the growing of crops or raising of livestock and other animals for food, fur or fibre, including poultry and fish and small scale farm-related commercial and industrial uses that are directly related to the farm operation and need to be in close proximity to the farm operation.
- .2 Agricultural Areas shall permit agriculture, aquaculture, apiaries, agro-forestry, maple syrup production, home occupations, home industries, and farm-related uses including the use of lands, buildings or structures for the raising of animals, the growing of plants for food production and nurseries. Retail stands for the sale of agricultural products produced on the farm unit upon which the retail stand is to be located, and bed and breakfast establishments shall also be permitted within Agricultural Areas. Permitted uses also include the primary and secondary farm residence on the same lot as part of the farm unit, forestry, public conservation, public open space, passive recreation,

farm vacations, and occasional agricultural demonstration events such as a plowing match. In addition, wayside pits and portable asphalt plants are permitted uses in accordance with the Zoning By-Law. Furthermore, schools, churches and cemeteries that service the immediate rural community relying on horse-drawn vehicles as the primary means of transportation shall also be permitted in accordance with Section 5.5.10 [Institutional Uses (Agricultural Areas)].

#### 5.5.4.1 Secondary Compatible Uses

Uses secondary and directly related to the principal use of the property may be permitted within Agricultural Areas provided that such uses are: zoned in the Zoning By-law in a special zoning category for that use; do not create a nuisance for the surrounding uses and have no adverse impacts on surround farm operations; and are directly related to and supportive of agriculture and require a location in close proximity to the farm operation. Farm-related industrial uses, such as grain drying and storage for farm produce, fertilizer plants and farm related commercial uses may be allowed in Agricultural Areas. The development of all such facilities shall:

- i) Be in conformity with the Provincial Minimum Distance Separation Formula;
- ii) Not adversely impact surrounding agricultural operations;
- iii) Be sensitive to the natural environment by minimizing impacts on water courses, wetlands, groundwater resources or other environmentally sensitive features; and
- iv) Be individually serviced with a private water supply and sewage disposal system which comply with the requirements of the appropriate approval authority.
- v) Be small scale and directly related to the farm operation and required in close proximity to the farm operation.

#### 5.5.4.2 Change in Permitted Use – Legal Conforming Uses

- .1 At their sole discretion, the Councils of the local municipalities may zone to permit the change of a legally existing use, provided that:
  - i) The proposed change is to a 'similar use' or is a use permitted in either the 'Rural' or 'Agriculture' designations; and
  - ii) The existing use of the land, buildings or structures is a legal use currently recognized in the implementing comprehensive zoning by-law or is a legal non-conforming use in the implementing comprehensive zoning by-law; and
  - iii) The proposed use does not require large volumes of water nor generate large volumes of effluent; and
  - iv) The proposed use has no adverse effect on the present uses of the surrounding lands or the implementation of the provisions of the Plan; and
  - v) The proposed use is not located in a floodplain or floodway; and
  - vi) The proposed use has regard for the Provincial Minimum Distance Separation Formula as amended from time to time; and
  - vii) The proposed use is accessible by a public road which is maintained by the appropriate authority as open to traffic on a year-round basis; and
  - viii) The proposed use is subject to any conditions that may be contained in a local Municipal Official Plan; and
  - ix) The proposed use must be in appropriate proportion to the size of the existing use; and
  - x) The proposed use will not create or further aggravate a traffic hazard
- .2 Each case will be considered on its own merits by the Council of the respective local municipality and may be subject to site plan control.
- .3 The Policies of this section do not apply when changes in agricultural activities and/or agricultural uses are proposed within the Agricultural Area.



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#### 5.5.5 General Policies

- .1 In the Agricultural areas, a range of farming sizes will be encouraged to ensure that agriculture remains a long term sustainable economic activity, and also to encourage the establishment of new farm businesses in the County.
- .2 Development within the Agricultural Areas will occur in a manner which provides for large continuous areas of prime farm land free from conflicting and incompatible land uses. An area may be excluded from prime agricultural areas only if it complies with Section 2.3.5 of the Provincial Policy Statement (PPS).
- .3 The Agricultural Areas of the County are intended to permit primarily agricultural uses, uses which are supportive of agriculture, and limited non-farm development by the severance of surplus dwellings.

#### 5.5.6 Farm Size

- .1 It is the intention of County Council to encourage the retention of large farming areas within the County. These areas will be largely unencumbered from non-agricultural uses by restricting the establishment of non-agricultural uses. A minimum farm size of generally 40 hectares (100 acres) has therefore been established for new or remnant farm parcels, subject to the consent policies of Section 6.5.3 [Land Division Policies], and except as provided elsewhere in this Plan.
- .2 Smaller, specialized, farm parcel sizes will only be permitted if the owner can demonstrate that:
  - i) The size of both the parcel to be severed as well as the parcel to be retained is appropriate for the type of agriculture proposed for each parcel;
  - ii) The size of both the parcel to be severed as well as the parcel to be retained is appropriate for the type of agriculture for the area where the parcels are located and the size of both parcels are common for the area; and
  - iii) The size of both proposed parcels permit them to be used for other types of agriculture in the future.

#### 5.5.7 Consent Policies

Development by consent for the creation of new lots may be permitted in accordance with Section 6.5.3 [Land Division Policies] of this Plan.

#### 5.5.8 Home Industries and Home Occupations

- .1 Home occupations and small-scale, home industries are permitted in the Agricultural designation. These are small businesses carried out as secondary uses to the main permitted uses, and take place on the same property as the primary use. These uses are allowed provided they do not conflict with the surrounding uses, and do not remove large amounts of farmland from production.
- .2 A home occupation is a commercial use carried on within the primary residence, and does not change the character of the building as a residence. A home industry is a small-scale, industrial use and is conducted within an accessory building located on the same property as the owner/operator's principle residence. The Municipal Zoning By-Law will establish regulations for the size, scale and operations of these businesses.

#### 5.5.9 Farm Related Commercial and Industrial Uses

Small scale industrial and commercial development directly related to, and compatible and supportive of, an agricultural operation, including grain drying and stables may be permitted providing the following policies are considered:

- i) The commercial or industrial operation cannot reasonably be located in an urban, rural or

- ii) hamlet industrial area and must be located in proximity to an agricultural operation;
- iii) Such uses shall be located to conform with the Provincial Minimum Distance Separation Formula;
- iv) The industrial or commercial use shall not require large volumes of water or generate large volumes of effluent;
- v) The location of commercial and industrial uses shall be suitably buffered from adjacent residential uses by means of distance separation and landscaping, fencing and site design.

#### 5.5.10 Institutional Uses

- .1 New schools, places of worship and cemeteries, are permitted within the Agricultural designation where such a use services the immediate rural community which relies on horse drawn vehicles as their primary means of transportation, subject to the following policies.
- .2 Such uses shall be permitted without an amendment to this Official Plan, and shall be placed in a separate zoning category in the local municipality's comprehensive zoning by-law provided:
  - i) There is a demonstrated need for the additional use within the planning horizon of this Official Plan.
  - ii) Reasonable justification for the selected site has been provided. Information shall be provided by the applicant to justify the location of the selected site to the satisfaction of the planning authority according the following priority of location:
    - a) 1<sup>st</sup> Priority: Locating the proposed use on lands within a designated settlement area such as a Hamlet;
    - b) 2<sup>nd</sup> Priority: Co-locating the proposed use with an existing zoned institutional use or re-using an existing zoned institutional use in the vicinity of the community;
    - c) 3<sup>rd</sup> Priority: Locating the proposed use on lands designated 'Rural Area' or 'Rural Recreational Area';
    - d) 4<sup>th</sup> Priority: Locating the proposed use within an existing farm building cluster;
    - e) 5<sup>th</sup> Priority: Locating the proposed use on lands of the lowest Canada Land Inventory (CLI) Land Capability Class.
  - iii) A planning authority shall only consider permitting the use in a lower priority location when it has been demonstrated the use cannot be located in a higher priority location.
  - iv) An amendment to the local municipality's Comprehensive Zoning By-law shall be required to establish such an institutional use excepting, however, when the proposed lands are currently zoned for such a use. In the case where a zoning by-law amendment is required, the rezoned area will be no larger than the minimum area of land needed to accommodate the proposed use/buildings(s), sewage disposal system, parking and any other related outdoor amenity (e.g. play area).
  - v) Local municipal Councils should consider adopting Temporary Use By-laws for such institutional uses, where appropriate.
  - vi) Schools, places of worship and cemeteries are required to satisfy the minimum distance separation provisions of MDS I. The minimum distance separation provisions of MDS I are not applicable in regards to an existing livestock facility or existing manure or material storage where a school, place of worship, or cemetery is proposed to be located on the same lot as the livestock facility or manure or material storage.
  - vii) A standalone cemetery on a separate lot of record shall be considered a "Type B" land use for the purpose of calculating the MDS I and MDS II requirements.
  - viii) In cases where local municipalities have a Site Plan Control By-law, the proposed school, place of worship and cemetery may be subject to Site Plan Control as per Section 41 of the Planning Act.
- .3 New lots for schools, places of worship and cemeteries for the rural community which rely on horse drawn vehicles as their primary means of transportation are discouraged but may be permitted provided:

- i) The need for the new lot has been justified to the satisfaction of the planning authority according to the priority of location set out in Section 5.5.8.2(ii);
  - ii) The planning authority is satisfied long term leases of not more than 21 years is not a viable option;
  - iii) The size of the lot is kept to a minimum and will only be large enough to accommodate the proposed use/building(s), sewage disposal system, parking and any other related outdoor amenity (e.g. play area). All policies of Section 6.5.3.1(General Policies – Land Division Policies) and 6.5.3.3 (Consents – Agricultural Area) shall also apply;
  - iv) The local municipality's Comprehensive Zoning By-law is amended to limit the use of subject lands to the intended institutional uses; and
  - v) At the time the approval is given for the creation of the new lot, the planning authority stipulates, pursuant to Subsection 50(12) of the Planning Act R.S.O. 1990 (as amended) that Subsection 50(3) or 50(5) of the Act shall apply to any subsequent conveyance of, or transaction involving, the new lot.
- .4 Recognizing that the need for some institutional uses i.e., schools etc. in a given location may change over time, it is the intent of this Plan that when the institutional use is no longer required by the horse drawn carriage community that the institutional use be discontinued and the land be returned to agricultural use.

#### 5.5.11 Provincial Minimum Distance Separation

- .1 New land uses, including the expansion of existing or the establishment of any non-agricultural uses including the creation of lots, and new or expanding livestock facilities shall comply with the Provincial Minimum Distance Separation Formulae (as amended from time to time).
- .2 The Municipal Comprehensive Zoning By-Law shall incorporate the Provincial Minimum Distance Separation (MDS) Formulae (as amended from time to time).
- .3 A Minor Variance or Zoning Amendment to allow for a reduction in the Provincial Minimum Distance Separation requirements shall consider at a minimum the following: (i) does the reduction have regard for the intent of the Official Plan; (ii) does the reduction have regard for the intent of the Zoning By-Law; (iii) is the reduction minor in nature; (iv) is the reduction desirable and appropriate for the area; and (v) can any potential environmental impacts be appropriately mitigated.

##### 5.5.11.1 MDS Catastrophe Policy

In the case of a catastrophe (e.g. barn or non-farm structure destroyed by fire), MDS shall not be applied provided that the building is proposed no closer to the livestock facility or non-farm structure than before the catastrophic event. However, should a landowner wish to expand the livestock facility beyond what had existed prior to the catastrophic event which results in higher values for Factor A, B and/or D as part of the MDS calculations, then the livestock facility shall comply with the Provincial Minimum Distance Separation Formulae (as amended from time to time).

##### 5.5.11.2 MDS Cemetery

Closed cemeteries shall be considered to be a Type 'A' land use for MDS purposes.

#### 5.5.12 Secondary Farm Residence

- .1 A second farm residence, may be permitted together with a primary farm residence on a farm lot, for an employee who is required to provide full time labour for the farm owner(s) and is employed full time by the farm owner(s). The second farm residence:
  - i) Must be located within the existing farm building cluster and in very close proximity to the existing primary farm residence;

- ii) Shall not be considered for future severance from the farming operation.
- .2 The second farm residence shall be regulated through the Zoning By-Law and may include a semi-detached dwelling or duplex dwelling.

**5.5.13 Exceptions – Agricultural Areas**

- .1 **McNall (OPA #31)**  
Notwithstanding the policies of Section 5.5.4 [Permitted Uses (Agricultural Areas)] of this Plan the lands, described as Part Lot 15, Concession 3, geographic Township of Greenock, Municipality of Brockton, and identified as Site Specific Policy Area 5.5.13.1 on Schedule 'A': Land Use may be used for a commercial/wholesale use limited to the sale, installation, distribution, storage and design of after market automotive accessories and an accessory detached dwelling. Buildings, structures and uses shall be limited to those existing on May 3, 2001. All other policies of Section 5.5 [Agricultural Areas] shall apply.
- .2 **Gibbons/Petrie (OPA #46)**  
Notwithstanding the policies of Section 6.5.3.3 [Consents – Agricultural Areas] of this Plan, the lands described as Part Lot 21, Concession B, geographic Township of Arran, Municipality of Arran-Elderslie, and identified as Site specific Policy Area 5.5.13.2 on Schedule 'A': Land Use may be severed to a maximum total lot area of 0.931 hectares. All other policies of Section 6.5.3 [Land Division Policies] shall apply.
- .3 **Euro Canada/Ross (OPA #50)**  
Notwithstanding the policies of Section 6.5.3.3 [Consents – Agricultural Areas] of this Plan, the lands described as Part Lot 28, Concession A, geographic Township of Kincardine, Municipality of Kincardine, and identified as Site Specific Policy Area 5.5.13.3 on Schedule 'A': Land Use, may be severed to a maximum total lot area of 3.723 hectares. All other policies of Section 6.5.3 [Land Division Policies] shall apply.
- .4 **Angel (OPA #60)**  
Notwithstanding the policies of Section 6.5.3.3 [Consents – Agricultural Areas] of this Plan, the lands described as Lot 30, Concession 12 and Part Lot 29, Concession 11, geographic Township of Arran, Municipality of Arran-Elderslie, and identified as 'Section 5.5.13.4 [Exceptions – Agricultural Areas] on Schedule 'A': Land Use may be severed to divide the original Township lot into a total of three (3) parcels including the retained portion. All other policies of Section 6.5.3 [Land Division Policies] shall apply.
- .5 **Fulford (OPA #63)**  
Notwithstanding the policies of Section 6.5.3.3 [Consents – Agricultural Areas] of this Plan, the lands described as Part Lot 47 – 49, Concession 'A', (being Part 1 on RP 3R-6716), geographic Township of Kincardine, Municipality of Kincardine, identified as Site Specific Policy Area 5.5.13.5 on Schedule 'A': Land Use Plan (South Section) to the County of Bruce Official Plan may be severed to a maximum total lot area of 2.68 hectares. All other policies of Section 6.5.3 [Land Division Policies] shall apply.
- .6 **Martin/Frey/Cedar Echo (OPA #66)**  
Notwithstanding the policies of Section 5.5.4 [Permitted Uses – Agricultural Areas] and Section 6.5.3 .1(iii) [General Policies (Land Division Policies)] of this Plan, the lands described as Part Lot 23, Concession 4, geographic Township of Elderslie, Municipality of Arran-Elderslie, and identified as Site Specific Policy Area 5.5.13.6 on Schedule 'A': Land use Plan (South Section) may be severed to a maximum total lot area of 0.57 hectares (1.40 acres) and used for a 'Community Facility' limited to a parochial school and associated accessory uses and activities. The use of the property for an agricultural use may be permitted provided that adequate measures to protect the required well and sewage disposal systems are in place OR upon removal of any and all structures associated with the school. All other policies of Section 6.5.3 [Land Division Policies] shall apply.

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- .7 Martin (OPA #67)  
Notwithstanding the policies of Section '5.5.2 Permitted uses – Agricultural Areas' of this Plan, the lands described as Part Lot 17, Concession 5, geographic Township of Elderslie, Municipality of Arran-Elderslie, and identified as Site Specific Policy Area 5.5.13.7 on Schedule 'A': Land Use Plan (South Section) may be severed to a maximum total lot area of 0.80 hectares (2.0 acres) and used for a 'Community Facility' limited to a 'place of worship' and 'cemetery' and associated accessory uses and activities. All other policies of Section 6.5.3 [Land Division Policies] shall apply.
- .8 Catto (OPA #72)  
Notwithstanding the policies of Section '6.5.3.3 Consents – Agricultural Areas' of this Plan, the lands described as Part Lot 39, Concession A, geographic Township of Greenock, Municipality of Brockton, and identified as Site Specific Policy Area 5.5.13.8 on Schedule 'A': Land Use Plan (South Section) may be severed to a maximum total lot area of 0.81 hectares. All other policies of Section 6.5.3 [Land Division Policies] shall apply.
- .9 Geertsma (OPA #73)  
Notwithstanding the policies of Section 6.5.3 [Land Division Policies] of this Plan, Lot 5, Concession 1, geographic Township of Huron, Township of Huron-Kinloss, shall be permitted to be divided into three (3) parcels.
- .10 Fritz/Graf Animal Foods (OPA #74)  
Notwithstanding the policies of Section '6.5.3.3 Consents – Agricultural Areas' of this Plan, the lands described as Part of Lots 1 and 2, Concession 5, geographic Township of Greenock, Municipality of Brockton, and identified as Site Specific Policy Area 5.5.13.10 on Schedule 'A': Land Use Plan (South Section) may be severed to create a 2.2 hectare (5 acres) lot for a dry-industrial use. All other provisions and policies of the County Plan shall apply.
- .11 Morley (OPA #71)  
Notwithstanding the policies of Section '6.5.3.3 Consents – Agricultural Areas' of this Plan, the lands described as Part Lot 21, Concession C, (being Part 1 on RP 3R-8108), and Part of Road Allowance between Concession C and D, geographic Township of Carrick, Municipality of South Bruce, and identified as Site Specific Policy Area 5.5.13.11 on Schedule 'A': Land Use Plan (South Section) to the County of Bruce Official Plan may be severed to a maximum total lot area of 0.53 hectares. All other policies of Section 6.5.3 [Land Division Policies] shall apply.
- .12 Voskamp (OPA #80)  
Notwithstanding the policies of Section '6.5.3.3 Consents – Agricultural Areas' of this Plan, the lands described as Part Lot 23, Concession 12, geographic Township of Huron, Township of Huron-Kinloss, and identified as Site Specific Policy Area 5.5.13.12 on Schedule 'A': Land Use Plan (South Section) to the County of Bruce Official Plan may be severed to a maximum total lot area of 0.75 hectares. All other policies of Section 6.5.3 [Land Division Policies] shall apply.
- .13 Patterson (OPA #79)  
Notwithstanding the policies of Section '6.5.3.3 Consents – Agricultural Areas' of this Plan, the lands described as Part Lot 25, Concession 10, geographic Township of Arran, Municipality of Arran-Elderslie, and identified as Site Specific Policy Area 5.5.13.13 on Schedule 'A': Land Use Plan (South Section) to the County of Bruce Official Plan may be severed to a maximum total lot area of 0.85 hectares. All other policies of Section 6.5.3 [Land Division Policies] shall apply.
- .14 Tessbach/Can Agra (OPA #81)  
Notwithstanding the policies of Section '6.5.3.3 Consents – Agricultural Areas' of this Plan, the lands described as Part Lots 44, 45, and 46, Concession "A", geographic Township of Kincardine, Municipality of Kincardine, and identified as Site Specific Policy Area 5.5.13.14 on Schedule 'A': Land Use Plan (South Section) to the County of Bruce Official Plan may be severed to a maximum total area of 0.6 hectares. All other policies of Section 6.5.3 [Land Division Policies] shall apply.

- .15 Horst/Weber (OPA #93)  
Notwithstanding the policies of Section '5.5.2 Permitted Uses – Agricultural Areas', the lands described as Lot 6 and Part Lot 7, Concession 8, geographic Township of Elderslie, Municipality of Arran-Elderslie and identified as Site specific Policy Area 5.5.13.15 on Schedule 'A': Land Use Plan (South Section) may be severed to a maximum total lot area of 0.70 hectares (1.72 acres) and used for a 'Community Facility' limited to a 'school and associated accessory uses and activities'. All other policies of Section 6.5.3 [Land Division Policies] shall apply.
- Notwithstanding Section 5.5.11 [Provincial Minimum Distance Separation Formulae], being the requirements to meet Minimum Distance Separation Formulae, a community facility limited to a 'school' serving the horse-drawn carriage community, located at Lot 6 and Part Lot 7, Concession 8, geographic Township of Elderslie, Municipality of Arran-Elderslie, shall be permitted.
- .16 Sieber/Wickert (OPA #3)  
Notwithstanding the policies of Section 6.5.3.3 [Consents – Agricultural Areas] of this Plan, the lands described as Part Lots 36 and 37, Concession A, geographic Township of Kincardine, Municipality of Kincardine, and identified as Site Specific Policy Area 5.5.13.16 on Schedule 'A': Land Use Plan (South Section) to the County of Bruce Official Plan may be severed to a maximum total lot area of 4.59 hectares. All other policies of Section 6.5.3 [Land Division Policies] shall apply.
- .17 Forbes (OPA #84)  
Notwithstanding the policies of Section 6.5.3.3 [Consents – Agricultural Areas] of this Plan, the lands described as Part of Lot 19, Concession 2 EBR, geographic Township of Albemarle, Town of South Bruce Peninsula, and identified as Site Specific Policy Area 5.5.13.17 on Schedule 'A': Land Use Plan (North Section) to the County of Bruce Official Plan may be severed to a maximum total lot area of 1.01 hectares. All other policies of Section 6.5.3 [Land Division Policies] shall apply.
- .18 Huber (OPA #85)  
Notwithstanding the policies of Section 6.5.3.3 [Consents – Agricultural Areas] of this Plan, the lands described as Part Lot 23, Concession 8, geographic Township of Carrick, Municipality of South Bruce, and identified as Site Specific Policy Area 5.5.13.18 on Schedule 'A': Land Use Plan (South Section) to the County of Bruce Official Plan may be severed to a maximum of two lots. MDS policies shall not apply. All other policies of Section 6.5.3 [Land Division Policies] shall apply.
- .19 Porter/Thompson (OPA #86)  
Notwithstanding the policies of Section 6.5.3.3 [Consents – Agricultural Areas] of this Plan, the lands described as Part Lot 22, Lake Range E, geographic Township of Saugeen, Town of Saugeen Shores, and identified as Site Specific Policy Area 5.5.13.19 on Schedule 'A': Land Use Plan (South Section) to the County of Bruce Official Plan may be severed to a maximum total lot area of 0.61 hectares (1.5 acres). All other policies of Section 6.5.3 [Land Division Policies] shall apply.
- .20 Martin (OPA #89)  
Notwithstanding the permitted uses in Section 5.5.4 [Permitted Uses] in the Agricultural designation, a community facility limited to a 'school' serving the horse-drawn carriage community, located at Lot 5, Concession 1, Municipality of South Bruce, (former Township of Carrick) is also a permitted use.
- Notwithstanding Section 5.5.11 [Provincial Minimum Distance Separation Formulae], being the requirements to meet Minimum Distance Separation Formulae, a community facility limited to a 'school' serving the horse-drawn carriage community, located at Lot 5, Concession 1, geographic Township of Carrick, Municipality of South Bruce shall be permitted.
- .21 Lang Farms (OPA #124)  
Notwithstanding the policies of Section 6.5.3.3 [Consents – Agricultural Areas] of this Plan, the lands described as Part Lots 17 and 18, Concession 15, being Parts 2 and 5 on Registered Plan 3R-8707, geographic Township of Culross, Municipality of South Bruce and identified as Site Specific Policy Area 5.5.13.21 on Schedule 'A': Land Use Plan (South Section) to the County of Bruce Official Plan may be severed to a maximum total lot area of 0.6 hectares. All other policies of Section 6.5.3 [Land

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Division Policies] shall apply.

