

**Official Plan
of the
Town Of South Bruce Peninsula
February 2001**

Oct 29, 2003 – Adopted by Municipal Council

Feb 27, 2004 – Passed by County Council with extensive revisions

Oct 8, 2004 – Approved by OMB

**For Office Use Only
Office Consolidations**

September 2004

July 25, 2008

December 30, 2008

May 5, 2009

November 3, 2009

May 31, 2010

October 2010

October 2012

December 2014

April 2015

February 2017

January 2018

January 2019

Ainley Group

Consultants

**OFFICIAL PLAN
OF THE
TOWN OF SOUTH BRUCE PENINSULA**

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Official Plan Of The Town Of South Bruce Peninsula

1. Introduction

1.1 Title and Contents

This document shall be known as “Official Plan Of The Town Of South Bruce Peninsula”.

The Official Plan of the Town of South Bruce Peninsula comprises the written text of Sections 1.0 to 11.0 inclusive and the accompanying map schedules:

- Schedule “A” - Land Use Plan
- Schedule “B” - Land Use Plan - Wiarton
- Schedule “B-1” - Phasing Plan - Wiarton
- Schedule “B-2” - Transportation Plan - Wiarton
- Schedule “B-3” - Community Improvement Plan - Wiarton
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- Schedule “C” - Land Use - North Shore Detail
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- Schedule “L” - Land Use - Boat Lake Detail
- Schedule “M” - Land Use - Sauble Beach Detail
- Schedule “N” - Land Use - Hepworth Detail

- Schedule “O” - Land Use - Gould Lake Detail
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- U-8: Map 5.2.SBP.W.1 Wiarton Water Treatment Plant Events-Based Area Policy Components

1.2 Purpose Of The Official Plan

Local Official Plans are the primary tool for implementing long-range Provincial, County and municipal land use policy. A local Plan is developed by municipal Council in partnership with the County and Province and is subject to approval, first, by the local municipality and then the designated approval authority, which, in this case, is the County of Bruce. This joint policy approach ensures that those reading/ using an up-to-date local Official Plan do so with the confidence that its policies address the long-range land use objectives of the County and Province in addition to those of the municipality itself.

It is recognized that although the above noted approach is intended to reflect the overall goals and objectives of the Bruce County Official Plan, specific land use policies and land use designations remain in effect at the County level for all lands outside of primary and secondary settlement areas. In cases where the plans conflict, the more restrictive of the policies shall apply.

Whereas the focus of Provincial and County policy tends to be on larger land use issues involving public health and safety, the preservation of Provincially-significant natural heritage features and resources and development efficiency,

the primary municipal aim in formulating new Official Plan criteria is to establish a strategy of growth which addresses the long-term living, working and recreational needs of the municipality's residents, while remaining true to the Plan's broader environmental, social and economical goals. To meet the aim of *sustainable development*, the policies of an Official Plan build upon themselves through a progressively more detailed outline of development policy generally commencing with a statement of the community's long-range vision for growth, followed by goals and objectives, implementing land use, transportation and servicing policy and, finally, detailed development and implementation guidelines. The Town of South Bruce Peninsula's Official Plan utilizes this progressive policy approach.

Although an Official Plan presents a long-range strategy for growth, it is a dynamic document in which allowance often is made for more comprehensive planning of specific parts of a community, usually through the preparation of secondary plans and/or by site-specific amendment. The Official Plan follows this approach and, as such, provides a 20 year strategy for future growth to the Year 2021, and the rules under which individual development proposals to facilitate that growth are to be considered.

The Official Plan establishes goals, objectives and land use, transportation and servicing policies to direct the physical growth of the Town of South Bruce Peninsula within the context of relevant social, economic and environmental constraints, in order to obtain the most desirable living environment for present and future residents.

It is intended that the Plan serve as a guide to municipal decision-makers in preparing implementing zoning criteria, undertaking public works, and in assessing the propriety of development applications, including Official Plan and Zoning By-law amendments, consent requests and plans of subdivision/condominium.

1.3 Basis of the Plan

The Official Plan is based upon the findings of a comprehensive Background Report which preceded the adoption of the Official Plan, as well as comments received from the public, the County of Bruce and Provincial, County and municipal agencies and departments.

The background works and process of consultation undertaken by the municipality produced conclusions regarding the Town's expected rate of growth, land need requirements and environmental and servicing constraints and

opportunities. This information, in turn, provided the basis for a municipal growth strategy focused on regulating the types of land use and forms of development to be permitted in rural parts of the community and in rural and urban settlement areas.

The policies of this Official Plan implement the municipal growth strategy detailed in Section 2.0.

1.4 Relationship of the Official Plan to the County Official Plan and The Provincial Policy Statement

On November 19, 1998, the Official Plan for the County of Bruce (referred to herein as the County Plan) was approved, with modifications, by the Minister of Municipal Affairs and Housing. Subsequently, the Minister of Municipal Affairs and Housing delegated authority to the Council of the County of Bruce to approve plans of subdivision/condominium and amendments to the County Plan and local municipal Official Plans.

The Planning Act requires that local Official Plans be in conformity with upper-tier County Plans. Accordingly, the criteria in this Official Plan of the Town of South Bruce Peninsula serve to implement the policies and long-range land use objectives of the County Plan, in addition to those of municipal Council.

In accordance with the Planning Act, the policies contained in both this Plan and the County Plan have been prepared having regard to matters of Provincial interest, including those explained in the Provincial Policy Statement.

1.5 Relationship of the Official Plan And Provincial Policy Statement to the Niagara Escarpment Plan

A portion of the Town of South Bruce Peninsula includes the Provincially-significant Niagara Escarpment and lies in the Niagara Escarpment Planning Area established pursuant to the Niagara Escarpment Planning and Development Act. On June 12, 1985, the Provincial Cabinet approved the Niagara Escarpment Plan (NEP). The NEP was revised on June 15, 1994 following its 5-Year Review as required under the Niagara Escarpment Planning and Development Act (NEPDA).

Section 14 of the NEPDA states, “Despite any general or special Act, where the Niagara Escarpment Plan is in effect and there is a conflict between any provision of the Plan and any provision of a local plan or any provision of a

zoning by-law covering any part of the Niagara Escarpment Planning Area, then the provisions of the Niagara Escarpment Plan prevail”.

Section IV.3 of the Provincial Policy Statement states, “Provincial Plans such as those adopted under the Niagara Escarpment Planning and Development Act, which have been approved by the Lieutenant Governor in Council, will take precedent over policies in the Statement”.

In accordance with the NEPDA and Provincial Policy Statement, this Plan has incorporated the provisions of the Niagara Escarpment Plan for that portion of the Town covered by the Provincial Plan.

The provisions of the Niagara Escarpment Plan continue to prevail over any local Plan or Zoning By-law where there is a conflict. The Niagara Escarpment Plan policies incorporated into this Official Plan are not to be interpreted in a manner which is determined to be less restrictive than the Niagara Escarpment Plan. However, the Town policies in this Official Plan that are more rigorous or restrictive than the Niagara Escarpment Plan are considered not to be in conflict with the Niagara Escarpment Plan and continue to apply.

1.6 Monitoring the Official Plan

The planning period of this Plan is to the year 2021. Council, however, in accordance with the Planning Act, shall from time-to-time, and not less frequently than every five years, hold a special meeting of Council, open to the general public to consider the need for revisions to the Plan.

To evaluate the effectiveness of the Official Plan, the Town will monitor development activity within the municipality including the creation of lots, issuance of building permits, and changes of land use resulting from amendments to the Official Plan and implementing Zoning By-law. Where it is deemed necessary, due to changes in the physical, social, economic and environmental make-up of the municipality, or as a result of new Provincial and/or County planning policy, the Official Plan shall be appropriately updated.

2. Municipal Growth Strategy

2.1 Growth Vision

The future aspirations of the Town of South Bruce Peninsula are encapsulated in the following mission statement:

The Town of South Bruce Peninsula which was created in January 1999 through the amalgamation of the former Town of Wiarton, Village of Hepworth, and the Township's of Amabel and Albermarle, is a vibrant urban and rural community. With extensive natural heritage features and recreational shoreline areas, the Town provides significant tourist opportunities and owing to its location is the gateway to the Bruce Peninsula. This coupled with its unique natural resources provide employment opportunities for its residents. It is, thus, the vision of the Town to create an environment which will:

1. Provide for the protection of the environmental/recreational resources of the Town.
2. Create sustainable employment opportunities.
3. Enhance the rural character of the municipality and the quality of life.

2.2 Agriculture

Agriculture will continue to be an important component of the Town's economy and a dominant feature of the rural landscape. Agricultural uses and areas and farm-related commercial and industrial uses will be protected from encroachment by incompatible land uses.

Farm sizes which maintain the economic viability of individual/stand alone agricultural operations shall be encouraged as a means of ensuring a thriving agricultural community, and discouraging the acquisition of farm holdings by permanent or recreational non-farm residents.

2.3 Future Settlements

2.3.1 Established Settlement Pattern

The Town of South Bruce Peninsula, located in the central portion of the County of Bruce is bordered by The Municipality of Northern Bruce Peninsula to the north, the Township of Georgian Bluffs to the east, the Municipality of Arran-Elderslie to the south and Lake Huron to the west. Three Indian Reserves, Cape

Croker which forms the northeasterly boundary of the former Township of Albermarle, Chiefs' Point Indian Reserve which is situated to the north of Sauble Beach and the Saugeen Indian Reserve which forms the northwesterly boundary of the former Township of Amabel exist. The Fishing Islands and other islands to the south in Lake Huron as well as Hay Island in Georgian Bay also form part of the municipality.

The County of Bruce Official Plan establishes Warton and Sauble Beach as primary urban communities and Allenford and Hepworth as secondary urban communities. Rural hamlets include Clavering, Elsinore, Howdenvale-Red Bay, Mar, Park Head and Purple Valley. Colpoy's Bay and Hope Bay which are rural hamlets fall within the Niagara Escarpment Plan area. The Oliphant area, while not considered as a primary, secondary or hamlet area, is a major seasonal development area.

2.3.2 Population/Land Need Projections

The County of Bruce Official Plan indicates that in 1991, the County's permanent population equaled 64,215 persons which was expected to increase to 85,500 persons in 2016. This represented an increase of 21,300 persons which was to be directed to primary and secondary urban areas. With a 2.8 persons per household, this increase in population would represent an additional 7,600 residential units. In 1996, the population of the Town of South Bruce Peninsula equaled 8,135 persons which is slightly higher than the present day population recorded at 7,500 persons. It is expected that this population will increase to 9,800 persons by the year 2021, representing an increase of 821 units. Within the Town of South Bruce Peninsula, the majority of growth is to be directed towards areas serviced with municipal sewer and water, such as Warton. Growth in un-serviced or partially serviced areas may be permitted in accordance with the interim servicing policies of this plan. These numbers may increase, however, as more people retire within the Town.

While these population/housing projections provide a useful guideline in ensuring an adequate supply of housing and services over the planning period, in some cases growth rates have been constrained by a lack of full municipal services. It, therefore, is Council's broader intent that growth rate and the provision of municipal services be monitored and that this Plan be subject to periodic review to determine whether additional lands need to be provided for new development. Where development, beyond those areas designated for future growth, is proposed by amendment to this Official Plan, Council, among other things shall:

- Require that the proponent prepare a justification report establishing the need for the proposed development as it specifically relates to the existing undeveloped land base designated by the Plan to accommodate growth to 2021.
- Review the consistency of the proposal with the long-range servicing objectives of the Official Plan and, more generally, the adequacy of the type of sewage disposal and water services proposed.
- Consider the impact the development may have on the Town's community services such as schools, parks, police and fire protection, and whether it will necessitate additional community facilities.
- Consider the implications of the proposed development on the Town's existing and future road network.
- Consider the development's potential impact on the agricultural community.
- Consider the development's potential impact on the Town's natural heritage resources through, where necessary, the preparation of an Environmental Impact Statement (EIS) prepared in accordance with Section 4.1.5.
- Consider the merits of the development proposal in relation to its compatibility with surrounding land uses and existing land use patterns.
- Consider the development's proposed design and any innovations it may offer in relation to housing affordability or lifestyle opportunities.

Although, as noted above, the population/housing projections developed for the Official Plan provide a useful method for gauging housing demand, it is the Plan's broader intent to foster a competitive real estate market and the establishment of a diverse range of land uses. Accordingly, while the areas designated for future growth on the Official Plan's land use schedules approximate those developed on the basis of these projections, they do not represent a precise demarcation.

2.3.3 Future Settlement Pattern

Prior to the restructuring, planning for these communities occurred independently, with the requirements for future growth being separately assessed and the designation of vacant lands for future residential, commercial, industrial and recreational land uses being determined for each of the former municipalities in isolation.

It is the central land use objective of this Official Plan to facilitate a rational approach to future growth in the Arestructured municipality, whereby major forms of development are directed toward the primary settlement areas best equipped with the hard and soft servicing infrastructure needed to efficiently accommodate intensive land use activity, in this way preserving the municipality’s natural heritage features, including its prime agricultural lands, for the long-term social and economic benefit of the Town’s residents.

A limited amount of additional growth will be permitted in rural and hamlet communities primarily through infilling, estate residential/rural business park development, existing vacant lot development and severance activity. Development in these settings will assist in addressing the projected demand for new housing, while, at the same time, offering residents an alternate (less urban) lifestyle opportunity.

For the purpose of this Plan, the Town’s settlement areas are classified as follows:

Primary Settlement Areas	Secondary Settlement Areas	Resort Areas
Wiarthon	Mar	Oliphant
Hepworth	Park Head	Sauble Beach
Sauble Beach*	Allenford	Howdenvale-Red Bay
	Elsinore	Colpoy’s Bay
	Clavering	Hope Bay
	Purple Valley	Mallory Beach

* Sauble Beach has been described in the County of Bruce Official Plan as a primary settlement area to which growth should be directed. While Sauble Beach functions as a service area providing a significant level of commercial uses to service both a residential and tourist population, the overall characteristic of Sauble Beach remains a mixture of seasonal tourist and permanent residential uses.

2.3.4 Development Concept

Within the primary settlement areas and the hamlet communities, the following development principles shall apply:

- Major residential growth shall be directed to the former Town of Wiarthon being the only serviced settlement area within the Town.

- Residential development outside of a municipally-serviced area shall be premised on large lot development with private services. This does not preclude the provision of municipal water.
- The commercial needs of the residents shall be provided by maintaining healthy commercial business districts in Wiarton, Hepworth and Sauble Beach.
- In other settlement areas, infilling and consolidation of commercial areas shall be encouraged.
- The development of tourist commercial facilities will be encouraged subject to amendments to the Plan.
- Institutional/business park development shall be located adjacent to the former Town of Wiarton where the infrastructure to efficiently accommodate development is available.
- Aggregate/quarry operations shall not adversely impact on the Town's natural heritage features.

The Official Plan's intent regarding the location, design characteristics and density of future development is enlarged upon in the land use, transportation, servicing, development and implementation policies which follow. The basic thrust of the Official Plan, however, is to facilitate development in the most rational and cost-effective way.

2.4 Environmental Resources

Increased environmental awareness and a public desire to link economic growth with environmental sustainability ensures that the preservation and management of natural heritage resources will play a prominent role in the evolution of the community. Areas of Natural and Scientific Interest (ANSI's) and Provincially-significant wetlands, agricultural areas, aggregate reserves, and fisheries and wildlife habitat are an important part of what makes the Town unique and will be protected.

Any future development, that may be permitted within or adjacent to an identified natural heritage resource, shall be established in a manner which minimizes disruption to the resource and the character of the municipality in general. An aggregate operation located adjacent to a natural heritage resource shall be rehabilitated in a manner consistent with the surrounding environment.

2.5 Niagara Escarpment Plan

The Niagara Escarpment includes a variety of topographic features and land uses extending 725 kilometres from Queenstown on the Niagara River to the islands off Tobermory on the Bruce Peninsula. It is a landscape unequaled in Canada, a source of some of Southern Ontario's prime rivers and streams and is one of Ontario's principal outdoor recreation areas.

By the passage of the Niagara Escarpment Planning and Development Act on June 22, 1973, the Provincial Government established a planning process to ensure that the area would be protected. From this emerged the Niagara Escarpment Plan, approved by Provincial Cabinet on June 12, 1985, and amended on June 15, 1994 which provides a framework of objectives and policies that endeavour to strike a balance between development, preservation and the enjoyment of this important resource.

In 1990, the United Nations Educational, Scientific and Cultural Organization (UNESCO) named the Niagara Escarpment as a World Biosphere Reserve which recognizes the natural features and ecological importance of the Escarpment and endorses the Niagara Escarpment Plan.

The Niagara Escarpment Plan affects a significant part of the easterly boundary of the Town including the lands within the former Town of Wiarton situated to the east of Gould Street.

It is the intent of this Official Plan to maintain consistency with the policies of the Niagara Escarpment Plan and to regulate future development in a way consistent with the Plan's land use designations and development policies, as well as those contained in the Official Plan of the County of Bruce.

2.6 Cultural Heritage

The municipality recognizes the importance of cultural heritage resources as a means of maintaining contact with the past, enabling a unique living environment and facilitating economic/tourism opportunities. It, therefore, is an objective of the municipality to establish a method of planning control to identify and protect heritage resources, including individual buildings, structures, monuments and/or unique districts.

2.7 Social Needs

Maintaining a high quality of life for the residents by ensuring a healthy, safe and family-oriented living and working environment is a primary objective of the municipality. The Town shall strive to offer a peaceful and secure family setting in an attractive location for all homeowners, from first-time home buyers to retirees, through the effective delivery of:

- Professional health care services (doctors/optometrists/dentists), and through the Town's support of the district hospital.
- A varied and affordable supply of housing for people of different incomes and ages, (single-detached/multiple-residences, nursing homes/senior citizen housing, accessory apartments/residential conversions, etc.).
- Social and community services including publically-sponsored services and those that rely heavily on the efforts and donations of volunteers within the community, (Meals-on-wheels, Home Care, etc.).
- Education programs that foster life skills which optimize employment possibilities, healthy living and self-fulfillment amongst the residents.
- Recreational facilities such as pools, arenas, community centres, etc., programs and events that encourage physical activity, social interaction and an appreciation of the Town's culture and heritage.

2.8 Transportation

The establishment and maintenance of a hierarchical network of roads between the Town's primary and secondary urban settlement areas, and into the agricultural community and neighbouring municipalities is a municipal priority in order to ensure quick and convenient access for residents to places of employment and commercial, recreational and community facilities and services, both within and outside the municipality.

2.9 Economic Growth

Employment opportunities will be provided through forestry, agriculture (agri-food industries), the aggregate/quarry industry service and light industry, and retail, service and tourist-related commercial facilities. The formation of a well-rounded, vibrant community with economic opportunities for people of all ages is an objective of Council. Major new industrial and commercial facilities will be directed primarily to the Warton area, where full municipal services are or will be available. The establishment of rural business parks shall be permitted in rural

areas, or at limited access highway interchanges, where appropriate sites within the settlement area are not available, where the economic need can be justified, and where there is the presence of complementary features such as major transportation facilities (e.g. airport), land-base resources or existing industrial and/or commercial development. Such rural business areas shall only be permitted through the development of a secondary plan and/or by site-specific amendment to this Plan.

2.10 Tourism

Tourism opportunities are expected to grow. The protection and enhancement of the Town's natural and historical attractions will be key to a successful tourism strategy, as will optimizing the opportunities associated with public and private recreational facilities, including golf courses, regional trail systems, and recreational resorts. Hunting and fishing also plays an important role both for the resident and the tourist.

3. Goals and Objectives General

The following goals and objectives form the basis for the more specific land use and development policies contained in the following sections of this Official Plan. They provide a framework for directing growth in a logical and orderly manner while safeguarding the Town's environmental and economic well-being.

A goal is a desired state which reflects the long-range purpose of the Plan and is related to a major area of concern. An objective is a short-range step toward the goal. It is concrete, realistic, action-oriented and attainable within a relatively short period of time. The achievement of an objective should move the goal closer to reality.

Based on a review of the planning, environmental and servicing characteristics of the Town and input from the general public, the following are Council's long-range land use goals and objectives.

3.1 Agriculture

3.1.1 3.1.1 Goal

It is the agricultural goal of this Official Plan to preserve agriculturally-productive land and promote the expansion of the agricultural industry.

3.1.2 3.1.2 Objectives

1. To protect agriculturally-productive lands from the encroachment of incompatible land uses by restricting the location of non-farm residential, commercial and industrial development and by encouraging non-farm uses to locate in non-productive agricultural areas.
2. To maintain agriculturally-productive lands in economically-viable units by preventing their fragmentation.
3. To protect the viability of confinement livestock enterprises by preventing the encroachment of non-agricultural uses.
4. To promote ecologically-sound agricultural practices through the use of best management practices.

To protect Class 1 to 3 soil as established by the Canada Land Inventory, and Class 4 soils in areas accommodating viable agricultural operations.

3.2 Rural

3.2.1 Goals

It is the rural goal of this Official Plan to provide for agricultural uses and a range of non-farm uses while monitoring the agricultural/rural character and natural heritage features.

3.2.2 Objectives

1. To protect existing agricultural operations and good agricultural land.
2. To provide opportunities for rural businesses, park and country recreational facilities subject to amendments to the Official Plan and/or Zoning By-law so as to protect the rural character of the Town.

3.3 Environmental

3.3.1 Goals

1. It is an environmental goal of this Official Plan to enhance the quality of the natural environment through the establishment of development guidelines and policies to protect the Natural Heritage features of the Town, and minimize land use conflicts within or adjacent to environmentally-sensitive areas.
2. It is an environmental goal of this Official Plan to protect the health and safety of area residents by preventing loss of life and minimizing property damage due to flooding and erosion.
3. It is an environmental goal of this Official Plan to conserve and protect the natural and cultural heritage of the Town by establishing development guidelines and policies governing the preservation of significant natural/cultural heritage and archeological resources.

3.3.2 Objectives

1. To protect the ecological features and functions in the Town, including rivers and streams, valleylands, wetlands, wildlife habitat and linkages, fish habitat, woodland and Areas of Natural and Scientific Interest (ANSI's).
2. To prevent development and/or site alteration on lands adjacent to provincially-significant wetlands, the habitat of threatened or endangered species, fish habitat, significant woodlands, significant valleylands, significant wildlife habitat or hazardous lands pending the completion of an

Environmental Impact Statement (EIS) demonstrating that the proposed methods of remediating any potential impacts on these and/or cultural heritage features are satisfactory to the regulatory agencies responsible for such resources.

3. To prevent the occurrence of development on lands having inherent environmental hazardous such as poor drainage, inundation, flooding, erosion, steep slopes or any other physical conditions which could endanger life or property.
4. To ensure that any existing or potential adverse impacts of one land use on another are adequately investigated and mitigated as a prelude to new development, and that appropriate measures are taken to minimize or eliminate these impacts and/or afford protection against them.
5. To prevent development which would impair the quality of adjacent water bodies including surface water and groundwater resources.
6. To correct or prohibit existing or potential sources of pollution by requiring the application of standards established by the Ministry of Environment or other regulatory agencies.