- .22 Martin (OPA #95)  
Notwithstanding the policies of Section 5.5.4 [Permitted Uses – Agricultural Areas] of this Plan, the lands identified as Site Specific Policy Area 5.5.13.22 on Schedule 'A': Land Use Plan (South Section) a community facility limited to a school serving the horse-drawn carriage community, located at Part Lot 22, Concession 10, geographic Township of Kinloss, Township of Huron-Kinloss is also a permitted use.
- .23 Sieber (OPA #101)  
Notwithstanding the policies of Section 6.5.3.3 [Consents – Agricultural Areas] of this Plan, the lands described as Part Lots 29 and 30, Concession A, geographic Township of Kincardine, Municipality of Kincardine, and identified as Site Specific Policy Area 5.5.13.23 on Schedule 'A': Land Use Plan (South Section) to the County of Bruce Official Plan may be severed to a maximum total lot area of 1.36 hectares. All other policies of Section 6.5.3 [Land Division Policies] shall apply.
- .24 Haug/Remers/Garcia (OPA #100)  
Notwithstanding the policies of Section 5.5.4 [Permitted Uses – Agricultural Areas] of this Plan, the lands described as Part Lot 74, Concession 2 NDR, geographic Township of Brant, Municipality of Brockton, and identified as Site Specific Policy Area 5.5.13.24 on Schedule 'A': Land Use Plan may be severed to a maximum total lot area of 4.39 hectares (10.84 acres) and an automotive facility, is also a permitted use.
- .25 DeBoer/Schenk (OPA #104)  
Notwithstanding the policies of Section 6.5.3.3 [Consents - Agricultural Areas] of this Plan, the lands described as South Part Lots 3 and 4, Concession 1, geographic Township of Kinloss, Township of Huron-Kinloss, and identified as Site Specific Policy Area 5.5.13.25 on Schedule 'A': Land Use Plan may be created in two parcels with one parcel to be severed to a maximum total lot area of 4.05 hectares (10 acres), while the retained parcel shall be 2.78 hectares (6.87 acres). All other policies of Section 5.5 [Agricultural Areas] shall apply.
- .26 Lorenz (OPA #110)  
Notwithstanding the policies of Section 6.5.3.3 [Consents – Agricultural Areas] of this Plan, the lands described as TP Pt Lots 9 - 13, High N/S, TP Lots 9 – 13, Clarendon S/S, geographic Township of Saugeen, Town of Saugeen Shores, and identified as Site Specific Policy Area 5.5.13.26 on Schedule 'A': Land Use Plan (South Section) to the County of Bruce Official Plan may be severed to a maximum total lot area of 0.7 hectares (1.73 acres). All other policies of Section 6.5.3 [Land Division Policies] shall apply.
- .27 Dunstan/Wise (OPA #114)  
Notwithstanding the policies of Section 5.5.4 [Permitted Uses – Agricultural Areas] and Section 6.5.3.3 [Consents – Agricultural Areas] of this Plan, the lands identified as Site Specific Policy Area 5.5.13.27 on Schedule 'A': Land Use Plan (South Section) to the County of Bruce Official Plan may be severed to a maximum total lot area of 2.43 hectares and a truck repair facility, located at Part Lot 20, Concession 'C', geographic Township of Carrick, Municipality of South Bruce, is also a permitted use. All other policies of Section 5.5 [Agricultural Areas] and Section 6.5.3 [Land Division Policies] shall apply.
- .28 Algonquin Farms/Fell (OPA #121)  
Notwithstanding the policies of Section 6.5.3.3 [Consents – Agricultural Areas] of this Plan, the lands described as Part Lot 1, Concession 5, geographic Township of Kincardine, Municipality of Kincardine, and identified as Site Specific Policy Area 5.5.13.28 on Schedule 'A': Land Use Plan (South Section) to the County of Bruce Official Plan may be severed from the subject property. All other policies of Section 6.5.3 [Land Division Policies] shall apply.
- .29 SVCA (OPA #122)  
Notwithstanding the policies of Section 6.5.3.3 [Consents – Agricultural Areas] of this Plan, the lands

described as Part Lots 9 – 13, River Range ‘C’, geographic Township of Saugeen, Town of Saugeen Shores, and identified as Site Specific Policy Area 5.5.13.29 on Schedule ‘A’: Land Use Plan (South Section) to the County of Bruce Official Plan may be severed to a maximum total lot area of 48.6 hectares, leaving a retained parcel of 116.1 hectares. The severed and retained parcels need not front on an existing road allowance which is opened and maintained on a year-round basis and is constructed to a standard of construction adequate to provide for the additional traffic generated by the proposed development. All other policies of Section 6.5.3 [Land Division Policies] shall apply.

- .30 Bourgeois (OPA #14/OPA #116)  
Notwithstanding the policies of Section 5.5.6 [Farm Size (Agricultural Areas)] and Section 6.5.3.3 [Consents – Agricultural Areas] of this Plan, the lands described as Lot 1, North Lots 2, 3 and 4, Concession 2 [Inverhuron], geographic Township of Bruce, Municipality of Kincardine, and identified as Site Specific Policy Area 5.5.13.30 on Schedule ‘A’ Land Use Plan (South Section) may be severed to a minimum parcel size of 20 acres. All other policies of Section 6.5.3 [Land Division Policies] shall apply.
- .31 Borgford/Holmdale Farms (OPA #133)  
Notwithstanding the policies of Section 6.5.3.3 [Consents – Agricultural Areas] of this Plan, the lands described as Site Specific Policy Area 5.5.13.31 on Schedule ‘A’ Land Use Plan (South Section) [Part Lot 10, Concession 6 East, geographic Township of Brant, Municipality of Brockton] may be severed to a maximum total lot area of 0.7 hectares. All other policies of Section 6.5.3 [Land Division Policies] shall apply.
- .32 Price Brothers Welding (OPA #135)  
Notwithstanding the policies of Section 5.5.4 [Permitted Uses (Agricultural Areas)] of this Plan, the lands described as Site Specific Policy Area 5.5.13.32 on Schedule ‘A’ Land Use Plan (South Section) [Part Lot 74, Concession 2 NDR, geographic Township of Brant, Municipality of Brockton] may be used for a commercial use and an accessory residential use. All other policies of Section 5.5 [Agricultural Areas] shall apply.
- .33 Horner (OPA # 136)  
Notwithstanding the policies of Subsection 6.5.3.3 [Consents – Agricultural Areas] of this Plan, the lands described as Site Specific Policy Area 5.5.13.33 on Schedule ‘A’ Land Use Plan (South Section) [Part Lot 21, Concession 9, geographic Township of Arran, Municipality of Arran-Elderslie], may be severed to a maximum total lot area of 0.6 hectares. All other policies of Section 6.5.3 [Land Division Policies] shall apply.
- .34 Resolute / CA Farm Management (OPA #141) – FILE IN PROCESS \*\*
- .35 Cumming (OPA #142)  
Notwithstanding the policies of Subsection 5.5.4.1 Secondary Compatible Uses- Agricultural Areas’ of this Plan, the lands identified as Site Specific Policy Area 5.5.13.35 on Schedule ‘A’: Land Use Plan (Interior) [Part of Lot 16, Concession 10, geographic Township of Elderslie, Municipality of Arran-Elderslie], may be used to operate a warehouse and office, both associated with a wholesale operation. All other policies of subsection ‘5.5 [Agricultural Areas] policies shall apply.
- .36 C & E Francis Farms Ltd (OPA #147)  
Notwithstanding the policies of Section 6.5.3.3 [Consents – Agricultural Areas] of this Plan, the lands described as Site Specific Policy Area 5.5.13.36 on Schedule ‘A’: Land Use Plan (South Section) [Lot 67 and Part of Lots 68 and 69, Concession 2 SDR, geographic Township of Brant, Municipality of Brockton] may be severed to a total lot area of 52.6 ha. All other policies of Section 6.5.3 [Land Division Policies] shall apply.
- .37 Alexander (OPA #145)  
Notwithstanding the policies of Section 6.5.3.3 [Consents – Agricultural Areas] of this Plan, the lands described as Site Specific Policy Area 5.5.13.37 on Schedule ‘A’: Land Use Plan (South Section) [Part of Lot 33, Concession 12, geographic Township of Kincardine, Municipality of Kincardine], shall not be



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subject to the Minimum Distance Separation I (MDS I) formula; and may be severed to a maximum total area of 1.23 ha to contain the existing buildings, structures and services. All other policies of Section 6.5.3 [Land Division Policies] shall apply.

- .38 MacDonald c/o Cuesta (OPA #143)  
Notwithstanding the policies of Section 4.6.3.4 [Transportation] and 6.5.3 [Land Division Policies] of this plan, the lands described as Part Lot 30, Concession 10, geographic Township of Arran, Municipality of Arran-Elderslie, and identified as Site Specific Policy Area 5.5.13.38 on Schedule 'A': Land Use Plan, may be severed to a maximum total lot area of 1.5 ha. All other policies of Section 6.5.3 [Land Division Policies] shall apply.
- .39 Klinck (OPA #150) – FILE INPROCESS \*\*
- .40 Nowakowski c/o Frieburger (OPA #153)  
Notwithstanding the policies of Section 6.5.3.3 [Consents –Agricultural Areas] of this Plan, the lands described as Site specific Policy Area 5.5.13.40 on Schedule 'A': Land Use Plan (South Section) [Lot 33 and Part of Lot 34, Concession 2 NDR, geographic Township of Brant, Municipality of Brockton] shall not be subject to the Minimum Distance Separation I (MDS I) formula; and may be severed to a maximum total area of 1.2 ha. All other policies of Section 6.5.3 [Land Division Policies] shall apply.
- .41 Smith (OPA #152)  
Notwithstanding the policies of Section 5.5.4 [Permitted Uses – Agricultural Areas], Section 5.5.5 [General Policies – Agricultural Areas], Section 5.5.6 [Farm Size – Agricultural Areas] and Section 6.5.3.3 [Consents – Agricultural Areas] of this Plan, the lands described as Site Specific Policy Area 5.5.13.41 on Schedule 'A': Land Use Plan (South Section), [Part Lot 1, Concession 5, geographic Township of Elderslie, Municipality of Arran-Elderslie], may be severed to a maximum total lot area of 1.25 ha. All other policies of this Plan shall apply.
- .42 Olds (OPA #156)  
Notwithstanding the policies of Section 5.5.4 [Permitted Uses – Agricultural Areas], of tis Paln, the lands described as Site specific policy Area 5.5.13.42 on Schedule 'A': Land Use Plan (South Section) [Part of Lot 34, Concession 12, geographic Township of Brant, Municipality of Brockton], shall be restricted to an automobile sales and automobile repair establishment and an accessory residential uses. All other policies of Section 5.5 [Agricultural Areas] shall apply.
- .43 K & S Grubb (OPA #160)  
Notwithstanding the policies of Section 6.5.3.3 [Consents – Agricultural Areas] of this Plan, the lands described as Site Specific Policy Area 5.5.13.43 on Schedule 'A' Land Use Plan (South Section), (Part of Lot 32 and Part of Lot 33, Concession 4, geographic Township of Carrick, Municipality of South Bruce), shall not be subject to the Minimum Distance Separation I (MDS I) formula; and, may be severed to a maximum total area of 1 ha. All other policies of Section 6.5.3 (Land Division Policies) shall apply.
- .44 Ernewein (OPA # 166)  
  
Notwithstanding the policies of Section 6.5.3.3 (Consents – Agricultural Areas) of this Plan, the lands described as Site Specific Policy Area 5.5.13.4 on Schedule 'A' land use Plan (South Section), (Part of Lots 16 and 17, Concession 1 SDR [being Parts 1, 2 and 3 on RP 3R-8066, geographic Township of Brant, Municipality of Brockton), may be severed to a maximum total area of 0.7 hectares. All other policies of Section 6.5.3 (Land Division Policies) shall apply.
- .45 Mann (OPA #163)  
Notwithstanding the policies of 'Subsection 5.5.4 – Permitted Uses' of this Plan, on those lands identified as Site Specific Policy Area 5.5.13.45 on Schedule "A" to the County of Bruce Official Plan (Lot 30, Concession 4, geographic Township of Kinloss, Township of Huron-Kinloss), in addition to those Permitted Uses in Subsection 5.5.4, the following shall also be permitted: the outdoor storage of construction equipment, fleet vehicles, and materials related to construction

and excavating; a construction business; a limousine/chauffeured transportation service business; and, an accessory office use for the Permitted Uses. The Permitted Uses shall also be subject to the policies of 'Subsection 5.5.8 – Home Industries and Home Occupations' and all other policies of this Plan.

- .46 Holder (OPA #155)  
Notwithstanding the policies of Section 6.5.3.3 (Consents –Agricultural Areas) of this Plan, the lands described as Site Specific Policy Area 5.5.13.46 on Schedule 'A' Land use Plan (South Section), (Part of Lot 37, Concession 11 [being parts 3 and 4 on RP 3R-5720], geographic Township of Huron, Township of Huron-Kinloss), may be severed to a maximum total area of 0.19 ha. All other policies of Section 6.5.3 (Land Division Policies) shall apply.
- .47 Kuepfer (OPA #169)  
Notwithstanding the policies of Section 5.5.8 [Home Industries and Home Occupations] of this Plan, on lands identified as Site Specific Policy Area 5.5.13.47 on Schedule "A": Land Use (South Section), [Part of Lot 30, Concession 10, geographic Township of Greenock, Municipality of Brockton], the Home Occupation (quilt/fabric store) may be located in a 93 m<sup>2</sup> (1,000 ft<sup>2</sup>) secondary building. The secondary building must be located within the farm building cluster. All other policies of Section 5.5 [Agricultural Areas] shall apply.
- .48 967329 Ontario Limited / Thompson (OPA #173)  
Notwithstanding the policies of Section 6.5.3.3 (Consents – Agricultural Areas) of this Plan, the lands described as Site specific Policy Area 5.5.13.48 on Schedule 'A' land use Plan (South Section), [South Part Lot 8, Concession 12, geographic Township of Huron, Township of Huron-Kinloss (114 Concession 12)], may be severed to a maximum total area of 1.0 hectares. All other policies of Section 6.5.3 (Land Division Policies) shall apply.
- .49 1154499 Ontario Limited / Ferris Farms (OPA # 174)  
Notwithstanding the policies of Section 6.5.3.3 (Consents – Agricultural Areas) of this Plan, the lands described as Site specific Policy Area 5.5.13.49 on Schedule 'A' Land Use Plan (South Section), [North Part of Lot 5, Concession 9 and South Part of Lot 5, Concession 10, geographic Township of Bruce, Municipality of Kincardine], may be severed to a maximum total area of 0.98 hectares. All other policies of Section 6.5.3 (Land Division Policies) shall apply.

#### 5.5.14 Intensive Livestock Operations (Deleted)

Note: Original County of Bruce Official Plan Section 5.5.10 Intensive Livestock Operations was deleted in its entirety by Bruce County Official Plan Amendment #99.

### 5.6 RURAL AREA

#### 5.6.1 Introduction

- .1 The Rural Designation covers those lands that are for the most part undeveloped by urban type uses; the rural areas of the County are often appreciated for their pastoral sense of open space. However, the Rural designation in fact contains a mix of land uses and economic activities which include natural resource uses such as farming, forestry and aggregate extraction and tourism based activities such as nature appreciation and outdoor recreational uses.
- .2 The intent of the Rural designation is to balance rural development pressures with the need to preserve and protect the rural landscape. Economic activities in the Rural designation shall be those that take advantage of the natural attributes of the Rural area but, at the same time, conserve and protect the rural landscape for the enjoyment of future generations. New developments shall be low in scale and intensity, with particular attention being paid to the protection of the environment and increased service demands placed on rural municipalities.

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### 5.6.2 Objectives

- i) Recognize and promote the rural area as an important community and economic resource, while at the same time promoting preservation and enhancement of the rural environment for the benefit of future generations;
- ii) Provide strong and clear development policies and criteria in the rural designation to guide the establishment of agriculturally and resource based industries, tourism and recreational commercial uses and limited residential uses; and,
- iii) Minimize the fragmentation of commercially viable forested land in the Rural Area.

### 5.6.3 Area of Application

- .1 Rural Area includes those areas of Class 4, 5, 6 and 7 soils as defined by the Canada Land Inventory Soil Capability Classification for Agricultural Capability that are greater than 80 hectares in size and pockets of Class 1, 2 or 3 soils that are smaller than 80 hectares in size. As a result this designation will include a combination of higher capability and lower capability soils. The designation has been determined based upon the 80 hectare majority of the predominant soil type.
- .2 These areas have been identified as generally non-prime agricultural soils in Bruce County, based upon the Canada Land Inventory mapping. It is intended that a local municipality may develop a local strategy for identifying rural areas through an Amendment to this Plan, or by the preparation of a Local Official Plan.

### 5.6.4 Permitted Uses

The Rural Area shall permit:

- i) Agricultural uses in accordance with Section 5.5.2 [Permitted Uses (Agricultural Areas)];
- ii) Farm Related Commercial and Industrial Uses in accordance with Section 5.5.9 [Farm Related Commercial and Industrial Uses (Agricultural Areas)];
- iii) Institutional Uses in accordance with Section 5.5.10 [Institutional Uses (Agricultural Areas)];
- iv) Home Industries and Home Occupations in accordance with Section 5.6.4.2 [Home Industries and Home Occupations (Rural Area)];
- v) Rural Industrial uses in accordance with Section 5.6.6 [Rural Industrial (Rural Area)];
- vi) Rural Commercial Uses in accordance with Section 5.6.7 [Rural Commercial (Rural Area)]; and
- vii) Non-Farm Residential use and Seasonal Residential Uses.

#### 5.6.4.1 Farm Size

In the Rural designation newly created farm lots should generally be 20 hectares (50 acres). It is not intended to prevent the creation of smaller farm parcels where they are of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large to maintain for future changes in the type or size of the agricultural operation. Local municipalities will be encouraged to establish farm sizes appropriate to the area in the Local Municipal Official Plan and Zoning By-Law.

#### 5.6.4.2 Home Industries and Home Occupations

- .1 The establishment of home industries and home occupations will be permitted in accordance with Section 5.5.8 [Home Industries and Home Occupations (Agricultural Area)].
- .2 At their sole discretion, the Councils of the local municipalities may zone to permit the change of a legally existing use to a new use, provided that:
  - i) The proposed change is to a 'similar use', or is a use permitted in either the 'Rural' or 'Agricultural' designations;
  - ii) The existing use of the land, buildings or structures is a legal use currently recognized in the

- iii) The proposed use does not require large volumes of water nor generate large volumes of effluent;
- iv) The proposed use has no adverse effect on the present uses of the surrounding lands or the implementation of the provisions of this Plan;
- v) The proposed use is not located in a floodplain or floodway;
- vi) The proposed use has regard for the Minimum Distance Separation Formula as amended from time to time;
- vii) The proposed use is accessible by a public road which is maintained by the appropriate authority as open to traffic on a year-round basis;
- viii) The proposed use is subject to any conditions that may be contained in a local Municipal Official Plan;
- ix) The proposed use must be in appropriate proportion to the size of the existing use;
- x) The proposed use will not create or further aggravate a traffic hazard; and
- xi) The proposed use is developed in accordance with Section 5.6.6.2 [Locational Criteria (Rural Industrial)], Section 5.6.6.3 [Design and Site Plan Criteria (Rural Industrial)], Section 5.6.7.2 [Locational Criteria (Rural Commercial)], Section 5.6.7.3 [Design and Site Plan Criteria (Rural Commercial)].

.3 Each case will be considered on its own merits by the Council of the respective local municipality and may be subject to site plan control.

#### 5.6.5 Consent Policies

Development by consent for the creation of new lots may be permitted in accordance with Section 6.5.3 [Land Division Policies] of this Plan.

##### 5.6.5.1 Estate Residential Subdivisions

Development of an Estate Residential Subdivision will occur by Amendment to this Plan or Local Official Plan in conformity with Section 5.7 [Estate Residential Area].

#### 5.6.6 Rural Industrial

##### 5.6.6.1 Permitted Uses

- .1 It is the overall intent of this Plan that industrial uses be located in existing settlement areas with required municipal services.
- .2 Permitted rural industrial uses shall be limited to those uses that serve the immediate agricultural community such as machine repair, welding, lumber mills and yards, small-scale rural home industries and other such similar industrial uses that require a rural location and cannot be located within a settlement area.
- .3 In addition to the main permitted uses, the retailing of accessory products to the main permitted use will also be permitted.

##### 5.6.6.2 Locational Criteria

Permitted Industrial uses shall be located in conformity with the following:

- i) Adequate on-site parking and loading spaces are provided;
- ii) Be in conformity with the MDS formula;
- iii) Be sensitive to the natural environment by minimizing impacts on water courses, wetlands, groundwater resources or other environmentally sensitive features; and
- iv) Shall not require large volumes of water or generate large volumes of effluent.

### 5.6.6.3 Design and Site Plan Criteria

- .1 The minimum lot size shall be dependent on the nature of the use, the topography and drainage, and the method of sewage treatment and disposal.
- .2 It is not intended nor likely that rural industrial uses will be provided with municipal water or sewers. Therefore, those uses permitted shall not require or create large volumes of water and must be serviced by private septic and wells. The method of servicing for industrial uses shall be determined on an individual basis and shall be assessed by a qualified individual, based upon the type and volume of waste produced, the size of the proposed lot and the nature of the soils.
- .3 The following site development standards shall be satisfactorily addressed by all rural industrial development proposals:
  - i) Landscaping may be required between any parking areas, service buildings, roadways and abutting uses. All outdoor storage for uses shall be located to the rear or side of the main building on the lot and shall be fenced or suitably screened from adjacent uses;
  - ii) Signs shall be limited in number, designed to be functional and avoid visual cluster and distraction, and where possible, be consolidated on shared sign structures.
- .4 Adequate off-street parking and loading facilities shall be provided; off-street parking, drive-ways and/or loading areas shall be suitably screened or buffered through the use of fences, berms or other appropriate landscape treatment.
- .5 The industrial use shall have direct access onto a municipal road of suitable standard to accommodate any increased traffic generated by the use.
- .6 The effects of rural industrial development on adjacent uses shall be minimized by:
  - i) Providing distance separation and for the construction and maintenance of buffer strips and/or screening between such uses;
  - ii) The arrangement of lighting facilities and commercial signs to minimize impact on surrounding uses;
  - iii) Ensuring safe vehicular access and that off-street parking facilities do not adversely affect surrounding uses;
  - iv) Requiring that new commercial uses are set back from abutting agricultural buildings in accordance with the Minimum Distance Separation; and
  - v) The development will be undertaken so as to minimize impacts on the environment and environmental features.

### 5.6.6.4 Site Plans

Adequate distance separation, buffer planting, landscaping, and/or fencing and site design shall be provided between any industrial use and any adjacent residential, institutional (e.g. health care facility) or commercial use. Specific standards for distance separation and buffer planting shall be set out in the local Zoning By-Law. Other measures not capable of being addressed by zoning, such as landscaping, may be dealt with through site plan control.

### 5.6.7 Rural Commercial

#### 5.6.7.1 Permitted Uses

- .1 It is the general intent of this Plan that commercial uses be encouraged to locate in existing, urbanized, settlement areas. However, there are some commercial uses that require a rural location, and therefore may be located in the designation provided all development criteria have been met.

- .2 The types of commercial uses permitted fall into three general categories as follows:
- i) Space extensive recreational commercial uses that require a rural location and/or cannot be located in a built-up settlement area such as golf courses, riding stables and equestrian centres, cross country ski facilities and other similar recreational uses, marine and recreational vehicle repair and storage. In addition to having large lot requirements, these uses normally rely upon the “outdoors” as an integral part of the commercial enterprise.
  - ii) Tourism related commercial enterprises such as Country Inns that are in close proximity to a tourism resource or attraction.
  - iii) Rural commercial enterprises serving the surrounding agricultural community and rural residents, that cannot be practically located in a built-up settlement area, such as farm implement dealers, kennels and veterinarian services or other similar uses.

#### 5.6.7.2 Locational Criteria

Permitted Commercial uses shall be located in such a manner that adequate on-site parking and loading facilities will be provided. The development of all such facilities shall:

- i) Be in conformity with the Provincial Minimum Distance Separation formula (as amended from time to time);
- ii) Be sensitive to the natural environment by minimizing impacts on water courses, wetlands, groundwater resources or other environmentally sensitive features;
- iii) Be serviced by an appropriate type and level of water supply and sewage treatment; and,
- iv) Shall not require large volumes of water or generate large volumes of effluent.

#### 5.6.7.3 Design and Site Plan Criteria

- .1 The minimum lot size shall be dependent upon the nature of the use, the topography and drainage, and the method of sewage treatment and disposal. As Rural Commercial uses require private servicing, those uses permitted shall not require or create large volumes of water. The method of servicing for commercial uses shall be determined by a qualified individual based on the volume of waste produced, the size of the proposed lot and the nature of the soils.
- .2 In order to ensure that rural commercial uses are visually compatible with the surrounding rural environment, the following site development standards shall be satisfactorily addressed by all rural commercial development proposals:
- i) Landscaping may be required between any parking areas, service buildings, roadways and abutting uses;
  - ii) All outdoor storage for uses shall be located to the rear or side of the main building on the lot and shall be fenced or suitably screened from adjacent uses; and
  - iii) Signs shall be limited in number and designed to be functional and avoid visual clutter and distraction, and where possible should be consolidated on shared sign structures; local municipalities shall be encouraged to regulate rural signage through the Municipal Act.
- .3 Adequate off-street customer parking and loading facilities shall be provided. Off-street parking, drive-ways and/or loading areas shall be suitably screened or buffered through the use of fences, berms or other appropriate landscape treatment.
- .4 The commercial use shall be have direct access onto a municipal road of suitable standard to accommodate any increased traffic generated by the use.
- .5 The effects of rural commercial development on adjacent uses shall be minimized by:
- i) Providing distance separation and for the construction and maintenance of buffer strips and/or screening between such uses;

- ii) The arrangement of lighting facilities and commercial signs to minimize impact on surrounding uses;
- iii) Ensuring safe vehicular access and that off-street parking facilities do not adversely affect surrounding uses;
- iv) Requiring that new commercial uses are set back from abutting agricultural buildings in accordance with the Provincial Minimum Distance Formula (as amended from time to time); and,
- v) The development will be undertaken so as to minimize impacts on the environment and environmental features.

#### 5.6.7.4 Site Plans

The local municipality may require a site plan in accordance with the provisions of the Planning Act as part of the approval process.

#### 5.6.8 Provincial Minimum Distance Separation

- .1 New land uses, including the expansion of existing or the establishment of any non-agricultural uses including the creation of lots, and new or expanding livestock facilities shall comply with the Provincial Minimum Distance Separation (MDS) Formulae (as amended from time to time);
- .2 The Municipal Comprehensive Zoning By-Law shall incorporate the Provincial Minimum Distance Separation Formulae (as amended from time to time);
- .3 A Minor Variance or Zoning Amendment to allow for a reduction in the MDS requirements shall consider at a minimum the following: (i) does the reduction have regard for the intent of the Official Plan; (ii) does the reduction have regard for the intent of the Zoning By-Law; (iii) is the reduction minor in nature; (iv) is the reduction desirable and appropriate for the area; and (v) can any potential environmental impacts be appropriately mitigated.

##### 5.6.8.1 MDS Catastrophe Policy

In the case of a catastrophe (e.g. barn or non-farm structure destroyed in a fire), MDS shall not be applied provided that the building is proposed no closer to the livestock facility or non-farm structure than before the catastrophic event. However, should a landowner wish to expand the livestock facility beyond what had existed prior to the catastrophic event which results in higher values for Factor A, B and/or D as part of the MDS calculations, then the livestock facility shall comply with the Provincial Minimum Distance Separation Formulae (as amended from time to time).

##### 5.6.8.2 MDS Cemetery

Closed cemeteries shall be considered to be a Type "A" land use for MDS purposes.

#### 5.6.9 Exceptions – Rural Area

- .1 Schmidt (OPA #11)  
Notwithstanding the 'Rural' policies of this Plan, the lands described as Part Lot 6, Concession 10, geographic Township of Greenock, Municipality of Brockton, may be used for the purposes of a salvage yard. The permitted use shall have a minimum land area of 4.7 acres, shall meet all Site Plan Control requirements of the municipality and notwithstanding the location criteria of the plan, the lands so designated may abut a "Hazard Land" designation.
- .2 Rothmaier (OPA #13)  
Notwithstanding the permitted uses listed in the 'Rural' designation, the following provisions shall apply to Part of Lot 1, Concession 8, geographic Township of Elderslie, Municipality of Arran-Elderslie:

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Additional Permitted Uses

- i) Agriculture shall be the primary use of the lands. A motorcycle motocross racing track shall be permitted as a secondary use on the property with racing held three days per year.

Additional Requirements

- i) The lands shall be placed in a separate zoning category in the municipality's comprehensive zoning by-law;
- ii) The use of the lands shall be controlled by site plan control; provisions for site plan control shall include (but not be limited to) the following:
  - (a) A detailed site plan, including a lot grading and drainage plan;
  - (b) Parking area(s);
  - (c) Remediation of downstream impacts to neighbouring waterbodies;
  - (d) Fences, gates and berms;
  - (e) Portable bathroom facilities;
  - (f) Food and beverage distribution;
  - (g) Lighting and public address facilities; and
  - (h) Any securities required by the Municipality.

.3 Martinfield Building Fund (OPA #28)

Notwithstanding any policy to the contrary, a Community Facility limited to a 'Place of Worship' and 'Cemetery' under the guidance of the Martinfield Building Fund may be established on Part Lot 14, Concession 7, geographic Township of Kinloss, Township of Huron-Kinloss.

.4 Martin (OPA #36)

Notwithstanding any policy to the contrary, a Community Facility limited to a 'Private School' servicing the immediate rural community which relies on horse drawn vehicles as their primary means of transportation may be established on Part Lot 25, Concession 4, geographic Township of Kinloss, Township of Huron-Kinloss.

.5 Jack (OPA #134)

Notwithstanding the policies of Section 6.5.3.4 [Consents – Rural Areas] of this Plan, the lands described as Site Specific Policy Area 5.6.9.5 on Schedule 'A' Land Use Plan (South Section) [Part Lot 31, Concession 9, geographic Township of Carrick, Municipality of South Bruce], may be located no closer than 280 metres to a Mineral Resource area as shown on Schedule 'C' Constraints to the County of Bruce Official Plan. All other policies of Section 6.5.3 [Land Division Policies] shall apply.

.6 McKinnon (OPA #55)

Notwithstanding the policies of Section 6.5.3.4 [Consents – Rural Areas] of this Plan, the lands described as Part Lots 15 and 16, Concession 7, geographic Township of Saugeen, Town of Saugeen Shores, and identified as Site Specific Policy Area 5.6.9.6 on Schedule 'A': Land Use may be severed to permit a non-agricultural use, excepting however that:

- i) The minimum lot size shall be no less than 0.64 hectares (1.58 acres);
- ii) The original Township lot shall not be divided into more than six (6) parcels of land;
- iii) That the density of lot creation on an original Township lot shall be no greater than 1 lot per 6.74 hectares;
- iv) That the number of lots with access onto an 'Arterial Road' within the original 100-acre Township lot be no greater than five (5) lots; and
- v) All other policies of Section 6.5.3 [Land Division Policies] shall apply.

.7 Hayes (OPA #7/OPA #116)

Notwithstanding the policies of Section 5.6.6 [Rural Industrial] of this Plan, the lands described as Part Lot 3, Concession 2, EBR, geographic Township of Lindsay, Municipality of Northern Bruce Peninsula, and identified as Site Specific Policy Area 5.6.9.7 on Schedule 'A' Land Use Plan, may be used for the manufacture, repair and storage of machine tools and parts and, the warehousing and sale of parts and industrial supplies. All other policies of Section 5.6 [Rural Area] shall apply.



- .8 Scowcroft (OPA #65)  
Notwithstanding the policies of Section 6.5.3.4 [Consents – Rural Areas] of this Plan, the lands described as Part of Lot 12, Concession 13, geographic Township of Saugeen, Town of Saugeen Shores, and identified as Site Specific Policy Area 5.6.9.8 on Schedule 'A': Land use may be severed to permit three (3) non-farm residential lots, excepting however that:
- i) The minimum lot size shall be no less than 0.53 hectares (1.31 acres);
  - ii) The original Township lot shall not be divided into more than seven (7) parcels of land;
  - iii) That the density of lot creation on an original Township lot shall be no greater than 1 lot per 5.7 hectares;
  - iv) The lots shall be located no closer than 350 metres to a 'Mineral Resource Area – Primary Sand and Gravel Resources (MNR);
  - v) That the number of lots with access onto an 'Arterial Road' within the original 100-acre Township lot be no greater than seven (7) lots; and
  - vi) All other policies of Section 6.5.3 [Land Division Policies] shall apply.
- .9 Ruth (OPA #76)  
Notwithstanding the policies of Section 5.6.7 [Rural Commercial], a seasonal auction facility shall be permitted on Part of Lot 13, Concession 12, geographic Township of Amabel, Town of South Bruce Peninsula.
- .10 Martin/Knorr (OPA #103)  
Notwithstanding the policies of Section 5.6.4 [Permitted Uses - Rural Areas] of this Plan, the lands described as Part Lot 25, Concession 4, geographic Township of Kinloss, Township of Huron-Kinloss, and identified as Site Specific Policy area 5.6.9.10 on Schedule 'A-1' General Land use may be severed to a maximum lot area of 1.21 hectares (3 acres) and a community facility limited to a 'place of worship', 'cemetery' and 'school' serving the local horse-drawn carriage community shall be permitted. All other policies of Section 5.6 [Rural Areas] shall apply.
- .11 Bauman (OPA #112)  
Notwithstanding the policies of Section 5.6.4 [Permitted Uses (Rural Areas)] of this Plan, the lands described as Lot 14, Concession 5, geographic Township of Kinloss, Township of Huron-Kinloss, and identified as Site Specific Policy Area 5.6.9.11 on Schedule A: Land Use Plan (South Section) to the County of Bruce Official Plan, a 'school' serving the local horse-drawn carriage community shall be permitted and located no closer than 200 m to a Mineral Resource Area and no closer than 131 metres to all livestock facilities. All other policies of Section 5.6 [Rural Areas] shall apply.
- .12 Morgan/Apple Gate (OPA #68)  
Note: Lands subject to OPA #68 are now covered under the policies of the Municipality of Arran-Elderslie Official Plan for the Urban Areas of Chesley, Paisley and Tara/Invermay.  
Notwithstanding the policies of Section '5.6.4 [Permitted Uses – Rural Areas] of this Plan, the lands described as Part Lot 16, Concession "A", geographic Township of Elderslie, Municipality of Arran-Elderslie, and identified as 'Site Specific Policy Area 5.6.9.12 on Schedule 'A': Land Use Plan (South Section) [Schedule 'A' to Special Policy Area 'F' – Saugeen River Flood Plain Policy] may be used for a 'Community Facility' limited to a school and associated accessory uses and activities. The policies of Section '5.12.6 Special Policy Area 'F' – Saugeen River Floodplain Policy' shall not apply.
- .13 Snyder (OPA #49)  
Note: Lands subject to OPA #49 are now covered under the policies of the Town of Saugeen Shores Official Plan.  
Notwithstanding the policies of Section 6.5.3.4 [Consents – Rural Areas] of this Plan, the lands described as Part of Lot 9, Concession 6, geographic Township of Saugeen, Town of Saugeen Shores may be severed to permit a non-agricultural use, excepting, however that:
- i) The minimum lot size shall be not less than 0.348 hectares (0.86 acres);
  - ii) The minimum setback from a gravel pit shall be 121.17 metres (397.54 feet); and,
  - iii) All other policies of Section 6.5.3 [Land Division Policies] shall apply.

- .14 Ross (OPA #144)  
Notwithstanding the policies of Section 6.5.3.4 [Consents –Rural Areas] of this Plan, the lands identified as Site Specific Policy Area 5.6.9.14 on Schedule 'A': Land Use Plan (South Section) to the County of Bruce Official Plan may be severed to a maximum total lot area of 0.7 hectares. All other policies of Subsection 6.5.3 [Land Division Policies] shall apply.
- .15 Morrison (OPA # 148)  
Notwithstanding the policies of Section 6.5.3.4 [Consents –Rural Areas] of this Plan, the lands described as Site Specific Policy Area 5.6.9.15 on Schedule 'A': Land Use Plan (South Section) [Part of Lots 39 and 40, Concession 1, geographic Township of Huron-Kinloss], may be severed to a minimum lot area of 32 ha. All other policies of Section 6.5.3 [Land Division Policies] shall apply.
- .16 Liverance Lumber (OPA #154)  
Notwithstanding the policies of Section 5.6.6.1.3 [Rural Industrial – Permitted Uses] of this Plan, on the lands described as Site Specific Policy Area 5.6.9.16 on Schedule 'A': Land Use Plan (North Section) [3458 Highway 6, Con 3 EBR Pt Lot 40 (RP 3R-4976 Pt 1, 2,3), geographic Township of Eastnor, Municipality of Northern Bruce Peninsula], the sale, storage and/or display of goods, merchandise, and equipment used in building and construction shall also be a permitted use. All other policies of Section 5.6 [Rural Areas] shall apply.
- .17 Kuepfer (BCOPA #168)  
Notwithstanding the policies of Section 5.6.4.2 [Home Industries and Home Occupations] of this Plan, on the lands identified as Site Specific Policy Area 5.6.9.17 on Schedule 'A' : Land Use (South Section), [Part of Lot 28, Concession 1, geographic Township of Elderslie, Municipalities of Arran-Elderslie], the Home Industry may include a metal fabricating business as a permitted use. All other policies of Section 5.6 [Rural Areas] shall apply.

## **5.7 ESTATE RESIDENTIAL AREA**

### **5.7.1 Introduction**

- .1 Estate Residential developments are intended to be high quality large residential lot subdivisions, situated on scenic topography in non-agricultural areas. New Estate Residential developments shall not be permitted in the Agricultural Area.
- .2 While encouraging major residential development to occur in urban centres, this Plan recognizes that there may be a demand for estate development in scenic rural locations. Estate residential development proposals shall be reviewed in terms of their effect upon the necessity of preserving good agricultural land and the servicing and financial implication upon municipalities.
- .3 Estate residential developments are only permitted by an Amendment to this Plan, or by the preparation of a Local Official Plan, in accordance with the provisions of the Planning Act.

### **5.7.2 Permitted Uses**

The use of land designated Estate Residential shall be single family detached dwellings at a low density. Other permitted uses shall be limited to home occupations, open space and passive recreational uses.

### **5.7.3 General Policies**

An Estate Residential development may be permitted:

- i) Where an analysis demonstrates the need for development;
- ii) Only on lands designated 'Rural';
- iii) Only where the development is immediately adjacent to an existing public road, open and

- iv) maintained on a year-round basis;
- v) Only where the development is within reasonable proximity to an existing public paved road so that traffic on gravel roads is not increased;
- vi) Only within an area serviced by existing school bus routes;
- vii) Only where a 'servicing study' has been completed in accordance with Section 4.7.5.3 [Water and Sewer Servicing Study – Planning Applications];
- viii) Only when the development is not located within an 'Environmental Constraints' area or 'Mineral Resource Area' as shown on Schedule 'C' or a 'Hazard Land Area' as shown on Schedule 'A'.
- ix) No closer than 500 metres to the boundary of a licensed Aggregate/Quarry operation; sewage lagoon; or fields used for the disposal of lagoon or holding pond wastes by spray irrigation or spreading; or within 500 metres of lands zoned for a sanitary landfill site;
- x) No closer than 500 metres to a 'Mineral Resource Area' as shown on Schedule 'C'; and
- x) Where the Provincial Minimum Distance Separation Formulae can be met.

#### 5.7.4 **Site Conditions**

- .1 An estate residential development shall be permitted only where soil and drainage conditions are suitable to permit the proper siting of buildings, the supply of water and the installation of private or communal sewage disposal systems. All sewage disposal systems shall conform to the standards of the appropriate approval authority.
- .2 An estate residential development shall not be permitted on Canada Land Inventory Capability Classes 1 - 3, in other special or unique croplands, or within a Mineral Resource Area.

#### 5.7.5 **Design**

- .1 The design shall provide for a range of lot sizes based upon the site's topographic, soil and drainage characteristics. The total density of the development shall not exceed 1 unit per gross hectare.
- .2 Existing environmental and topographic conditions on the site shall be retained in their natural state as far as possible by sensitive project design and lot lay-out. Existing watercourses, ponds, wetlands, top-of-bank, groundwater recharge areas, and wooded areas shall be protected by the careful lay-out of lots and roads and the siting of buildings and shall remain undeveloped for reasons of environmental impact, flood and erosion control, bank stabilization and to retain visual quality.
- .3 Lot access shall be limited to internal local roads.

#### 5.7.6 **Services**

No development will be recommended for approval if such development would result in an undue financial burden on the municipality.

#### 5.7.7 **Home Occupations**

The establishment of home occupations will be permitted in accordance with Section 5.5.8 [Home Industries and Home Occupations (Agricultural Areas)].

#### 5.7.8 **Plans of Subdivision**

- .1 An application to amend this Plan to designate an estate residential development shall be accompanied by a plan of subdivision.
- .2 All proposed plans of subdivision submitted for review shall be supported by the necessary information in accordance with the Planning Act, and Sections 4.7 [Services and Utilities] and 6.5.1 [Subdivision and Condominium Approvals and Agreements and Multi-Unit Developments] of this Plan.

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## 5.8 HAZARD LAND AREA

### 5.8.1 Introduction

Hazard Land Areas generally identify lands that pose a risk if developed, due to the inherent site conditions, but these areas may also include important environmental features. Specifically, Hazard Land Areas include, flood and erosion susceptibility areas, steep slopes, organic soils, or other physical conditions which are severe enough to cause property damage or potential loss of life if the lands were to be developed. Municipalities, Conservation Authorities and the appropriate approval authority shall be encouraged to undertake floodplain and other mapping to define more precisely hazard lands and other environmental protection areas.

### 5.8.2 Objectives

- i) Protect Provincially significant wetlands;
- ii) Encourage the protection of all regionally significant wetlands

### 5.8.3 Areas of Application

- .1 Hazard Land Areas include those areas of identified Provincially Significant Wetlands (Class 1 through 3 wetlands) and Environmental Hazard Areas such as flood and erosion susceptibility areas, hazard lands, steep slopes or other physical conditions which are severe enough to cause property damage or potential loss of life if the lands were to be developed. These Wetlands, Environmental Hazard Areas and Floodplains are shown collectively on Schedule A as Hazard Land Areas.
- .2 Although not shown on Schedule 'A', mapping for Wetlands, Environmental Hazard Areas and Floodplains shall be continued on within the boundaries of areas also covered by Local Official Plans. Where detailed shoreline, floodplain, slope or wetland mapping exists this mapping shall be used in the preparation of County Official Plan Amendments or Local Official Plans, and Zoning By-Laws. Where new development is proposed and detailed mapping is not available, the proponent shall be required to produce the necessary mapping.