3.4 Mineral Aggregates

3.4.1 Goals

1. To balance the protection and use of mineral aggregate resources now and in the future with other goals of the Town of South Bruce Peninsula as expressed in the Official Plan, including, but not limited to the maintenance of natural heritage features, the maintenance and promotion of a quality tourism experience, the protection of natural eco-systems, the maintenance of local community values, and the strengthening of the local economy and tax base.
2. To encourage the rehabilitation of exhausted pits and quarries, and the redesignation and rezoning of such areas in a manner that will ensure their compatibility with surrounding land uses.
3. To identify potential mineral resource areas in the Town of South Bruce Peninsula, to protect them for possible use and to establish policies that allow as much of the resource as is realistically possible to be made available for use, to supply resource needs, in a manner which is consistent with the Official Plan.

3.4.2 Objectives

1. To protect mineral aggregate resources by restricting non-compatible development on or adjacent to identified areas of mineral aggregate resource potential.
2. To ensure that pits and quarries are properly buffered and rehabilitated to maintain the visual attractiveness and general rural character of the municipality.
3. To ensure, through the land use planning and licensing process, that pit and quarry operations do not create groundwater depletion or contamination.
4. To ensure that pits and quarries do not adversely impact on natural heritage features.

3.5 Social and Cultural Heritage

3.5.1 Goals

1. It is a social and cultural heritage goal of this Official Plan to maintain the aesthetically-pleasing characteristics of the municipality and general quality of life.
2. It is a social and cultural heritage goal of this Official Plan to preserve natural/cultural heritage and archaeological resources.

3.5.2 Objectives

1. To identify and preserve significant historical and cultural buildings, structures, monuments and/or unique districts which reflect the rich past of the residents.
2. To promote/encourage the designation of significant heritage resources.

3.6 Development Form

3.6.1 Goals

1. It is a development goal of this Official Plan to encourage development in a manner consistent with and compatible with the demographic structure and social needs of the Town's residents.
2. It is a development goal of this Official Plan to encourage a high-quality, varied and affordable supply of housing for all municipal residents.

3. It is a development goal of this Official Plan to enable compatible forms of growth in a manner which protects the Town's natural environment and agricultural industry, while maintaining the general rural character and quality of life.

3.6.2 Objectives

1. To guide and direct future development in a manner which does not place undue pressure on municipal services and resources or compromise the Town's financial stability.
2. To ensure that new development is consistent with the standards and requirements of the Ontario Building Code, and that existing properties are maintained to a minimum standard.
3. To direct major forms of new development to the Town's primary (municipally-serviced) urban settlement areas.
4. To ensure that a sufficient supply of lands is available to meet the future needs of the Town's residents for new development.
5. To encourage innovative forms of development which protect the Town's natural and topographical features and/or facilitate affordable accommodation for the municipality's residents.
6. To provide sufficient diversity in housing types to meet the lifestyle preferences of the Town's residents.
7. To minimize the impact of new development on the function and aesthetic quality of the natural and cultural heritage resources.
8. To establish cost-effective development standards for new residential development and redevelopment to reduce the cost of housing.
9. To encourage a balanced ratio of commercial and industrial assessment to residential assessment.

3.7 Municipal Services

3.7.1 Goal

1. It is the municipal services goal of this Official Plan to provide adequate and safe systems of water supply, sanitary sewage disposal and storm drainage to all areas of development.

3.7.2 Objectives

1. To optimize the opportunity for the provision of full municipal sewage and water services in major new development areas.
2. To direct major forms of new growth to municipally-serviced, primary urban settlement areas.
3. To encourage progressive, staged development from existing built-up areas in order to minimize the need for major servicing extensions.
4. To upgrade and improve existing municipal services to meet the future growth requirements.
5. To ensure that the establishment of private or partial servicing systems occurs in a manner consistent with all relevant municipal, County and Provincial regulations.
6. To ensure that new development does not have an adverse affect on the Town's environmental resources and groundwater supply.
7. To encourage the improvement of existing substandard private sanitary sewage disposal systems.
8. To ensure that no development occurs without an adequate supply of potable water and method of sanitary sewage disposal.

3.8 Transportation

3.8.1 Goals

1. It is a transportation goal of this Official Plan to facilitate the establishment of a transportation network which enables the efficient and safe movement of people and goods throughout the Town.
2. It is a transportation goal of this Official Plan to establish a system of pathways and trails linking the Town's urban communities and major development areas as an alternative to the vehicular network of roads.

3.8.2 Objectives

1. To foster an integrated (hierarchical) transportation system, in cooperation with the Town's neighbouring municipalities, particularly as it relates to the establishment of arterial and regional road networks.
2. To ensure that all new streets are of good quality by requiring new subdivision roads to meet the standards of the Ministry of Transportation and/or the Town.

3. To ensure the provision of adequate off-street parking facilities, particularly in the central business districts of primarily urban settlement areas.

To ensure the continued and safe movement of vehicular and pedestrian traffic by controlling the number of access points to major roads.

3.9 Recreation

3.9.1 Goal

1. It is the recreational goal of this Official Plan to optimize the recreational potential of the Town by ensuring sufficient lands are preserved for recreational purposes and by optimizing existing recreational resources.

3.9.2 Objectives

1. To provide sufficient park, recreation and sport facilities both by direct acquisition and by receiving the maximum parkland dedication permitted under the Planning Act.
2. To locate parks in a way which benefits the greatest number of people when new development is under consideration.
3. To ensure the timely expansion and/or improvement of existing recreational facilities through the preparation of a Recreation Master Plan, and by, wherever practical, encouraging the enlargement of existing parks.
4. To establish new and reinforce existing systems of pedestrian (walking/jogging/bicycling/cross-country skiing) and motorized (snowmobile) trails, and to coordinate regional trail improvements with neighbouring municipalities.

3.10 Industrial/Commercial

3.10.1 Goals

1. It is the industrial/commercial goal of this Official Plan to maximize the economic and employment potential of the Town by encouraging a variety of enterprises.
2. It is an economic goal of this Plan to promote new industry by providing suitably-located areas for the varying forms of industrial development.
3. It is an economic goal of this Official Plan to maximize the recreational/tourism potential of the Town.

It is an economic goal of this Official Plan to provide an economic climate attractive to new industry.

3.10.2 Objectives

1. To provide an adequate supply of industrial/commercial lands to meet the projected needs of the community.
2. To ensure that sites intended to accommodate major forms of new industry have access to major transportation routes and full municipal services.
3. To encourage the development and/or expansion of existing industrial enterprises.
4. To encourage agriculturally-related industry, particularly that involving agricultural research.
5. To encourage Federal/Provincial/County government offices to establish in the Town.
6. To encourage the diversification and expansion of the municipality's existing industrial/commercial base.
7. To support the development of tourist/recreational attractions and facilities, including hotels and conference facilities farmer's markets, theatres, and other destination attractions (e.g. country inns/restaurants).
8. To broaden the appeal of major commercial areas, particularly the central business districts, to tourists and permanent and recreational residents.
9. To encourage commercial establishments to develop in harmony and in proportion to their surroundings as the market matures.
10. To provide adequate highway commercial facilities oriented to the needs of the traveling public.

4. Land Use Policy

Land uses within the Town of South Bruce Peninsula shall be developed in accordance with the land use designations on Schedules “A” through “S”. These designations establish the municipality’s future development pattern in general terms by dividing those parts of the Town outside of the Niagara Escarpment Plan Area into fifteen (15) land use classifications, namely:

- Section 4.1 - Environmental Protection
- Section 4.2 - Open Space
- Section 4.3 - Agricultural
- Section 4.4 - Rural
- Section 4.5 - Estate Residential
- Section 4.6 - Residential
- Section 4.7 - Shoreline Development
- Section 4.8 - Future Residential
- Section 4.9 - Institutional
- Section 4.10 - Commercial
- Section 4.11 - Recreational Commercial
- Section 4.12 - Industrial
- Section 4.13 - Extractive Industrial
- Section 4.14 - Potential Extractive Industrial
- Section 4.15 - Waste Disposal Industrial

These designations, together with the seven designations in Section 5.0 having specific application to the Niagara Escarpment Plan Area, related sub-classifications and associated land use policies shall provide the basis for future development within the Town and guidance to Council in the consideration of development proposals and requests for amendments to the Official Plan and implementing Zoning By-law.

Except as specifically provided in this Official Plan, any changes to Schedules “A” through “S” or the land use policies of this section, shall require an amendment to this Plan.

4.1 Environmental

The Environmental designation is divided into three sub-classifications, Environmental-Wetland Areas, Environmental-Significant Areas, and Environmental-Hazard Land Areas.

The Environmental-Wetland Areas classification identifies Provincially and locally significant wetlands in which development is prohibited due to the ecological importance of the resources.

The Environmental-Significant Areas classification identifies all lands, except for wetland areas which are separately designated, warranting some level of protection due to their ecological function and/or importance as valleyland, woodland, and fish or wildlife habitat or lands under the ownership of a Provincial body or agency, etc.

The Environmental-Hazard Land Areas classification identifies lands unsuited to development due to inherent natural hazards such as their susceptibility to flooding or erosion.

The Environmental-Hazard Lands Areas, Environmental-Wetland Areas and Environmental-Significant Areas sub-classifications recognize three distinct environmental circumstances and provides criteria implementing the varying levels of development control mandated for these areas.

While reference can be made to the Schedules for an indication of the lands subject to the Environmental policies of this Plan, the precise location of these areas shall, in all cases, be determined when a conflict exists with the appropriate approval authority(s).

The Environment Designation as shown on Schedule 'A' is in some cases inaccurate and does not reflect, among other matters, the regulatory shoreline associated with Lake Huron. More detailed Environmental mapping is depicted on Schedule 'T'. For implementation purposes, the environment mapping on Schedule 'T' shall be used.

4.1.1 Environmental-Wetland Areas

Environmental-Wetland Areas as delineated on the Schedules, identify Wetland Areas which require protection from disturbance and/or incompatible land uses. The Environmental-Wetland Areas include identified Provincial, Regional and locally- significant wetlands.

Wetlands are important because they maintain/improve water quality, act as a flood control and provide aquatic and wildlife habitat. Wetlands may be seasonally or permanently covered with water causing the formation of hydric soils (soils in which there is an abundance of moisture) which results in a dominance of hydrophytic or water tolerant plants. There are four major wetland classifications, swamps, marshes, bogs and fens. It is the intent of this Official Plan that no development or site alteration, except for public works/uses required

for flood or erosion control, conservation (including fishing, hunting and trapping) and/or passive recreation (e.g. trails) be permitted in Environmental-Wetland Areas. Furthermore, notwithstanding the land use designations, no development which would:

- result in a loss of wetland function
- encourage subsequent demand for future development which would negatively impact on an existing wetland function
- conflict with existing wetland management protection
- result in a loss of contiguous wetland

shall be permitted on adjacent lands located within 120 metres (394 feet) of an identified wetland unless the proposed method of remediating the potential impacts of such development on the adjacent resource are satisfactory to the Town and/or other appropriate approval authority(s), as demonstrated through the preparation of an Environmental Impact Statement (EIS), prepared in accordance with the guidelines in Section 4.1.5 below. Development within the context of this section includes:

- the removal of protective vegetation buffers;
- the construction, erection or placing of a building or structure unless such building or structure is necessary for conservation practices;
- activities such as grading, excavation, removal of topsoil or peat, and the placing or dumping of fill;
- drainage works except for existing municipal and agricultural drains.

4.1.2 Environmental-Significant Areas

Environmental-Significant Areas include lands deemed to have special environmental significance due to their ecological function, attributes or linkages, and, for example, encompass significant valleylands, fish and wildlife habitat, primary woodlands, Areas of Natural and Scientific Interests and lands under the authority of the Conservation Authority, Ministry of Natural Resources or agencies such as the Federation of Ontario Naturalists.

It is the intent of this Official Plan that disturbance to Environmental-Significant Areas be discouraged and development generally directed away from identified resources. Accordingly, development shall only be permitted on lands designated Environmental-Significant Areas and/or on adjacent lands located

within 50 metres (164 feet) of Environmental-Significant Areas, where it is established, through the preparation of an EIS completed in accordance with the guidelines below, that the proposed methods of remediating any potential impacts are satisfactory to the Town and/or other responsible approval authority(s).

Notwithstanding the above where lands are held in private ownership, this plan will permit:

- the enlargement or expansion of the existing dwelling;
- the replacement or upgrading of an existing dwelling;
- the erection of a dwelling unit on an existing vacant lot providing such lot has frontage on a municipal public road.

1. Permitted Uses

In Environmental-Significant Areas, only those uses which will not impair the function of natural heritage areas, such as conservation uses (including forestry, fishing, hunting and trapping) and those involving passive recreation and interpretive education, shall be permitted and may be recognized in the implementation Zoning By-law without the need for an amendment to this Official Plan.

Enlargement or replacement of existing dwelling units and limited development in accordance with Section 4.1.2 is also permitted.

4.1.3 Policies Applicable to Environmental-Wetland Area and Environmental-Significant Areas

a) Boundaries

The boundaries of the Environmental-Wetland and Environmental-Significant Areas designations are approximate, and it is the intent of this Plan that their precise location be determined by the Town, in consultation with the other appropriate approval authority(s), at the time of the consideration of a development application. An amendment to this Plan shall not be required to make minor modifications to the boundaries of identified environmental areas provided the overall intent of the Plan is maintained. An amendment shall be required, however, where a boundary modification to an identified environmental area is deemed to constitute a major change.

b) Detailed Delineation

It is the intent of this Plan that the boundaries of the Environmental-Wetland and Environmental-Significant Area designations be used as guides in preparing implementing zoning criteria, and that the extent of the environmental buffers, pursuant to Section 4.1.3 (d), be established in the Zoning By-law in consultation with the appropriate approval authority(s). In the event that more detailed mapping becomes available, it shall take precedence in the consideration of the development application, and Council may amend the Official Plan and/or Zoning By-law to reflect the improved mapping.

c) Public Recreation

The establishment of any public recreational use or activities shall occur in a manner which minimizes disturbance to the natural environment. Public recreational uses shall be limited to those of a passive nature and shall be established in accordance with the recommendations of an EIS, prepared in accordance with Section 4.1.5. Wherever possible, the theme of any public open spaces located in or in the vicinity of the Environmental-Wetland Area or Environmental-Significant Area shall be oriented toward the preservation of the natural environment as a recreational/educational resource for the benefit of area residents.

d) Environmental Buffers

Naturally vegetated buffers shall be encouraged adjacent to the edge of Environmental-Wetland Areas and Environmental-Significant Areas. The nature of the buffers and their widths shall be determined on a site by site basis through the findings of an EIS.

The naturally-vegetative buffers to protect wetlands or natural heritage resources are separate from, and hence, may exceed the building setbacks from identified natural hazards established in accordance with Section 4.1.4(f) for reasons of safety.

e) Lands Under Private Ownership

It is essential that Environmental-Wetland Areas and Environmental-Significant Areas be shielded from unsuitable forms of development in order to protect environmentally-significant natural features and ecological functions and to generally provide municipal residents with a greener, more aesthetically pleasing living environment. It is recognized, however, that natural changes can occur

which undermine the resources value or sustainability. In such circumstances, the reclassification of a particular resource may be considered where it is established through the findings of an EIS, prepared in accordance with Section 4.1.5 and to the satisfaction of Town and/or other appropriate approval authority(s), that the area in question no longer merits such environmental classification. There is no public obligation to reclassify any land or natural feature deemed to have Provincial, County or local environmental significance. Furthermore, nothing in this Plan should be construed to imply that these areas are free and open to the general public or that such areas necessarily will be purchased by the Town or any other public agency.

(f) Public Acquisition of Environmental-Wetland and Environmental-Significant Areas

In circumstances where the acquisition of Environmental-Wetland Areas or Environmental-Significant Areas is deemed to be in the public interest to ensure their long-term preservation and/or to facilitate the location of passive recreational uses (e.g. trail systems), the Town may choose to encourage their conveyance to the municipality through the development approval process, parkland dedications, provisions of the Planning Act, land trusts, easements, development agreements or other means at Council's disposal including density transfers.

In that the public acquisition of all wetland and natural heritage areas is not practical, particularly given potential maintenance and/or liability responsibilities, as an alternative, the Town may seek to ensure the long term preservation of wetland and natural heritage areas through a public education program explaining the environmental importance of identified resources and ecological functions and appropriate management practices to area land owners.

4.1.4 Environmental-Hazard Land Areas

The Environmental-Hazard Land Areas classification encompasses lands unsuited to development due to inherent hazards such as their susceptibility to flooding or erosion, poor drainage, organic soils or steep slopes. Development within these hazard land areas shall be governed by the following policies.

All permitted land uses shall require the approval of the Town of South Bruce Peninsula in consultation with the Conservation Authority.

a) Permitted Uses

Within the Environmental-Hazard Land Areas, the permitted uses may include conservation uses, fish and wildlife management, flood control uses, public parks,

pedestrian trails (walking, jogging, cross-country skiing, etc.) Only those buildings and structures required for purposes of flood control or as accessory uses to public recreation shall be permitted. Habitable buildings or structures are prohibited.

b) Boundaries

The boundaries of the Environmental-Hazard Land Areas classification are approximate, and it is the intent of this Plan that their precise location be determined, in consultation with the Conservation Authority, at the time of the consideration of development applications. An amendment to this Plan shall not be required to make minor modifications to the boundaries of the Environmental-Hazard Land Areas classification provided the overall intent of the Plan is maintained.

In the case of floodplain boundaries, where floodplain and/or fill-line mapping exists, it has been utilized as a basis for the delineation of the Environmental-Hazard Land Areas designation. Where the extent of the regulatory floodplain is unknown, the Environmental-Hazard Land Areas designation has been conceptually delineated on the Official Plan's land use schedules.

Although not all lands in the vicinity of watercourses may have been designated, this does not preclude compliance with the policies of this Official Plan. Whether designated or not, future development in areas where watercourses exist shall be subject to the policies of this Plan.

Where major development is proposed adjacent to a watercourse, and engineered floodline mapping is not available, the proponent shall undertake a floodplain analysis, to the satisfaction of the Town and/or other appropriate approval authority, which establishes the precise location of the regulatory floodline and the general propriety of development.

c) Detailed Delineation

It is the intent of this Plan that the boundaries of the Environmental-Hazard Land Areas sub-classification be used only as a guide in preparing implementing zoning criteria and that appropriate setbacks from identified hazards (e.g. areas susceptible to flooding/erosion), engineered floodlines and the highwater mark of any river, creek or shoreline be established in the Zoning By-law in consultation with the Conservation Authority.

d) Flood Control Work

Whenever any flood control or other works are undertaken which result in significant changes to an identified floodplain, Council shall periodically update/amend this Plan to reflect the modifications to the boundaries of the Environmental-Hazard Land Areas designation.

e) Development Approach

The establishment of any permitted use shall occur in a manner in which minimizes disturbance to the natural environment and maintains and enhances the natural state of local rivers, creeks and streams by:

- Limiting alterations, diversions, or development within the adjacent floodplain to those which serve to enhance, restore or rehabilitate water quality and/or the natural environment.
- Maintaining or restoring the basic natural structure of the stream bed.
- Protecting, maintaining and nurturing the natural vegetation within the existing floodplain and on adjacent slopes.
- Protecting existing resident aquatic species and ecosystems, and the integrity of headwaters.
- Adopting an ecosystems management approach so as to ensure no net loss of habitat.
- Establishing incentives for good private stewardship and encouraging public involvement in environmental education programs sponsored by the Federal and Provincial governments.

The theme of public open spaces shall be oriented toward the preservation of the natural environment as a recreational/educational resource for the benefit of area residents.

f) Building Setbacks

Building setbacks shall be imposed from Environmental-Hazard Land Areas relative to the extent and severity of the identified hazard or as specifically indicated in this Official Plan.

Notwithstanding the above, a minimum 30 metre (98.4 foot) setback generally shall be required from the highwater mark or the top-of-bank of a watercourse, whichever is greater.

g) Lands Under Private Ownership

It is essential that Environmental-Hazard Land Areas be protected from future development to permit the implementation of an effective stormwater management system throughout the municipality. As such, an application for the redesignation of Environmental-Hazard Land Areas to permit development shall only be considered where it is established to the satisfaction of Council and the Conservation Authority:

1. that the remedial work to be undertaken to overcome the identified hazards will not transfer those hazards to other areas,
2. that the proposed methods by which the hazards are to be overcome are consistent with accepted engineering techniques and resource management practices, and the Environmental Impact Statement (EIS) guidelines of Section 4.1.5, and
3. that the cost of the proposed remedial work will be borne by the proponent of the development.

There is no public obligation to redesignate any land if there is an existing or potential hazard that will be difficult or excessively costly to overcome.

Nothing in this Plan shall be construed to imply that Environmental-Hazard Land Areas are free and open to the general public and that such areas shall be purchased by the Town or any other public agencies.

h) Public Acquisition of Hazard Land Areas

Where new development is proposed on a site which includes lands designated Environmental-Hazard Land Areas such lands shall not necessarily be acceptable as part of a parkland dedication pursuant to the provisions of the Planning Act. In circumstances where the acquisition of such lands may be deemed in the public interest to, for example, facilitate the location of public recreational uses, the Town may choose to encourage their conveyance to the municipality through the development approval process, land trusts, easements, development agreements or other means at Council's discretion.

All Environmental-Hazard Land Areas that are dedicated to the municipality, under subdivision or site plan control procedures pursuant to the Planning Act, shall be conveyed in a satisfactory physical condition and, if an open watercourse is involved, the dedication shall provide sufficient land for proper maintenance to be carried out.

i) Conservation Authority Regulations

The following works shall be subject to approval from the Conservation Authority under the Conservation Authorities Act:

- The straightened, changing, diverting or interfering in any way with an existing channel of a watercourse or a wetland.
- The construction of any building or structure in any area susceptible to flooding under Regional storm conditions or a wetland.
- The placing or dumping of fill of any kind in a defined area regulated by the Conservation Authority.
- The construction of buildings within the regulatory shoreline.

j) Stormwater Management

Stormwater management shall occur in accordance with the policies of Section 7.3.

k) Recreational Uses

Where an outdoor recreational use, such as a park, golf course, trail system, etc., is proposed, such use shall be subject to the recommendations of an Environmental Impact Statement (EIS) prepared in accordance with the provisions of Section 4.1.5, and to the approval of the Town and/or other responsible approval authority(s).

l) Development in Association With Erosion Hazards

The three main forces that shape and re-shape river and stream systems are the natural processes of erosion, flooding (i.e., water flow) and slope stability. Erosion and slope stability are two natural processes which are quite different in nature yet often linked. Erosion is the continual loss of earth material (i.e., soil or sediment) over time as a result of the influence of water or wind. Slope stability, usually described in terms of the potential for slope failure, refers to a mass movement of earth material, or soil, sliding down a bank or slope face as a result of a single event in time. Each geological circumstance poses a potential threat to property and the general health and safety of the general public, and accordingly, development shall be directed away from areas subject to either constraint.