### 5.8.4 Permitted Uses

The Hazard Land Areas shall be restricted to conservation, forestry, wildlife areas, passive recreation but not including golf courses, public parks, non-intensive agriculture, horticulture, and hydroelectric power facilities. Buildings and structures are generally not permitted. Only those uses which do not impair ecological processes and the environmental features so identified will be permitted.

### 5.8.5 General Policies

- .1 It is the policy of this Plan to prohibit any form of development including new residential, commercial, or industrial uses in Hazard Land Areas that would detract from the natural environment or be situated where environmental constraints exist. In addition to Section 3.1 of the Provincial Policy Statement concerning development and site alterations in hazardous lands and sites, the following must be considered.

#### Permanent Buildings

- .2 No buildings or structures, nor the placing or removal of fill of any kind whether originating on the site or elsewhere, nor land grading shall be permitted in the Hazard Land Area except where such buildings, structures or fill are intended for flood or erosion control or maintenance and management of the natural environment, recreational purposes or non-residential accessory farm buildings (e.g. a sugar shack), and are approved by the Municipal Council, the Conservation Authority where they exist, and the Chief Building Official.

#### Existing Uses

- .3 Uses existing on the date of approval of this Plan may be recognized in the Zoning By-Law as legally

conforming despite the Environmental Hazard area Zone in the implementing Zoning By-Law. The expansion or enlargement of non-conforming uses shall be discouraged.

- .4 The replacement or rebuilding of an existing building destroyed by natural means beyond the control of the owner may be permitted providing it does not exceed the size or volume of the original building, is located at the same site, unless an environmentally more acceptable site is available and acceptable to the owner which will not aggravate the existing hazardous situation, and is for substantially the same use, subject to the approval of the local municipality and the appropriate approval authorities.

#### **Lands Under Private Ownership**

- .5 It is expected that areas designated Hazard Land Area will generally remain within this designation. However, lands designated Hazard Land Area may be considered for other uses based upon an Amendment to the Plan and Zoning By-Law.
- .6 The Hazard Land Area designation shall not be construed as implying that such land is free and open to the general public or will be purchased by the municipality or other public agency.
- .7 When an application for the redesignation of a Hazard Land Area or adjacent designation to some other purpose is being considered by Council, the appropriate Conservation Authority and the appropriate Provincial authority shall be consulted. The applicant may be required to submit a suitable environmental report in accordance with the policies of Section 4.3.3 [Requirements for Environmental Impact Studies]. The report shall also show how existing and potential hazards will be accommodated in a manner consistent with accepted engineering techniques and resource management practices and applicable Provincial policies.
- .8 The expansion of farming operations, and non-farm uses and clearing of forested lands and drainage schemes will be discouraged where, in the opinion of the agencies having jurisdiction, the groundwater table would be seriously lowered or water storage areas, or the surface water quality or quantity would be seriously diminished.
- .9 There is no public obligation to either redesignate or purchase any land designated as Hazard Land Area where it lies within a defined Fill Regulated Area or floodplain, if there is an existing or potential physical hazard indicating that the proposed development is undesirable.

#### **Open Space Dedication**

- .10 Where new development is proposed on a site, part of which is designated as Hazard Land Area in the Plan, then such Hazard Land Area shall not necessarily be acceptable as part of the dedication for Park purposes required under the Planning Act. All lands dedicated to a municipality shall be conveyed in a physical condition satisfactory to the municipality. Where an open watercourse is dedicated to the municipality, adequate space shall be provided for maintenance operations.

#### **Floodplain Management Areas**

- .11 The Regulatory Flood Standard is specific to the main watersheds in the County and shall be used to define the limits of floodplains associated with watercourses. A 'One Zone Concept' for floodplain management will generally be used, however, other floodplain management options including "Two-Zone" or Special Policy Area (S.P.A.) approaches will be permitted where specifically stated in this Plan or by Amendment to this Plan or in Local Official Plans, and where they are consistent with Provincial floodplain policy.
- .12 The Grey-Sauble Conservation Authority has conducted a study of the Sauble River Watershed. This study has determined that the Provincial standard for flood protection in the watershed can be reduced from the Regional (Timmins) Storm to that of the 1:100 Year Flood. However, due to known flood levels at Allenford due to ice jams, an exception to the 1:100 Year Storm level is required as follows:
- i) For lands within Lots 10, 11 and 12, Concession "A", Township of Amabel and Lots 28, 29

and 30, Half Mile Strip, Township of Arran, in the vicinity of the Hamlet of Allenford, the Environmental Hazard Area will be delineated by a flood line equivalent to the Regional Storm flood line on mapping prepared by the Grey Sauble Conservation Authority dated 1993 to reflect the incidence of flooding due to the ice jams.

- ii) Within the delineated flood line new development will generally be discouraged. Development may be permitted on an existing lot of record provided sufficient area exists outside the 1:100 year flood line to accommodate the proposed development. Development on an existing lot of record shall be protected from flooding to a level equivalent to the Regional Storm Flood.

### **Shoreline Areas**

- .13 For lands next to watercourses and inland lakes where erosion or slope instability exists or potentially exists, all new development will be prohibited or restricted within the 100 year erosion limits and/or stable slope allowance plus appropriate setbacks. The actual boundaries of these erosion limits will be determined in consultation with the Conservation Authority and/or appropriate Provincial authority.
- .14 A Great Lakes Regulatory Shoreline has been established to limit development next to Lake Huron and Georgian Bay. The standards used within this Regulatory Shoreline Area must be applied when considering new development, within the affected areas, in consultation with the Conservation Authority and/or, appropriate Provincial authority.

### **Adjacent Lands**

- .15 For new development proposed within 50 metres of Natural Environment lands exhibiting hazardous characteristics the applicant may be required to submit an E.I.S. in accordance with this Section. It is the policy of County Council to consider waiving this requirement upon the recommendation of the appropriate Conservation Authority, if the proposal is of such a minor nature, or site conditions indicate that the preparation of an E.I.S. is unwarranted or would serve no purpose.

## **5.8.6 Great Lakes Shoreline Hazard Areas**

### **5.8.6.1 General Principles**

- .1 Great Lakes Shoreline Hazard Areas are not a separate designation. These areas have been identified by the Province of Ontario and Conservation Authorities on mapping which includes shoreline floodplain, erosion and dynamic beach features. Where absent, completion of such mapping is encouraged.
- .2 Municipalities or others may undertake technical studies to further refine the limits of the Regulatory Shoreline for specific locations, in accordance with established standards and procedures, and the Conservation Authority Shoreline Management Plan.

### **5.8.6.2 Permitted Uses**

Only existing uses in the Hazard Land Area designation shall be permitted. Uses that require landform modification, such as parking lots, are not permitted.

### **5.8.6.3 General Policies**

- .1 It is the policy of this Plan to discourage any form of development in Great Lakes Shoreline Hazard areas that would detract from the natural environment or be situated where hazards exist within the regulatory shoreline. Development will generally be directed to areas outside the regulatory shoreline.
- .2 The Hazard Land Area shown on Schedule 'A' is deemed to include the Great Lakes Shoreline Hazard Area, but due to the scale of the Schedule, cannot be depicted accurately by reference to this Schedule.

- .3 Proponents of development in proximity to the shoreline of Lake Huron and Georgian Bay are encouraged to consult with the shoreline mapping where available, to determine if the lands are subject to the Shoreline Hazard policies.

#### 5.8.7 Implementation

- .1 The boundaries of the areas designated as Hazard Land Area on Schedule A are not hard and fast lines, but are accepted as being flexible to some extent. The limits of the Hazard Land Area on the ground should be determined through consultation with the appropriate Conservation Authority, the appropriate Provincial authority, the local municipality, and by a site inspection and evaluation.
- .2 Minor adjustments to the Hazard Land Area boundaries may be made without an Amendment to this Plan, in consultation with the appropriate Conservation Authority or appropriate Provincial authority, providing the abutting land use designation remains unchanged.
- .3 In the absence of more detailed hazard land or environmentally significant area mapping, the boundaries of the Hazard Land Area as shown on Schedule A to this Plan, will be used as guides for the preparation of Zoning By-laws, which will implement the policies of this Plan and more accurately define the boundaries. Detailed hazard land mapping is available for much of the County, through the Conservation Authorities.
- .4 Hazard Land Areas will be placed in a Municipal Zoning By-Law which will prohibit all buildings, structures and uses except those permitted in Section 5.8.4 [Permitted Uses (Hazard Land Area)] of this Plan.

#### 5.8.8 Exceptions – Hazard Land Area

##### 5.8.8.1 Stark's Mill

It is the policy of this Plan that the former mill situated on those lands described as Lot 33, Plan 107, geographic Township of Greenock, Municipality of Brockton, known locally as Stark's Mill, which comprise a total area of approximately 1.82 hectares on the north side of County Road No. 1, may be redeveloped and utilized as a restaurant, an inn, a cocktail bar, and an apartment (for the use of the owner, manager, or caretaker only). It is also the policy of this Plan that the hydraulic wheel may be reactivated to facilitate the generation of electricity. The hydro-generating project will be subject to approval by the Ministry of the Environment and Energy.

The lands associated with the above-noted mill may be utilized for related accessory facilities (i.e. parking) and a walkway, intended to allow public viewing of the site.

Development or redevelopment of the site will be subject to the approval and regulations of the Saugeen Valley Conservation Authority. Written permission from the Conservation Authority will be required prior to any development or redevelopment occurring on the site. Any expansion or addition to the existing structure will require an Amendment to this Plan and the Zoning By-Law. Development of the site will only occur on full Municipal services (sewage disposal and water supply).

Stark's Mill is also subject to approval under the Lakes and Rivers Improvement Act and the Fisheries Act.

In addition, development or redevelopment of the site will be subject to the Site Plan Control section of the Planning Act. The Site Plan Agreement shall:

- i) Be approved and registered on title prior to passage of the implementing Zoning By-Law; and
- ii) Include a storm water management plan approved by the Township of Greenock, the Saugeen Valley Conservation Authority and the appropriate approval authority.

##### 5.8.8.2 Evers (OPA #56)

Notwithstanding the policies of Section 5.8 [Hazard Land Area] the lands described as N Pt Lot

51, Concession C, geographic Township of Kincardine, Municipality of Kincardine, and identified as Section 5.8.8.2 [Exception (Hazard Land Area)] on Schedule 'A' Land Use Plan (South Section) may be used as a golf course excepting however that the lands shall be subject to Site Plan Control, and the layout of the golf course and accessory uses as they existed as of February, 2004 and/or buildings as they existed as of February, 2004 shall not be changed or altered without the prior written approval of the Saugeen Valley Conservation Authority and the appropriate approval authority.

## **5.9 MAJOR OPEN SPACE AREA**

### **5.9.1 Introduction**

Bruce County has extensive areas of public lands which contributed significantly to the rural character of the County and are a major component of the tourism/recreation economy. In order to preserve and enhance these areas, this Plan contains policies that recognize these areas and limit the range and intensity of uses permitted.

### **5.9.2 Objectives**

- i) Encourage the establishment and maintenance of a comprehensive system of parks and recreational facilities are available for use by residents of the County and others.

### **5.9.3 Area of Application**

The Major Open Space Area includes large scale outdoor recreation and natural areas, Crown Lands, Conservation Authority Lands, County Forests and National Parks, and Provincially owned lands. Small Municipal parks are permitted in most land use categories and are, therefore, not included in this category.

### **5.9.4 General Policies**

The management of Major Open Space Areas primarily falls under Federal, Provincial, County and Conservation Authority jurisdiction. It is the policy of County Council to specify policy objectives within which these jurisdictions can work jointly towards in the acquisition and development of Major Open Space Areas. Such policy objectives include the following provisions:

- i) Where any land designated for Major Open Space Area on Schedule A is under private ownership, it is not necessarily the intention of this Plan that such land remain in this classification indefinitely, nor that this land will necessarily be purchased by the municipality, a Conservation Authority or other public agency.
- ii) If at any time proposals are made to develop Major Open Space Area land in private ownership for other purposes and, if at that time the municipality or any other implementing Authority does not have any interest in acquiring such land in order to maintain them as Major Open Space Areas, then an application for the redesignation of such land for other purposes will be given due consideration.
- iii) Recreation and conservation developments intended for use by the general public shall be regulated by suitable provisions in the Zoning By-Law including setbacks from property lines and appropriate on-site parking requirements.

### **5.9.5 Permitted Uses**

The predominant use of land designated Major Open Space Area shall be those uses which provide outdoor recreation and preservation of natural areas, including forestry, conservation and golf courses. A limited number of chalet cottages, lodge accommodation, marinas, public dining facilities, may be permitted provided the location is appropriate. If compatible, such uses may also include agriculture, public utilities and minor public institutions.



## 5.9.6 Implementation

Land acquisitions implementing the Major Open Space Areas policies of this Plan by the Federal, Provincial, County and local governments or any Conservation Authority, including Wetland and ANSI acquisition programs, need not adhere to the lot area requirements of this Plan. The acquisition should conform to the applicable Zoning By-Law. The creation of small remnant lots shall be discouraged.

## 5.9.7 Exceptions – Major Open Space

### 5.9.7.1 Evers (OPA #56)

Notwithstanding the policies of Section 5.9 [Major Open Space] the lands described as N Part Lot 51, Concession “C”, geographic Township of Kincardine, Municipality of Kincardine, and identified as Section 5.9.7.1 [Exception (Major Open Space)] on Schedule ‘A’ Land Use Plan (South Section) may be used as a golf course excepting however that the lands shall be subject to Site Plan Control, and the layout of the buildings and structures as they existed as of February, 2004 shall not be changed or altered without the written prior approval of the Saugeen Valley Conservation Authority and the appropriate approval authority.

### 5.9.7.2 Black Horse Golf Course and Gravel Pit (OPA #59)

Notwithstanding their ‘Major Open Space Area’ land use designation, on those lands designated as Special Policy Area 5.9.7.2 described as Lot 21 and Lot 22, 3<sup>rd</sup> Range South Durham Road and North Part Lot 11, Concession 12 geographic Township of Kinloss, Township of Huron-Kinloss, the following special policies shall also apply:

- i) The lands shall only be used for a golf course including a driving range, ancillary club house and a single residence for a caretaker or owner;
- ii) The existing aggregate extraction operation on North Part Lot 11, Concession 12, shall be permitted to continue as a temporary use as authorized under Section 39 of the Planning Act. A Temporary Use By-Law shall implement the extent and duration of the continued use. Any additions, extension, enlargements to the gravel pit operation shall be subject to Section 4.8 [Mineral Resource].

### 5.9.7.3 SVCA c/o J. Coffey (OPA #122)

Notwithstanding the policies of Section 6.5.3.7 [Consents – Major Open Space Area] of this Plan, the lands described as Part Lot 9 – 13, River Range, geographic Township of Saugeen, Town of Saugeen Shores, and identified as Site specific Policy Area 5.9.7.3 on Schedule ‘A’ Land use Plan (South Section) to the County of Bruce Official Plan may be severed to a maximum total lot area of 48.6 hectares, leaving a retained parcel of 116.1 hectares. The severed and retained parcels need not front on an existing road allowance which is opened and maintained on a year-round basis and is constructed to a standard of construction adequate to provide for the additional traffic generated by the proposed development. All other policies of Section 6.5.3 [Land Division Policies] shall apply.

## 5.10 TRAVEL TRAILER PARK AND COMMERCIAL CAMPGROUND AREA

### 5.10.1 Area of Application

The Travel Trailer Park and Commercial Campground classification applies to travel trailer and/or commercial campground developments, which are under one ownership, have not developed by a registered plan of subdivision, are used on a seasonal basis only, and are used only for camping for recreational purposes.

### 5.10.2 Permitted Use

- .1 Travel Trailer Parks and Commercial Campgrounds are considered to be a seasonal recreational use and shall consist predominantly of campsites and accessory uses and buildings and shall not be

converted to permanent communities. Commercial uses such as a tuck shop or mini-golf for the seasonal residents will also be permitted.

- .2 In addition to the above uses, a limited amount of land may be set aside to accommodate permanent residential occupancy. These will be discrete and separate from the remainder of the park and are intended to serve the housing needs of the owner/operator or the occupants of the park. These areas will only be permitted by amendment to the Official Plan and will, in addition to other requirements of this Plan, consider the following:
- i) To allow limited permanent residences for the owners or operators, or the occupants of the park;
  - ii) Be on private communal services; and
  - iii) Must mitigate effects of the natural environment.

### 5.10.3 General Policies

Where an application is received to create a Travel Trailer Park and Commercial Campground development the following policies shall apply:

- i) Travel Trailer Park and Commercial Campgrounds shall be located:
  - (a) In scenic recreational areas generally not suitable for agricultural uses;
  - (b) In "Rural" Areas, areas of poorer soils classifications will be considered;
  - (c) Having frontage on an existing opened public road. A report shall be obtained from the Municipal or County Road Superintendent where there is any doubt;
  - (d) Within reasonable proximity of an existing paved road so that traffic on gravel roads is not unduly increased;
  - (e) Outside of Hazard Land Areas, and Constraint Areas shown on Schedule 'C';
  - (f) In accordance with the setback requirements of the Minimum Distance Separation Formulae;
  - (g) No closer than 500 metres of an existing quarry or pit or landfill site, sewage lagoon, holding ponds or fields used for the disposal of sewage or holding pond wastes by spray irrigation or spreading; and,
  - (h) Outside of areas as shown on Schedule 'C' where it has been demonstrated to the satisfaction of the appropriate approval authority and the municipality that there is potential for extractive industrial uses.

### 5.10.4 Site Conditions

- .1 The proposed Travel Trailer Park and Commercial Campgrounds shall not be permitted in Agricultural Areas or in special and unique croplands.
- .2 The proposed Travel Trailer Parks and Commercial Campgrounds shall not be permitted on lands subject to flooding, erosion or other hazards, as determined by the Medical Officer of Health, the appropriate approval authority and the appropriate Conservation Authority.

### 5.10.5 Scale and Density

- .1 The minimum lot area for a Travel Trailer Park and Commercial Campground shall be 2 hectares.

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- .2 The minimum campsite shall be 235 square metres with a minimum width of at least 15 metres at one point in the campsite.
  - .3 The density shall not generally exceed 30 campsites per hectare.
  - .4 The maximum number of sites for a Travel Trailer Park and Commercial Campground development shall generally not exceed 300.

#### 5.10.6 **Services**

Central water stations and toilet facilities satisfactory to the Medical Officer of Health or the appropriate approval authority shall be provided by the owner.

#### 5.10.7 **Design**

- .1 Each campsite shall have adequate buffer planting at the rear and side of each site.
- .2 Adequate buffer planting shall be provided between the Travel Trailer Park and Commercial Campground and any adjacent residential areas and such buffer planting or screening shall include the provision of grass strips, berms, trees, shrubs and screening as required.
- .3 Adequate on-site parking shall be provided and the internal road system shall provide for safe movement of vehicular and pedestrian traffic.
- .4 Existing topographic and physical features of the site shall be retained in their natural state as far as possible.
- .5 Existing trees shall be preserved where possible.

#### 5.10.8 **Implementation**

- .1 Tent and Travel Trailer Parks and Commercial Campground shall be controlled in the following manner:
  - i) Travel Trailer Parks and Commercial Campgrounds not designated in accordance with this Plan shall require an Amendment to this Plan.
  - ii) All proposals for Travel Trailer Parks and Commercial Campgrounds, shall avoid areas of prime farm land, and shall be circulated to the appropriate agencies and ministries for proposals pertaining to agricultural resources.
  - iii) All proposals for Travel Trailer Parks and Commercial Campgrounds pertaining to forest resources, significant natural habitats or sites of historical, geological or archaeological significance or potential or existing mineral aggregate areas shall be circulated to the appropriate approval authorities.
  - iv) All proposals abutting a Provincial highway or a County road shall only be permitted if the Ministry of Transportation and Communications or the County Roads Department, whichever has jurisdiction, indicates that the Provincial highway or County road in question will not be detrimentally affected.
  - v) The developer shall provide to the municipality, as part of the development approval process:
    - a) Information regarding existing site conditions including soil maps, soil capability, drainage, erosion susceptibility, forest stands, unique wildlife habitats, unique flower species and access. Where the existing site has high capability for agriculture or low recreation capability reasons shall be given for the selection of the site. Furthermore, information shall also be included concerning the preservation of any existing natural features.

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- b) Information to demonstrate that a demand for the type of facility proposed exists taking into account the existing supply.
  - c) Information regarding satisfactory methods of sewage disposal and water supply. Proposed servicing shall meet the approval of the Medical Officer of Health or the Ministry of the Environment and Energy.
- .2 A detailed site plan of the proposal shall be included in the appendix of any Amendment to designate lands for Travel Trailer Parks and Commercial Campgrounds and shall form part of the By-Law passed to implement the Amendment. The following information will be included in the appendix of the Amendment to the Official Plan:
- i) The true shape, acreage and location of the property to be developed;
  - ii) The existing use of all land and the location and use of all buildings and structures lying within a distance of 30 metres from the land to be developed;
  - iii) The location, height, dimensions and use of all buildings or structures existing or proposed to be erected on the property;
  - iv) All entrances and exits;
  - v) The layout of the internal vehicular and pedestrian road system and the layout of any proposed parking areas, trailer sites and other associated activities; and,
  - vi) Drainage provisions, the methods and final grades by which the Travel Trailer Park and Commercial Campground shall be adequately drained, certified by a qualified Professional Engineer.
- .3 Only existing Travel Trailer Parks and Commercial Campgrounds may be placed in an appropriate category in the Municipal Restricted Area By-Law.
- .4 It is intended that the local Council consider the same factors and issues for expansions that are evaluated for the establishment of a new Travel Trailer Park and Commercial Campground.

#### **5.11 DEVELOPMENT CONTROL AREA**

Section 5.11 was deleted in its entirety by Bruce County Official Plan Amendment No. 26.

#### **5.12 SPECIAL POLICY AREAS**

##### **Introduction**

The County of Bruce contains certain areas where specific planning policies have been developed to ensure that certain environmental or development considerations have been met. These policies are new policies and some instances have carried over from the current County Official Plans.

This section contains a number of these special policy areas to ensure that a suitable policy framework remains in place within the new County Official Plan. It is intended that over time, County Council, or Local Councils will review these special policies to determine whether revisions and updating is required.

Until these special policies have been reviewed and updated, these policies and schedules shall apply.

##### **5.12.1 Special Policy Area 'A' – Being Additional Policies for the Hamlet of Dyers Bay**

##### **Introduction**

The following policies and attached Schedule '1' comprise Special Policy Area 'A'. In addition to the policies of the Hamlet designation, the following land use policies shall apply to the Hamlet of Dyers Bay.

5.12.1.1

**Land Use Policies**

**Policy Area 1**

All development proposals within this policy area should be circulated to the Dyers Bay Resort Association.

**Residential Development**

Residential development of existing lots of record shall be permitted provided such development meets the requirements set out in the local Zoning By-Law. On vacant existing lots of record, the installation of Class 6 sewage disposal systems shall be encouraged.

New development on vacant existing lots of record must be serviced by approved Class 4 or 6 sewage disposal systems. Amalgamation of abutting lots may be required in order to permit development of existing vacant lots on Class 4 or 6 sewage systems.

Amalgamation of adjoining lots shall be encouraged.

Upon the installation of a Class 5 system, no change in use, including a change to a full-time residential use, no additions or enlargements to any buildings or structures shall be permitted.

**Commercial Development**

Commercial development shall be limited to minor redevelopment of and minor expansions to existing commercial development. Any such commercial development will be restricted so as to ensure that:

- a) Traffic or parking problems do not result;
- b) New uses are properly serviced;
- c) The residential/resort appearance and aesthetic quality of the area is maintained;
- d) The Niagara Escarpment and associated natural and historic features are protected;
- e) Development be serviced by an approved Class 4 or 6 sewage disposal system.

**Policy Area 2**

**Mineral Resource Extraction Area**

The development of the lands within Policy Area 2 shall be limited to those uses permitted by the Mineral Resource Extraction Area policies contained in the Niagara Escarpment Plan. Any other development will require both an Amendment to the Niagara Escarpment Plan and the Bruce County Official Plan.

The establishment of tent sites and parking spaces in this area shall first require an Amendment to the Local Zoning By-Law in order to ensure that appropriate sewage disposal facilities are incorporated and that the use of the tent sites is not intensive in nature and caters solely to Bruce Trail hikers.

It shall be the intent of this policy that once the extractive potential of the pit has been exhausted, the site shall be rehabilitated in a manner which is complementary to the existing character of the community.

**Policy Area 3**

**Escarpment Natural Area**

The development of the lands within Policy Area 3 shall be governed by the objectives, designation criteria, permitted uses and new lot policies of the Escarpment Natural Area, Land Use Policies of the Niagara Escarpment Plan.

It is the intent of this policy to maintain this area as an undeveloped natural area which will function as a buffer between Policy Area 1 and Policy Area 4.

#### **Policy Area 4**

All development proposals within this policy area should be circulated directly to the Dyers' Bay Resort Association.

#### **Residential Development**

The residential development of the Dyers Bay Hamlet shall be encouraged in depth rather than in strips along the main Township road. New development shall take place by registered plan of subdivision. New plans of subdivision shall be designed in such a way to restrict access to the main Township Road to internal access roads. In no case shall access to individual residential lots be gained via the main Township roads.

All draft Plans of Subdivision shall be accompanied by hydrogeological studies to determine minimum lot sizes for permitted uses and to ensure that the water quality and supply below the escarpment is not impacted upon by run off and sewage disposal systems.

The use of Class 6 sewage disposal systems shall be encouraged for all new residential development.

Estate lot development will be encouraged. Emphasis will be given to development applications that are characterized by large lots, internal road access, retention of tree cover, and natural features, and the natural screening of building areas.

In no case shall the minimum lot size of new development be less than 3,000 square metres.

It is the intention of Policy Area 4 to discourage the creation of residential lots by consent. Only those applications for consent which represent infilling of existing residential development shall be considered. For the purposes of this Plan, infilling shall refer to situations in which the proposed land fronts on a public street and is between existing lots on the same side of the public street which are separated by not more than 300 feet. Infilling by consent will not be permitted where it would prevent the orderly development of back lands and in such instances, development should only proceed by way of plan of subdivision.

#### **Commercial Development**

New commercial development shall be limited to commercial uses serving the surrounding residential community. It shall be the intent of Policy Area 4 to direct commercial development catering to the traveling public to more appropriate locations such as identified Primary and Secondary Urban Settlement Areas on the Peninsula.

Only those commercial uses which do not require sanitary sewers and municipal water will be permitted, provided that a report is obtained to this effect, prepared by a qualified professional and reviewed and approved by the Grey Bruce Health Unit and the Ministry of the Environment.

Care shall be taken that the commercial uses permitted in Policy Area 4 are not obnoxious and incompatible with the residential function of the area. The degree to which these uses will be separated and the adequacy of the buffer planting or screening will depend on the nature of the uses involved.

New commercial development shall provide adequate off-street parking facilities together with adequate buffer planting or screening where such commercial development abuts a residential zone.

'Secondary Commercial Development' shall also be permitted and will be limited to those commercial operations having a residential quality and appearance. For example, small scale tourist homes, lodges, bed and breakfast establishments, and recreational land uses may be considered provided:

- (a) Such uses do not involve frequent or short term traffic movements;
- (b) Such uses are unobtrusive, meaning that new buildings will be low in profile and small in scale, parking requirements will be minimal and parking will be well-screened and signage will be severely limited; and
- (c) No more than 7 units are provided to accommodate the traveling public.

The creation of commercial lots shall be permitted by consent. However, care shall be given to ensure that such lots do not restrict further development of back lands. Strip commercial development shall be prohibited.

#### **New Development Affecting the Niagara Escarpment**

Notwithstanding any other policy of the Bruce County Official Plan, within the Dyers Bay Hamlet, special attention shall be given to the preservation of the natural features of the Niagara Escarpment. The objective is to maintain the natural physical appearance of the escarpment and to ensure that new development affecting the Escarpment slope, rock face and talus slope does not result in environmental damage or in unsafe conditions. This shall be achieved through adherence to the following policies:

- (a) The crest or brow and toe of the escarpment shall be protected through the Implementing Zoning By-Law on which the boundaries of such shall be plotted. These lines shall be plotted on proposed development plan;
- (b) The Township Council, in consultation with the Niagara Escarpment Commission, shall establish a minimum development setback from the brow or crest and toe of the escarpment. The disturbance of grades or vegetation below the crest or brow and above the toe will generally not be permitted;
- (c) Where the minimum development setback cannot be achieved on an existing lot of record, a reduced setback may be considered;
- (d) An engineering report shall be required from the applicant if the existing or future stability of the Escarpment or associated slope is in question;
- (e) Structures of any kind should not be placed on slopes in excess of 25 percent (1 in 4 slope);
- (f) Development should be designed in such a way as to minimize the disturbance and ensure the stability of the Escarpment; and,
- (g) Development should be designed so as to retain significant tree cover, particularly in the vicinity of the Niagara Escarpment.

#### **Future Study**

##### **Waterfront Study**

It shall be the intention of this Plan to direct the Township of Lindsay in initiating a waterfront study for the shore within the Dyers Bay Hamlet. This Study shall encompass the lands identified under Policy Area 1 and 2 and should cover such issues as:

- (a) A plan for public access to the waterfront;
- (b) A plan for public parking along the waterfront;
- (c) A review of water quality; and,
- (d) Utilization and rehabilitation of the existing area or extractive resource development.

Such a study should become a priority of the Township of Lindsay should involve input from the Dyers Bay Resort Association.

##### **Monitoring**

It shall be the intention of the Plan to closely monitor the development activity within the Hamlet boundaries. If significant development occurs within the Hamlet has been significant, a need for additional detailed studies or policies will be conducted.

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### 5.12.2 Special Policy Area 'B' – Being Additional Policies for Hay Island

#### .1 Introduction

The following policies and attached Schedule '2' comprise Special Policy Area 'B' being additional land use policies for the Hay Island.

Hay Island, due to its undeveloped nature, extensive areas of shoreline, and natural hazards and constraints, is sensitive to disturbance. For Hay Island, the permitted uses shall generally be conservation, forestry, wildlife areas, and passive recreation.

Existing development on the island is comprised of 6 cabins on the northwest portion of the island designated as Rural Recreational Area. It is the intention of Special Policy Area 'B' to recognize existing legal development only. Any new development proposals shall require Amendment to the Plan.

#### .2 Land Use Policies (Rural Recreational Area)

Development within the "Rural Recreational Area" designation shall take place in accordance with the policies of the plan, excepting, however that:

- i) Permitted uses shall be limited to the buildings and structures that existed legally on the date of adoption of this plan by Bruce County Council
- ii) The creation of lots by consent to sever shall be prohibited

#### .3 Land Use Policies (Rural)

Development within the "Rural" designation shall take place in accordance with the plan, excepting however, that:

- i) Permitted uses shall be limited to forestry, conservation and passive recreation
- ii) That severance of lots by consent to sever shall be prohibited

### 5.12.3 Special Policy Area 'C' – Being Additional Policies for the Lakewood Community

#### Introduction

The following policies and attached Schedule '3' comprise 'Special Policy Area 'C' and apply to the Lakewood plan of subdivision, more particularly described as Part of Lots 22, 23 and 24, Concession 3, W.B.R., Part of Lot 24, Concession 4, W.B.R., and Part of Lots 23, 24 and 25, Concession 5, W.B.R., geographic Township of Eastnor, Municipality of Northern Bruce Peninsula.

#### .1 Land Use Policy

##### i) Inland Resort Community

The 'Inland Resort Community' designation shall mean that the predominant use of the lands so designated shall be residential with associated recreational amenities.

Development proposals shall present self contained, year-round, resort residential communities having very limited impact upon surrounding resort communities. The provision of services to this form of development shall not result in an economic burden on the infrastructure of the municipality. All residential development shall have consideration of and appreciation for the natural environment.

Lands which may be included under this designation shall within close proximity to Lake Huron and shall exhibit various unique environmental and physical characteristics.

##### (a) Locational Criteria

Lands to be designated 'Inland Resort Community' shall exhibit certain environmental, physical and locational characteristics. Lands may be considered for this designation only when they meet the following criteria:



- (i) The majority of lands must be within 1 kilometre (0.62 miles) of the Lake Huron shoreline. There must exist public water access along the shoreline. Preference shall be for improved access points which possess public facilities.
  - (ii) The lands shall not be located within Special Policy Area II of this Plan.
  - (iii) The lands shall have a significant inland water system (i.e. inland lake).
  - (iv) The lands may exhibit diverse environmental characteristics but shall not create any negative impact upon:
    - (a) Provincially significant wetlands;
    - (b) Endangered or provincially significant flora or fauna;
    - (c) Forested Areas within Forest Resource Inventory Mapping, Class 1 to 4;
    - (d) The agricultural community or any viable agricultural operation;
    - (e) Areas of significant resource potential; or
    - (f) Areas of Natural and Scientific Interest.
  - (v) The development of the lands shall comply with the Provincial Minimum Distance Separation (MDS) Formulae (as amended from time to time) and Implementation Guidelines.
  - (vi) Lands proposed for this designation shall not be located within 400 metres of any existing extractive industrial operation.
  - (vii) Failure to meet any of the above criteria shall result in development not proceeding.
- (b) **Development Criteria**

The emphasis for the development of lands within the 'Inland Resort Community' designation shall be to maximize the amount of open space/park land and minimize the lands which may be used for residential development.

The servicing policies of this section shall ensure that the development of lands within this designation shall not result in an economic burden on the infrastructure of the municipality.

(i) Residential

Residential development shall only be permitted by plan of subdivision or condominium and shall be limited to detached and semi-detached dwellings.

The minimum residential lot size shall be 2 acre. The minimum acreage ration of residential lands to Open Space/ Environmental Hazard lands shall be no less than 1 to 1.1.

To ensure minimum disturbance of the natural environment, a natural habitat retention plan for residential lots, identifying individual development envelopes shall be prepared. Such plans shall establish development envelopes on each lot where development shall be located. The balance of the residential lots outside the development envelopes shall remain in its natural state. The natural habitat retention plan must be endorsed by the Ministry of Natural Resources.

The development envelope concept shall strive to maximize the amount of undisturbed natural environment. This will effectively increase the overall amount of general open space lands. The identification of development envelopes shall form

part of a subdivider's agreement and be registered on title.

(ii) Open Space

Lands established as Open Space shall constitute the majority of lands within any of the development proposal. Such lands shall be dedicated for the passive and active recreational use of the developments residents and may also be dedicated to natural habitat protection.

Permitted uses within Open Space lands shall include a community centre, swimming pools, tennis courts, boat storage building, boat and trailer parking area, natural trails for walking, bike riding and cross country skiing, boardwalks and other similar recreational amenities.

The location of open space amenities shall be governed by site plan control. In addition to the requirements of Section 6.5.2, Site Plan Control of this Plan, all site plans shall be endorsed by the Ministry of Natural Resources and approved by the Municipality.

All efforts must be made to ensure that the establishment of open space amenities are designed and located in such a manner so as to ensure maximum tree retention and minimum disturbance of the natural environment.

Open space lands and associated amenities may be owned and maintained through a community co-operative organization. However, should an established co-operative fail or is found not be a desirable option, the municipality shall be given the opportunity to assume control and ownership of open space lands and the established amenities at no cost to the municipality.

(iii) Servicing

All services required as a result of the development of the property shall be constructed to municipal standards.

The provision and maintenance of required services, excluding water supply and sewage disposal may be carried out through a co-operative system. If in the event an established co-operative fails or is found not to be a desired option, the municipality may assume ownership and responsibility for all services.

The municipality shall assume ownership of communal water supply and/or sewage disposal services and be responsible for their operation and maintenance. However operation and maintenance may be contracted out and shall be subject to such terms and conditions as are set out in certificate of approval. In the case of a plan of condominium, ownership, operation, and maintenance may be vested in the condominium Corporation, subject to a responsibility agreement. The latter shall provide for municipal operation and maintenance in the event of default by the condominium Corporation.

The specific services required shall adhere to the following:

- (a) All roads internal to the development shall be constructed to Ministry of Transportation cottage standards. The local municipality shall possess ownership to the road allowances. However, the municipality shall not be required to include the internal roads within their approved road system. The maintenance of the internal road system may be through a co-operative.

Provisions shall be made to ensure that if a co-operative fails, the municipality can assume maintenance of the internal roads at no cost to the

municipality for upgrading the roads to acceptable municipal standards.

- (b) The proposed mode of water and sewage servicing (i.e. private versus communal) shall be determined in consultation with the Ministry of the Environment and its designated agent under Part 7 of the Environmental Protection Act, based on site specific hydrogeological, geotechnical, and hydrological conditions. Such systems shall be constructed to Ministry of the Environment standards.
- (c) The municipality shall not be required to provide solid waste pick-up from the development. It shall be the responsibility of the co-operative to provide such services. Provisions shall be made to ensure that if a co-operative fails, the municipality can assume responsibility for solid waste pick-up for the development.

Arrangements shall be made through a subdivider's agreement to provide authorization for the use of the municipality's waste disposal site for that waste originating from the development.

- (iv) Development Requirements  
Development of the lands designated 'Inland Resort Community' shall only proceed after a number of studies and development plans have been conducted and approved by the various regulatory bodies.

The required studies and plans shall include the following:

- (a) A hydrogeological, geotechnical and lot size assessment study carried out by a qualified engineer. This study shall be conducted to the Ministry of Environment specifications.

Such studies shall assess the availability of potable water, the amount of over-burden, nitrate levels and minimum lot sizes. They should also assess whether development could proceed by way of communal water and sewage disposal systems. Approval of such a study shall be required by the Ministry of Environment and local municipality.

- (b) A study outlining the environmental characteristics of the lands shall be produced by a qualified professional. Such studies shall include recommendations for the sustainable development of the property, ensuring the conservation of the various natural features of the land.

The environmental studies must be reviewed and endorsed by the Ministry of Natural Resources and the local municipality.

- (c) A storm water management plan shall be prepared by a qualified professional, addressing quantity and quality of storm water, as well as discharge to an approved outlet. These plans should strive to ensure the least environmentally damaging drainage system for the development.

These plans must be approved by the Ministry of Environment, the Ministry of Natural Resources and the local municipality.

- (d) A natural habitat retention plan prepared by a qualified professional. Such plans shall identify development envelopes for each

residential lot and the location of open space amenities.

Such studies must be reviewed and endorsed by the Ministry of Natural Resources and the local municipality.

- (e) A fishery management plan shall be prepared for inland water systems associated with the development to ensure the long term survival of any existing fish stocks.

Such studies must be reviewed and endorsed by the Ministry of Natural Resources and the local municipality.

- (f) A wildlife management plan shall be prepared by a qualified professional. Such a plan shall assess the impact of development on games species, predators and provincially rare, threatened and endangered species of plants, mammals, reptiles, birds and insects.

The management plan shall formulate management techniques which will ensure that all development proposals shall be developed in harmony with nature, and shall constitute sustainable development.

The wildlife management plan shall be reviewed and endorsed by the Ministry of Natural Resources and the local municipality.

- (g) For major development proposals, the County may request a Lake Carrying Capacity study to be undertaken.

The findings and recommendations of the various studies may be implemented through conditions of draft subdivision or condominium approval, site plan control, holding provisions, subdivider agreements, and through the Co-operative Constitution.

- (vi) Holding Zone

In order for the local municipality to adequately address the servicing and phasing of development within the 'Inland Resort Community' designation, a 'holding zone' as detailed in Section 6.6 of this Plan shall be utilized.

Prior to the local municipality lifting the Holding Zone from the lands to be developed, the following criteria must be met in full:

- (a) The developer must enter into a subdivider agreement with the local municipality addressing all financial, environmental and servicing requirement of the development.
- (b) The Plan of Subdivision must be registered pursuant to Section 50 of the Planning Act, 1990 (as amended).
- (c) If a co-operative is selected as a means of ownership and/or maintenance of various services, amenities and open space lands, a co-operative constitution shall be required. Such a constitution shall be submitted to the local municipality for its approval.
- (d) A detailed development staging/phasing shall be prepared and approved by the local municipality.

#### 5.12.3.2 **Additional Hazard Land Area Policies**

In addition to the Hazard Land Area policies of this plan, the following policies shall apply to Special Policy Area 'C'.

Within lands designated as Hazard Land Area, no development or disturbance of the natural environment shall occur. Notwithstanding this statement pedestrian walkways, selective pruning, a maximum of 12 minor docks and a central dock shall be permitted.

The type of construction and location of docks shall require the approval of the co-operative and the Ministry of Natural Resources. The construction of docks in the Hazard Land Area designation shall be carried out by the co-operative.

All lands within 30 metres of a natural water course shall be left in an undisturbed state.

All lands designated Hazard Land Area may be owned and maintained through a co-operative. In no case shall such lands be recognized as being for the exclusive use of individual property owners.

On inland lakes the following special policies shall apply:

- (a) No motorized watercraft shall be permitted;
- (b) No swimming or bathing shall be permitted; and,
- (c) Only 12 small docks and one large communal dock on co-operative owned and operated lands shall be permitted.

#### 5.12.4 **Special Policy Area 'D' – Inland Lakes Special Policy Area - Being Additional Policies for the lands adjacent to Purvis Lake, Silver Lake, Otter Lake, Pearl Lake, Dankert Lake, Marl Lake and Lake Rosalind**

##### 5.12.4.1 **Introduction**

- .1 The following policies and attached Schedules '4' to '7' to Special Policy Area 'D', being additional land use policies and land use schedules for lands adjacent to some of the County's inland lakes, those specifically being Purvis Lake, Silver Lake, Otter Lake, Pearl Lake, Dankert Lake, Marl Lake and Lake Rosalind.
- .2 In some instances, there are no additional detailed planning policies which apply within this Section, but more detailed mapping of land use designations has been provided for accuracy purposes.

##### 5.12.4.2 **Land Use Policies**

- .1 Those lands in Special Policy Area 'D' shall be used in accordance with the land use designations shown on Schedules '4' to '7' to Special Policy Area 'D', excepting however that the following special policies shall apply:
  - i) **Purvis Lake - Township of Kinloss** (Schedule '6')  
Notwithstanding their 'Inland Lake Development Area' land use designation, those lands adjacent to Purvis Lake, legally described as Part of Lots 41 to 46, Concession 1, Township of Kinloss and currently owned by 22 shareholders may be permitted for residential development subject to the following:
    - a) The total maximum number of detached dwellings shall be 22;
    - b) The ratio of dwelling units to hectareage of developable land, excluding lands intended for common areas, walkways, recreational facilities and roads shall not exceed 2.5:1;
    - c) The ownership of the development shall continue as a corporation with 22 shareholders owning the 22 dwellings on one lot, or may be changed to a condominium, subject to the provisions of the Condominium Act.
  - ii) **Silver Lake – Township of Kinloss** (Schedule '7')  
Notwithstanding their 'Travel Trailer Park and Commercial Campground Development' land

use designation, those lands adjacent to Silver Lake and legally described as Part of Lots 19 and 20, and Lots 21 to 26, Range 2 S.D.R., geographic Township of Kinloss, Township of Huron-Kinloss, excepting however that:

- a) Only a seasonal campground shall be permitted;
- b) A maximum of 21 existing seasonal cottages shall also be permitted;
- c) A maximum of 110 travel trailer sites shall be permitted;
- d) A wilderness campground to accommodate unserviced campsites with short term overnight stays shall also be permitted.

iii) **Otter Lake - Township of Kinloss** (Schedule '7')

Notwithstanding their 'Travel Trailer Park and Commercial Campground Development' land use designation, those lands adjacent to Otter Lake and legally described as Lot 25 and Block 'A', Range 3, S.D.R., geographic Township of Kinloss, Township of Huron-Kinloss shall only be used for the purposes of a *Four Season Recreational Resort* in accordance with the policies of this Plan, excepting however that the maximum number of campsites shall not exceed 700 and that no campsite, building, structure or sewage system shall be located closer than 30 metres to the high water mark of Otter Lake.