Lands prone to erosion, slope instability or flooding are conceptually designated as Environmental-Hazard Land Areas. In all cases, where major development is proposed, however, the precise location of these areas shall be established by the Town in consultation with the Conservation Authority, at the time of the

consideration of development applications. The determination of the erosion hazard limit will be based on a combined influence of:

- the toe erosion allowance,
- the stable slope allowance,
- the flooding hazard limit or meander belt allowance; and
- the erosion access allowance.

In making such a determination, the mandated approval authority(s) shall be guided by the Natural Hazards Training Manual, Provincial Policy Statement - Policies 3.1, prepared by the Ministry of Natural Resources.

m) Riverine Floodplain Management

It is the intent of the Town and the Conservation Authority to prevent loss of life and to minimize property damage and social disruption in the event of a regulatory flood which is the greater of the Timmins Storm, the 1:100 year return period storm, or the flood actually experienced in the defined watershed. To achieve this objective, the following approaches to effective floodplain management shall apply to lands susceptible to flooding in the vicinity of municipal watercourses.

1. One-Zone Concept

The One-Zone Concept is a planning approach whereby the entire floodplain, as defined by the regulatory flood standard, is treated as one unit and all development within the floodplain is prohibited or controlled. Development within these floodplains shall be subject to the following policies.

i) Prohibited Uses

Habitable buildings and structures shall not be permitted.

ii) Permitted Uses

The uses permitted within defined floodplains shall be limited to open space for public or private recreation, agriculture and agriculturally-related uses, structural works used for flood and erosion/sediment control, non-habitable accessory structures, existing uses and minor additions thereto.

All permitted land uses shall require the approval of the Town in consultation with the Conservation Authority.

iii) Floodplain Boundaries

Where floodplain and/or fill line mapping, exists, it has been utilized as a basis for the delineation of the Environmental-Hazard Land Areas designation. Where the extent of the regulatory floodplain is unknown, the Environmental-Hazard Land Areas designation has been conceptually delineated.

Although the Environmental-Hazard Land Areas designation may be used as a guide in the preparation of implementing zoning criteria, it is the intent of this Plan that future building setbacks be established on the basis of engineered floodlines.

Where major development is proposed adjacent to a watercourse, and engineered floodline mapping is not available, the proponent shall undertake a floodplain analysis to the satisfaction of the Town and the Conservation Authority to establish the precise location of the regulatory floodline and the general propriety of development.

As more detailed floodplain mapping becomes available, Council shall amend the Official Plan and/or Zoning By-law to reflect the refined flood data.

n) Regulatory Shoreline

The regulatory shoreline is defined by the furthestmost inward limit of its three components. Particularly these are:

1. Regulatory Flood Standard
 - Comprises the area affected by lake levels, storm surges, the landward extent of the wave uprush and the influence of ice.
2. Regulatory Dynamic Beach Standards
 - Comprises the landward extent of lake levels, wave action or rush ups on the shoreline and that portion of the shoreline that is unstable or dynamic and may contain naturally protective vegetation and/or dune features.
3. Regulatory Erosion Standard
 - Includes the natural angle of slope which would be achieved in the absence of toe erosion or human activities, the rate of landward retreat or movement of shore slope and the distance measured landward from, the first lakeward break

in slope to accommodate long term erosion forces and processes.

Within the regulatory shoreline as conceptually shown on the attached Schedules, development is prohibited.

Development is defined as the construction, erection or placing of a building or structure of any kind; or the making of an addition or alteration to a building or structure that has the effect of increasing the size or usability thereof, and includes such related activities as site grading and the placing or dumping of fill. This is due to the unstable nature of dynamic beaches, the unacceptable threat and risk to life and property and the potential for adverse environmental impacts.

As part of this protection, structures or land form modifications, lakeward of the water's edge, such as marinas, docks, groynes, breakwater, dredging, etc. may be permitted with the approval of the Town and the Conservation Authority. The end result is to prevent development being threatened or placed at risk and to prevent new and/or aggravation of existing natural hazards to shoreline development and shoreline areas.

4.1.5 Environmental Impact Statement Guidelines

Where the preparation of an Environmental Impact Statement (EIS) is necessary to determine the suitability of proposed development and/or the adequacy of proposed mitigative measures in or adjacent to Environmental-Wetland Areas or Environmental-Significant Areas or in Environmental-Hazard Land Areas, it shall proceed in accordance with the following:

a) General

The issues to be addressed and the complexity of an EIS will vary with the scale and type of development and/or its distance from the resource area in question and shall be determined on a site by site basis in pre-consultation with the Town and/or other appropriate approval authority(s), prior to the EIS proceeding. The following provides examples of the types of issues which may require consideration through the EIS process.

- The potential impact of development on groundwater quantity and quality and recharge / discharge function.
- The potential impact of development on surface water quality and quantity temperature / conveyance.

- The potential impact of development on fish habitat.
- The potential impact of development on vegetation, wildlife and wildlife habitat.
- The potential impact of noise on wildlife.
- The quality and quantity of stormwater run-off.
- The potential impact of grade alterations and topsoil removal.
- The potential constraints open or closed solid waste disposal sites may place on development.
- Any other issues deemed to warrant consideration by the Town or other responsible approval authority.

b) Woodlands

Where development is proposed in woodlands located within an Environmental designation, the proponent shall be required to prepare, as part of an EIS, an evaluation of the woodland's composition to assess the significance of the area and its suitability for development. If it is determined, through the EIS and woodland evaluation, that development can proceed, the proponent shall be required to prepare a tree preservation plan and/or a landscape remediation plan, the latter focusing on principles of site naturalization. Such analysis shall be undertaken by a plant ecologist, landscape architect or forest consultant or other qualified professional acceptable to the Town and/or other responsible approval authority, and shall identify:

- Trees and/or plant communities that should not be disturbed due to their unique characteristics and/or their importance as natural linkages between plant and animal habitats. Where available, policies/guidelines of the Province/County or Conservation Authority relative to woodlot preservation shall be utilized.
- Trees scheduled for removal and the rationale for their removal.
- Specifications for construction techniques that minimize the impact on the natural environment.

The Town may require the entering into of agreements to ensure the implementation of the preservation techniques described in the woodland evaluation study, tree preservation and/or landscape remediation plan.

The clearing of woodland areas may only proceed in accordance with the County of Bruce Tree Cutting By-law, which regulates the cutting, burning or removal of trees by any other means.

c) Environmental Impact Statement (EIS) Content

Subject to the further requirements of the Town and/or other responsible approval authority(s), an EIS shall include:

- A description of the physical features of the lands proposed to be developed, including buildings, structures, soils, vegetation, wildlife, topography, watercourses and other relevant features, together with a general description of the same physical features for lands adjacent to the proposed development site.
- A description of the development proposal including a detailed site plan.
- A description of the potential impacts of development on the site's natural resources.
- A review of alternate development options and ultimate methods of mitigating the impacts of development.
- An analysis of the opportunities for environmental enhancement.
- The preparation of an implementation and monitoring plan.

The primary objective of an EIS is first, to identify and assess the potential impacts of development on the natural features and functions of the area, and second, where development is concluded to be appropriate, to ensure its integration with the natural system through sensitive design.

Where it is established through an EIS, approved by the Town and/or other responsible approval authority(s), that development can occur in accordance with sound management practices, the permitted use may proceed on the basis of the recommendations of the EIS and the other pertinent policies of this Official Plan.

4.1.6 Site Plan Control

All areas designated Environmental may be designated by by-law as site plan control areas. Policies concerning site plan control in Section 7.5 of this Official Plan, shall apply.

4.1.7 Zoning

Environmental-Hazard Land Areas, Environmental-Wetland Areas, and Environmental Significant Areas on the Schedules may be zoned in separate categories in the implementing Zoning By-law.

4.2 Open Space

The Open Space designation applies to *existing* public and private parks and the policies of this section are intended to guide the establishment of *new* public and private parks. Public recreation areas are to be expanded as development proceeds.

The establishment of new public parks and private parks, as defined below, shall be permitted in the Open Space designation and all other designations, except for the Agriculture, Environmental and Potential Extractive Industrial designations and those covered by the Niagara Escarpment Plan, without the need for an amendment to this Official Plan and/or the implementing Zoning By-law.

In determining the optimum location for public and private parks, particular care shall be taken to ensure that significant public open space areas are provided in the vicinity of areas of concentrated residential development, and, wherever possible, school sites.

4.2.1 Permitted Uses

The uses permitted within the Open Space designation shall include forestry and conservation uses, public uses, public and private parks, uses and activities such as nature study and wildlife areas, picnic areas, eating areas, swimming pools, angling, botanical and zoological gardens, arenas, golf courses, golf driving ranges, hockey and curling rinks and hiking, bicycling, jogging and cross-country ski trails and other similar uses. In addition, uses accessory to a permitted open space use shall be permitted including a club house, and a restaurant to serve the use and needs of the recreational area.

4.2.2 Public Parks

1) Definition

A Public Park is any open space or recreational area owned or controlled by the Town or by any Board, Commission or Authority established under any statute of the Province of Ontario encompassing neighbourhood, community, and special parks or areas, and may include one or more athletic fields, field houses, community centres, bleachers, swimming pools, greenhouses, botanical

gardens, zoological gardens, bandstands, skating rinks, tennis courts, bowling greens, hockey and curling rinks, refreshment rooms, fairgrounds, public campgrounds, arenas, golf courses or similar uses.

The Public Park definition also encompasses buildings, structures and uses accessory to the foregoing including, but not limited to, a refreshment booth, a pavilion, administrative offices, an outlet for the sale of products associated with a principal public recreational use (golf pro shop/hockey equipment sales), dining facilities, an accessory parking lot and similar uses.

2) Function

It is the intent of this Official Plan that public parks be designed to serve both Neighbourhood Parkland and Community Parkland functions. It is anticipated that public parks will vary in type from those involving outdoor sports and passive recreational activities to those oriented toward the preservation of the natural environment as a recreational/educational resource.

- Neighbourhood parks should be situated within walking distance of the residents they are intended to serve.
- Sports oriented community parks of sufficient size to accommodate multi-sports facilities such as baseball diamonds and soccer fields shall be encouraged in all areas (designations), except where specifically prohibited, wherever land becomes available.

Notwithstanding that the Open Space land use designation has application to all *existing* public recreation facilities in the Town, *new* public parks shall be permitted in the Open Space designation and all other designations, except for the Agriculture, Environmental and Potential Industrial Extractive Area designations and those covered by the Niagara Escarpment Plan, without the need for an amendment to this Official Plan. New Open Space uses in areas which are not designated Open Space in this Official Plan shall be so designated during the document's periodic updating.

3) Parkland Definitions

In endeavouring to acquire or amass lands for public purposes, Council may be guided by the following definitions.

a) Neighbourhood Parks

Neighbourhood Parks are recreational spaces, primarily located within areas of concentrated residential development which are intended to serve the residents of that specific neighbourhood. Uses common to neighbourhood parks include passive and active recreational uses such as

playgrounds, tennis courts, outdoor ice rinks, shaded areas for sitting and general relaxation and accessory uses.

b) Community Parks

Community Parks are recreational spaces which, by reason of their location and size, tend to serve the general population of the municipality. Uses of community parks include passive and active recreational activities such as outdoor and indoor sports (baseball/soccer/hockey/swimming), picnic areas, botanical gardens and natural areas of educational interest, as well as accessory uses such as parking lots, change rooms, washrooms, restaurants and other service facilities incidental to the primary recreational activity.

c) Other Recreational Uses

While the public parkland definitions provide a useful guideline in striving to address the basic recreational needs of the community, favoured leisure activities tend to encompass a myriad of additional publically / privately sponsored uses including historical exhibits, theatres, skiing, bowling and golf, amongst others. It is the intent of this Plan that the future recreational planning of the Town occur within the context of both the neighbourhood and community open space requirements of the municipality, and the broader recreational/leisure needs of the residents in general.

4.2.3 Parkland Acquisition

1. Parkland Dedicated Pursuant to the Planning Act

To ensure adequate public open space is available to meet the recreational needs of the community, Council shall require the conveyance of up to a 5% parkland dedication in the case of new residential development and up to a 2% parkland dedication in the case of new commercial/industrial development. In addition, Council may accept a cash-in-lieu of parkland payment when deemed appropriate.

All land dedicated for parkland purposes must be in a satisfactory physical condition and located in a manner which provides for its easy use by the general public. Lands susceptible to flooding or other environmental hazards need not be accepted as part of the parkland dedication, but the municipality may do so where it is deemed in the public interest.

Before accepting lands for park purposes, the municipality shall enter into an agreement with the developer dealing with such matters as the responsibility for

grading, seeding, fencing, landscaping, and/or the installation of water supply and sanitary sewage disposal and/or recreational facilities.

2. Acquisition of Additional Parkland

In circumstances where the acquisition of new parkland is deemed in the public interest to ensure its long term preservation and/or to facilitate the location of active or passive recreational uses (e.g. trail systems), the Town may choose to encourage its conveyance to the municipality through the development approval process, land trusts, easements, development agreements or other means at Council's disposal, in addition to the parkland dedication provisions of the Planning Act.

4.2.4 Private Parks

1. Definition

A Private Park is an open space or recreational area or building, other than a public park, operated on a commercial and/or private member basis, which is devoted to one or more of the following uses or activities or to a similar type of use or activity:

- a golf course, hockey or curling rink, health club,
- areas for walking, riding or cross-country skiing, but not for the racing of animals, motor vehicles, motorcycles or snowmobiles,
- accessory recreational or playground uses such as picnic areas, tennis courts, lawn bowling greens, outdoor skating rinks, athletic fields, swimming pools or similar uses,
- buildings and structures accessory to the foregoing such as refreshment booths or pavilions, a clubhouse, dining and recreational facilities and administrative offices to service the clients or members utilizing the principal recreation use, and
- parking lots accessory to the foregoing.

2. Development Prerequisites

Private parks shall adhere to the following policies in addition to all other applicable provisions of this Official Plan.

- i. The establishment of new private parks shall only occur by amendment to this Official Plan and the implementing Zoning By-law.
- ii. Buildings and structures accessory to a private park, which may include administrative offices, a residence for a caretaker or

watchman, a pro-shop, a refreshment booth or pavilion, dining and recreation facilities and a clubhouse accessory to a golf course shall be permitted.

4.2.5 Parking and Access

Adequate off-street parking areas shall be established in a manner complementary to the landscape features of an open space area. Access points to parking areas and open space areas shall be located in such a way that the external and internal road pattern provides for the adequate and safe movement of vehicular and pedestrian traffic.

4.2.6 Buffering

Adequate buffering shall be provided between open space areas and adjacent land uses and roadways. Such buffers shall be located on lands designated for open space use (not on a public road right-of-way) and may include the provision of grass strips, screening, the planting of trees and shrubs and the location of a berm or fence of sufficient height to provide a visual barrier between the recreational use and adjacent land uses and roadways.

4.2.7 Preservation of the Natural Environment

In the interest of protecting the natural features of lands dedicated for park purposes or proposed for private recreational use, the placement of fill, stripping of topsoil, removal of vegetation or any other undertaking which disrupts the natural environment shall not be permitted without the approval of the Town.

In the event that land to be dedicated to the Town is disturbed, the Town may require its restoration to an appropriate condition prior to accepting the land dedication.

4.2.8 Trail Systems

The establishment of pedestrian (walking/jogging/bicycling/cross-country skiing) trails and snowmobile trails shall occur in accordance with Section 5.6. A regional trail system which focuses on the interconnection of urban settlement areas and the linkage of municipal and regional recreational destinations such as area resorts, golf courses, beaches, Provincial parks and other tourist attractions, shall be encouraged. The continuous movement of people across the municipality will benefit the Town's commercial sectors and will advance the Town's tourism objectives.

4.2.9 Site Plan Control

All areas designated Open Space may be designated, by by-law, as site plan control areas.

4.2.10 Zoning

Open Space uses may be zoned in separate classifications in the implementing Zoning By-law.

4.3 Agriculture

Lands designated Agriculture have high potential for agricultural production and generally encompass those areas within the Town that meet one or more of the following criteria:

- Lands where soil Classes 1, 2 and 3, established by the Canada Land Inventory, predominate.
- Lands where soil Class 4, established by the Canada Land Inventory, predominate, which accommodate viable agricultural operations.
- Lands which have high capability for the production of specialty crops due to special soils or climatic conditions.
- Lands which, regardless of their classification by the Canada Land Inventory, exhibit characteristics of ongoing viable agricultural.

It is a goal of this Official Plan to preserve agriculturally-productive land and promote the expansion of the agricultural industry by preventing the encroachment of incompatible land uses, and by maintaining agriculturally productive lands in economically viable farm units by preventing their fragmentation.

4.3.1 Permitted Uses

.1 Primary Uses

The predominant use of lands designated Agriculture shall be for agriculture uses including the farm dwelling and accessory agricultural buildings (barns / sheds / garages), and conservation, forestry, and/or similar uses which generally maintain the existing parcel size and do not require non-agricultural buildings, structures or any other form of non-agricultural related construction. In addition, quasi-industrial/commercial uses directly related and necessary in proximity to agricultural operations, such as greenhouses, estate wineries, cold storage and grain drying facilities, livestock assembly areas, veterinary clinics and animal

husbandry services may be permitted, providing suitable alternate locations within the Rural designation are not available.

.2 Secondary Uses

- Roadside Retail Outlets for the purpose of the sale of agricultural products produced on the lands upon which the retail use is situated may be permitted in accordance with the standards and regulations established in the implementing Zoning By-law.
- Home Occupations and Home Industries may be permitted.
- A Garden Suite or Accessory Apartment may be permitted on the same lot and in conjunction with a principle single-detached dwelling.

Within the “agriculture” designation, garden suites and accessory apartments are intended to provide alternate forms of housing for seniors/retirees or individuals largely dependent upon others for their day-to-day care.

- Temporary Farm Accommodation for farm help.
- Bed and Breakfast Accommodation may be permitted within an existing single-detached farm dwelling.
- Public Uses limited to Public Transportation, Utility and Communication Facilities and Structures shall be permitted provided that suitable alternate locations within other land use designations are not available, and that the potential impact of such uses on prime agricultural operations is minimized.
- Uses Existing at the date of adoption of this Official Plan may be recognized in the implementing Zoning By-law and minor extensions and/or the construction of accessory uses may be permitted.
- A Single-detached Dwelling may be permitted on an existing lot of record having distinct and separate ownership on the date of adoption of this Plan in accordance with the provisions of the implementing Zoning By-law, and, provided that the lands have frontage on a public road and Council is satisfied with regard to the adequacy of the proposed method of water supply and sanitary sewage disposal.

4.3.2 Policies

4.3.2.1 Development Philosophy

It is the intent of Council to protect and preserve agricultural land to the greatest extent possible. As a general rule, agricultural uses shall take precedence over all other uses.

4.3.2.2 Amendment Criteria

Except as specified in Section 10.1, adjustments to the boundaries of the Agriculture designation shall only be permitted by amendment to this Official Plan, and shall only occur in circumstances where Council has considered:

- A report prepared by a professional agrologist describing the agricultural potential of the land.
- The predominate soil capability for agriculture classification assigned by the Canada Land Inventory.
- The history of agricultural activities on the subject land and in the surrounding area, including past crop records.
- The location of the proposed use and its potential impact on agriculture and the natural environment.
- Compliance with the Minimum Distance Separation Formulae I or II.
- The need for a proposed use in relation to the availability of similar existing uses within the Town.
- The availability of alternate locations for a proposed use on lands with lesser agricultural capability.

It is the intent of this Official Plan that the municipality evaluate the above matters collectively, in this way ensuring that no single factor determines the lands agricultural circumstance. Individuals seeking to amend the boundaries of the Agriculture designation shall be required to provide all necessary information needed to substantiate such modifications as well as the propriety of any proposed non-agricultural use.

4.3.2.3 Minimum Distance Separation

All new agricultural and non-agricultural development shall comply with the Minimum Distance Separation Formulae I or II. Beyond this, it is the intent of this Official Plan that minimum separation distance limitations be

imposed in the implementing Zoning By-law on the establishment of new intensive agricultural operations in proximity to urban settlement areas.

4.3.2.4 Nutrient Management Plans

Specialized or intensive agricultural uses shall be conducted in accordance with the latest standards and best management practices. A nutrient management plan shall be prepared prior to a building permit being issued for a new or expanding livestock operation. The terms and conditions of a nutrient management plan shall be included in a nutrient management by-law, passed by Council.

4.3.2.5 Minimum Lot Size

Farm sizes which maintain the economic viability of single, stand alone agricultural operations shall be required as a means of ensuring a thriving agricultural community. Land holdings within the Agriculture designation generally should be no less than 40 hectares (100 acres), although larger farm sizes shall be encouraged, and may be stipulated in the implementing Zoning By-law.

The preservation of agriculturally viable farm units and the historical agricultural community is a major goal of this Official Plan.

4.3.2.6 Home Occupations and Home Industries

Home occupations and home industries shall be permitted within the Agriculture designation. Home occupations shall be located within single-detached farm dwellings, while home industries shall be located within accessory agricultural buildings (barns/sheds/garages). Where a use is conducted within an accessory building, such building shall be located as near to the single-detached farm dwelling or other on-site accessory agricultural buildings as reasonably possible. For the purposes of this Official Plan:

- A home occupation is defined as a small-scale commercial use carried on within a single-detached dwelling, which does not change the residential character of the dwelling unit.
- A home industry is defined as a small-scale industrial use carried on within an accessory building to a principal agricultural/rural use (barn/shed/garage) which provides a service to the surrounding agricultural area (e.g. welding shop, seasonal storage).

Regulations governing the size and scale of home occupations and home industries, as well as permitted staffing, shall be established in the implementing zoning by-law. In no case shall open storage be permitted in conjunction with a home occupation or home industry.

It is the intent of these policies to permit small scale home industries as a business start up or “incubator”. Once the business has grown to the maximum size permitted in the zoning by-law, such businesses shall be encouraged to relocate the business on lands appropriately designated within a settlement area.

4.3.2.7 Agriculturally-Related Industrial and Commercial Uses

Within the Agriculture designation, industrial and commercial uses directly related to agriculture and which require proximity to agricultural operations may be permitted, by amendment to the implementing Zoning By-law, in accordance with the following policies.

a) Permitted Uses

Permitted small scale industrial and commercial uses shall be limited to those providing services or supplies to nearby agricultural operations, or which require proximity to the agricultural area for research purposes, including uses such as feed mills, fertilizing mixing and sales establishments, seed cleaning plants, agricultural produce warehouses, abattoirs, veterinary clinics, animal hospitals, estate wineries, or similar agriculturally related businesses.

b) Location Criteria

In reviewing applications to amend the Zoning By-law to permit a new agriculturally related industrial or commercial use, Council shall consider:

- the need for the proposed use in relation to the availability of existing similar uses within the Town,
- the availability of alternate locations for the proposed use on poorer quality agricultural lands,
- the adequacy of the proposed method of access from existing or proposed roads,
- the adequacy of utilities and municipal services,

- compliance with the Minimum Distance Separation Formulae I and II, and general compatibility of the proposed use in relation to surrounding uses given its nature and visual appearance, and
- any potential noise, odour and/or traffic impacts.