Four Season Recreational Resort means the use of the land used year-round for the parking and use of recreational travel trailers, park model trailers or other similar transportable accommodations, but not including a mobile home. All sites and/or trailers shall only be used for seasonal or intermittent accommodations and not be used as a principle residence or permanent place of residence. The owners of the property plus six (6) full time employees may reside permanently within the park. Buildings and structures deemed necessary and accessory to a Four Season Recreational Resort will also be permitted.

5.12.5 **Special Policy Area 'E' – Arran Township Campground**

.1 Notwithstanding the Travel Trailer-Commercial Campground policies of Section 5.10 of this Plan, 118 travel trailer and/or camping sites may be permitted.

.2 **Application**

The policies included in this Section apply to Part of Lots 45, 46 and 47, H.M.S., geographic Township of Arran, Municipality of Arran-Elderslie.

.3 **Servicing and Phasing**

The Development shall be phased to permit approximately 30 sites in Phase 1; approximately 50 sites in Phase 2; and, approximately 45 sites in Phase 3.

Phase 1 shall be serviced by Class 4 septic systems and may utilize existing well water sources. Subsequent phases shall not proceed until such time as an engineered site plan and servicing report has been prepared by a qualified engineer.

Lands proposed for camping and trailer sites outside of Phase 1 shall be placed within a "Holding" Zone in the Implementing Zoning By-Law. The holding symbol shall be removed when Council determines, with the assistance of the appropriate agencies and/or other qualified individuals that all engineering and site development criteria have been met. An engineered site plan shall be submitted and approved by the Township making provisions for:

- The methods of site servicing including provisions for any communal comfort stations
- The methods of obtaining potable water supplies, which shall include a statement from a qualified engineer regarding the impact of on site water resources from a neighbour septic wastes disposal site
- Provisions for lot grading and drainage aimed at minimizing alterations to the existing and natural drainage patterns in the area.

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**NOTE: The following Special Policy Areas were deleted through Bruce County Official Plan Amendment #116:**

- ❖ SPA 'D' Howdenvale and Red Bay Community
- ❖ SPA 'F' Saugeen River Floodplain Policy
- ❖ SPA 'H' Bruce Energy Centre – Industrial Park
- ❖ SPA 'I' Point Clark Settlement Policies
- ❖ SPA 'J' Bruce Township Shoreline Constraint Area
- ❖ SPA 'K' Brant Township Rural Residential

### **5.13 BRUCE NUCLEAR POWER DEVELOPMENT**

As the government of Canada has exclusive regulatory jurisdiction over nuclear facilities, no municipal regulation of land uses or development within the Bruce Power Nuclear Development Area shall occur while a nuclear facility is operated within the Bruce Nuclear Power Development designation pursuant to a license granted by the Canadian Nuclear Safety Commission.

### **5.14 NIAGARA ESCARPMENT PLAN**

#### **Introduction**

- .1 The County of Bruce has identified local land use designations within the Niagara Escarpment Plan area. The policies contained in this section are to be read in conjunction with other Detailed Land Use Policies of the County of Bruce Official Plan, and the General Policies Section. In the event of conflict between the County Official Plan and the Niagara Escarpment Plan, the more restrictive policies apply.
- .2 The following section outlines the objectives relating the Niagara Escarpment Plan designations.

#### **5.14.1 Escarpment Natural Area**

The Escarpment Natural Area is shown on Schedule 'A', and the Niagara Escarpment Plan policies are being directly applied to this area.

##### **5.14.1.1 Objectives**

- i) To maintain the most natural Escarpment features, stream valleys, wetlands and related significant natural areas and associated cultural heritage features.
  - ii) To encourage compatible recreation, conservation and educational activities.
  - iii) To maintain and enhance the landscape quality of Escarpment features.
- .1 Escarpment features which are in a relatively natural state and associated stream valleys, wetlands and forests which are relatively undisturbed are included within this designation. These contain important plant and animal habitats and geological features and cultural heritage features and are the most significant natural and scenic areas of the Escarpment. The policy aims to maintain these natural areas.
  - .2 Escarpment Natural Areas are shown on Schedule A of the Official Plan. The following Permitted Uses and New Lots policies apply, in addition to the Development Criteria of the Niagara Escarpment Plan.

##### **5.14.1.2 Permitted Uses**

- i) Existing agricultural operations and the expansion of the same, in accordance with the Minimum Distance Formulae and uses existing at the time of approval of the Niagara Escarpment Plan (June 1985).
- ii) Single dwellings on existing lots of record.
- iii) Non-intensive recreation uses such as nature viewing and trail activities, except motorized

- trail uses.
- iv) Forest, wildlife and fisheries management.
- v) Essential transportation and utilities.
- vi) Accessory buildings, structures, and facilities and site modifications required to accommodate them.
- vii) Incidental uses (e.g. swimming pools, garages) and site modifications required to accommodate them provided impact on the natural environment is minimal.
- viii) Home occupations and cottage industries.
- ix) Essential watershed management and flood and erosion control activities carried out or supervised by a public authority.
- x) Bed and breakfast and farm vacation homes.

#### 5.14.1.3 **New Lots**

New lots may be created for the following circumstances, subject to the applicable Development Criteria and other policies of the Official Plan:

- i) A severance may be permitted for the purposes of correcting conveyances, enlarging existing lots or through acquisitions by a public body, provided no surplus building lot is created
- ii) A lot may be created by severing one original Township lot from another provided there have been no previous lots severed from one of the affected Township lots. Such severances shall only occur along the original Township lot line.

#### 5.14.2 **Various Designations (Niagara Escarpment Plan)**

The Escarpment Protection Area, Escarpment Rural Area, Mineral Resource Extraction, Escarpment Recreation, Urban and Minor Urban Centre designations of the Niagara Escarpment Plan are shown on Schedule D. The County of Bruce Official Plan has applied local land use designations within the above noted Niagara Escarpment Plan designations. This section identifies the objectives of the Niagara Escarpment Plan designations, and areas where the Niagara Escarpment Plan is more restrictive than the County of Bruce Official Plan land use designations. This Official Plan has not incorporated the Niagara Escarpment Plan in its entirety. Reference to the Niagara Escarpment Plan may also be required.

#### 5.14.3 **Urban Areas (Niagara Escarpment Plan)**

Warton, Lions Head, Barrow Bay and Dyers Bay are affected by the Niagara Escarpment Plan. The following additional policies apply to these areas:

- i) Niagara Escarpment Plan Urban Area Designation  
The Primary Urban Community of Warton and the Secondary Urban Community of Lion's Head are designated as Urban Areas in the Niagara Escarpment Plan. The objective of the Urban Area designation is to minimize the impact and further encroachment of urban growth on the Escarpment environment. The boundaries and land uses within these Urban Areas are identified in this Official Plan, Local Municipal Official Plans and Secondary Plans. New development, new lots and the enlargement of existing lots shall not extend in Escarpment Natural Areas or Escarpment Protection Areas.
- ii) Niagara Escarpment Plan Minor Urban Centre Designation  
The Hamlet Communities of Barrow Bay and Dyers Bay, as well as the Rural Recreational Area of Colpoy's Bay are identified as Minor Urban Centres in the Niagara Escarpment Plan (Schedule D). The objectives of the Minor Urban Centre designation are to recognize, maintain and enhance existing rural settlements or provide concentration points for development and growth in rural areas. Development is to be compatible with the identity and traditional character of the Hamlet Community. Growth is generally to be directed to these areas, and away from Escarpment Natural Areas and Escarpment Protection Areas. Growth and development is to be in accordance with municipal official plans and/or



secondary plans which are not in conflict with the Niagara Escarpment Plan. An amendment to the Niagara Escarpment Plan is required to change the boundaries, after they have been initially defined through the official plan/secondary plan process. Development and growth, and the creation/enlargement of lots, shall not extend into the Escarpment Natural Area and Escarpment Protection Area designations.

The boundaries and land use policies for Dyers Bay and Colpoy's Bay have been clearly defined in accordance with the Niagara Escarpment Plan. The Hamlet Community of Barrow Bay has not gone through the preparation of a secondary plan. The boundaries of Barrow Bay are shown conceptually on Schedule A, and have not been clearly defined through a detailed secondary plan, as required by the Niagara Escarpment Plan. Until detailed policies and boundaries are established, only limited infilling may be permitted in the built-up portion of Barrow Bay.

#### 5.14.4 Escarpment Recreation Areas

Within the Niagara Escarpment Plan Area, the County Official Plan designations for Rural Recreational Area and Inland Lake Development Area are based on their designation as Escarpment Recreation Area within the Niagara Escarpment Plan Area, with the exception of Colpoys Bay which is designated Minor Urban Centre (Schedule D). The objectives of the Escarpment Recreation Area are to minimize the adverse effects of recreational activities on the Escarpment environment, and to ensure future development is compatible with the cultural and natural heritage values of the area. For the Rural Recreational Area, the Escarpment Recreation designation may extend inland to permit new development in a planned group provided that it does not encroach upon the Escarpment Natural Area or Escarpment Protection Area and does not exceed approximately 200 metres in depth measured from the high water mark.

#### 5.14.5 Agricultural Areas

Portions of the Agricultural Areas are designated Escarpment Protection Area or Escarpment Rural Area in the Niagara Escarpment Plan (Schedule D). Some of the uses specified in Section 5.5 [Agricultural Area] would not be permitted, or may be permitted at reduced intensities. In addition to other policies of Section 5.5 [Agricultural Area], the following specific policies apply:

- i) Within the Niagara Escarpment Plan Area, a home industry is a small scale use providing service to the rural farming community and which is accessory to a single family dwelling or agricultural operation. A home industry may be conducted in whole or in part in an accessory building and may include a carpentry shop, a metal working shop, a welding shop, and electrical shop, etc., but does not include an auto repair or paint shop, or furniture stripping.
- ii) A Home Occupation provides a service as an accessory use within a single dwelling performed by one or more of its residents. Such occupations may include services performed by a lawyer, accountant, insurance agency, land surveyor, realtor, consultant or hairdresser.
- iii) Small scale commercial uses related to agriculture (e.g., winery, farm produce stand) may be permitted in the Escarpment Protection Area and Escarpment Rural Area designations.
- iv) Farm related commercial and industrial uses are not permitted in Escarpment Protection Areas. Within the Escarpment Rural Area, small scale commercial and industrial development servicing agriculture and the rural community are permitted in non-agricultural areas. Other more intensive commercial uses are not permitted.
- v) Dwelling units for farm help, which are accessory to agriculture are permitted on the same property as the principal farm house, subject to the following:
  - (a) Farm help must be necessary on a seasonal or full-time basis on the farm;
  - (b) The farmer, owner/operator shall live in the principal farm residence with farming as his/her principal occupation;
  - (c) The dwelling unit(s) shall be mobile or portable, without a basement; or, in the case

- of horse farming, a dwelling unit may be permitted within a farm building;
- (d) The dwelling unit(s) shall be located within the farm cluster and where possible, use the existing farm lane access and a separate lot shall not be created for it;
- (e) The dwelling unit(s) shall be removed when no longer required.

#### **5.14.6 Rural Areas**

Portions of the Rural Areas are designated Escarpment Protection Area or Escarpment Rural Area in the Niagara Escarpment Plan (Schedule D). Some of the uses specified in Section 5.6 [Rural Area] of this Official Plan would not be permitted in the Niagara Escarpment Plan, or may be permitted at reduced intensities. The policies set out for the Agricultural Areas (Section 5.14.5 [Agricultural Areas – Niagara Escarpment Plan]) apply, with the addition that Rural Industrial Uses are not permitted in the Escarpment Protection Area designation. Within the Escarpment Rural Area, small scale industrial uses servicing agriculture and the local community are permitted.

#### **5.14.7 Estate Residential Development**

Within the Niagara Escarpment Plan Area, Estate Residential Subdivisions are not permitted in the Escarpment Natural Area, Escarpment Protection Area and Escarpment Rural Area designations.

#### **5.14.8 Travel Trailer Park and Commercial Campground Area**

Travel Trailer Parks and Commercial Campground Areas are not permitted in Escarpment Natural Area, Escarpment Protection Area and Escarpment Rural Area designations of the Niagara Escarpment Plan. Existing Travel Trailer Park and Commercial Campground Areas within the Niagara Escarpment Plan shall be treated as "existing uses" in the context of the Niagara Escarpment Plan.

## **6.0 IMPLEMENTATION**

### **6.1 GENERAL POLICIES**

- .1 It is the intention of County Council to implement this Plan by utilizing the powers conferred upon it by the Planning Act, the Municipal Act, and such other statutes as may be applicable.
- .2 It is the policy of County Council to use this Plan as the basis for decisions and actions on matters within its jurisdiction and to require the local municipalities to use this Plan in the preparation and implementation of their own Official Plans and Zoning By-laws to ensure that planning policies in each municipality conform to the policies established for the County.
- .3 It is the policy of County Council to carry out a continuous program of research to identify the changing physical, economic and social needs of the residents of the County and the consequences of technological improvements that may affect the programs and policies of the County.
- .4 Technical changes to the base information on Schedules A, B and C such as more precise location of rivers and streams which do not change the land use designations, shall be made to either Schedule A, B or C without Amendment to this Plan.

### **6.2 REVIEW OF THE PLAN**

- .1 It is the policy of County Council to review the County Official Plan at regular intervals not less than 5 years and when necessary revise the Plan to reflect the changing needs of the people of the County in accordance with the Planning Act. When the County Council amends the Plan as part of its review process it shall consult with the First Nations.
- .2 It is the policy of County Council to make selective amendments to the policies of this Plan to reflect changing Provincial legislation or regulations as part of the required 5 year review process, so that the policies of this Plan will remain consistent with Provincial policies.
- .3 It is the policy of County Council to undertake amendments to the County Plan on its own initiative. County Council may consider at the request of local municipalities, other levels of Government, private individuals, corporations or organizations other amendments to this Plan.
- .4 Amendments to this Plan shall be consistent with the general intent of the goals and objectives of this Plan, and may provide justification on the basis of need and accepted land use planning principles.
- .5 In addition to the policies of Section 5.8 [Hazard Land Area] in this Plan, it is the intention of County Council that the Hazard Land Area boundaries on Schedule 'A' be revised by the County to better represent available Hazard Land Area mapping as soon as information is available.

### **6.3 LOCAL OFFICIAL PLANS**

- .1 The Bruce County Official Plan establishes a framework to guide the County's growth and development and provide one level of planning for municipalities without local Official Plans. It is the intent of County Council that the County Official Plan provides general guidelines for the local Official plans for those municipalities where such Official plans exist. The level of detail in the County Official Plan is intended to sufficiently ensure the achievement of the County goals outlined in the Plan for those municipalities.
- .2 Municipalities with local Official Plans shall prepare and adopt a new local Municipal Official Plan or appropriate amendments to existing Official plans in conformity with this Plan, in accordance with the provisions of the Planning Act for adoption. When the provisions of a local Official Plan are slightly different from those of the County Plan, but generally within its intent, the more restrictive provisions will apply.

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- .3 A number of municipalities in the County developed local detailed policies known as “Secondary Plans” prior to the adoption of this Official Plan, and changes to the Planning Act. Secondary Plans are generally intended to provide a more detailed level of land use control than contained within this Plan. It is intended that these Secondary Plans will be retained in their current state until reviewed to conform to this Plan. When reviewed, Secondary Plans shall be amended to conform to this Plan, and adopted as a Local Official Plan.
  - .4 Amendments in process to the current Local Official Plans, but not approved prior to the approval of this Plan, shall come into effect as provided in the Planning Act and shall be implemented in the same manner as the Official Plan and shall be incorporated into this Plan.
  - .5 Local Official Plans shall be updated within five years or when a fundamental change occurs in the basic growth and development assumptions upon which the Plan is based, whichever comes first.
  - .6 Local municipalities adjacent to First Nations’ lands shall consult with First Nations in the development of Local Official Plans.

#### **6.4 LOCAL ZONING BY-LAWS**

Where this Plan or any part thereof takes effect, every Zoning By-Law then in effect in the County, affected thereby, shall be amended within three (3) years to conform with this Plan pursuant to the Planning Act.

#### **6.5 DEVELOPMENT APPLICATIONS**

##### **6.5.1 Subdivision and Condominium Approvals and Agreements, and Multi-Unit Developments**

- .1 In considering any new major development proposal, the applicant will be required to determine to the satisfaction of the Local Council the impact of the new major development proposal on the municipal servicing system.
- .2 Under the Planning Act, County Council is the approval authority for Plans of Subdivision, Plans of Condominium and Part Lot Control By-Laws.

County Council has established procedures, requirements, and applications for the review and approval of these planning proposals.

- .3 County Council shall approve only those plans of subdivision which:
  - i) Comply with the provisions of this Plan and the applicable local Municipal Official Plan where one exists; and
  - ii) Can be supplied with adequate services, in accordance with the policies of this Plan.
  - iii) In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience and welfare of the present and future inhabitants of the municipality and to:
    - (a) The effect of development of the proposed subdivision on matters of Provincial interest;
    - (b) Whether the proposed subdivision is premature or in the public interest;
    - (c) Whether the plan conforms to the Official Plan and adjacent plans of subdivision, if any;
    - (d) The suitability of the land for the purposes for which it is to be subdivided;
    - (e) The number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;
    - (f) The dimensions and shapes of the proposed lots. It is the policy of this Plan to require the residential portion of all subdivisions, condominiums or multi-unit/multi-lot developments that will be serviced by municipal sewer or communal services to have

a density target of no less than 15 'dwelling units' per 'gross developable hectare' (6.1 dwelling units per gross developable acre). The County may grant approval for developments that do not meet this density when justified and appropriate. An applicant/developer requesting a reduced density must provide a planning justification at the time of application.

For the purposes of this Plan, 'Gross Developable hectare' shall mean the total area of the proposed development minus the area of any lands designated or zoned Hazard, Natural Environment, Natural Hazard, or similar constraint in the County of Bruce Official Plan, local Official Plan or Comprehensive Zoning By-law. When considering proposals with more than one land use, the uses may be separated for determining applicable density.

It is the policy of this Plan to require the residential portion of all subdivisions, condominiums or multi-unit/multi-lot developments that can accommodate 10 or more 'dwelling units' that will be serviced by municipal sewer and water or communal services to have a minimum of 30% of the proposed 'dwelling units' to be achieved through the use of 'medium density' (or higher density where appropriate) 'dwelling units'. The County may grant approval for developments with a reduced percentage of 'medium density' when appropriate and justified. An applicant/proponent/developer requesting a reduced percentage must provide a planning justification at the time of application;

- (g) The restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;
  - (h) Conservation of natural resources and flood control;
  - (i) The adequacy of utilities and municipal services;
  - (j) The adequacy of school sites;
  - (k) The area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes; and
  - (l) The physical layout of the plan having regard to energy conservation.
- .4 Through the conditions of approval, attached to plans of subdivision, pursuant to the Planning Act the Council of the local municipality shall require that the applicant(s) enter into appropriate agreements which shall be registered against the title of the subject lands, and may include such matters as, water and sewage services, financial requirements, local roads, drainage, grading and landscaping, sidewalks and dedication of land for public uses and other requirements to implement the provisions of this Plan and the applicable local Official Plan.
- .5 Local Council may recommend to the approval authority the withdrawal of an approval for draft plan of subdivision and request that the associated servicing capacity be reassigned to other areas within the municipality, in the event that the plan of subdivision is not registered within three years.
- .6 County Council may, despite any other provisions in this Plan to the contrary, subsequently withdraw such draft plan approval.
- .7 A Draft Plan of Subdivision and/or Draft Condominium Description shall lapse at the expiration of three years from the date of granting Draft Approval. The County of Bruce may extend the lapsing date at the sole discretion of the County of Bruce provided that: i) Final Approval has been previously granted for a portion of the Draft Plan; and ii) exceptional circumstances beyond the control of the applicant prevent the applicant from applying for Final Approval on the remainder. The County of Bruce shall consult with the affected lower tier municipality prior to an extension or refusal of an extension to a Draft Plan of Subdivision and/or Draft Condominium Description.

#### 6.5.2 Site Plan Control

- .1 County Council shall encourage the use of the site plan control provisions of the Planning Act to

- implement the policies and provisions of this Plan and the local Municipal Official Plans and to coordinate and enhance the built environment of the local municipality.
- .2 Pursuant to the Site Plan Control provisions of the Planning Act, the whole of the County is designated as a proposed Site Plan Control Area. Specific areas and uses where Site Plan Control will be applied, will be designated by By-Laws
- .3 Within a Site Plan Control Area the Council of a municipality may require drawings showing plans, elevation and cross section views for any building to be erected for residential purposes even where such buildings are proposed to contain less than twenty-five (25) dwelling units, except for single and semi-detached dwellings. Such drawings, however, may be required for single and semi-detached dwellings in areas, or adjacent to areas, which exhibit physical limitations or environmental hazards, such as floodplains, steep slopes, etc., or identified natural environment features; or, for special development proposals involving reduced development standards.
- .4 The basic criteria to be used for reviewing development proposals are contained in the relevant policies of this Plan or local Official Plan. Through the application of these policies, the municipalities will seek to provide for development which, among other things will:
- i) Be functional for the intended use;
  - ii) Be properly designed for on-site services and facilities;
  - iii) Be safe for vehicular and pedestrian movements;
  - iv) Provide compatibility of conceptual design amongst uses; and
  - v) Minimize adverse effects on adjacent properties.
- .5 Proposals subject to the provisions of Section 6.5.2 [Site Plan Control – Development Applications] may require the approval of plans and drawings which illustrate the location of all buildings and structures to be erected and showing the location of all facilities and works to be provided. In accordance with the provisions of the Planning Act, as amended from time to time, the owner of land may be required to enter into a Site Plan Control Agreement and provide to the satisfaction of the Municipality such matters as:
- i) Road widenings of highways that abut the land, to provide the minimum road right-of-way widths prescribed by this Plan for those roadways shown on Schedule B;
  - ii) Access to and from the land;
  - iii) On-site vehicular loading and parking facilities;
  - iv) Lighting facilities of the land of any buildings or structures thereon;
  - v) All means of pedestrian access;
  - vi) Landscaping of the land;
  - vii) Facilities for the storage of garbage and other waste material;
  - viii) Required Municipal easements; and
  - ix) Grading or alteration in elevation or contour of the land and disposal of storm, surface and waste water from the land.
- .6 It is intended that the Site Plan Control Policies established in this Plan may serve as the policies for all local municipalities covered by this Plan and that it will not be necessary to include specific Site Plan Policies in local Official Plans. Nothing in this Plan however, shall prevent a local Official Plan from refining or elaborating upon the Site Plan Control Policies of this Plan or, broadening the range of application provided that there is no conflict with this Plan.
- .7 The Council of the local municipality and/or County Council may require the owners of lands, proposed for development under site plan control, to enter into one or more agreements under the Planning Act, to address all the matters contained therein.
- .8 In addition to consideration being given to the need for the enlargement or improvement of local road allowances, in any site plan review which abuts a County Highway, it is the intent of the County of Bruce to acquire suitable road widenings where necessary to ensure safe traffic flows on County

Highways. Therefore it is the policy of County Council that all site plan approvals adjacent to County Roads are circulated to the County for review prior to their approval.