4.3.2.8 Accessory Apartments

Wherever a principal single-detached dwelling, that is not a second farm residence, is permitted, an accessory apartment may be permitted by amendment to the implementing Zoning By-law, in circumstances where it is clearly established that there is an adequate supply of potable water and suitable method of sewage disposal.

4.3.2.9 Garden Suites

Garden Suites are separate, temporary, secondary residences located on a lot accommodating an existing single-detached dwelling. Garden suites provide an alternate form of housing for seniors/retirees and/or individuals largely dependent upon others for their day-to-day care, and are intended to be portable and/or convertible to a non-residential accessory use, (e.g. workshop, garage).

The Planning Act enables a municipality to enact a temporary use by-law to permit a garden suite for a period of up to 10 years, and together with the Municipal Act, allows a municipality to enter into an agreement respecting:

- The installation, maintenance and removal of the garden suite.
- The period of occupancy by the person(s) named in the agreement.
- A monetary or other form of security related to the garden suite.

Notwithstanding any of the provisions of this Official Plan to the contrary, the establishment of a garden suite may be permitted in the *Agriculture* designation, subject to the passage of a temporary use by-law. Permission to establish a garden suite only shall be granted in circumstances where Council is satisfied:

- the garden suite will function in conjunction with the principal single-detached dwelling, and will only be used to accommodate individuals related to the owner,

- the garden suite will be secondary to the principal single-detached dwelling. No more than two dwelling units, which includes the garden suite shall be permitted on a lot,
- the proposed method of water supply and sanitary/sewage disposal servicing meets the standards of the Town and/or other appropriate approval authority(s). Wherever possible, garden suites should rely upon the servicing systems utilized by the principal residence. Generally, a garden suite should not be established on a lot encompassing less than 1.0 hectares (2.47 acres),
- the garden suite does not encroach on any required yard/building setback imposed on the principal residence by the implementing Zoning By-law. In circumstances where the principal residence is legally non-complying, the garden suite shall not further encroach on a required yard,
- the garden suite will be built to standards which comply with all applicable building codes/regulations, but, at the same time, will be portable and/or convertible to a non-residential use accessory to the principal single-detached dwelling on the same lot, (e.g. garage, workshop), and
- adequate parking is available and the garden suite and any additional parking areas are adequately screened/buffered from any incompatible uses.

4.3.2.10 Bed and Breakfast Accommodation

The Town supports the controlled establishment of Bed and Breakfast Accommodation as a means of providing visitors to the community with a varied and interesting supply of temporary accommodation. As such, notwithstanding any provisions of this Official Plan to the contrary, within the Agriculture designation bed and breakfast accommodation shall be permitted, without the need for an amendment to the implementing Zoning By-law, within an existing single-detached farm dwelling in accordance with the policies of Section 4.6.4.4.

4.3.2.11 Temporary Farm Accommodation

Where a single-detached farm dwelling is permitted, temporary accommodation for farm help also may be permitted as an accessory farm use in accordance with the following policies:

- The temporary accommodation is necessary to house seasonal farm help, essential to the operation of the farm.
- The temporary accommodation is situated in close proximity to the existing accessory farm dwelling and farm buildings.
- The proposed method of water supply and sanitary sewage disposal is acceptable to the town and/or other authority(s) responsible for the approval of such facilities.
- Vehicular access to the temporary accommodation is provided via the same public road access to the existing single-detached farm dwelling.
- Residential units built to accommodate farm help shall not be severed by consent
- All the provisions of the Zoning By-law have been addressed.

The policies of this section shall be implemented through the preparation of implementing zoning criteria which, in addition to the above, shall include a definition of *Temporary Farm Accommodation*.

4.3.2.12 Public Uses

Public uses within the Agriculture designation shall be limited to utility, communication and transportation facilities and structures and public parks, including pedestrian and snowmobile trails, established in accordance with the provisions of Section 10.4 of this Official Plan. In making provision for these uses, however, it is still the broader intent of the Official Plan to protect and preserve, to the greatest extent possible, agricultural land and existing agricultural operations. Accordingly, public uses shall, wherever possible, be encouraged to locate on lands with lower agricultural capability and be designed in a manner which minimizes disturbance to existing or future farm operations.

4.3.2.13 Existing Uses

Uses existing on the date of the adoption of this Official Plan may be recognized in the implementing Zoning By-law and minor extensions may be permitted without the need for amendment to this Official Plan or the implementing Zoning By-law. Furthermore, the Town may permit a change to another use not permitted by the Agriculture designation, by amendment to the Zoning By-law, provided that the new use is more in conformity with the provisions of the Official Plan and is in compliance with the Minimum Distance Separation Formulae I or II.

4.3.2.14 Non-Agricultural Uses

Non-agricultural uses within the Agriculture designation shall be strictly limited to those which are compatible with the surrounding agricultural area. Examples of suitable non-agricultural land uses include those involving conservation and the management of resource areas including natural heritage, wetland and hazard land areas. Such uses may be permitted without the need for an amendment to this Official Plan or the implementing Zoning By-law.

Except as may be permitted by Section 9.0, as it pertains to farm consolidations, no non-farm residential uses shall be permitted and no non-farm residential severances shall be approved.

4.3.2.15 Mineral Aggregate Operations

Where, by amendment to this Official Plan pursuant to the provisions of Section 4.13, Extractive Industrial (pits or quarries) is permitted to occur in areas of Class 1, 2 or 3 soils, according to the Canada Land Inventory, it is the intent of Council that conditions be imposed requiring the rehabilitation of such lands to permit their future use for agricultural purposes. The terms and conditions for such rehabilitation shall be established, in consultation with the authorities responsible for the approval of such extractive operations, during the project's planning and licensing phases.

4.3.2.16 Exceptions – Agricultural

4.3.2.16.1 OPA 2 Ruth, By-Law #4152, Pt Lot 13 Con 12 (Amabel)

Notwithstanding the policies of Subsection '4.3.2.7 Agriculturally Related Industrial and Commercial Uses', an auction facility (a building where goods, wares, merchandise and articles are collected, stored, displayed and offered for sale by competitive bidding) shall be permitted on Part Lot 13 Concession 12 (Amabel).

4.3.2.16.2 OPA 5 Forbes, By-Law #4213, S Pt Lot 18 & N Pt Lot 19 Con 2EBR (Albemarle)

Notwithstanding the policies of Subsection 8.4 Agricultural Consents' of this Plan, the lands identified as Site Specific Policy Area 4.3.2.16.2 on Schedule 'A': Land Use Plan to the Town of South Bruce Peninsula Official Plan, may be severed to a maximum total lot area of 1.01

hectares. All other policies of Subsection '8.4 Agricultural Consents' shall apply.

4.3.2.16.3 OPA 45 Nickason, By-Law 01-2017, S Lot 3 Concession 2 (Amabel)

Notwithstanding the policies of Subsection 4.3 'Permitted Uses – Agriculture' of this Plan, on the lands identified as Site Specific Policy Area 4.3.2.16.3 on Schedule 'A': Land Use Plan to the Town of South Bruce Peninsula Official Plan, A Contractors Yard, an Automobile Servicing Station and an Automotive Body Repair Shop are permitted uses. All other policies of this Plan apply.

4.3.3 Consents

Consents in the Agricultural designation shall occur in accordance with the provisions of this Section, Section 9.0 and all other relevant policies of this Plan. Generally, however, new non-farm residential consents shall be strictly limited to those involving the severance of a residence made surplus through the consolidation of two abutting farm holdings or farm holdings adjacent to one another separated by a public road.

4.3.4 Site Plan Control

All areas designated *Agriculture* may be designated, by by-law, as site plan control areas.

4.3.5 Zoning

Agricultural uses shall be included in a separate zoning classification in the implementing Zoning By-law. Furthermore, individual zoning categories may be developed to recognize permitted secondary uses.

4.4 Rural

Lands designated Rural are areas with lower agricultural capability and generally encompass Classes 5, 6, and 7 soils, as established by the Canada Land Inventory (CLI) of Soil Capability for Agriculture, as well as Class 4 soils where non-agricultural uses are predominant. While these lands are considered marginal in terms of agriculture, some do accommodate existing agricultural operations, and it is the intent of this Plan to maintain the viability of these existing farm uses. The amount and type of non-farm development permitted within the Rural designation shall be consistent with maintaining the Town's

historical agricultural community and rural character while protecting its natural heritage features.

4.4.1 Permitted Uses

.1 Primary Uses

All agricultural uses permitted under the Agriculture designation shall be permitted within the Rural designation. The policies of Section 4.3, pertaining to such uses, shall apply.

.2 Secondary Uses

- Non-Agriculture Residential Uses shall be permitted by consent in accordance with the policies of Section 4.4.4 below.
- Country Recreational Facilities shall be permitted, by amendment to the Zoning By-law, in accordance with the policies of Sections 4.4.2.4(a) below. For the purposes of this Official Plan, Country Recreational Facilities are defined as follows:
 - Country Recreational Facilities are recreational uses which take advantage of the natural physical features and include, but are not limited to, golf courses lodges, ski facilities and special event facilities
- A kennel or riding club.
- Public Uses shall be permitted in accordance with Section 10.4 of the Official Plan.

4.4.2 Policies

1. Minimum Distance Separation

All new agricultural and non-agricultural development shall comply with the Minimum Distance Separation Formulae I or II. Beyond this, it is the intent of this Official Plan that minimum separation distance limitations be imposed in the implementing Zoning By-law on the establishment of new intensive agricultural operations in proximity to urban settlement areas.

2. Nutrient Management Plans

Specialized or intensive agricultural uses shall be conducted in accordance with the latest standards and best management practices. A nutrient management plan shall be prepared prior to a building permit being issued for a new or expanding livestock operation. The terms and conditions of a nutrient

management plan may be included in a nutrient management by-law passed by Council. Specialized or intensive agricultural uses generally should be located on lands with lesser agricultural capability.

For the purposes of this Official Plan, specialized or intensive agriculture uses are defined to include buildings for the raising of chickens, turkeys or other fowl, fish, fur bearing animals, hogs and cattle, or the intensive feeding of livestock.

3. Minimum Lot Size

Farm sizes which maintain the economic viability of single, stand alone agricultural operations, and which preserve the rural/agricultural character by discouraging the acquisition of rural land holdings for permanent non-farm and/or recreational residential use, shall be encouraged.

Site-specific, stand alone uses permitted within the Rural designation shall be accommodated on lots encompassing the minimum area required for the effective operation of the permitted use and adequate systems of water supply and sanitary sewage disposal.

The preservation of the Town's rural/agricultural character by preventing the undue fragmentation of the rural landscape is an important goal of this Official Plan.

4. Non-Agricultural Industrial and Commercial Uses

Within the Rural designation, non-agricultural industrial and commercial uses may be permitted, in accordance with the following policies.

(a) Country Recreational Facilities

Country Recreational Facilities, as defined above, shall be permitted within the Rural designation in accordance with the following policies:

- Country Recreational Facilities shall only be permitted by amendment to the implementing Zoning By-law. In addition, development proposals encompassing land parcels in excess of 160 hectares (395 acres), and/or which involve significant site alteration, and/or the proposed erection of major buildings or structures, shall require an amendment to this Official Plan.
- In considering applications to amend this Official Plan and/or the implementing Zoning By-law to permit a new Country Recreational Facility, Council shall be guided by the policies of Section 8.18 of this Official Plan.

4.4.3 Public Uses

Public Uses shall be established in accordance with the policies of Section 10.4 of this Official Plan.

4.4.4 Consents

Consents in the Rural designation shall occur in accordance with the provisions of this Section, Section 8.0 and all other relevant policies of this Plan. Generally, however, it is the intent of this Official Plan to discourage the fragmentation of the rural landscape in order to maintain the historical agricultural community and rural/agricultural character of the municipality.

4.4.5 Site Plan Control

All areas designated Rural may be designated, by by-law, as site plan control areas.

4.4.6 Zoning

Rural uses shall be included in a separate zoning classifications in the implementing Zoning By-law. Furthermore, individual zoning categories may be developed to recognize permitted secondary uses.

4.4.7 Exceptions

4.4.7.1 (OPA 41, Crossley) Concession 5, Lot 9 (geographic Township of Amabel)

Notwithstanding the policies of Subsection 8.5 “Rural Consents’ of this Plan, the lands identified as Site Specific Policy Area 4.4.7 .1 on Schedule ‘A’: Land Use Plan to the Town of South Bruce Peninsula Official Plan, may be severed into a maximum of three lots, including the retained. All other policies of Subsection ‘8.5 Rural Consents’ shall apply.

4.5 Estate Residential

Within the Estate Residential designation the predominant land use shall be low density residential development located in attractive and interesting rural settings.

4.5.1 Development Overview

While helping address the projected demand for new housing, the main purpose of estate residential development is to provide residents of the Town with an alternate (rural) lifestyle opportunity. Accordingly, new estate residential subdivisions shall be limited to settings offering significant rural attributes such as

scenic views, proximity to valleylands or natural water-bodies, tree cover and/or undulating topography. This Official Plan presently designates areas of existing estate residential development within the Howdenvale-Red Bay, Beattie Lake and Oliphant area. New estate residential development is to occur by amendment only and shall not be considered in or adjacent to:

- urban serviced settlement areas
- Class 1 to 3 agricultural lands
- existing pit or quarries and mineral resource areas
- significant environmental or archaeological areas
- sewage lagoons

4.5.2 Permitted Uses

Permitted uses shall be limited to single-detached dwellings, home occupations and public uses such as parks, trails and passive recreational uses.

4.5.3 Official Plan Amendments

Prior to the redesignation of lands for Estate Residential purposes, Council shall be satisfied that the lands proposed for an Estate Residential use:

- a) are not classified as good agricultural land. Good agricultural lands are those classified as in the agricultural capability for agriculture in Class 1, 2, 3 and in certain cases 4 and shown on the attached Schedules as “agricultural”;
- b) do not conflict with the Minimum Separation Distance for livestock operations;
- c) are located in areas that are characterized with scenic rolling topography;
- d) contain sufficient tree cover to screen dwellings and roads abutting lands and roads;
- e) contain suitable building sites which can be developed without significant alteration to contours and vegetation.
- f) have access to a municipal road of a standard of construction and maintenance capable of accommodating the expected traffic. Where Council considers it appropriate, the applicant may be required to upgrade adjacent boundary roads from the development to a road of appropriate standard;
- g) are supported by soils and drainage studies prepared by the applicant which show that the land is suitable for the installation of a private sewage disposal

- system without the excessive importation of fill material and the installation of such systems shall not affect existing surface and groundwater systems;
- h) are supported by a Hydrogeologist's report prepared by the applicant confirming that a sufficient supply of potable water exists to serve the development without affecting negatively the wells on abutting lands. The Hydrogeologist's report must also address the level of nitrate loading resulting from the development;
 - i) are not classified as environmental lands;
 - j) will not cause an adverse impact on the natural heritage features of the municipality;
 - k) are not located adjacent to a municipally-serviced settlement area, commercial or industrial lands, sanitary landfill site, pit or quarry or which would have an adverse affect on traffic or servicing due to the number of lots already created in an area.

4.5.4 Impact Assessments

Prior to the redesignation of lands for Estate Residential purposes, the applicant shall undertake the following impact assessment.

- a. a heritage impact assessment;
- b. an environmental impact study where the development is proposed adjacent to an area designated Environmental where environmental lands exist within the overall site;
- c. a traffic impact assessment;
- d. an Aggregate Extraction Compatibility Report where development is proposed in proximity to an existing pit or quarry or an area of Potential Extractive Industrial use in accordance with the requirements of the appropriate approval authority.

4.5.5 Estate Residential Designation

Prior to the redesignation of lands for Estate Residential purposes, Council will satisfy itself that the design is such that:

- a. access to all lots is from an internal public subdivision road only, which will be designed and constructed to municipal standards. The road layout shall be designed to provide convenient and safe access to each lot;

- b. the lots are well proportioned and of regular shape;
- c. the lots have sufficient table land to permit the installation of a private sewage system and a private well;
- d. erosion will not occur and the disruption to existing vegetation is minimized. Existing trees and contours are to be maintained to the extent possible;
- e. a minimum setback of 15 metres from the top of toe of a slope of 20 percent or more is provided for all buildings and construction;
- f. a minimum setback of 30 metres from the top of bank of a watercourse or municipal drain is provided for all buildings, sewage disposal facilities and construction;
- g. the minimum lot size for an estate residential lot shall be 1.0 hectare. This minimum is not to be considered as the maximum and all proposals for estate residential development shall be designed with the physical features of the area as opposed to the landscape being moulded to fit the development;
- h. it is the intention of Council to maintain the rural nature of the Town, therefore, only a limited amount of estate residential development will be permitted and the design of the subdivision is such that it maximizes the separation of individual dwellings thereby increasing the dwelling's sense of isolation, and hence, the rural lifestyle experience for the homeowner;
- i. recreational uses such as walking trails shall form an integral part of the development.

4.5.6 Home Occupation

Home Occupation shall be subject to the policies of Section 4.3.2.6.

4.5.7 Zoning

Estate Residential uses shall be zoned in separate categories in the implementing Zoning By-law.

4.6 Residential

The general principles to be considered in the development of residential uses within the Town are set out below. Residential development shall conform to

these principles and to all policies of this Official Plan, particularly those relating to environmental preservation, servicing and transportation.

4.6.1 Development Overview

Major forms of new residential development are to be directed toward the Town's primary settlement areas (Wiaraton, Hepworth and Sauble Beach) which are or will be equipped with the hard and soft servicing infrastructure needed to efficiently accommodate intensive development. A limited amount of additional residential growth will be permitted in the secondary settlement areas and hamlets through infilling and/or the minor expansion of existing residential areas. Similarly, a modest amount of new non-farm residential development will be permitted in the Town's rural areas through infilling, existing vacant lot development and the approval of consents and estate residential plans of subdivision.

While residential development outside of the major settlement areas which offers an alternative lifestyle opportunity will assist in addressing the projected demand for new housing, the long-range accommodation needs of a majority of the Town's residents will be satisfied through the construction of new "urban" forms of housing within the primary settlement areas.

Furthermore, although over the effective planning period of this Official Plan it is expected that single-detached dwellings will be the predominate form of housing, it is the intent of Council to ensure a varied and affordable supply of accommodation for all residents by facilitating the selective establishment of medium density residential uses (e.g. semi-detached dwellings/townhouses/apartments), and through differing means of residential intensification such as infilling, the establishment of accessory apartments within single-detached dwellings, and the conversion of older residences for multiple-residential occupancy. As well, Council supports the establishment of nursing homes, senior citizen housing and garden suites as a means of meeting the needs of seniors/retirees and individuals largely dependent upon others for their day-to-day care.

The policies below describe the general principles to be considered in regulating residential land uses and the general principles governing the various methods of residential intensification encouraged by this Official Plan.

4.6.2 Residential Development in Primary and Secondary Settlement Areas

The Residential designation, as delineated on the Schedules to this Official Plan, identifies areas within the Town's settlement areas where residential development may be permitted in accordance with the following policies.

4.6.2.1 Development Principles

Over the planning period of this Official Plan major residential growth shall be directed to Warton, Hepworth and Sauble Beach with more limited forms of residential development being permitted in Mar, Park Head, Allenford and Elsinore. Future residential development within these communities shall occur in accordance with the following development principles:

1. Development within the community of Warton shall be regulated by the policies of the Warton Community Plan in Section 11.
2. While Sauble Beach is established as a primary settlement area and an area to which growth will be directed, the existing developed area will remain in the Shoreline Development

Area. New growth areas which are primarily infilling in nature are designated "Future Residential". Major new development within Sauble Beach will not occur until full municipal services area provided and shall be directed to Lots 23 to 29 in Concession C.

This area is being designated as the Sauble Beach Secondary Plan Study Area. Once approvals have been granted to supply full municipal services to this area, a secondary plan shall be prepared which shall set out the type and form of development, transportation network, etc.

3. It is the primary intent of the plan for residential development to be serviced with a municipal sanitary sewer and water supply. Where municipal services do not exist, development shall be permitted provided:
 - The development is considered infilling or on an existing lot of record;
 - The proposed servicing system complies with the standards of the appropriate approval authority;
 - The lots will be of sufficient size to allow further development when services become available;
 - Major new development or redevelopment will only be permitted when the municipality and or developer undertakes a study that demonstrates

that the development can adequately be serviced by partial or private services.

4. Within the residential designation the development of existing vacant lots, infilling in the minor expansion of an existing residential area is permitted provided the lot or lots are appropriately serviced.
5. Public and private nursing homes, senior citizen/retirement homes, group-homes, crisis centres and/or other forms of public housing generally shall have access to arterial or collector roads, shall be located in close proximity to community facilities such as schools, parks and commercial outlets and shall be appropriately serviced.
6. The establishment of a home occupation within a private residence shall occur in a manner which does not alter the residential character and amenity of the neighbourhood.
7. Residential intensification shall be encouraged within existing built-up areas with municipal sanitary sewer and water services as a means of urban renewal, creating affordable housing and ensuring the most efficient use of existing infrastructure and services, but shall only occur in a manner which maintains the general character and amenity of the host neighbourhood and shall be appropriately serviced.
8. The establishment of community facilities (e.g. schools/places of worship) within residential areas shall occur in a manner which maintains the general residential character of the neighbourhood and minimizes potential traffic and/or aesthetic impacts.
9. While the projected residential land need requirements to 2021 provide a useful guideline in ensuring an adequate, varied and affordable supply of housing, it is not Council's intent to rigidly adhere to the projections. If, as time goes by, market trends suggest an accelerated need for housing and/or different accommodation preferences by the general public, Council may consider amendments to the Official Plan to increase the amount of permitted development provided that the larger residential objectives of the Plan are maintained.

4.6.2.2 Permitted Uses

The uses permitted shall be limited to single-detached, semi-detached and duplex dwellings, townhouses, low-rise apartment buildings, private nursing homes, senior citizen/retirement homes, crisis centres and group homes. Non-

residential uses such as home occupations, local commercial uses and public uses (e.g. schools/places of worship/parks and playgrounds), which serve and complement a residential neighbourhood, also shall be permitted.

Residential development shall conform to the policies set out below, as well as the development principles in Section 4.6.2.1 and all other relevant policies of this Official Plan.

4.6.2.3 Policies

1. Low Density Residential

Low Density Residential is defined as single-detached, linked semi-detached, semi-detached and duplex dwellings and group homes. New low density residential development shall occur in accordance with the following:

- The density of permitted development shall be established in the Zoning By-law based on the individual planning circumstances in the Town's primary and secondary settlement areas (e.g. available servicing/community aesthetics). Generally, however, when on full municipal services, development shall not exceed 16 dwelling units per gross hectare (6 units per gross acre) for single-detached dwellings, and 20 dwelling units per gross hectare (8 units per gross acre) for semi-detached, linked semi-detached and duplex dwelling units.
- Low density residential development, wherever possible, shall front on local roads rather than on arterial roads.
- Adequate off-street parking shall be provided for all permitted uses.

2. Medium Density Residential

Medium Density Residential is defined as triplexes, fourplexes, townhouses, and low-rise apartment buildings not exceeding three stories in height, and includes public and private nursing homes and senior citizen/retirement homes, crisis centres and group-homes. Generally new medium density residential development shall be restricted to the Town's three primary urban settlement areas and shall occur in accordance with the following:

- The density of development shall be established in the implementing Zoning By-law based on the individual planning circumstances of the host urban settlement area (e.g. available servicing/community aesthetics). Generally, however, when on full municipal services, development shall not exceed 35 dwelling units per gross hectare (14 units per gross acre).
- Medium density residential development shall be encouraged to locate in proximity to community facilities such as parks, schools, commercial and recreational facilities.
- Adequate off-street parking shall be provided for all permitted uses.
- Adequate buffering shall be provided between medium density residential areas and lower density residential areas and/or non-residential uses. Such buffering may include the provision of grass strips, screening, the planting of trees and shrubs or the location of a beam or fence of sufficient height to provide privacy.
- The scale and design of a medium density residential development, in respect to such matters as building height, setbacks, landscaping and vehicular circulation, should maintain consistency, and be compatible with the surrounding residential area.
- It is the intent of this Plan that medium density residential development generally be encouraged to locate in newly-developing areas rather than in the midst of established low density neighbourhoods. This, however, does not preclude the location of multiple-residential uses in established residential areas with appropriate justification.
- Medium density residential uses shall only be permitted by amendment to the Zoning By-law.

3. Services

Residential development within primary and secondary urban settlement areas shall occur in accordance with the servicing policies of Section 7.0, and all other relevant servicing provisions of this Official Plan.

4. Home Occupations

Regulations governing the size and scale of home occupations, as well as permitted staffing, shall be established in the implementing Zoning By-law. In no case shall open storage be permitted in conjunction with a home occupation.

Applications to permit the expansion/enlargement of a home occupation beyond the small-scale commercial intent of this Official Plan shall only be permitted by amendment to this Plan and/or the implementing Zoning By-law as per the commercial policies of Section 4.10.

5. Neighbourhood Commercial Uses Within Residential Areas

Neighbourhood commercial uses providing for the sale of convenience goods and services to meet the daily living needs of residents in the adjacent residential area shall be permitted, by amendment to the Zoning By-law, in areas designated for *Residential* use, and in accordance with the following criteria:

- Permitted uses shall be limited to small-scale retail and service commercial uses such as variety stores, personal service shops and other convenience commercial outlets. No outside storage of goods and materials shall be permitted, and no individual commercial use shall encompass more than 200 square metres (2152 square feet).
- Neighbourhood commercial development proposals will be evaluated on the basis of site size, access suitability, the adequacy of off-street parking, site design (lighting/landscaping/ signage/visual aesthetics), the proximity of other commercial facilities and location.
- Neighbourhood commercial uses generally shall be located at intersections of arterial road with local roads, serve a radius within a reasonable walking distance, and avoid overlapping the service areas of other neighbourhood commercial facilities.

6. Public Uses

Public uses shall be established in accordance with the policies of Section 10.4 of this Official Plan.

4.6.3 Residential Development Outside Urban Settlement Areas

Residential uses outside of primary and secondary settlement areas shall occur in accordance with the policies of this Official Plan.

4.6.4 Residential Intensification

The Town supports residential intensification as a means of urban renewal, creating affordable housing and ensuring the most efficient use of existing infrastructure and services. The Official Plan's definition of residential intensification encompasses the residential conversion of older residential buildings no longer suited to single-detached residential use, the conversion of newer single-detached dwellings to accommodate one accessory apartment, major and minor residential infilling of vacant or under-developed lots, and the establishment of bed and breakfast accommodation.

The following uses and methods of residential intensification shall be permitted within the Residential designation in addition to those listed in Section 4.6.2.2 and the following policies shall apply in relation to future intensification initiatives:

4.6.4.1 Accessory Apartments

The following policies shall apply to the conversion of new single-detached dwellings to permit one accessory apartment.

1. Definition

For the purposes of this Official Plan, an accessory apartment shall mean an attached dwelling unit that is secondary and incidental to a single-detached dwelling unit.

2. Eligible Buildings

Criteria establishing the buildings eligible for conversion shall be included in the implementing Zoning By-law.

3. Servicing

The servicing of a converted dwelling shall occur in accordance with the Municipal Servicing and General Development Policies of Sections 6.0 and 7.0 of this Official Plan.

4. Unit Facilities

The accessory dwelling unit shall be self-contained and shall have a private entrance and separate culinary and sanitary facilities.

5. Floor Area

Criteria establishing minimum and maximum floor areas for an accessory apartment shall be included in the implementing Zoning By-law. This criteria shall ensure that the principal single-detached residential use remains dominant.

6. Construction Criteria

The accessory apartment shall form an integral part of the single-detached dwelling and be designed so as to maintain the general character of the dwelling and surrounding neighbourhood. The converted dwelling shall comply with all pertinent Provincial and municipal regulations and by-laws relative to such matters as fire, health, safety and occupancy.

7. Parking

Adequate off-street parking shall be provided at a standard of no less than one parking space per dwelling unit.

8. Zoning

Conversions to permit accessory apartments shall require an amendment to the Zoning By-law.

4.6.4.2 Conversion of Older Single-Detached Dwellings to Multiple-Residential Use

The following policies shall apply to the conversion of older single-detached dwellings into multiple dwellings.

1. Uses Permitted

The uses permitted shall be limited to the conversion of single-detached dwellings and multiple self-contained residential dwelling units.

2. Eligible Buildings

Criteria establishing the type of building eligible for conversion, on the basis of such factors as size, age, physical condition and/or neighbourhood setting, shall be included in the implementing Zoning By-law.

3. Servicing

The servicing of a converted dwelling shall occur in accordance with the Municipal Servicing and General Development Policies in Sections 7.0 and 8.0 of this Official Plan.

4. Unit Facilities

All dwelling units shall be self-contained and shall have private entrances and separate culinary and sanitary facilities.

5. Floor Area

Criteria establishing the minimum floor area for converted dwelling units shall be included in the implementing Zoning By-law.

6. Construction Criteria

Converted dwellings shall comply with all pertinent Provincial and municipal regulations and by-laws relevant to such matters as fire, health, safety and occupancy.

Except in relation to matters governed by the Ontario Building Code, every effort shall be made to minimize alterations to the building's existing facade in order to preserve the low density and/or historical character of the structure, neighbourhood or landscape.

7. Parking

Adequate off-street parking shall be provided at a standard of no less than one parking space per dwelling unit. Where alterations are made to provide more than two parking spaces to service the converted dwelling, adequate buffering and screening shall be provided between the parking area and adjacent uses, particularly adjacent single-detached residential uses. Such buffering may include the provision of grass strips, screening, the planting of trees or shrubs, and the location of a berm or fence.

8. Zoning

Conversions shall require an amendment to the Zoning By-law.

4.6.4.3 Residential Infilling

1. General

The residential infilling of primary and secondary urban settlement areas shall be encouraged in circumstances:

- Where the proposed method of servicing is in accordance with the standards of the Town or other responsible approval authority.
- Where the major extension of municipal services will not be required.
- Where proposed lots have access to a public road which meets minimum municipal standards.
- Where adequate community facilities, including schools and parks, are available.
- Where the proposed method of access will not unduly impede the flow of traffic along arterial or collector roads or create a traffic hazard due to traffic volumes or limited sightlines.

Unless required due to a proposed change in the permitted residential density or permitted use, infilling may occur without the need for amendment to the Official Plan, but, in all other respects, shall comply with the development requirements of the municipality and the Planning Act.

2. Neighbourhood / Landscape Character

Wherever possible, the design of a new infill dwelling(s) shall be encouraged to maintain consistency with the general character of the surrounding neighbourhood or landscape. To this end, in assessing the propriety of applications for consent and/or amendment to the Official Plan or Zoning By-law, the Committee of Adjustment and/or Council may consider the architectural form of the proposed dwelling(s) in addition to the matters above.

4.6.4.4 Bed and Breakfast Accommodation

The Town supports the controlled establishment of bed and breakfast accommodation as a means of providing visitors to the community with a varied and interesting supply of temporary accommodation. As such, notwithstanding any provisions of this Official Plan to the contrary, bed and breakfast accommodation shall be permitted within an existing single-detached dwelling in accordance with the following policies.

1. Definition

Bed and Breakfast Accommodation means a single-detached dwelling in which not more than three rooms are offered for rental to the travelling public for overnight accommodation on a temporary basis, by the permanent occupant of such dwelling, and in which prepared food is provided as a part of the rental fee.

In no circumstance shall this definition be deemed to include a hotel, motel, boarding house or similar commercial use.

2. Development Criteria

Except in areas designated Agriculture or Rural, the establishment of Bed and Breakfast Accommodation shall require an amendment to the Zoning By-law. In considering such an amendment, Council shall be satisfied that the matters below have been addressed, in addition to all other relevant policies of this Official Plan.

- A Bed and Breakfast use must be an accessory use to the single-detached dwelling. No one shall use a building wholly for the purpose of bed and breakfast accommodation.
- A single-detached dwelling accommodating a Bed and Breakfast use must be the principal residence and occupied on a full-time basis by the owner of the dwelling or a lessee who has a minimum of a one-year lease. At least one bedroom must be available in the dwelling for the exclusive use of the building's permanent resident.
- Prepared food may be served to guests of a Bed and Breakfast facility in a common area, but neither the serving of meals nor the preparation of food shall be permitted in rented guestrooms.
- Bed and Breakfast Accommodation shall be serviced by full municipal water supply and sanitary sewage disposal services. The

use of private water supply and private sanitary sewage disposal systems may be permitted in secondary settlement areas and in rural areas, where the adequacy of such services has been demonstrated to the satisfaction of the Town or other responsible approval authority(s).

- Adequate off-street parking shall be provided at a standard of no less than one space per guest room in addition to the normal parking requirements for the single-detached dwelling. Such parking shall not be permitted in any required front yard and shall be screened from adjacent properties.
- Bed and Breakfast Accommodation shall comply with the Building Code.
- Bed and Breakfast Accommodation shall be subject to site plan control in accordance with Section 7.5 of this Plan.

The policies of this section shall be implemented through the inclusion of detailed criteria in the implementing Zoning By-law.

4.6.5 Residential Impact Studies

Before an amendment is made to this Official Plan and/or before an amendment is made to the implementing Zoning By-law (which may or may not require an amendment to this Official Plan), it shall be demonstrated, where necessary through the preparation or appropriate studies:

- that all of the matters contained within this Section have been addressed and that no undue transportation difficulties will ensue from the proposed development,
- that the proposed method of servicing is in accordance with the engineering standards of the Town and/or other responsible approval authority,
- that adequate community facilities, including recreational and educational facilities, are available to service the proposed use,
- that the proposed development is compatible with adjacent surrounding land uses, and
- that all other requirements for this Official Plan have been met.

4.6.6 Development on Karst Topography

The settlement area of Hepworth is located in an area of known Karst topography. Karst topographic areas are limestone plains which can be eroded by surface or groundwater resulting in underground caverns, sink holes, etc. Within these areas due to the potentially unstable bedrock, a serious risk to public health, safety and property damage exists. In this area, in addition to the other studies that must be undertaken to support development, a geotechnical study must be undertaken to ensure that a hazard does not exist. Where it cannot be shown to the satisfaction of Council that development is appropriate then the proposed development will not be permitted.

4.6.7 Site Plan Control

All areas designated Residential may be designated, by by-law, as site plan control areas. Policies concerning site plan control in Section 7.5 shall apply.

4.6.8 Zoning

Low density and medium density residential uses, residential conversions and bed and breakfast accommodation situated within the Residential designation shall be zoned in separate categories in the implementing Zoning By-law.

4.7 Shoreline Development Area

The general principles to be considered in the development of the Shoreline Development Area are set out below. Shoreline development shall conform to these principles and to the policies of the Plan.

4.7.1 Development Overview

The Shoreline Development Area within the Town recognizes the developed seasonal tourist commercial and permanent residential areas within the shoreline development areas along the shoreline and inland lakes and the communities of Sauble Beach, Oliphant, Howdenvale-Red Bay, Colpoy's Bay, Hope Bay and Mallory Beach. The existing development within these areas is recognized, however, the protection of the resource (i.e. the waterfront) which is the *raison d'être* for the development is paramount. As such:

- the development of existing vacant lots shall occur only if the lot can be appropriately serviced;
- the conversion of a seasonal dwelling unit to a permanent dwelling unit can only occur if the individual services are appropriate for year round use and are approved by the appropriate approval authority.

4.7.2 Permitted Uses

The uses permitted shall be limited to seasonal and permanent residential dwellings, resort related commercial uses such as lodges, tourist cabins, marinas, motels, private docks, small scale convenience commercial uses, home occupation of bed and breakfast establishments and home-based child care. (OPA 43-16.58)

Guest cabins, as accessory uses to seasonal dwelling units, may be permitted by the Town, subject to provisions for such in the Comprehensive Zoning By-law. (OMB #PL030265 24Aug/04)

4.7.3 Policies

- .1 Within the Shoreline Development Area, all habitable buildings shall be set back 15 metres from the high water mark, or the 100 year flood line, whichever is greater.
- .2 Where new development is proposed within the Shoreline Development Area, development on private services shall not exceed 2 units per hectare and/or where communal services are proposed, 5 units per hectare.
- .3 Where new back lot development is proposed, consideration shall be given to the provision of access to the waterfront to the satisfaction of Council. Council in considering access to the waterfront shall not exceed the 5% required under the Planning Act, unless by agreement with the proponent. Cash-in-lieu may be considered for the future development of existing parkland.
- .4 Where an existing lot is proposed for development, such lot shall be suitable for the siting of a individual sewage and water system.
- .5 The development of new commercial uses or the expansion of existing uses shall:
 - establish that the lot area is of sufficient size to:
 - i. accommodate an individual sanitary sewage system;
 - ii. accommodate a potable water supply;
 - iii. provide appropriate parking;
 - iv. provide appropriate buffering to adjacent residential areas.

6. In order to ensure that the conversion of a seasonal dwelling to permanent year round use occurs with a satisfactory sewage disposal system capable of servicing the dwelling year round, Council may establish separate zones or other mechanisms within the zoning by-law to recognize those uses which have appropriate year round services. No building permit will be issued unless it is confirmed that appropriate individual services are provided to service the dwelling on a year round basis and, further, must be located on a public road built to municipal standards and maintained on a yearly basis unless the applicant has entered into a site plan control agreement for such unimproved roads in accordance with Section 5.3.
7. No new development except that which qualifies as infilling is permitted in any inland lake unless the proponent undertakes a study with respect to the carrying capacity of the lake and the ability of the land to accommodate such development.
8. Docks and boathouses are permitted provided that:
 - appropriate approvals are received from the approval authority for buildings and structures below the highwater mark;
 - where a studio, guest facilities, etc. are included as part of a boathouse, appropriate sanitary sewage services are provided which have received approval from the approval authority.

4.7.4 Fishing Islands

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, wave uprush and other development constraints. Others have been developed for seasonal residential uses or could be made suitable for development.

In addition to the policies of the Shoreline Development Area, the following policies shall apply to proposed seasonal residential development on the Islands:

Permitted uses shall be in accordance with Section 4.7.2. **(OMB #PL030265 24Aug/04)**

- That the lands proposed for development are suitable for development purposes;

- 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.
- 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.
- 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 be provided.
- The Comprehensive Zoning By-law may have special requirements for development of new and existing seasonal residential lots on islands.

4.7.4.1 Fishing Islands – Special Policy Area – Rownes or Rowan Island (Island 20) (OMB #PL030265 24Aug/04)

- i) Permitted uses shall include up to two (2) detached seasonal dwelling units.
- ii) The dwelling units shall generally be located in the area that is outside of the “Environmental – Hazard Lands Area” . Encroachments of buildings and structures into this designation may, however, be permitted, subject to a satisfactory site plan control agreement being in place, with the site plan control agreement including any necessary remedial measures (such as flood proofing of door and window opening), to the satisfaction of the Town. If site plan control is required, the Town shall rely upon peer review and advice from the Conservation Authority or other qualified person in the review and subsequent approval of the agreement.

4.7.5 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.

Any proposed new development shall be reviewed with a cautionary approach. 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.

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.

Should a significant development be proposed in the inland lakes area, other than minor infilling and rounding out of existing development, an Amendment to this Plan is required.

In general, large scale tourism related services shall not be encouraged on inland lakes. Permitted commercial uses on inland lakes 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.

4.7.6 Exceptions – Shoreline Development Area

4.7.6.1 (OPA 13 Harold, 24Oct09) Notwithstanding the policies of ‘Section 4.7 Shoreline Development Area’ and ‘Section 8.0 Consent Policies’ of this Plan, the lands identified as Site Specific Policy Area 4.7.6.1 on Schedule “A”: Land Use (North Section) may be severed subject to the following:

- 1) That the minimum lot area for 31 Water View Rd., Plan 403 Lt 20 N Pt Lt 21 (Albemarle) Roll No: 410259000213000 (severed parcel) shall be no less than 1448 m² (15 587 ft²) and it is recognized that Waterview Road is not maintained on a year-round basis.
- 2) That the minimum lot area for 67 Symon Ave., Plan 403 Pt Lt 4 (Albemarle), Roll No: 410259000211600 (retained parcel) shall be no less than 2 493 m² (26 835 ft²) and it is recognized that the parcel does not have to have frontage onto an existing road allowance which is opened and maintained on a year-round basis.

4.7.6.2 (OPA 31-2012.54 Bennett) Notwithstanding the policies of ‘Section 4.7 Shoreline Development Area’ and ‘Section 8.0 Consent Policies’ of this Plan, the lands identified as Site Specific Policy Area 4.7.6.2 may be severed subject to the following:

- 1) That the minimum lot area for 22 Shores Acres Avenue., Plan 460 Lot 9 (Amabel) Roll No: 410254001909901 shall be no less than 5 811 m² (62

550 ft²) and relief from Section 8.3.5 Access is granted with the recognition that Shore Acres Ave and Staines Rd are private laneways that are not owned or maintained by the Town of South Bruce Peninsula.

- 2) That the minimum lot area for 28 Shores Acres Avenue., Plan 460 Lot 8 (Amabel) Roll No: 410254001909900 shall be no less than 5 811 m² (62 550 ft²) and relief from Section 8.3.5 Access is granted with the recognition that Shore Acres Ave and Staines Rd are private laneways that are not owned or maintained by the Town of South Bruce Peninsula.

4.7.6.3 (OPA 50-18.54 Kruisselbrink c/o Barry's Construction)

Notwithstanding the policies of 'Section 4.7 Shoreline Development Area' and 'Section 8.0 Consent Policies' of this Plan, the lands identified as Site Specific Policy Area 4.7.6.3 are subject to the following:

- 1) Development on private services may exceed 2 units per hectare.

4.8 Future Residential

The Future Residential designation is a holding category encompassing lands within the Town's settlement areas where residential development is expected to occur. This development, however, is restricted pending the completion of the necessary studies to justify such development.

4.8.1 Permitted Uses

The permitted uses of lands designated as Future Residential shall be for those uses which existed at the approval of the Plan.

4.8.2 Policies

1. Supporting Studies

Prior to the development of any lands designated as Future Residential, it shall be a requirement of the applicant to undertake certain studies to the satisfaction of the Town and the appropriate approval agencies. These studies shall include:

- a) Environmental Impact Study
- b) Traffic Impact Study
- c) Stormwater Management Study
- d) Hydrogeological Study

2. Development Alternatives

In certain areas the potential exists in the future for these lands to be serviced with full municipal services. Where full municipal services are not contemplated or where the applicant wishes to proceed on private services, lot sizes shall generally be in excess of .4 hectares. The applicant in designing the development should assess the cost benefits of designing the subdivision so that municipal services could be installed in the future within the development.

3. Amendments

An Official Plan Amendment will not be required for the development of lands designated "Future Residential". The development will be regulated through the subdivision approval process and the implementing zoning by-law.

4.9 Institutional

Within the Institutional designation, it is the intent of this Plan to recognize those institutional uses which exist throughout the Town.

4.9.1 Permitted Uses

The predominant use of those lands designated as Institutional shall be for buildings and properties which are public, semi-public or private and non-profit in nature. These lands shall be restricted to non-commercial public or private uses including schools, churches, cemeteries, service clubs, municipal buildings and other similar uses.

4.9.2 Policies

1. New Uses

New institutional uses shall be subject to an amendment to this Plan and shall be supported by a planning report which addresses:

- a. the impact of the proposed use on adjacent uses with respect to noise, traffic and visual appearance;
- b. the viability of the site to service the proposed use, the type of servicing and where individual private services are proposed, a hydrogeological report to substantiate the servicing method;
- c. generally new institutional uses shall not be located on prime agricultural lands.

2. Architectural Design

All buildings and structures shall be designed to reflect the natural or architectural characteristics of the area and all parking areas, lighting, etc. shall be located, buffered, and/or designed to reduce the impact on adjacent uses. Institutional uses shall be subject to site plan control.

3. Zoning

The implementing Zoning By-law shall zone these uses in a separate category and shall establish setbacks, parking, landscaping and buffering requirements for institutional uses.

4.10 Commercial

The general principles to be considered in the development of commercial uses within the Town are set out below. Commercial development shall conform to these principles and to all policies of this Official Plan, particularly those relating to environmental preservation, servicing and transportation.

4.10.1 Development Overview

Major forms of new commercial development are to be directed toward the Town's three primary urban settlement areas (Wiaraton, Sauble Beach, Hepworth) which are or will be equipped with the servicing infrastructure needed to efficiently accommodate intensive development, and are to be the focus of the Town's future residential growth. A limited amount of additional commercial growth is to be permitted in secondary urban settlement areas through infilling and/or the minor expansion of established commercial districts.

It is the intent of this Official Plan to encourage the expansion of the municipality's existing commercial base as a means of addressing the commercial needs of the residents and optimizing tourist/recreational opportunities. Also it is the intent of this Plan that commercial activity be strategically located so as to facilitate improvements to the commercial cores of the settlement areas.

The policies below describe the general principles to be considered in regulating commercial land uses.

4.10.2 Commercial Development

The Commercial designation, as delineated on the Schedules to this Official Plan, applies separately to both General and Highway Commercial uses, reflects existing commercial lands and identifies those areas within the Town where commercial development may be permitted.

Generally major commercial growth is expected to occur in Wiaraton, Sauble Beach and Hepworth with limited commercial development occurring in the Hamlet of Allenford.

4.10.3 Permitted Uses

General Commercial and Highway Commercial areas shall be guided by the following:

a) General Commercial

General Commercial lands are those generally associated with settlement areas.