- .9 The County of Bruce or any lower tier municipality may regulate through Site Plan Control any matters relating to exterior design, including without limitation, the character, scale, appearance and design features of buildings, their sustainable design, and facilities designed to have regard for accessibility for persons with disabilities but only to the extent that it is a matter of exterior design provided that:
- i) Municipal Guidelines outlining requirements related to exterior design, including without limitation the character, scale, appearance and design features of buildings, and their sustainable design, but only to the extent that it is a matter of exterior design have been prepared;
  - ii) A formal 'Open House' or 'Public Meeting', advertised to the general public has been held at which the proposed Municipal Guidelines have been presented; and,
  - iii) The Guidelines have been adopted by the appropriate lower or upper-tier Council.
- .10 The County of Bruce or any lower tier municipality may regulate through Site Plan Control any matters relating to the sustainable design elements on any adjoining highways under a municipality's jurisdiction, including without limitation trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities provided that Guidelines addressing such issues have been adopted by the appropriate lower or upper tier Council.

### 6.5.3 Land Division Policies

#### .1 General Policies

The policies of this section shall apply to all consent applications:

- i) The severed and retained lots shall front on an existing road allowance which is opened and maintained on a year-round basis and is constructed to a standard of construction adequate to provide for the additional traffic generated by the proposed development;
- ii) Servicing for the severed and retained lots shall be in accordance with Section 4.7.5 [Water and Sewer Services].
- iii) Access onto a County Highway designated as "Arterial Road" on Schedule 'B' Transportation shall be restricted and only permitted where no traffic hazards exist or will be created. No more than two (2) lots including the retained, with access proposed to be gained directly from the "Arterial Road", may be created from the original Crown surveyed lot. All other policies of this Plan shall apply. The restriction on the number of lots that may be created with direct access may be waived only for development proposed within a Primary or Secondary Urban Community at the sole discretion of the County of Bruce Planning Department and the County of Bruce Highways Department. For the purposes of this clause, any original Crown surveyed lot severed for the purposes of a school or church prior to 1995, road widening or similar public purpose, or minor lot line adjustments shall be deemed to be an original Crown surveyed lot.
- iv) Access onto County Roads designated as "Collector Road" or "Proposed Collector Road" on Schedule 'B' Transportation shall be restricted and only permitted where no traffic hazards exist or will be created and where the volume of traffic from the proposed new use will not impede the expeditious flow of traffic.
- v) Prior to the creation of a new lot adjacent to a Provincial Highway, the Ministry of Transportation shall approve the access connection for both the severed and retained lots(s).
- vi) The consent shall only be granted if in conformity with the land use designations and policies of this Plan, and local Official Plans, and Zoning By-Laws where they exist.
- vii) The severed and retained lot(s) shall: be of acceptable size and dimension for the intended use; have regard for the proper treatment and disposal of stormwater and proper lot grading; have safe and adequate access to the highway system; be consistent with the sewage and water servicing policies of Section 4.7.5 [Water and Sewer Services]; not be premature in regard to the public interest; have regard to the natural environment.

- viii) The creation of a lot or lots in an area susceptible to flooding, erosion or any other physical or environmental constraint will not be permitted unless it can be clearly established that the proposed use will not adversely impact such constraints.
- ix) On the granting of a consent, conditions may be imposed on the severed and retained lot(s) to ensure the proper development of the severed and/or retained lots(s) including but not limited to the requirement for a stormwater management plan, lot grading plan, tree retention plan, parkland dedication, cash-in-lieu of parkland, roadway/highway widening dedication servicing requirements, etc.
- x) The application represents an orderly and efficient use of land, and its approval would not hinder development of the retained lands.
- xi) Land acquisitions, or land disposals, implementing the policies of this Plan by the Ministry of Natural Resources, Conservation Authorities, the County, or other public or private non-profit corporations need not adhere to the lot area requirements of this Plan. The acquisition or disposal shall conform to the applicable Zoning By-Law.
- xii) This Plan shall be interpreted in a manner that further enhances the development and maintenance of the Bruce Trail Association.
- xiii) Nothing in this Plan shall prohibit the recreation of the original Township lot fabric provided both the severed and retained lots comply with the minimum lot area requirements of this Plan and both the severed and retained lots front onto, and have access to, an opened and maintained municipal road that is maintained on a year-round basis at the time of application.
- xiv) Where no Local Official Plan exists, no new lots shall be created within 500 metres of a sanitary landfill site or Mineral Resource Area without the permission of the appropriate approval authority.

#### 6.5.3.2 Consents - Primary, Secondary Urban and Hamlet Communities

- .1 Consents to sever land in Primary and Secondary Urban, and Hamlet Communities shall only be granted when the scale of development proposed or the total development potential of the property would not require a plan of subdivision; and
- .2 The proposed lots are in keeping with the lot area, frontage and density pattern of the surrounding area; and
- .3 In determining whether a Plan of Subdivision under the Planning Act is necessary, consideration shall be given to the necessity of major service extensions to properly service the development. In instances where major service extensions are not required to properly service a development, development by consent may be considered.

#### 6.5.3.3 Consents – Agricultural Areas

- .1 In no instance shall an original Crown surveyed lot be divided into more than two (2) parcels including the retained portion. For the purposes of this section, any original Crown surveyed lot severed for the purposes of a school or church prior to 1995, road widening or similar public purpose, or minor lot line adjustments shall be deemed to be an original Crown surveyed lot.
- .2 In order to promote and maintain viable farming operations and generally minimize potential impacts on the farming community, the minimum lot area of lands within the Agricultural designation shall be generally 40 hectares.
- .3 The severance of one Non-Farm lot within the Agricultural designation shall be considered under the following circumstances:
  - a) Where the lot will be for a Farm Related Commercial and Industrial Use as per Section 5.5.9; provided that:
    - i) The maximum size of any new Non-Farm lot shall be 4 hectares. A Planning Report shall be provided at time of application justifying the proposed size of the consent if



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- the proposed lot is over 0.81 hectares (2 acres) in size. The minimum lot area shall generally be no less than 0.4 hectares (1 acre).
- ii) All severed and retained parcels shall also meet the requirements of Section 6.5.3.1 [General Policies (Land Division Policies)] and all other applicable policies of this Plan.
  - iii) The severed and retained parcels must be viable for their proposed future use in the opinion of the County of Bruce.
  - iv) In order to avoid narrow linear parcels of land the frontage-to-depth ratio shall be a maximum of 1:3 and conform to the appropriate zoning requirements for lot frontage;
  - v) When both the 'Rural' and 'Agricultural' designations apply to a lot, any new Non-Farm Lot proposed to be severed shall be located within the lands designated 'Rural' whenever possible in the opinion of the County of Bruce.
  - vi) All new lots must be within reasonable distance of an existing school bus route as determined by the appropriate school board(s).
  - vii) This Official Plan requires the severance of all new Non-Farm lots to comply with MDS I. All livestock facilities within the vicinity of the proposed severance shall be used in determining MDS I compliance.
  - viii) All new lots shall be located a minimum of 123 metres away from the boundary of an existing licensed gravel pit or 213 metres away from the boundary of an existing licensed quarry and not within 500 metres of lands zoned for an active landfill site or within 500 metres of a Mineral Resource Area shown on Schedule 'C'.
- b) Where the lot will be for an existing residence and buildings surplus to a farming operation as a result of farm consolidation provided:
- i) The owner of the lands to be severed is a 'bona fide farmer'. For the purposes of this policy, the 'bona fide farmer' must: a) own and farm the lands on which the surplus dwelling is proposed to be severed from; b) own and farm other lands; and c) own a residence elsewhere, or reside as a tenant elsewhere, therefore rendering the residence on the subject farm surplus to their needs. In situations where the agricultural portion of the subject lands is rented in whole or in part to others, the owner of the subject lands shall not qualify as a 'bona fide farmer'. A 'bona fide farmer' shall be defined as to include a limited company, sole proprietorship, incorporated company, numbered company, partnership, non-profit and other similar ownership forms.
  - ii) The lot proposed for the residence and buildings surplus to the farming operation shall be limited in area and shall only be of sufficient size to accommodate the residence surplus to the farming operation, accessory buildings (where including accessory buildings does not render the lot excessively large in the opinion of the Land Division Committee), a well and a sewage disposal system, while ensuring that as little land as possible is removed from the agricultural lands.
  - iii) The remnant agricultural lands shall be rezoned to prohibit the future erection of a residential dwelling of any type on the agricultural lands provided that a residential dwelling does not exist at the time of severance.
  - iv) This Official Plan requires the severance of a dwelling/residence surplus to a farming operation to comply with MDS I. All livestock facilities within the vicinity of the proposed severance, including any livestock facility situated on the farm parcel from which the surplus farm residence is being severed, shall be used in determining MDS I compliance.
  - v) Given that no new dwelling/residence can be erected as a result of the residence surplus to a farm operation being severed from the farm holding, the severance shall not need to meet the Mineral Resource Area, Aggregate/Quarry Operation or sanitary landfill site setback requirements.
  - vi) The existing surplus dwelling/residence is habitable at the time of application.
- c) Where the lot will be for an Institutional Use as per Section 5.5.10.

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- .4 Lot adjustments for legal or technical reasons. Lot adjustments shall be limited to such purposes as easements, correction of deeds, quit claims and minor boundary adjustments; all of which do not result in the creation of a new lot.
  - .5 Lot enlargements for the expansion of an existing Non-Farm Residential lot. Lot enlargements shall be limited in area and shall only be of sufficient size to accommodate the residence, accessory buildings (where including accessory buildings does not render the lot excessively large in the opinion of the Land Division Committee), a well and a sewage disposal system, while ensuring that as little acreage as possible is removed from the agricultural lands. The maximum lot size shall generally not exceed 0.81 hectares (2.0 ac.). As a condition of consent, the remnant parcel shall be rezoned for agricultural purposes only provided it is vacant.
  - .6 Lot enlargements for the expansion of an existing Secondary Compatible Use as per Section 5.5.4.1; or existing Farm Related Commercial or Industrial Use as per Section 5.5.9; or existing Institutional Use as per Section 5.5.10 shall be limited in area and shall only be of sufficient size to accommodate the commercial, industrial or institutional use, accessory buildings (where including accessory buildings does not render the lot excessively large in the opinion of the Land Division Committee), a well and a sewage disposal system, while ensuring that as little acreage as possible is removed from the agricultural lands. As a condition of consent, the remnant parcel shall be rezoned for agricultural purposes only provided it is vacant.
  - .7 In considering applications for consent, including the creation of a new lot for a residence surplus to a farming operation, the requirements of the Provincial Minimum Distance Separation Formulae (as amended from time to time) shall apply.

#### 6.5.3.4 Consents – Rural Areas

- .1 Original Crown surveyed lot may be subdivided into either:
  - i) Two (2) Farm Lots, including the retained lot, each generally 20 hectares in total lot area in accordance with Section 6.5.3.4.3 [Agricultural Uses (Farm Lots)]; or
  - ii) Three (3) Non-Farm Lots or Non-Farm Residential Lots, including the retained lot, in accordance with Section 6.5.3.4.4 Non-Farm Lots/Non-Farm Residential Lots. In no instance shall an original Crown surveyed lot be subdivided into more than three lots.
- .2 For the purposes of this section, any original Crown surveyed lot severed for the purposes of a school or church prior to 1995, road widening or similar public purpose, or minor lot line adjustments shall be deemed to be an original Crown surveyed lot.
- .3 Agricultural Uses (Farm Lots)

Consent for Agricultural uses as permitted in Section 5.5.4 [Permitted Uses (Agricultural Areas)] shall be in accordance with the following:

  - i) In order to promote and maintain viable farming operations and generally minimize potential impacts on the farming community, the minimum lot area of farming lands within the Rural designation shall generally be 20 hectares.
  - ii) In order to be eligible for a 20 hectare severance as permitted in clause (i) above, a lot of record must have a minimum of 90% of its land area within the 'R – Rural' designation.
  - iii) Both the severed and retained parcels shall be generally 20 hectares in size.
  - iv) In determining the designation of a lot of record for compliance with clause (ii) above, the designation(s) underlying the 'Hazard Land Areas' designation, if present on a lot, shall also be used.
  - v) All severed and retained parcels shall also meet the requirements of Section 6.5.3.1 [General Policies (Land Division Policies)] and all other applicable policies of this Plan.

.4 Non-Farm Lots/ Non-Farm Residential Lots

Consent for Farm Related Commercial and Industrial Uses as permitted in Section 5.5.9; Institutional uses as permitted in Section 5.5.10; Rural Industrial uses as permitted in Section 5.6.6; and Rural Commercial uses as permitted in Section 5.6.7 and Non-Farm Residential Lots shall be in accordance with the following:

- i) The maximum size of any new Non-Farm lot shall be 4 hectares. A Planning Report shall be provided at time of application justifying the proposed size of the consent if the proposed lot is over 0.61 hectares (1.5 acres) in size. The minimum lot area shall generally be no less than 0.4 hectares (1 acre).
- ii) In order to be eligible for a severance as permitted in clause (i) above, there must be a minimum of 100% of the original Crown surveyed lot within the 'R – Rural' designation.
- iii) In determining the designation of the original Crown surveyed lot for compliance with clause (ii) above, the designation(s) underlying the 'Hazard Land Areas' designation, if present on a lot, shall also be used. There shall be sufficient developable area outside of the 'Hazard Land Area', including applicable environmental setbacks, for the proposed development.
- iv) All severed and retained parcels shall also meet the requirements of Section 6.5.3.1 [General Policies (Land Division Policies)] and all other applicable policies of this Plan.
- v) The severed and/or retained parcels must be viable for their proposed future use in the opinion of the County of Bruce.
- vi) In order to avoid narrow linear parcels of land the frontage-to-depth ratio shall be a maximum of 1:3 and conform to the appropriate zoning requirements for lot frontage.
- vii) An initial application for consent from an original Crown surveyed lot shall not propose to create more than one new lot. No subsequent severance shall be granted or created from the original Crown surveyed lot until a building permit has been issued for the proposed primary use for the lot previously severed and the building to be constructed has been completed and an 'Occupancy Permit' has been issued for the building.
- viii) All new lots must be located on a year-round maintained Municipal road.
- ix) This Official Plan requires the severance of all new Non-Farm lots to comply with MDS I. All livestock facilities within the vicinity of the proposed severance shall be used in determining MDS I compliance.
- x) All new lots shall be located a minimum of 123 metres away from the boundary of an existing licensed gravel pit or 213 metres away from the boundary of an existing licensed quarry and not within 500 metres of lands zoned for a landfill site or within 500 metres of Mineral Resource Area shown on Schedule 'C' excepting however that a new lot for an existing residence surplus to a farming operation need not meet these setbacks. An existing farm residence surplus to a farming operation must be habitable at the time of application for consent.
- xi) All new lots must be within reasonable distance of an existing school bus route as determined by the appropriate school board(s).

.5 Lot Adjustments/Lot Enlargements

- i) Lot adjustments for legal or technical reasons shall be permitted. Lot adjustments shall be limited to such purposes as easements, correction of deeds, quit claims and minor boundary adjustments; all of which do not result in the creation of a new lot.
- ii) Any lot enlargements for an existing Non-Farm Lot or Non-Farm Residential Lot shall be in accordance with the following:
  - a) The maximum lot size shall be 4 hectares. Sufficient justification, in the opinion of the County of Bruce, must be provided by the applicant at time of application for a proposed lot size over 0.81 hectares (2 acres) in size.
  - b) Lands to be severed and merged with an existing lot of record must be designated 'R – Rural' excepting however when the existing lot of record is smaller than 0.4

- hectares (1 acres) in size, lands designated 'A – Agricultural' may be added to a maximum total lot area of 0.61 hectares (1.5 acres).
- c) In determining the designation of a lot of record for compliance with clause (b) above, the designation(s) underlying the 'Hazard Land Areas' designation, if present on a lot, shall also be used. There shall be sufficient developable area outside of the 'Hazard Land Area', including applicable environmental setbacks, for the proposed development.
  - d) The retained parcel must be viable for its existing or proposed future use in the opinion of the County of Bruce.
  - e) In order to avoid narrow linear parcels of land the frontage-to-depth ratio shall be a maximum of 1:3 and conform to the appropriate zoning requirements for lot frontage.
  - f) This Official Plan requires severances for the purpose of an enlargement to an existing lot of record to comply with MDS I. All livestock facilities within the vicinity of the proposed severance shall be used in determining MDS I compliance.

#### 6.5.3.5 Consents – Rural Recreational Areas

The severance of land within the Rural Recreational Area shall be considered under the following instances:

- i) When the proposed lot is in conformity with the policies of Section 5.3 Rural Recreational Area;
- ii) Waterfront lots shall have a minimum lot area of 4,047 square metres. All non-waterfront lots shall have a minimum lot area of 8,094 square metres. Larger lots may be required in order to accommodate private water and sewer servicing;
- iii) Minimum lot areas referred to in clause (b) may be reduced when so permitted in a detailed Local Official Plan or when the lot has access to one or more communal services, or when the appropriate authority or its designated agent has certified that a smaller lot size is appropriate. In this regard the County of Bruce may require a Nitrate Study and/or other identified Studies, Reports etc.;
- iv) In order to avoid narrow, linear parcels of land, the frontage-to-depth ratio for a new waterfront lot shall generally be a maximum of 1:3 and the lot shall conform to the appropriate zoning by-law in reference to minimum lot frontage and any other applicable provisions. Justification for deviation from the 1:3 frontage-to-depth ratio shall be submitted together with the development application;
- v) When considering approval of a lot, the Land Division Committee may require the submission of the information and technical studies as would be required for a plan of subdivision;
- vi) All residential lots created by consent shall have frontage on an assumed and maintained municipal road that is of a standard suitable to accommodate additional traffic;
- vii) A new lot(s) shall be limited to, regardless of the type of construction of the building or structure, a seasonal use when any of the following municipal services are not currently provided on the roadway to which the lot(s) will access: year round road maintenance, roadside garbage and recycling pick up. An existing school bus route must be within reasonable distance as determined by the appropriate school board; and
- viii) When a non-waterfront lot is proposed, the new lot being created shall have adequate public access to the waterfront.

#### 6.5.3.6 Consents - Inland Lake Areas

.1 The severance of land within the Inland Lake Areas shall be considered under the following instances:

- i) In accordance with Section 6.5.3.5 [Consents – Rural Recreational Area].

.2 Notwithstanding the above, the following additional policies apply:

- i) Back lots shall be 1 hectare, or greater if required by the Grey Bruce Health Unit;
- ii) A setback of 30 metres, where possible, to the high water mark shall be maintained, except

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- for minor infilling or rounding out on the periphery of the existing built-up area for the creation of a maximum of two additional building lots;
  - iii) Setback shall in no case be less than 10 metres;
  - iv) Natural vegetation between the lake and residential buildings will be preserved where possible;
  - v) The separation distance requirements of the Minimum Distance Separation formula shall be met; and
  - vi) When a back lot is proposed, the new lot being created shall have adequate public access to the waterfront.

#### 6.5.3.7 Consents - Major Open Space Areas

The severance of land within the Major Open Space Area shall be considered under the following instances:

- i) Consents to create new lots which are, in whole or in part, within the Major Open Space Area, other than for public authority acquisitions, will only be considered where the resulting lots are at least 20 hectares in area. Any new lot created by consent for a public authority need not front on, or have access to, a public road allowance provided such lot is part of a Wetland or ANSI acquisition program or similar passive open space acquisition program which has been approved by the County.

#### 6.5.3.8 Consents – Mineral Resource Areas

No severances for residential or other similar uses, with the exception of a residence surplus to a farming operation as permitted in Section 6.5.3.3 [Consents – Agricultural Area] or a use existing at the time of severance as permitted in Section 6.5.3.4.1(b) [Consents – Rural Areas], shall be permitted in an identified Mineral Resource Area, as identified on Schedule 'C' or within 500 metres of an identified Mineral Resource Area as identified on Schedule 'C'.

#### 6.5.3.9 Consents - Niagara Escarpment Planning Area

- .1 Prior to formally submitting a consent application to the County, the applicant shall obtain the approval of a development permit from the Niagara Escarpment Commission for lands in the area of Development Control by the Niagara Escarpment Commission.
- .2 When circulated Development Permit Applications for comment, County staff, as a minimum, shall comment in terms of how the application conforms to the Official Plan and development standards that would otherwise exist.
- .3 The Niagara Escarpment Plan contains detailed policies for the creation of New Lots in the Escarpment Natural, Escarpment Protection and Escarpment Rural Area designations. In all designations consents must be in accordance with the Permitted Uses and Development Criteria, and are permitted for:
  - i) The purposes of correcting conveyances, enlarging existing lots or through acquisition by a public body, provided no new building lot(s) is created.
  - ii) A lot may be created by severing one original township lot or half township lot (where the original township lot is 80 ha) from another township lot or half township lot provided there have been no previous lots severed from one of the affected township lots. Such severance shall only occur along the original township lot line.
  - iii) Where more than one single dwelling exists on the same lot, the additional dwelling(s) may be severed provided all of the following criteria are met:
    - (a) That neither the dwelling to be severed nor the dwelling(s) to be retained were approved on the basis that they would be for temporary use or for farm-help;
    - (b) That all the dwellings on the property are legally existing uses and have received

- (c) approval from the municipality;  
That both the dwelling to be severed and the dwelling retained are in a reasonable standard for habitation and have been used as a dwelling unit within the year before making application to sever;
  - (d) A mobile or portable dwelling unit shall not be severed.
- .4 Where more than one single dwelling exists on the same lot and where these dwellings comply with provisions of Part 2.4.15 of the Niagara Escarpment Plan (1994) such dwelling(s) shall be considered as though it were a previous severance for the purpose of applying the new lots policies of the applicable designation (e.g., 2 dwellings would be considered as 2 parcels for the purposes of determining density).
- .5 In addition to the above, consents may also be permitted for the following in the Escarpment Protection Area and Escarpment Rural Area designations:
- i) New lots for agricultural operations provided both the severed and remnant parcels are of sufficient size to remain useful for agricultural purposes within the Escarpment Protection Area and Escarpment Rural Area designations.
  - ii) One new lot may be permitted per original township lot (or half township lot where the original township lot is 80 ha) for a Permitted use within the Escarpment Rural Area.