Permitted uses include all forms of retail and service commercial facilities including retail commercial establishments, business, professional and administrative offices, banks and financial institutions, hotels and motels, private clubs, places of recreation and entertainment, commercial/business services, eating establishments, laundromats and/or dry-cleaning stores, funeral homes, motor vehicle service establishments, gasoline outlets, motor vehicle dealerships and similar uses. In addition, government, cultural, parking and community facilities, parks, public and private institutions, public uses and residential uses in the upper storey or in the rear of the ground storey of a commercial building shall be permitted. Where permitted in the ground storey of a commercial building, the total floor area of the residential use shall not exceed thirty percent of the total ground floor area of the building.

b) Highway Commercial

Highway commercial uses shall be restricted to those commercial activities which have larger land/building area requirements than uses in the commercial core areas and/or which primarily serve vehicular traffic and the travelling public and rely heavily upon such traffic for their economic existence. Such uses should complement uses in commercial core areas, and shall include, but shall not be limited to hotels/motels including accessory convention facilities; private fitness clubs and recreational facilities; places of entertainment or amusement, meeting or assembly halls; marine sales and service establishments; motor vehicle and recreational vehicle sales and/or service establishments; building supply outlets; establishments for the sale of plumbing fixtures, pool, patio and spa supplies, paint and wallpaper and/or electrical fixtures; nurseries and garden centres; motor vehicle gasoline outlets; farm implement sales and service establishments; laundromats and/or dry-cleaning stores; commercial greenhouses; farmers' markets; eating establishments/taverns, business, professional and administrative offices, convenience stores, and uses accessory to a permitted highway commercial use including a residence for the owner or caretaker.

4.10.4 Development Principles

a. General Commercial

The maintenance and improvement of the commercial core areas is a primary objective of this Official Plan. Accordingly, Council shall be guided by the

following principles in the consideration of future public works and/or development applications:

1) Compact Form

Commercial core areas should remain as compact as possible in order to facilitate easy pedestrian access to stores and facilities.

2) Parking

On-site parking requirements for commercial development in commercial core areas may be satisfied through communal, municipal or privately-owned parking areas located either in conjunction with a specific commercial use or elsewhere in the core. Cash-in-lieu of parking agreements also may be entered into as per Section 10.6 of this Plan.

3) Aesthetics

Aesthetic improvements to commercial core areas may include the coordination of signage, fascias, lighting and landscaping, the acquisition of centralized communal parking areas, the use of small spaces for amenities such as street furniture, planters or public art. Consideration also may be given to linking individual uses through a united design theme.

4) Residential

Residential uses in commercial buildings and business (e.g. banks) and entertainment (e.g. restaurants) facilities shall be encouraged within commercial core areas both as a means of attracting consumers and increasing the vitality of these focal points of the community.

5) Space Expansion

While all forms of retail commercial development shall be permitted in commercial core areas, space extensive (big box) commercial uses, and those with an orientation to vehicular traffic, shall be encouraged to situate in other commercial areas better suited to the large lot/large building area requirements and high visibility demands of these uses.

6) Open Storage

The open storage of goods and materials shall not be permitted in commercial core areas.

b) Highway Commercial

The establishment of new highway commercial uses shall require an amendment to this Official Plan and/or the implementing Zoning By-law.

The following development criteria shall apply to highway commercial development in addition to all other relevant policies of this Official Plan.

1) Location Criteria

Highway commercial uses generally shall be located on arterial roads and should not be permitted to infiltrate unnecessarily into adjoining residential areas. Such uses shall be encouraged to locate in groups at major intersections. New highway commercial uses are not permitted on prime agricultural lands, environmental lands or in areas designated Potential Extractive Industrial.

Where new highway commercial development is proposed adjacent to residential areas, it shall be demonstrated that the commercial use will not create a traffic hazard and that its impact on the residential area will be minimal insofar as it relates to such matters as lighting, parking, drainage, noise, traffic movements, etc.

2) Lot Area

Highway commercial development shall occur on lots of an appropriate size and with appropriate frontage for a specific highway commercial use, and the minimum lot area/servicing requirements for a new commercial use shall be determined in accordance with the policies of Section 6.0. The method of servicing is particularly relevant in settlement areas where full municipal servicing is not available. Commercial uses on private sanitary sewage disposal services shall be limited to “dry” commercial uses as defined by the Ministry of Environment.

3) Storage

Where goods and materials are stored in the open, they generally shall be screened through the use of fencing or landscaping and shall not be visible from the road or surrounding properties.

Notwithstanding the above, where goods or materials such as motor vehicles, boats or recreational vehicles, antiques, vegetables, plants, trees or any other form of vegetation are being offered for immediate sale by a motor vehicle, marine or recreational vehicle sales establishment, an antique dealer, or a nursery or garden centre, such goods or materials may be stored in such a way as to be visible from the road or adjacent property.

4) Parking and Loading

Adequate off-street parking and loading facilities shall be provided. Access points to parking and loading areas shall be limited in number and/or designed in a manner which minimizes the danger to vehicular and pedestrian traffic.

5) Buffering

Adequate buffering shall be provided between highway commercial uses and adjacent land uses and roadways. Such buffers may include the provision of grass strips, screening, the planting of trees and shrubs and the location of a berm or fence.

4.10.5 Commercial Impact Studies

Before an amendment is made to this Official Plan and/or implementing Zoning By-law, it shall be demonstrated, where necessary through the preparation of appropriate technical/engineering studies that:

- all of the matters contained within this Section and any other related matters, have been addressed,
- no undue transportation difficulties will ensue from traffic generated by the proposed development,
- the proposed method of servicing is in accordance with the engineering standards of the Town and/or other responsible approval authority,
- the proposed development is compatible with surrounding land uses or is compatible in conjunction with appropriate methods of remediation,

- the scale of development is appropriate in relation to the surrounding area and the commercial needs/objectives of the Town,
- the proposed off-street parking and loading facilities, setbacks and proposed buffering from adjacent residential development, comply with the standards of the implementing Zoning By-law, and
- all other requirements of this Official Plan have been met.

4.10.6 Site Plan Control

All areas designated Commercial may be designated, by by-law, as a site plan control area.

4.10.7 Zoning

Commercial and Highway Commercial uses shall be zoned in separate categories in the implementing Zoning By-law. Commercial development shall be regulated through the inclusion of suitable provisions in the Zoning By-law including those addressing permitted uses, setbacks from property lines, parking and loading, landscaping, buffering, outside storage, and building and lot areas.

4.11 Recreational Commercial

The Recreational Commercial designation applies to those existing tourist facilities which provide accommodation to the traveling public.

4.11.1 Permitted Uses

The uses permitted within the Commercial Recreation designation shall include the temporary parking of recreational vehicles such as campers, vans, trailers and tents. This designation also permits accessory recreational and commercial facilities such as horseshoe pits, swimming pools, tennis courts, baseball diamonds, soccer pitch and a small convenience store and laundromat to serve the needs of the park residents. Park model homes may also be permitted in accordance with the policies of Section 4.11.3.

Additionally, an office and a residence for the park manager is included as a permitted use.

4.11.2 Policies

1. Official Plan Amendment

All new Recreational Commercial development shall occur only by amendment to this Official Plan and shall be designed in a manner which will complement the natural setting.

2. Clustering

All campgrounds shall cluster their camp sites in such a manner as to separate groups of camp sites from one another. A camp site is defined as a site for the parking of a recreational vehicle or the erection of a tent and which would serve as a temporary homesite. In addition, individual camp sites shall be sufficiently spaced so as to allow screening from other sites.

3. Recreational Facilities

Each campground shall include sufficient recreational facilities for the residents of the park so that those persons using the park on a temporary basis will not overtax the existing recreational facilities of the Municipality.

4. Traffic

All campgrounds shall have adequate ingress and egress to ensure the ease of entrance and exit of all recreational vehicles and to overcome any traffic hazards that may result from the added load on the traffic system and facilities.

5. Sanitary Services

All sanitary sewage services and solid waste disposal methods shall be adequate to accommodate the capacity of the park and shall be subject to the approval of the Approval Authority.

6. Water Supply

A report on the quality and suitability of the campground's water system shall be submitted to the Town for approval.

7. Environmental Impact

A report on the environmental impact the campground and internal roads and trails will have on the natural environment of the area and the methods by which these impacts will be overcome shall be prepared and submitted to the Town.

4.11.3 Park Model Homes

Park Model Homes which are described as small type dwellings, approximately 56 square metres in size, which are constructed for usage and connected to services, may be permitted within a Commercial Recreational designation provided that:

- a) they are located in a defined area;
- b) they comprise no more than 25% of the total campsites;
- c) they are appropriately serviced; and
- d) they are not occupied on a full-time basis and, thus, are restricted to a maximum number of days of use.

Park Model Homes are subject to an amendment to the Zoning By-law.

4.11.4 Special Development Area

Within the Special Development Area located in Part of Lot 24 and 25, Concession C as shown on Schedule "A", the following applies:

1. Permitted Uses

Within the Special Development Area the permitted uses shall be limited to:

- a) a recreational tent and trailer camping operation and accessory buildings and structure related to the camping operation;
- b) a golf course.

2. Development Requirements

- a) Prior to any development occurring on the lands, the applicant shall undertake the following studies:
 - 1) a biological investigation of the existing wetland including boundary delineation, mitigation measures and wetland, surface and groundwater protective requirements;
 - 2) a preliminary stormwater management report;
 - 3) a detailed servicing plan that implements the findings of the stormwater management study;
 - 4) a preliminary servicing concept design for sewage and water services;

- 5) a detailed servicing plan that implements the sewer and water servicing requirements;
- 6) a detailed grading and drainage plan;

all acceptable to the Town, the Ministry of the Environment, the Ministry of Natural Resources and the Grey Sauble Conservation Authority.

3. Detailed Site Plan

The Developer/Owner shall prepare a detailed site plan incorporating the recommendations and conclusions for the above reports.

4. Development Approvals

The Developer/Owner shall obtain all required permits or approvals required for the development which shall include but not be limited to Certificate of Approval from the Ministry of the Environment, fill permits from the Grey Sauble Conservation Authority, entrance permits from the County of Bruce, etc.

4.11.5 Site Plan Control

Within the Special Development Area located in Part of Lot 24 and 25, Concession C as shown on Schedule AA, the following applies:

1. Permitted Uses within the Special Development Area the permitted uses shall be limited to:
 - a) a recreational tent and trailer camping operation and accessory buildings and structure related to the camping operation;
 - b) a golf course.
2. Development Requirements:
 - a) Prior to any development occurring on the lands, the applicant shall undertake the following studies:
 - i. a biological investigation of the existing wetland including boundary delineation, mitigation measures and wetland, surface and groundwater protective requirements;
 - ii. a preliminary stormwater management report;
 - iii. a detailed servicing plan that implements the findings of the stormwater management study;

- iv. a preliminary servicing concept design for sewage and water services;
- v. a detailed servicing plan that implements the sewer and water servicing requirements;
- vi. a detailed grading and drainage plan;

all acceptable to the Town, the Ministry of the Environment, the Ministry of Natural Resources and the Grey Sauble Conservation Authority.

3. Detailed Site Plan:
The Developer/Owner shall prepare a detailed site plan incorporating the recommendations and conclusions for the above reports.
4. Development Approvals:
The Developer/Owner shall obtain all required permits or approvals required for the development which shall include but not be limited to Certificate of Approval from the Ministry of the Environment, fill permits from the Grey Sauble Conservation Authority, entrance permits from the County of Bruce, etc.

All areas designated Recreational Commercial may be designated by by-law as a site plan control area.

4.11.6 Zoning

Recreational Commercial uses shall be zoned in a separate category in the implementing zoning by-law.

4.12 Industrial

The general principles to be considered in the development of industrial uses within the Town are set out below. Industrial development shall conform to these principles and to all policies of this Official Plan, particularly those relating to environmental preservation, servicing and transportation.

4.12.1 Development Overview

New industrial development is to be directed toward the Warton settlement area which is or will be equipped with the servicing infrastructure needed to efficiently accommodate intensive industrial development.

The policies outlined below describe the general principles to be considered in regulating industrial land uses.

4.12.2 Development Principles

Over the planning period of this Official Plan, major industrial growth directed to the Warton settlement area shall occur in accordance with the following development principles.

1. Industrial uses shall be encouraged to locate in business parks, which, for the purposes of this Official Plan are defined as industrial subdivisions accommodating industrial, wholesale, office and retail and service commercial establishments. Site-specific industrial uses may be located on arterial or collector roads in circumstances where the proposed use is compatible with adjacent uses and it is demonstrated that it will not create a traffic hazard.
2. Industrial development shall occur on lots of an appropriate size and with appropriate frontage for a specific industrial use.
3. Industrial development shall be serviced by a municipal water supply and sanitary sewage disposal systems. Notwithstanding the above industrial uses which are dry in nature (i.e. they do not require or create large volumes of water) may be permitted on individual services provided:
 - The lot size and soil is appropriate to accommodate private individual services.
 - The use of water is for employees only.
 - The developer enters into an agreement with the Town which requires the developer to pay an equitable share of the cost of extending services to the development in the future.
4. No industrial use shall be permitted which creates an adverse impact on adjacent land uses as a result of the emission of contaminants into or onto the air, water or land. Adjacent uses shall be adequately protected from industrial emissions in accordance with, and subject to, the regulations of the Ministry of Environment and Council.

Where deemed necessary, a report(s) shall be prepared by a qualified professional which assesses the potential impacts and recommends mitigation and/or design measures as appropriate.

5. Adequate off-street parking and loading facilities shall be provided for all permitted uses including industrial employee visitor parking areas.

6. Adequate buffering and setbacks shall be provided between industrial areas and/or uses and any adjacent residential areas or roadways. Such buffering may include the provision of grass strips, screening, the planting of trees and shrubs and the location of a berm or fence.
7. In order to maintain an attractive entrance to the community of Wiarnton, specific site development criteria shall apply to those lands in Lot 1, Concession 20 abutting Provincial Highway 6 as follows:
 - No direct access shall be provided onto Provincial Highway 6.
 - Appropriate landscaped setbacks shall be provided between any building or structure and the Highway and shall not include any parking area or outside storage.
 - All parking areas, outside storage areas shall be fenced or suitably screened from the Provincial Highway.
 - Signs shall be limited in number and architecturally designed to afford an attractive entrance to the Community of Wiarnton.

4.12.3 Permitted Uses

Permitted industrial uses shall include:

1. Workshops; service shops; manufacturing, processing, repairing, fabricating and assembly operations; warehouses; construction yards; truck or transportation terminals; railway uses; bulk storage operations, (including lumber and fuel storage); open storage uses; storage units/outlets; printing or publishing establishments; industrial laundromats and/or dry-cleaning establishments; broadcasting and communication establishments; bakeries; light equipment sales and rental establishments; establishments for the manufacture and sale of wine and beer and/or wine and beer products; motor vehicle repair garages; motor vehicle body shops; motor vehicle service stations; research establishments; assembly halls and similar establishments.
2. Commercial uses accessory or supportive of an established industrial/business park may be permitted including uses such as eating establishments; business, professional and administrative offices; service shops and retail and service businesses for commercial and industrial equipment.

Space extensive commercial uses, which are defined as large-scale commercial operations requiring a large land/building area to function appropriately, may be permitted including uses such as private fitness clubs and recreational facilities; marine sales and service establishments; motor vehicle and recreational vehicles and sales and/or service establishments; building supply outlets; establishments for the sale of plumbing fixtures, pool, patio and spa supplies, paint and wallpaper and electrical fixtures and nurseries and garden centres.

Industrial uses existing at the date of adoption of this Official Plan may be recognized by an appropriate zoning category in the implementing Zoning By-law and extensions thereto may be permitted.

4.12.4 Site Plan Control

All areas designated Industrial may be designated by by-law as site plan control areas. Policies concerning site plan control in Section 7.5 shall apply.

4.12.5 Zoning

Restricted Industrial and General Industrial uses shall be zoned in separate categories in the implementing Zoning By-law.

4.12.6 Exceptions – Industrial Designation

4.12.6.1 (OPA #40 Davenport) By-Law 26-2015, West Part Lots 8 & 9 Concession 'A'

Notwithstanding the direction of Section 4.12.1, the subject lands are designated for Industrial uses. All other policies of Section 4.12 apply.

4.13 Extractive Industrial

Within the Extractive Industrial designation, the predominant land use shall be the extraction, processing and storage of mineral aggregates. The general principles to be considered in regulating pits and quarries are set out below. Extractive industrial development shall conform to these principles and to all other relevant policies of this Official Plan, particularly those relating to transportation and agricultural and environmental preservation.

4.13.1 Development Overview

Mineral aggregate resources are essential to the economic life of the Province, County and Town. They are non-renewable resources which are found in only select locations in the Province.

The purpose of the Extractive Industrial designation is to provide a policy framework for regulating the orderly extraction of mineral resources and the subsequent rehabilitation of disturbed sites, while minimizing potential impacts from the operation on natural heritage features and surrounding land uses.

The Extractive Industrial designation recognizes all pits and quarries licensed by the Ministry of Natural Resources pursuant to the Aggregate Resources Act. The establishment of future pits and quarries shall require an amendment to this Official Plan and the implementing Zoning By-law.

Areas identified as having potential for mineral aggregate extraction, but which are not yet licensed for extraction by the Ministry of Natural Resources, are designated as Potential Aggregate Extraction and are subject to the policies of Section 4.14 of this Plan.

4.13.2 Permitted Uses

The Extractive Industrial designation applies to those lands which have been licensed for mineral aggregate extraction by the Ministry of Natural Resources. Areas so designated may be used or developed as pits and quarries which also shall include ancillary uses to mineral extraction such as aggregate crushing, screening and washing, asphalt plants, ready-mix concrete plants and batching plants for concrete production, recycling of mineral aggregates, aggregate transfer stations and / or other mineral aggregate processing operations directly related and essential to the pit or quarry.

Open space, conservation, forestry and agricultural uses, including barns, silos, drive-sheds and accessory dwellings to agricultural, shall be permitted but only where such uses do not preclude or hinder future extraction.

For the purpose of this Plan, the following definitions shall apply:

- **Pit** shall mean land or land under water from which unconsolidated aggregate is being or has been excavated, and that has not been rehabilitated, but does not mean land or land under water excavated for building or other work on the excavation site or in relation to which an order has been made under the Aggregate Resources Act.
- **Quarry** shall mean land or land under water from which consolidated aggregate is being or has been excavated and that has not been rehabilitated, but does not mean land or land under water excavated for building or other work on the excavation site or in relation to which an order has been made under the Aggregate Resources Act.

- **Wayside Pit / Quarry** shall mean a temporary pit or quarry opened under the authority of a wayside permit issued under the Aggregate Resources Act to any public authority or any person who has a contract with the public authority that requires aggregate for temporary projects such as road construction, road maintenance or urgent projects for which no alternative sources of aggregate under license or permit are readily available in the vicinity.
- **Portable Asphalt Plant** shall mean a facility with equipment designed to heat and dry aggregate, to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process; but which is not of permanent construction and is designed to be dismantled and moved to another location as required.

4.13.3 Policies

4.13.3.1 Amendment Criteria

The establishment of new pits and quarries shall occur by amendment to this Official Plan and the implementing Zoning By-law. In submitting an Official Plan amendment application, the proponent shall be expected to provide information along with the application that addresses typical neighbourhood and municipal wide concerns that typically arise with such applications. Typical areas of concern are impacts from noise, dust and vibration; possible surface and ground water impacts; impacts upon natural heritage features; traffic impacts and the compatibility of the pit or quarry with adjacent land uses.

In order to undertake a rational and comprehensive review of the above noted concerns as they apply to any given pit or quarry proposal, the Municipality shall require documentation to be submitted with an Official Plan amendment application. Required studies shall be based on predictable, measurable, significant, objective effects on people and the environment. Such studies will be based on provincial standards, regulations and guidelines and will consider and identify methods of addressing the anticipated impacts in the area affected by the extractive operation. The required supporting information includes the following:

1. The true shape, topography, contours, dimension, size and location of the property to be developed as well as the extent of adjacent property held for future pit or quarry operations;

2. The existing use of all land and the location of all buildings and structures lying within a distance of 150 metres from the land that is to be the subject of the extractive operation and the impact thereon;
3. The impact on the natural environment, heritage and archeological resources;
4. The degree to which the operation will be exposed to the public;
5. The effect of the operation on nearby uses and communities;
6. The location, height, dimensions and use of all buildings or structures existing or proposed to be erected on the property;
7. Existing and anticipated final grades of excavation, shown by contours where necessary, as well as excavation setbacks;
8. Any possible effects on ground and surface water adjacent wells;
9. The haulage routes proposed to and from the site and the traffic density thereon and the implication;
10. As far as possible, ultimate pit development, progressive and ultimate road plans, any water diversion or storage, location or stock piles for stripping and products, progressive and ultimate rehabilitation, and where possible, intended use of the land after the extractive operations have ceased;
11. Cross-sections through the deposit;
12. The agricultural capability of the lands;
13. The disposal of any liquid and/or solid waste such as tree stumps and the control of emissions into the environment such as noise, dust and vibration, will be carried out in accordance with the appropriate Provincial legislation;
14. Any related planning and land use considerations or other matters which Council deems advisable;
15. The applicant shall provide a statement describing its public consultation process used to introduce the proposal to the immediate surrounding community and to describe to the community the nature of impacts to be expected and the means proposed to mitigate acceptable impacts.

- a. It shall be the policy of this plan that an applicant who wishes to undertake an extractive operation shall ensure that:
1. Commitments have been made for the specific rehabilitation of the subject lands after use, or in stages during use;
 2. Council is assured that a procedure to address public / municipal concerns is in place and will be used by the extractive industry in an effort to maintain the latest and highest standards of the industry.
 3. The selection of the appropriate haul routes and all financial arrangements with respect to the upgrade and maintenance of the routes to be used for haulage have been agreed to by Council;
 4. Timing of blasting operations is set out on an acceptable schedule;
 5. Arrangements for a tree buffer and/or berming to provide an effective visual buffer between any proposed excavations and any road, including unopened road allowances and adjacent residential uses have been made;
 6. Provision that no new excavation or other processing shall take place until such buffering has been effectively established;
 7. Provision that water from washing or screening operations shall not be discharged into any creek, watercourse or wetland without the necessary treatment in accordance with the legislative requirements of the Ministry of the Environment.
 8. Buildings and structures associated with an extractive operation shall be set back from property lines and adjacent uses. Such setbacks will be set out on the site plan required for the license.

The Town shall notify all landowners within 240 metres of the boundary of the pit or quarry and make the Site Plan and Development Agreement available for public review prior to amending the Official Plan or Zoning By-law to permit the extractive operation. Where the Minister has notified the town that an application has been made to amend the conditions of an existing license or a site plan under the Aggregate Resources Act, the Ministry of Natural resources is encouraged to provide the Town with all supporting information provided by the license holder in order to assist the Town in making comments to the Minister in respect of the application. The Town may, at its own discretion,

notify surrounding property owners of the proposed changes and convene a public meeting in regard to the proposed change, in order to assist the Town in providing meaningful comments to the Minister.

In order to reduce the wastage of material, where two pits or quarries abut each other, Council may allow relief of compliance which would waive the required setback from lot lines to permit the removal of all economically viable materials between the pits and quarries. Also, where two mineral aggregate extractive operations are separated by a Municipal road, Council may allow relief of compliance which would waive the required setbacks from the road, permit the road to be re-routed, permit the material under the road to be removed and provide for the replacement of the Municipal road at a lower elevation. Council shall be bound by the provisions of the Aggregate Resources Act and the regulations relating to said Act in regard to these matters.

4.13.3.2 Abandoned Pits and Quarries

- a. It shall be the policy of Council to consult with the Ministry of Natural Resources and other appropriate Municipal and Provincial agencies to investigate means to identify and rehabilitate abandoned pits located within the Town including sources of funding. To this extent, an inventory of such sites should be developed as part of the Municipality's improvement program.
- b. When a pit or quarry has been worked out and rehabilitated, the policies of this Plan with regard to the "rural" land use designation shall apply to such lands.
- c. Where a development proposal is submitted where an abandoned pit or quarry form part of the subject properties, the applicant shall submit plans setting out the proposed rehabilitation program for the abandoned pit or quarry.

4.13.3.3 Wayside Pits and Quarries

Council recognizes the need for wayside pits and quarries to provide sand, gravel and other mineral aggregates for road construction and maintenance and other Provincial, County or municipal projects. Additionally, Council recognizes the need for the use of portable asphalt plants for road construction purposes. As such, it is a policy of this Plan to permit wayside pits and quarries to locate in all designations without the necessity of an amendment to the Official Plan and/or Zoning By-law, except in, areas of existing development or the Environmental designations set out in Section

4.1, in which case extractive industrial uses will only be permitted on the basis of an amendment to this Official Plan and the implementing Zoning By-law.

The establishment, operation and rehabilitation of wayside pits and quarries shall occur in accordance with the Aggregate Resources Act, as well as any requirements/ standards/guidelines administered by the Ministry of Natural Resources. The Aggregate Resources Act makes provision for municipal input in the issuance of wayside pit or quarry permits, and, in this way, Council shall endeavour to ensure that wayside licenses are issued in conformity with the broad land use intent of this Official Plan.

For the purposes of this Official Plan, a wayside pit or quarry shall mean a temporary pit or quarry as defined above.

4.13.3.4 Zoning

New wayside pits or quarries will be permitted in appropriate zones (see Section 4.13.3.3, above).

4.14 Potential Extractive Industrial

The Potential Extractive Industrial designation includes land containing consolidated and unconsolidated mineral aggregate. The purpose of the designation is to recognize and protect these resources for possible future extraction. The development and control of such lands shall be governed by the following criteria.

4.14.1 Permitted Uses

The uses permitted shall be limited to conservation forestry and agricultural uses, including single-detached farm dwellings and accessory farm buildings (barns/silos/drive-sheds) provided they do not hinder future extraction. In addition, existing uses may be recognized in the implementing Zoning By-law and minor extensions permitted thereto.

4.14.2 Establishment of a New Pit or Quarry

The establishment of a new pit or quarry or the expansion of an existing pit or quarry onto lands that are designated Potential Extractive Industrial on Schedules A through A14 shall require an amendment to this Official Plan and the implementing Zoning By-law. Such an amendment shall serve to redesignate / rezone the lands to an Extractive Industrial classification, and shall be undertaken in accordance with the provisions of Section 4.13 of this Plan.

4.14.3 Haulage Route

A large area located in the northern section of the former Township of Albermarle is designated as Potential Extractive Industrial. It is the intention of Council that the proponent of future extractive industrial operations shall undertake a traffic impact study which will specifically consider the construction of a haulage route to Provincial Highway 6. A conceptual haulage route has been shown on the attached Schedules.

4.14.4 Non-Designated Lands

The Town of South Bruce Peninsula shall discourage extractive industrial designations outside of areas designated for Potential Extractive Industrial. (edit by OMB #PL030265 24Aug/04) If an application is made to amend the Official Plan outside the Potential Extractive Industrial area, the applicant shall undertake the studies listed under Section 4.13.3.1. a), and in addition, must show to the satisfaction of the Town that the utilization of the aggregate resource in this location and at this time is the best use of the land and is considered wise resource management.

4.15 Waste Disposal Industrial

Within the Waste Disposal Industrial designation, the predominate use of land shall be for the storage or disposal of municipal solid waste.

4.15.1 Development Overview

The Waste Disposal Industrial designation identifies open and closed solid waste disposal sites.

The Waste Disposal Assessment Area boundary classification identifies lands in the vicinity of solid waste disposal sites, where development may be possible, on the basis of the underlying land use designations but only in accordance with policies of Section 4.15.4.

Solid waste disposal sites are a heavy industrial use often performing a regional as well as a municipal function. It is the intent of Council to ensure that future development in the vicinity of landfill facilities occurs in a manner which ensures the health and safety of municipal residents, and, furthermore, that the establishment of new facilities and/or the expansion of existing facilities occurs in a manner consistent with the highest and best methods of municipal waste disposal/management.

4.15.2 Permitted Uses

The uses permitted shall be limited to publicly or privately-operated sites for the storage and recycling and/or disposal of solid waste. All waste disposal sites shall be operated in accordance with the standards established by the Ministry of Environment, the County of Bruce and the Town of South Bruce Peninsula.

Waste Disposal Sites within the meaning of Part V of the Environmental Protection Act shall not be permitted within Wellhead Protection Area 'A' or within Wellhead Protection Area 'B' where the vulnerability score is 8 or greater. (SBPOPA48-18.58, By-law 31-2018)

4.15.3 Policy

4.15.3.1 Development Principles

Future Waste Disposal Industrial development within the Town shall occur in accordance with the following development principles.

1. Sites for the storage or disposal of solid waste should be located on or have direct access to Provincial highways, County roads, or other roads of good construction capable of withstanding the traffic generated by such sites.
2. Sites for the storage or disposal of solid waste should be appropriately separated/buffered from existing or proposed residential areas or other incompatible land uses, including agricultural land uses, and, wherever possible, should be located in areas of poor agricultural potential.
3. Sites for the storage or disposal of solid waste generally should be concealed from public view in order to preserve the rural landscape.
4. Sites for the storage or disposal of solid waste and any accessory buildings and structures shall be appropriately set back from adjacent property lines, road rights-of-way and/or surrounding uses. In this regard, Council shall be guided by the applicable separation requirements/standards/regulations of the Ministry of Environment, as well as any setbacks in the implementing Zoning By-law.

4.15.3.2 Amendment Criteria

An amendment to this Official Plan and/or the implementing Zoning By-law shall be required to permit the establishment of a new waste disposal site and/or the expansion of an existing waste disposal site. Prior to the approval of such an amendment, it shall be demonstrated, through the preparation of

appropriate studies completed to the satisfaction of the Ministry of Environment, County of Bruce and Town of South Bruce, that all matters contained within Section 4.15 have been addressed and:

- that the proposed haulage routes are adequate in relation to anticipated traffic volumes, and that no transportation difficulties will ensue from the proposed waste disposal use,
- that the proposed waste disposal use is adequately separated, buffered, and screened from adjacent land uses,
- that the proposed rehabilitation plan is adequate and contemplates improvements consistent with the character of the surrounding landscape,
- that there will be no negative impact on ground and surface water, wetlands, sensitive fish or wildlife habitat, significant woodlands or any other major feature of the natural environment,
- that accessory buildings or structures are appropriately set back from property lines and adjacent uses, and,
- that any related planning and land use considerations, as may be set out in this Official Plan, are addressed, as well as any other matters deemed relevant by the Ministry of Environment, County of Bruce or Town of South Bruce Peninsula.

In considering an application to amend the Official Plan and/or the Zoning By-law, Council shall consult with the Ministry of Environment, County of Bruce and/or any other agency(s) having jurisdiction to ensure that all aspects of the development comply with the relevant Provincial and County legislation and regulations.

In addition to the above, an application to amend the Official Plan and/or Zoning By-law to permit a new Waste Disposal Industrial use or the expansion of an existing Waste Disposal Industrial use shall be accompanied by:

- All data related to the physical development of the property as may be required by the Ministry of Environment for a license application under the Environmental Protection Act or other applicable Provincial legislation.
- An Environmental Impact Statement (EIS) prepared in accordance with the policies of Section 4.1.5 of this Official Plan, and/or any

additional requirements deemed appropriate by the Ministry of Environment, County of Bruce or Town of South Bruce.

4.15.4 Waste Disposal Assessment Areas

The Waste Disposal Assessment Areas boundary classification identifies lands within 500 metres of solid waste disposal sites where the environmental conditions caused by the landfill operation have the potential to negatively influence future land use activities. Within these areas development may be permitted in conformity with the underlying land use designations and the following policies:

1. Written approval is received from the County of Bruce that the proposed development satisfies the provisions of the Environmental Protection Act.
2. Studies have been completed, to the satisfaction of the Town and the County of Bruce demonstrating that the proposed development is compatible with the existing or previous waste disposal use and can safely take place. The analysis of potential ground and surface water contamination shall be undertaken by a qualified engineer in accordance with Ministry of Environment Guideline D4.
3. Where problems are identified, development shall be phased to coincide with the implementation of required methods of remediation.
4. Studies have been completed to the satisfaction of the Town and the County of Bruce demonstrating the structural integrity and safety of all proposed buildings and structures.
5. Notwithstanding the land use designations, residential development shall not be permitted in areas containing organic or chemical waste. Furthermore, notwithstanding the land use designations in Waste Disposal Assessment Areas only land uses compatible with the existing or former waste disposal operation and/or which can be safely located through proper engineering controls shall be permitted, which may necessitate an amendment to this Official Plan.

4.15.5 Existing Uses

Uses existing at the date of adoption of this Official Plan which are situated within a Waste Disposal Assessment Areas boundary classification, may be recognized in the implementing Zoning By-law and minor extensions or enlargements permitted thereto, in accordance with the policies and provision of this Official Plan and the implementing Zoning By-law.

4.15.6 Abandoned Sites

Council recognizes that abandoned inactive waste disposal sites may exhibit nuisance health and safety issues which may impact on development proposals on site and in proximity to the site.

No new uses nor the construction of buildings or structures nor changes affecting the ground surface of lands previously used as a site for the storage or disposal of solid waste, or known to have been contaminated by the operation of a waste disposal site, will be permitted without written confirmation from the Ministry of Environment that the proposed development satisfies the provisions of the Environmental Protection Act.

Under no circumstances shall residential uses be permitted in any area which has been used for the disposal of solid waste.

New development proposed within 500 metres of an abandoned site may be required to undertake engineering studies which will address:

- a. The type and nature of the wastes contained within the site;
- b. The hydrogeology of the site;
- c. Gas and leachate migration; and
- d. Soil stability and contamination.

The detail, extent of the study, and the type of studies necessary is dependent on the actual landfill or dump site and is subject to the following:

- a. Where it has been determined that the actual influence is less than 500 metres, then the site distance can be reduced to coincide with the actual influence area;
- b. In certain exceptional hydrogeological areas where the leachate or gas can extend beyond the 500 metres, engineering studies would be required to address the extended area.

Prior to any development occurring, the recommendations of the ongoing studies must be implemented.

The Implementing Zoning By-law shall zone the specific influence areas in an open space zone until such time as the appropriate studies are undertaken.

4.15.7 Restricted Areas

Where existing operating sites are located, impacts such as landfill generated gas, ground and surface water contamination, odour, litter, dust, noise, vermin, vectors and visual impacts may adversely affect adjacent uses. While it is recognized that efforts to reduce any negative impacts are undertaken, it is a policy of Council that no new development occur within 30 metres of the boundary of the operating site.

4.16 Drinking Water Source Protection

(OPA 48-18.58, By-law 31-2018)

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 a Source Protection Plan for the Source Protection Region.

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 Report delineates these areas, determines their vulnerability, and identifies and assesses threats to these areas.

The Source Protection Plan includes policies to be followed by municipalities, landowners, and others to address significant threats to Wellhead Protection Areas and Intake Protection Zones. Municipal Drinking Water Sources are found in Sauble Beach, Oliphant, Chesley Lake, and Wiarton.

Schedule 'U' to the Official Plan identifies Vulnerable Areas for each Municipal drinking water supply source, including an events-based area related to the risks of potential fuel spills impacting the water supply intake for Wiarton, which is located in Colpoy's Bay. Policies within the Source Protection Plan may apply to activities within these mapped Vulnerable Areas.

The Source Protection Plan identifies that Municipalities are responsible for, among other things, using planning tools to prohibit and/or manage risks from significant drinking water threats. Policies that reflect this responsibility are identified below:

1. Land uses identified as being Restricted Land Uses within the Source Protection Plan within the Vulnerable Areas identified above may be prohibited or may require approval of a risk management plan prior to being established.

Consultation with the Risk Management Official and a notice from the Risk Management Official shall be required as part of a complete application for approval under the Planning Act to establish any use, buildings, or structures on lands where such use, building, or structure may include activities restricted by the Source Protection Plan.

Activities which, depending on the vulnerability of the particular wellhead protection area or intake protection zone where they are located, may be subject to specific policies in the Source Protection Plan include the following significant drinking water threats as prescribed by Ontario Regulation 287/07 of the Clean Water Act, 2006:

- Waste disposal sites within the meaning of Part V of the Environmental Protection Act.
- The establishment, operation or maintenance of a system that collects, stores, transmits, treats or disposes of sewage.
- The application of agricultural source material to land.
- The storage of agricultural source material.
- The management of agricultural source material.
- The application of non-agricultural source material to land.
- The handling and storage of non-agricultural source material.
- The application of commercial fertilizer to land.
- The handling and storage of commercial fertilizer.
- The application of pesticide to land.
- The handling and storage of pesticide.
- The application of road salt.
- The handling and storage of road salt.
- The storage of snow.
- The handling and storage of fuel.
- The handling and storage of a dense non-aqueous phase liquid (DNAPL)
- The handling and storage of an organic solvent.
- The management of runoff that contains chemicals used in the de-icing of aircraft.
- An activity that takes water from an aquifer or a surface water body without returning the water taken to the same aquifer or surface water body.
- An activity that reduces the recharge of an aquifer.
- The use of land as livestock grazing or pasturing land, an outdoor confinement area or farm-animal yard.

2. Additional Policies for Waste Disposal Sites:

In addition to the policies of Section 4.15 - Waste Disposal Industrial, and Section 6.6 - Solid Waste Management, Waste Disposal Sites within the meaning of Part V of the Environmental Protection Act shall not be permitted within Wellhead Protection Area 'A or within Wellhead Protection Area 'B' where the vulnerability score is 8 or greater.

3. Additional Policies for Lot Creation in Wellhead Protection Areas:

In addition to the Policies of Section 8 - Consents of this plan,

- a. Lot Creation shall not be permitted within Wellhead Protection Area A' or 'Wellhead Protection Area 'B' with a vulnerability score of 10 unless such lots are connected to a Municipal Water system.
- b. Lot Creation shall not be permitted within Wellhead Protection Area 'A' or Wellhead Protection Area 'B' where the vulnerability score is "10" unless such lots are connected to a Municipal Sewer System or the septic system can be located outside of a Wellhead Protection Area where the vulnerability score is 10.

4. Additional Policies for Stormwater Management in Wellhead Protection Areas

- a) Stormwater Management Facilities should be avoided within Wellhead Protection Areas 'A' and 'B' with a vulnerability score of 10, and 'E' with a vulnerability score of 8 or 9 . If Stormwater management facilities are required within these Vulnerable Areas, such facilities should be designed to minimize infiltration to groundwater from ponds, constructed wetlands, swales, and other similar components.
- b) Infiltration trenches, galleries, and other similar sub-surface components that allow for direct infiltration of collected stormwater to groundwater should not be employed in these areas.

5. Wiarion Drinking Water Intake Events Based Area:

Fuel Storage above thresholds of 5000 to 8000 litres can pose a significant drinking water threat in some areas around Wiarion. In these areas, the source protection plan requires that a risk management plan be prepared for storage of fuel above these thresholds as shown in Schedule U-8.

6. Highly Vulnerable Aquifers and Significant Groundwater Recharge Areas

The majority of the groundwater resources in the Town of South Bruce Peninsula are located within Highly Vulnerable Aquifers; large areas are also within Significant Groundwater Recharge Areas, impacts to groundwater quality and quantity will be considered in planning decisions and studies to assess potential impacts to groundwater quality and quantity may be required as part of a complete application for development under the Planning Act.”

5. Transportation Policies

The policies of this section concern the movement of vehicular and pedestrian traffic within the Town. The policies are intended to enable vehicles and pedestrians to move safely and efficiently within a rational system of routes which, wherever possible, shall be separated.

5.1 Road Classification

A functional classification of roads within the Town is delineated on the Schedules according to their ultimate desired function. Where additional land is required for widenings, extensions and/or intersection improvements, such lands shall be obtained, wherever possible, in the course of approving new development under the authority of the Planning Act.

The roads are classified as Provincial Highways, Arterial Roads, and Local Roads. Provincial Highways and Arterial Roads are intended to carry large volumes of through-traffic, and Local Roads are intended to carry low volumes of traffic and provide access to abutting property. Provincial Highways/Arterial Roads shall have priority over Local Roads in terms of access restrictions, road improvements, intersection improvements and maintenance.

The following policies shall apply.

1. Provincial Highways

Provincial Highway No. 6 and 21 are designated as a “Provincial Highway” under the jurisdiction of the Ministry of Transportation. Provincial Highways are designed to carry large volumes of traffic at high operating speeds between major traffic generating areas and/or other Provincial Highways or Arterial Roads.

Access to a Provincial Highway from abutting properties shall require the approval of the Ministry of Transportation and shall only be permitted where alternate access to Arterial or Local Roads is not possible. No access shall be

permitted where a traffic hazard will be created. Provincial Highways shall be located according to the road pattern shown on Schedule “S”, but variations in alignment will be permitted without the need for an amendment to this Official Plan provided the general intent of the Plan is maintained.

2. Arterial Roads

Arterial Roads are existing and proposed roads of two to four traffic lanes which are designed to carry large volumes of traffic at relatively high operating speeds between major traffic-generating areas and/or other Arterial Roads. Arterial Roads shall have a minimum right-of-way width of 30 metres (98.4 feet). Access to Arterial Roads from abutting property shall be discouraged and shall only be considered where alternate access to Local Roads is not possible. No access shall be permitted where a traffic hazard will be created. Arterial Roads shall be located according to the road pattern shown on the Schedules. Variations in alignment or the establishment of new Arterial Roads will be permitted without the need for an amendment to this Official Plan provided the general intent of the Plan is maintained.

The Arterial Road designation applies to roads under the jurisdiction of the County of Bruce and presently includes County Road No.’s 8, 9, 10, 13, 14 and 18.

3. Local Roads

Local Roads are existing and proposed roads of two traffic lanes which are intended to primarily provide access to abutting properties. Local Roads shall have a minimum right-of-way width of 20 metres and should be designed to discourage the movement of through traffic and generally function as distributor roads.

4. Existing Roads

It is not the intent of this Plan that Provincial Highways or Arterial Roads that are existing in built-up areas necessarily be widened or that direct access be eliminated or restricted, except where redevelopment may be taking place.

5.2 Provincial Highways/County Roads

Notwithstanding any provisions of this Official Plan to the contrary, all development abutting Provincial Highway No. 6 and 21 or County Road No.’s 8, 9, 10, 13, 14 and 18 shall comply with the standards and requirements of the

Ministry of Transportation and/or the County of Bruce and no development shall be permitted unless an access/entrance permit has been obtained from the Ministry or County.

All proposed new uses on roads under the jurisdiction of the County of Bruce shall be subject to the policies of the Bruce County Official Plan and the entrance permit requirements of the County of Bruce. Where new entrances are proposed onto a Provincial or County Road, the applicant shall demonstrate that no safety hazard will be created by the new entrance, and that drainage is adequately addressed.

5.3 Private, Substandard And Unopened Road Allowance

It is a policy of Council that no building or structure shall be erected, extended or enlarged on any lot unless such lot fronts on an improved public road. For the purpose of this plan:

- a private road
- a substandard municipal roadan unopened road allowance
- a road which is not maintained year round
- a road defined as Class II in the Zoning By-law

is not considered an improved public road. Notwithstanding the above, a building permit may be issued for a building or structure to be erected, extended or enlarged providing the applicant complies with the following conditions:

1. The lot in question meets the requirements of the zoning by-law.
2. The use for which the lot is proposed is permitted by the zoning by-law.
3. Approval of the method of servicing for a year round use is obtained from the appropriate approval authority.
4. The building or structure complies with the Ontario Building Code for a year round use.
5. The lot is subject to site plan control.
6. The applicant at his expense prior to a building permit being issued enters into a site plan control agreement with the municipality. This agreement shall include the following:
 - a) the owner(s) acknowledge and agree that the lot in question does not front on an improved public road.

- b) the owner(s) acknowledge and agree that the Town does not or will not maintain or snow plow the said road.
- c) the owner(s) acknowledge and agree that the Town is not required to assume a private road, provide winter maintenance or open a road allowance unless such road is built to municipal standards.
- d) the owner(s) acknowledge and agree not to request the Town to upgrade the road allowance, private road or provide winter maintenance.
- e) the owner(s) acknowledge and agree that they understand that fire and emergency vehicles may have difficulty accessing sites on unimproved roads and agree not to hold the municipality liable.

Council is not compelled to open any road allowance, provide winter maintenance or upgrade any road unless it is established as part of the capital works program.

Council further will not open any road allowance or upgrade any road where such road would negatively impact on a wetland or hazard land area.

5.4 Transportation Improvements

It is the intent of this Official Plan that, as traffic conditions warrant, road, bridge, intersection and railway crossing improvements be undertaken. Among other things, this may include jog eliminations, regulation of turning movements, proper signage, installation of traffic signals, marking of traffic lanes and channelization.

In undertaking the necessary improvements, the municipality shall, wherever possible, endeavour:

- To acquire lands needed for road-widening or intersection improvement purposes.
- To ensure that future improvements to bridges are designed to accommodate projected traffic volumes.
- To keep the number of intersections created by plans of subdivision and/or other development to a minimum, and where new development does occur, ensure the establishment of “T” intersections.

5.5 Parking, Access And Loading Facilities

All uses shall be supplied with adequate off-street parking and, in the case of commercial and industrial uses, adequate off-street loading facilities. Access points to off-street parking or loading areas shall be limited in number and designed in a manner that provides for the adequate and safe movement of vehicular and pedestrian traffic.

While it is the general intent of this Plan that development or redevelopment satisfy the minimum parking standards of the municipality; where this is not possible, and the Town still is in support of the proposed development, Council may allow a parking exemption pursuant to Section 40 of the Planning Act and in accordance with the development policies of Section 9.6 of this Official Plan.

Provision for a cash-in-lieu of parking payment to the municipality may be particularly relevant in ensuring the provision of adequate parking in the commercial core areas.