## **6.6 HOLDING PROVISIONS**

### **6.6.1 General**

- .1 It is the intent of this Official Plan that local municipalities may make use of the provision of the Planning Act, whereby the Council of a local municipality may by By-Law utilize a Holding Symbol "H" or "h" in conjunction with a zoning designation. The municipalities may designate in a Zoning By-Law the ultimate use of specific lands, however the municipalities may delay the actual development to a future date, when certain conditions regarding the specific development are met. Holding provisions are only to be used if there is certainty that the conditions of development can be met.
- .2 Through the Comprehensive Zoning By-Law, the Municipality may see fit to pre-zone property for development. In such cases, the Municipality may place a Holding Symbol on the zone which prevents any development from taking place until the municipality is satisfied that certain conditions have been met. In such instances the municipality can indicate its support for the principle of the development but also identify the need for additional actions prior to development proceeding.
- .3 The use of a Holding Symbol is seen as an effective tool in the streamlining of the approval process. Following a public notice, the municipality simply has to pass a By-Law to remove the Holding Symbol once the municipality is satisfied that the conditions have been met. There is no appeal period with such By-Laws, thereby allowing development to proceed quickly once the conditions have been met.
- i) The municipality may utilize the Holding Symbol "H" or "h" for all zones in the Comprehensive Zoning By-Law as a means of ensuring that certain conditions have been met prior to development proceeding.
  - ii) When lands are placed under the Holding Symbol, the use of the lands and buildings shall be limited to those that existed prior to the Holding Symbol being placed on the property. In some circumstances, the municipality may allow additions or alterations to existing uses.
  - iii) The municipality shall pass a By-Law removing the Holding Symbol from the property once they are satisfied that conditions are met and/or agreements entered into which ensure for the orderly development of the lands.
- .4 Conditions to be imposed by the municipality may include:

- i) The owner/developer entering into a Site Plan Control or Subdivider's Agreement to the satisfaction of the municipality;
- ii) The owner/developer making satisfactory arrangements for the installation of sanitary or storm sewer, water and road services;
- iii) The owner/developer receiving final approval for a plan of subdivision or condominium from the approval authority, and that all the conditions have been met such that the lots or units are ready for release;
- iv) The owner/developer making satisfactory arrangements for parking, including cash-in-lieu of parking;
- v) The development/redevelopment within the downtown commercial core is in accordance with the design and site criteria established by the municipality; and
- vi) The development/redevelopment for commercial and industrial uses is in accordance with the design and site criteria established by the municipality.

## 6.7 LEGAL NON-CONFORMING USE

.1 Notwithstanding Section 6.4 [Local Zoning By-laws], this Plan is not intended necessarily to prevent the continuation, expansion, or enlargement of uses which do not conform to the designations and provisions of this Plan. At their sole discretion, the Councils of the local municipalities may zone to permit the continuation, expansion or enlargement of legally existing uses, or changes to similar uses, provided that such uses:

- i) Have no adverse effect on the present uses of the surrounding lands or the implementation of the provisions of this Plan;
- ii) Are not located in a floodplain or floodway;
- iii) Have regard for the Provincial Minimum Distance Separation Formula as amended from time to time, if applicable;
- iv) Are accessible by a public road which is maintained by the appropriate authority as open to traffic on a year-round basis;
- v) Are subject to any conditions that may be contained in a local Municipal Official Plan;
- vi) Must be in appropriate proportion to the size of the existing use; and,
- vii) Will not create or further aggravate a traffic hazard.

.2 Each case will be considered on its own merits by the Council of the respective local municipality and may be subject to site plan control.

### 6.7.1 Legal Non-Conforming Use – Agricultural and Rural Areas

.1 Notwithstanding Section 6.7 [Legal Non-Conforming Use] and Section 6.4 [Local Zoning By-laws] of this Plan are not intended necessarily to prevent the continuation, expansion, or enlargement of uses, which do not conform, to the Agricultural and Rural designations and provisions of this Plan. At their sole discretion, the Councils of the local municipalities may zone to permit the continuation, expansion or enlargement of a legally existing use, or a change to a similar use, provided that:

- i) The proposed use is permitted in either the 'Rural' or 'Agricultural' designations; and
- ii) The existing use of the land, buildings or structures is a legal use currently recognized in the implementing comprehensive zoning by-law or is a legal non-conforming use in the implementing comprehensive zoning by-law; and
- iii) The proposed use does not require large volumes of water nor generate large volumes of effluent; and
- iv) The proposed use has no adverse effect on the present uses of the surrounding lands or the implementation of the provisions of this Plan; and
- v) The proposed use is not located in a floodplain or floodway; and
- vi) The proposed use has regard for the Provincial Minimum Distance Separation Formula as amended from time to time; and
- vii) The proposed use is accessible by a public road which is maintained by the appropriate authority as open to traffic on a year-round basis; and

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- viii) The proposed use is subject to any conditions that may be contained in a local Municipal Official Plan; and
  - ix) The proposed use must be in appropriate proportion to the size of the existing use; and
  - x) The proposed use will not create or further aggravate a traffic hazard.
- .2 Each case will be considered on its own merits by the Council of the respective local municipality and may be subject to site plan control.

## **6.8 FINANCIAL IMPACT OF DEVELOPMENT**

It is the policy of County Council to approve development proposals only when the County is in the financial position to provide the County services required by such development.

## **6.9 PUBLIC PARTICIPATION**

- .1 It is the policy of County Council to inform the public about planning and development proposals and trends taking place in the County.
- .2 It is the policy of County Council to provide the opportunity for residents to become involved and participate in the planning process in accordance with the policies of this Plan and the requirements of the Planning Act.
- .3 It is the policy of County Council to encourage the participation of the public when Council is considering changes to this Plan by using a variety of techniques.
- .4 Subject to the requirements of the Planning Act, County Council shall establish the public consultation program it feels will best be able to deal with the matter before it. In this regard, County Council may request input from the local municipalities on the most appropriate structure for the public consultation program.
- .5 It is the policy of County Council to provide notification of any Amendment to this Plan in accordance with the requirements of the Planning Act. County Council encourages a pre-submission consultation on applications under the Planning Act. In addition, public meetings on amendments to this Plan shall be conducted by a Committee of Council to obtain the views of the residents of the County.

### **6.9.1 First Nations**

- .1 The County recognizes the desire of First Nations communities to be consulted on new development proposals within Bruce County. The County also recognizes that there are many common areas of concern related to new development proposals that include but are not necessarily limited to impacts upon fish and wildlife habitat, proper identification of archaeological resources identification and protection of burial grounds, and the impacts of new development on source water and the Great Lakes.
- .2 At the same time, it is recognized that meaningful consultation is difficult without a formal communication protocol in place, which spells out:
- (i) The types of issues that require consultation;
  - (ii) Specific geographic areas of concern; and
  - (iii) The roles of First Nations, proponents, local municipalities, the County and the Crown in the consultation process.
- .3 The County shall endeavour to continue to work with the Crown and the First Nations towards a formalized consultative process. In the interim, the County shall:
- (i) Continue to provide notice of all new development applications to First Nations where the application is within one (1) kilometre of a reserve;



- (ii) Continue to provide open dialogue with First Nations Chiefs, band councils and Saugeen Ojibway representatives;
- (iii) Assist First Nations and Metis representatives in obtaining information on development applications that they have identified an interest in;
- (iv) Consult with the Saugeen Ojibway Nations for those lands identified in Appendix 'A' which does not constitute part of this Official Plan; and
- (v) Have regard for the results of a study being undertaken by the Saugeen Ojibway Nation on interior travel routes, former settlement areas and areas of past use, when it is available.

#### **6.10 COMMITTEE OF ADJUSTMENT**

- .1 It is the policy of County Council that the Local Councils or Local Committees of Adjustment shall be guided by the intent of this Official Plan, a local official Plan (where one exists), the local Zoning By-Law and the Planning Act when considering requests for a minor variance from one or more of the provisions or standards of the Zoning By-Law.
- .2 The Committee of Adjustment when considering minor variance applications, and when applying the tests prescribed in this Section and the Planning Act, shall have before it sufficient and adequate information upon which to make an informed decision.
- .3 Where the land or building that is the subject of an application is not covered by a local Official Plan it is the policy of County Council that the applicant demonstrate to the satisfaction of the Committee of Adjustment that the requested minor variance will result in a development which meets each of the four following conditions:
  - i) It is consistent with the intent of the Official Plan;
  - ii) It is consistent with the character of the surrounding land uses;
  - iii) It is consistent with the intent of the local zoning By-Law; and
  - iv) It is minor in nature.

#### **6.11 PUBLIC WORKS**

- .1 It is the policy of County Council that the construction of public works shall be used to implement the policies of this Plan.
- .2 It is the policy of County Council that no public works shall be carried out and no By-Law under the provisions of the Planning Act shall be passed by the County or a local municipality that are not in conformity with this Plan or that will permit development that is not in conformity with this Plan.

#### **6.12 MUNICIPAL FINANCE**

- .1 It is the policy of County Council that new development shall bear the full cost of its share of Municipal costs.
- .2 It is the policy of County Council not to undertake any actions that would place the County at financial risk.
- .3 It is the policy of County Council to ensure that Municipal costs attributable to new development are recovered through development charge levies or any other method of financing, in accordance with the Development Charges Act, Municipal Act and/or any other applicable statutes.
- .4 It is the policy of County Council, in reviewing any development proposal to consider the following matters to determine its financial impact on the County:
  - i) The effect of the proposal on the County general tax levy;
  - ii) The potential revenue-generating ability of the proposal; and
  - iii) Any other financial considerations that Council may deem necessary.

### **6.13 MAINTENANCE AND OCCUPANCY BY-LAWS**

- .1 It is the policy of County Council to encourage each local municipality to pass by-laws establishing minimum standards of maintenance and occupancy to conserve, sustain and protect the existing and future development in the municipality; prepare Community improvement plans where appropriate; and take advantage of federal and Provincial programs designed to upgrade and improve built-up and particularly the housing stock.
- .2 The maintenance and occupancy by-laws, applicable to all properties in the municipality may contain requirements with respect to:
  - i) Garbage disposal;
  - ii) Pest control;
  - iii) Structural maintenance of building;
  - iv) Safety of buildings;
  - v) Cleanliness of buildings;
  - vi) Services to buildings;
  - vii) Keeping lands and waterfront properties free from rubbish, debris, weeds, abandoned or used vehicles, trailers, boats, barges, mechanical equipment or material;
  - viii) Maintaining yards, land, parking and storage areas;
  - ix) Maintaining fences, swimming pools, accessory buildings and signs; and
  - x) Occupancy standards.

### **6.14 PRESERVATION OF TOPSOIL**

It is the policy of County Council to preserve topsoil as one method of ensuring the continuation of a strong agricultural industry. It is the policy of County Council that topsoil shall not be removed within the County except in accordance with a By-Law passed under the Topsoil Preservation Act.

### **6.15 LAND ACQUISITION**

County Council and the Council of any local municipality may acquire land to implement any policy of this Plan in accordance with the provisions of the Municipal Act, the Planning Act, or any other Statute.

### **6.16 PROVINCIAL POLICIES**

- .1 There are many Provincial policies that influence growth and development in Bruce County. The intent of those Provincial policies are embodied in the policies of this document, as the County is being consistent with the Provincial Policy Statement in the formulation of the policies developed as part of Official Plan Amendment #99 and Official Plan Amendment #116 as modified. It is intended therefore, that with the approval of this Plan, that these policies have regard to the existing Provincial Policy Statements.
- .2 In some instances the policies of County Council are more limiting or restrictive than the associated Provincial Policy Statements. In those instances, the policies of this Plan shall take precedence.

### **6.17 APPLICATIONS TO THE BRUCE COUNTY OFFICIAL PLAN**

Applications shall be reviewed with reference to the Official Plan policies in force and effect as of the date of a complete application submission excepting however that a decision of Council shall be consistent with the provincial policy statement(s) that is in effect as of the date of the approval/decision.

## 6.18 PRE-SUBMISSION CONSULTATION

- .1 Prior to the submission of an application for an amendment to the County of Bruce Official Plan or a Plan of Subdivision or Condominium Description, a Pre-Submission Consultation meeting between the County and the applicant is required. Additional parties including an affected lower tier municipality and agencies deemed appropriate by the County may be included in the Pre-Submission Consultation meeting. A Pre-Submission Consultation meeting may be waived at the discretion of the Bruce County Planning and Economic Development Department.
- .2 Prior to the submission of an application for an amendment to a local Comprehensive Zoning By-law, or an application for a minor variance, or an application for site plan control to a lower tier municipality; a Pre-Submission Consultation meeting between the lower tier municipality, the applicant and agencies deemed appropriate by the municipality may be required as set out in an implementing By-law.

## 6.19 OTHER INFORMATION TO BE SUBMITTED IN SUPPORT OF A PLANING APPLICATION

- .1 As per Section 22(5) (Other Information) and/or Section 34(10.2) (Other Information) and/or Section 51(18) (Other Information) and/or Section 53(3) (Other Information) of the Planning Act R.S.O. 1990, c.p.13, as amended to March 30, 2007 a person, public body or applicant shall provide together with an amendment or application, in addition to the information prescribed by the Planning Act, or Regulations thereto, any or all of the following Assessments, Evaluations, Reports, Statements, Studies or Plans as requested by the Province of Ontario, County of Bruce, any lower tier municipality or any agency at the sole discretion of the County of Bruce:

- i) Adjacent Land Compatibility Study
- ii) Agricultural Lands Impact Study
- iii) Aggregate Studies (As related to/and in compliance with the requirements of the Aggregate Resources Act including rehabilitation for new and expansions to existing pits and quarries)
- iv) Aggregate Licence Compatibility Assessment
- v) Aggregate Potential Assessment
- vi) Air Quality/Dust/Odour Study
- vii) Airport Impact Study
- viii) Arborist Report
- ix) Archaeological Assessment
- x) Blasting Impact Study
- xi) Completed Application Form
- xii) Daylight, Sunlight and Overshadowing Report
- xiii) Endangered Species Assessment
- xiv) Environmental Impact Statement/Environmental Impact Study
- xv) Environmental Site Assessment (Phase 1 and Phase 2, Record of Site Condition)
- xvi) Erosion and Sedimentation Control Plan
- xvii) Fisheries Impact Assessment
- xviii) Floodplain and Erosion Hazard Study
- xix) Groundwater Impact Study / Well Interference Study
- xx) Heritage Impact Study
- xxi) Housing Affordability/Issues Report
- xxii) Hydrogeological Study/Hydrology Study
- xxiii) Landscape Character Assessment
- xxiv) Landscaping Plan
- xxv) Lot Grading and/or Drainage Plan
- xxvi) Market Impact Assessment/Retail Impact Study
- xxvii) Master Drainage Plan
- xxviii) Master Road Network Plan
- xxix) Minimum Distance Separation I or II (MDS I or MDS II) Calculations
- xxx) Natural Heritage Study:
- xxxi) Nitrate Study

- xxxii) Ornithological Impact Assessment/Avian/Bird/Study
- xxxiii) Parking and/or Loading Study
- xxxiv) Planning Justification Report
- xxxv) Sanitary and/or Storm Sewer Study
- xxxvi) Septic System Impact Assessment
- xxxvii) Servicing Capacity Report
- xxxviii) Servicing Options Statement
- xxxix) Significant Woodlands Study
- xl) Site Plan Application
- xli) Soils/Geotechnical Assessment (Slope Stability Study)
- xl ii) Stormwater Management (Quality & Quantity) Report
- xl iii) Structural Engineering Analysis (Existing Buildings and Structures)
- xl iv) Surface Water Impact Assessment
- xl v) Terrestrial Wildlife Environment Assessment
- xl vi) Tree Preservation/Retention Plan
- xl vii) Traffic Impact Study
- xl viii) Urban Design Study
- xl ix) Vibration and/or Noise Impact Report
- l) Wetland Evaluation

- .3 The specific submission requirements for any given application will be determined depending on the phase and/or scale of the proposal, its location, its location in relation to other land uses, and whether the proposal implements other planning approvals that may have been previously obtained, prior to consideration of the specific application.
- .4 All Assessments, Evaluations, Reports, Statements, Studies or Plans shall be prepared/conducted by an individual(s) qualified in the subject under study by their respective governing body or an individual(s) who is competent by virtue of training and experience to engage in practices that would also constitute professional practice. Such qualifications shall be submitted with the Assessments, Evaluations, Reports, Statements, Studies or Plans.
- .5 The Terms of Reference for an Assessment, Evaluation, Report, Statement, Study or Plan shall:
  - i) Be determined through consultation and direction from the County of Bruce and/or the local municipality and/or any relevant agency and/or the Province of Ontario; or
  - ii) Be prepared in accordance with applicable industry standards, norms, practices and/or government guidelines/regulations.All Terms of Reference shall be approved by the County of Bruce.
- .6 Peer reviews of an Assessment, Evaluation, Report, Statement, Study or Plan or any other study required to support a development application or proposal may be required by the County of Bruce or the local Municipality, at the cost of the proponent.
- .7 Notwithstanding the required studies and assessments listed above, Council may ask for any additional information that is considered reasonable and necessary in order to make a decision on a planning application.

## **6.20 GUIDELINE DOCUMENTS**

- .1 County of Bruce Council and/or lower tier municipal Councils may adopt guideline documents to provide detailed direction for the implementation of Official Plan policies. Guideline documents proposed pursuant to these policies and adopted by the respective Council, shall be added to the list in Section 6.20. Provincial guideline documents are also used in the implementation of Official Plan policies.

- .2 **Purpose**  
Guideline documents are intended to outline the technical standards or requirements for various aspects of development. Guideline documents will be initiated by Council on a regulatory issue and may contain policies, standards, and performance criteria that are either too detailed, or require more flexibility, in interpretation or implementation, than the Official Plan would allow. Depending on the nature of the guideline document, they will provide specific direction for the preparation and review of development proposals, the identification of conditions to development approval, or the planning of improvements to public services and facilities.
- .3 **Content**  
Guideline documents may be adopted by Council to assist with the implementation of any aspect of the Official Plan. In particular, guideline documents shall be adopted to assist with the implementation of any aspect of the Official Plan for the following, but are not limited to the following:
- .4 **Status**  
Guideline documents will be adopted by resolution of Council. Development proposals shall be reviewed to determine their conformity with the provisions of any applicable guideline document and conditions may be imposed upon the approval of the development. Council may allow a reduction, change, or waiver of the provisions of a guideline document if it is of the opinion that such action is warranted and that the general intent of the Official Plan will be maintained.
- .5 **Public Participation and Review**  
The preparation of a guideline document will include provisions to encourage input from agencies, associations, and individuals that have an interest in the subject matter. Before adopting a guideline document, Council will hold a public meeting to provide for input from interested parties.

## **6.21 ALTERNATIVE NOTICE**

- .1 A person or public body may elect to receive notices, information, materials or other similar notice requirements as set out in:
- i) Ontario Regulation 543/06 Official Plans and Amendments, or
  - ii) Ontario Regulation 197/96 Consent Applications, or
  - iii) Ontario Regulation 200/96 Minor Variance Applications, or
  - iv) Ontario Regulation 544/06 Plans of Subdivision, or
  - v) Ontario Regulation 545/06 Zoning By-Laws, Holding By-Laws & Interim Control By-Laws
- .2 By electronic mail [e-mail] by submitting a written request [including name and e-mail address] to the Clerk of the County of Bruce or the Clerk of a local municipality.
- .3 Where it is found necessary to make a technical amendment to a local comprehensive Zoning By-Law, such as correcting clerical, grammatical or typographical errors or the numbering of provisions or sections, a local Council may forego the public meeting required pursuant to Section 34(12) of the Planning Act, as amended.

## 7.0 INTERPRETATION

- .1 Unless otherwise specified in this Plan, major deviations from the provisions of the text and Schedules 'A', 'B' and 'C' of this Plan will require an Amendment to this Plan.
- .2 In order to provide for flexibility in the interpretation of the numerical figures and quantities in the text, it is intended that such figures and quantities be considered to be approximate, where wording such as 'generally' or 'may' indicates such, and that for the purposes, of preparing local Municipal official Plans, Zoning By-laws, subdivision approvals, site plan approvals, Consents or building permits, minor deviations maybe permitted without Amendment to this Plan, provided that such deviations do not alter the intent of this Plan.
- .3 The examples of permitted uses are included in this Plan to illustrate the range of activities permitted in each designation. Specific uses shall be defined at such time as the local Municipal Official Plans and/or Zoning By-Laws come into effect but shall not alter the intent of this Plan.
- .4 Schedule 'A' shows the extent and boundaries of the Plan designations.
  - i) Where the external boundaries of the Primary, Secondary, Hamlet, Rural Recreational Area, Inland Lake Development, Estate Residential, Travel Trailer Park, or Major Open Space designations or a Special Policy Area(s) abut roads, rights-of-way, lot lines, concession lines and watercourses, it is intended that these boundaries shall coincide with such features. Deviations from the boundaries shall require an Amendment to this Plan.
  - ii) Minor deviations from the boundaries of the Agricultural, Rural, or Hazard Land Area designation boundaries may not require an Amendment to this Plan.
- .5 Where clarification is required for the interpretation of any policy in the Plan, reference shall be made to the General Policies and to the goals and objectives of the Plan.
- .6 Additional 'Notes' and other clarification 'boxes' have been included in the text and on the Schedules to this Official Plan for reference, clarification and convenience purposes. Information of this nature is subject to addition, change and/or deletion without an amendment to this Plan.
- .7 Changes and corrections to references including references to other documents and /or internal referencing and/or the renumbering of sections and/or Sections shall not require an amendment to this Plan.