5.6 Trail Systems

The Town supports the establishment of an interconnected system of non-motorized (walking/jogging/bicycling/cross-country skiing) and motorized (snowmobile) trails to facilitate interconnection of settlement areas, and the linkage of municipal and regional destinations such as area resorts, beaches, golf courses, Provincial parks and other tourist attractions. It is the Council's intent that long-range trail opportunities be explored through the preparation of a Trails Master Plan. In the interim, lands already owned by the municipality and those obtained by donation, dedication and/or direct purchase shall be developed as they become available at the direction of Council. The municipality also may obtain easements and/or enter into agreements with landowners for the use of lands for temporary or permanent trail purposes.

Lands obtained by parkland dedication shall be improved by the developer to the satisfaction of the Town. The precise nature of these improvements shall be included as part of the applicable development agreement.

The following principles shall be used as a guide in the design and construction of trails within the Town.

1. Wherever possible, trails should incorporate junctions or points of interest, such as nature observation areas, along their routes.

2. Road crossings should be kept to a minimum and, where viable, pedestrian overpasses/underpasses constructed where trails intersect major roads.
3. The trails should be in harmony with the natural environment.
4. The trails should incorporate changes in elevation and direction. However, steep grades should be avoided.
5. Travel surfaces should be suitable for the intended type of traffic (pedestrian/bicycle/ snowmobiles, etc.), and be of a material that requires little maintenance.
6. Where trails parallel area roads, they should, as far as possible, be separated from the traveled surface of the road. For example, the space between the trail and the road might retain its natural vegetation or be replanted by trees or shrubs if no buffer exists.

5.7 Future Haul Route

Section 4.14.3 provides for the construction of a major haulage route for aggregates in the northern portion of the former Township of Albermarle. The conceptual haul route is shown on Schedule "S" Transportation.

5.8 Zoning

Provisions should be made in the implementing Zoning By-law for adequate setbacks from roads in order to minimize the disruption to adjacent land uses and to facilitate the efficient and safe movement of vehicular traffic. The Zoning By-law shall define those roads within the municipality which the Town is not obligated to provide year round service, such as snow plowing and garbage collection.

6. Municipal Servicing Policies

Development within the Town shall proceed in accordance with the following policies.

6.1 Servicing Overview

It is a primary goal of this Official Plan to preserve the environmental integrity of all lands within the Town, and to protect the health and safety of municipal residents by preventing illness and the loss of life and minimizing property damage due to flooding and erosion. To this end, it is the broad intent of the municipality that:

- new development be serviced by water supply and sanitary sewage disposal systems which comply with the standards and regulations of the Ministry of Environment and the Town. The servicing of all future growth areas shall occur in accordance with the criteria in the following sections, with the preferred water supply and sanitary sewage disposal servicing approach being determined on the basis of a hierarchical review favouring the use of full municipal services, and, where this is not possible, full communal services or private servicing systems on the basis of appropriate justification studies.
- the potential for surface water run-off, groundwater contamination and thermal impact on cold water streams from new development be minimized through hydrogeological investigation and careful site design; and
- development only be permitted upon the completion of, or entering into of agreements for the construction of, necessary public utilities/facilities, (e.g. water/sanitary sewer/stormwater management).

6.2 Water Supply And Sanitary Sewage Disposal

It is a primary objective of this Official Plan to ensure that existing and newly-proposed development has an adequate supply of potable water and is serviced by proven sanitary sewage disposal systems.

Where full municipal or full site-specific communal services are not viable, consideration may be given to the use of private (individual) water and sewer systems or a partial (water or sewer only) servicing approach, on the basis of studies, completed to the satisfaction of the Town and/or other responsible

approval authority(s), demonstrating their technical and environmental adequacy to support the level of growth proposed.

New development on private (individual) or partial services shall only be possible on the basis of a Servicing Feasibility Study and Settlement Capability Study, completed to the satisfaction of the Town and/or other responsible approval authority(s), demonstrating, among other things, that there will be no negative impact on ground and surface water quality or on other natural heritage features and functions.

For the purposes of this Official Plan, a Servicing Feasibility Study and Settlement Capability Study are defined as follows:

- A Servicing Feasibility Study refers to a preliminary examination and determination of the costs and feasibility of servicing new or expanded settlement. Such studies examine water, sewer, transportation, and other infrastructure needs, and may consider alternate forms of providing these services. A Servicing Feasibility Study is not to be considered a Class Environmental Assessment under the Environmental Assessment Act or its successors.
- A Settlement Capability Study is a comprehensive technical study of a settlement area designed to identify the capability of the area to safely accommodate future growth and development on individual water and sewer systems or partial water and sewer systems, in this way establishing a technical foundation for evaluating applications for development. A Settlement Capability Study examines the ability of the soils and groundwater to assimilate the effluent from new development, identifies appropriate limits on the extent and timing of expansion, and appropriate density and/or design parameters, all of which is to ensure there will be no negative impact on ground on surface water quality, soils, and other natural heritage features and functions of the settlement area.

All development/servicing approvals obtained prior to the approval of this Official Plan may be recognized on the basis of acceptable hydrogeological conclusions, and shall not require the completion of either a Settlement Capability Study or Servicing Feasibility Study.

Rural Areas

During the planning period of this Official Plan, it is expected that new development within the rural areas predominantly will occur on private water supply and sanitary

sewage disposal systems established on the basis of studies, completed to the satisfaction of the Town and/or other responsible approval authority(s), demonstrating their technical and environmental adequacy to support the proposed form of development.

6.2.1 Private Services

Where the use of private water supply and sanitary sewage disposal services is proposed, it is the intent of this Official Plan that site-specific development standards, including minimum lot size and density criteria, be formulated for the individual development proposal on the basis of detailed hydrogeological studies prepared in accordance with the standards and requirements of the Ministry of Environment and the Town.

While it is expected that private sanitary sewage disposal services primarily will consist of septic tanks and tile systems, the use of other proven sewage systems may be permitted if approved by the Ministry of Environment and the Town.

6.2.2 Existing Substandard Services

It is the intent of this Official Plan that all existing substandard private sanitary sewage disposal systems within the municipality be raised to the minimum standards called for by the Ministry of Environment and the Town.

6.2.3 Ownership of Communal Servicing Systems

All costs related to the approval and construction of communal site-specific water supply and sanitary sewage disposal services shall be the responsibility of the development proponent. The Town shall assume ownership of a communal system once the system has operated for a period satisfactory to the Town, and agreements and financial assurances have been entered into with the developer with respect to the system's operation and maintenance.

For the purposes of this section, communal water supply and sanitary sewage services exclude facilities which service a commercial, industrial or condominium development under one ownership.

6.2.4 Vacant Lots of Record

Notwithstanding any servicing policies of this Official Plan to the contrary, where a vacant lot existed on or before the date of adoption of this Plan, a building permit may be issued, subject to compliance with the permitted use provisions and standards of this Official Plan and the implementing Zoning By-law, for the erection of one single-detached dwelling or one non-residential building or structure provided the adequacy of the proposed method of water supply and

sanitary sewage disposal is demonstrated to the satisfaction of the Town and/or other responsible approval authority, and provided the lot has access to a public road.

6.3 Stormwater Management

All applications for major development, which includes plans of subdivision and condominium, the creation of more than five new lots, industrial, commercial, or institutional development, and major public works, shall be accompanied by a Stormwater Management (SWM) Report. The SWM Report shall be prepared by a qualified professional to the satisfaction of the Town and the Grey Sauble Conservation Authority, and shall be developed in a manner which ensures:

- A stormwater management system that adheres to the stormwater practices deemed appropriate by the Town and the Grey Sauble Conservation Authority.
- A stormwater quality system that meets the levels of protection established by the Town, Ministry of Environment and/or Grey Sauble Conservation Authority.
- A stormwater quantity system that ensures post-development runoff rates are no greater than pre-development runoff rates.
- A stormwater management system that identifies and minimizes the impacts of development on watershed flow regimes including the relationship between groundwater, infiltration, discharge and inflow.
- A stormwater management system that promotes the use of centralized facilities, wherever practical.
- A stormwater management system that locates facilities, such as detention ponds, outside defined flood plains.
- A stormwater management system which, although encouraging the use of storm sewers, may enable other methods of directing storm water flows in those circumstance where the provision of storm sewers is not physically viable or is prohibitively expensive.
- A stormwater management system that maximizes the retention of existing tree cover or natural vegetation, and encourages the provision of significant grassed and natural areas to facilitate the absorption of surface water into the ground.

- Stormwater Management Facilities should be avoided within Wellhead Protection Areas 'A' and 'B' with a vulnerability score of 10, and 'E' with a vulnerability score of 8 or 9 . If Stormwater management facilities are required within these Vulnerable Areas, such facilities should be designed to minimize infiltration to groundwater from ponds, constructed wetlands, swales, and other similar components. (SBPOPA48-18.58, By-law 31-2018)
- Infiltration trenches, galleries, and other similar sub-surface components that allow for direct infiltration of collected stormwater to groundwater should not be employed in these areas. (SBPOPA48-18.58, By-law 31-2018)

6.4 Rights-Of-Way/Easements

It is the intent of this Official Plan that lands required for the location of water supply, sanitary sewage disposal or storm water management, either be acquired by the municipality or that easements be obtained to facilitate access to the facilities. Dedication of these lands or the granting of easements to the Town shall be a condition of development approval.

6.5 Financial Considerations

It is the intent of this Official Plan that development not create a financial hardship for the taxpayers of the Town. As such, the construction of major services shall only proceed on the basis of cost sharing agreements with area developers or developers undertaking such work at no cost to the municipality.

6.6 Solid Waste Management

The existing solid waste disposal sites are shown on the attached Schedules.

Notwithstanding the provisions of Section 10.4 - Public Uses of this Official Plan, the establishment of new solid waste disposal sites, or the expansion of existing sites onto lands not already designated/zoned for such use, shall require an amendment to this Official Plan and the implementing Zoning By-law in accordance with the provisions of Section 4.15 of this Official Plan.

(SBPOPA48-18.58, By-law 31-2018) Waste Disposal Sites within the meaning of Part V of the Environmental Protection Act shall not be permitted within Wellhead Protection Area 'A or within Wellhead Protection Area 'B' where the vulnerability score is 8 or greater.

6.7 Other Services

Individuals proposing to develop lands within the Town shall identify the nature and location of all services required by the proposed development and shall enter into agreements with the Town regarding the provision of such services. These services include, among others, electrical, natural gas and communication facilities.

7. General Development Policies

Development within the Town shall proceed in accordance with the following development policies.

7.1 General

To ensure orderly, financially-sound and aesthetically-pleasing development, the Town has been divided into fifteen (15) land use classifications in this way separating activities having conflicting requirements and functions. It is the intent of this Official Plan that all development in the Town occur in accordance with the policies of these land use designations. Furthermore, this Plan intends that Council ensure:

- that no by-law is passed which does not conform with the intent of this Plan,
- that new development does not hinder the Town's financial situation,
- that no public works are undertaken which do not comply with the intent of this Plan,
- that new development is serviced only with water supply and sanitary sewage disposal facilities which adhere to the standards of, and are approved by the Ministry of Environment, Town and/or other appropriate approval authority(s),
- that new development is protected from flooding and other environmental hazards, and that significant natural heritage resources are protected.

The majority of development expected to occur over the planning period should not require amendments to this Official Plan. Where site-specific amendments are proposed, the application shall be accompanied by plans, drawings and supporting documentation sufficient to clearly explain the nature of the proposed development and its consistency with the Official Plan's long-range land use intent for the municipality.

7.2 Public Uses

As per Section 10.4 of this Official Plan.

7.3 Plans Of Subdivision/Condominium

All residential development, except minor infilling and development by consent, shall take place by registered plan of subdivision/condominium. Council shall only recommend those plans to the County of Bruce for approval which comply with the policies of this Official Plan and which can be supplied with adequate services including water supply, sanitary sewer and storm drainage facilities, public roads, schools, police and fire protection.

7.4 Subdivision/Condominium Agreements

Development in the Town shall not place a financial burden on the municipality. Individuals proposing to develop lands shall enter into a subdivision/condominium agreement with the municipality addressing, among other things, engineering design requirements, cost responsibilities, security bonds, staging and development timing.

7.5 Site Plan Control

Section 41 of the Planning Act permits a municipality to require, as a condition of development or redevelopment, a site plan control agreement setting out the conditions of development. The Planning Act requires proposed site plan control areas to be shown or described in the Official Plan. The following subsections identify the areas and uses subject to site plan control, why it is required, its intent and the general objectives applicable to the areas or lands adjacent to the site plan control areas.

7.5.1 Purpose of Site Plan Control

1. Site plan control shall be used to protect existing adjacent uses from development where it is likely that, due to its nature, it could have a detrimental physical or visual impact.
2. Site plan control shall be used to ensure adherence to proper development standards, to minimize land use incompatibility between new and existing development and to provide functional and attractive on-site facilities such as landscaping and lighting.
3. Site plan control shall be used to ensure the safe and efficient movement of both vehicular and pedestrian traffic as it relates to the development and surrounding area.

4. Site plan control shall be used to ensure the conveyance of any required easements to the municipality for maintenance or improvements of drainage works, watercourses, public utilities, roadways and similar undertakings.
5. Site plan control shall be used to ensure proper grading, storm drainage and maintenance in regard to surface water and erosion.
6. Site plan control shall be used to control the placement, massing and conceptual design of buildings, utilities and related facilities.

7.5.2 Proposed Site Plan Control Areas

- a. All lands within the Town are designated as a proposed site plan control area under the provisions of the Planning Act.
- b. All properties that are subject to a Zoning By-law Amendment where an exception to the normal provisions of the by-law are proposed, are subject to site plan control.
- c. Notwithstanding the policy in paragraph a and b above but not to limit the generality of that policy, it is the intent of this Plan that the following lands and uses are excluded from designation as a Site-Plan Control area:
 - i. A single detached dwelling.
 - ii. Semi-detached dwelling.
 - iii. Agricultural buildings and structures associated with a typical farming operation.

7.5.3 Site Plan Control By-laws

Council may pass by-laws designating the whole or any part of an area referred to in Section 7.5.2 above as a site plan control area.

7.5.4 Plans and Drawings

Council may require drawings showing plans, elevations and cross-section views for each building to be erected including buildings to be used for residential purposes containing more than two dwelling units, which are sufficient to show the massing and conceptual design of the proposed building(s), the relationship of the proposed building(s) to adjacent buildings, streets, and exterior areas to which members of the public have access, and

- The facilities to provide access to and from the lands, such as access ramps and curbings and traffic direction signs.
- Loading and off-street parking facilities, either covered or uncovered, access driveways, including driveways for emergency vehicles and the proposed surfacing of such areas and driveways.
- Walkways and walkway ramps, including their proposed surfacing, and all other means of pedestrian access.
- The proposed method of lighting.
- Walls, fences, hedges, trees, shrubs or other groundcover or facilities for the landscaping of the lands or the protection of adjoining land.
- Vaults, central storage and collection areas and other facilities and enclosures for the storage of garbage and other waste material.
- Easements to be conveyed to the municipality for construction, maintenance or improvement of watercourses, ditches, land drainage works, sanitary sewage facilities and any other public utilities of the municipality or a local board thereof.
- Grading or other alteration in land elevation and the proposed method for the disposal of stormwater including any required flood-proofing techniques and waste water from the land and from any buildings or structures thereon.

7.5.5 Road Widening

In an area where site plan control is in effect, a land owner may be required to dedicate land for the purposes of road widening subject to the following policies:

1. Section 41 of the Planning Act, regarding road widenings, will only apply where, in the case of roads designated on the attached Schedules and referred to in Section 5.0, a Provincial Highway has a right-of-way width less than that required by the Ministry of Transportation, an Arterial Road has a right-of-way width of less than 36 metres (118 feet) or a Local Road has a right-of-way width of less than 20 metres (65.6 feet).
2. The land dedicated for road widenings may be taken from either or both sides of a road.

3. Land dedication for road widenings taken through the use of site plan control may only be taken in those areas referred to in Sections 7.5.2.

7.5.6 Site Plan Control Agreements

In an area subject to a site plan control by-law, Council may require, as a condition of development, that an agreement be entered into between the municipality and an owner of land in the area. Such an agreement may stipulate, through the text of the agreement and/or through the use of plans and drawings, the location of buildings and structures to be erected and show or describe the location of all works and facilities provided for under Section 41 of the Planning Act.

7.6 Servicing

Development shall proceed in accordance with the servicing policies of Section 6 in addition to all other relevant policies of this Plan.

7.7 Stormwater Management

Development shall proceed in accordance with the stormwater management policies of Section 6 in addition to all other relevant policies of this Plan.

7.8 Development Standards

Through the passage of amendments to the Zoning By-law, Council shall ensure that adequate standards are required for regulating the height, bulk, location, size, floor area and spacing of buildings, off-street parking and loading, and landscaping and buffering.

7.9 Development Staging

In order to protect taxpayers from undue financial burden, Council shall ensure that the timing, location and nature of all new development is such that the demand for municipal services, such as roads, schools, school buses, garbage collection, police and fire protection, is not excessive in relation to the taxable assessment provided.

7.10 Development Charges

Council may levy development charges on new development in order to finance municipal services.

7.11 Design Criteria For The Physically-Challenge

Recognizing the unique concerns of the physically-challenged as they specifically pertain to building design, Council shall ensure that the construction of new buildings, structures and facilities and the reconstruction of existing buildings, structures and facilities occurs in a manner that is consistent with the needs of the physically-challenged. In pursuing this goal, the municipality shall:

1. Require building construction to occur in accordance with the regulations of the Building Code.
2. Encourage any relevant construction or reconstruction on public lands to occur in a manner consistent with the needs of the physically-challenged.

7.12 Design Guidelines

While accommodating an array of land uses, the Town still retains a natural landscape. It is a major objective of this Plan to keep as much of this natural character as possible while facilitating new development. The following guidelines are designed to maintain and enhance the Town's natural appearance and should be utilized in assessing new development proposals or public works and all future development generally should conform to the guidelines.

1. New roads, buildings and utility installations shall be designed to blend with the natural landscape, as far as possible.
2. Existing topography, vegetation and grades shall be maintained, as far as possible, within the constraints of sound engineering practice.
3. New residential development shall be screened from surrounding major roads by retaining existing tree cover by planting trees or other appropriate vegetation or by berming.
4. Where fencing is required, the use of natural construction materials such as wood shall be encouraged and the fencing shall be maintained in a condition which blends with the landscape. Preference shall be given to designs incorporating additional planting or properly-designed berming rather than fencing.
5. Outside storage shall be avoided, wherever possible, and, where permitted, generally shall not be visible from the road or surrounding properties.

6. Where additional landscaping is necessary as a component of site development, it shall generally consist of plants which are indigenous to the area. This guideline shall not apply to minor decorative flower plantings.
7. Landscape details on individual lots or sites shall blend with other surrounding properties and with the character of the entire area. The use of building materials and building designs that blend in with the landscape and with each other shall be encouraged. The natural character of the landscape shall be respected and reinforced.
8. Buildings or structures on untreed sites shall incorporate landscaping to enhance the site and the surrounding area.
9. The scale of buildings and structures shall be appropriate to their surroundings
10. On-site parking shall be integrated with the development of the site and generally shall be screened from surrounding roads and properties.

7.13 Archeological Considerations

Council acknowledges that parts of the Town could be of special archeological significance. Accordingly, in areas which are of potential archeological value, it is the intent of this Official Plan that the consideration of major new public works and/or private development proposals be preceded by an archeological assessment. In the event such an investigation reveals that a site's cultural heritage resources warrant conservation, then appropriate mitigation techniques shall be devised and incorporated into the development process.

In the case of private development initiatives, the archeological assessment shall be undertaken by the proponent of the development in consultation with the Town and relevant support agencies.

7.14 Heritage Conservation

This Plan recognizes that the maintenance of heritage resources will contribute to the municipality's rural character and tourist potential by balancing the potential impact of new development. Consequently, it is an objective of this Official Plan to, as far as possible, preserve the heritage resources and to ensure that development occurs in a manner which respects physical heritage.

The following policies provide a strategy for the sensitive management of the Town's heritage resources.

7.14.1 Heritage Inventory

The identification of the Town's heritage resources would comprise an important component of the heritage preservation process. Accordingly, Council may arrange the preparation and publication of an inventory of identified resources including buildings, structures, monuments or artifacts of historical and/or architectural value or interest, and areas of unique, rare or effective urban composition, streetscape, landscape or archeological value or interest, in which each resource is appropriately described, illustrated and evaluated in terms of:

1. The architectural and/or historical value or interest of the resource in accordance with the criteria outlined in Sections 7.14.2.1 and 7.14.2.2 below.
2. The contribution made by the resource to the effectiveness of the urban or rural composition, streetscape or landscape of which it may form part. Where the information is available, the structural condition of the resource, including the need for and feasibility of undertaking its physical restoration or rehabilitation.
3. Where the information is available, the range of economic uses to which the resource might be put in accordance with the land use provisions of Section 4.0 of this Plan.

To assist in the preparation of the inventory and in the future identification of other heritage resources:

1. Council may establish a Local Architectural Conservation Advisory Committee (LACAC) by passing a by-law pursuant to Section 28 of the Ontario Heritage Act.
2. Council may encourage both the public and private sectors (Ministries, County, agencies, developers, etc.) to undertake analyses and/or surveys to identify sites of archeological significance.
3. Council may encourage the general public's involvement in the preparation of the inventory.

A heritage resource shall be deemed to have been published and included in the inventory when the required documentation describing, illustrating and evaluating the resource has been presented to Council and has been formally

received and incorporated into the inventory by a resolution of Council, or when any such resource has been designated under the Ontario Heritage Act.

7.14.2 Evaluation Criteria

The following criteria shall be used in determining the archeological, historical or architectural value and/or interest of heritage resources that are included or contemplated for inclusion in the heritage inventory.

1. Archeological Value or Interest

A heritage resource shall be considered to have archeological value and/or interest if it has been designated by the Minister of Citizenship, Culture and Recreation to be of archeological and historical significance pursuant to the Ontario Heritage Act, or if it is an archeological site registered with the Provincial Archeological Site's Data Base or if the heritage resource satisfies at least two of the following criteria or one of the following criteria plus one of the criteria listed in Section 7.14.2.2 below, specifically:

- a) If the heritage resource dates from an early period in the development of the community historically and pre-historically.
- b) If the heritage resource is directly associated with an event which is recognized as having local, regional, Provincial, national or international heritage importance.
- c) If the heritage resource is representative and/or an illustration of the Town's social, cultural, political, economic or technological history.
- d) If the heritage resource, as a result of its use for a community purpose over a long period of time, is associated with the cultural heritage of the community.

2. Architectural and/or Historical Value or Interest

A heritage resource shall be considered to have architectural value or interest if, in the opinion of Council, it provides an open space required for a visual appreciation of a building or district of architectural value or interest, or if the heritage resource satisfies at least two of the following criteria or one of the following criteria plus one of the criteria listed in Section 7.14.2.1 above; specifically:

- a) If the heritage resource is a well-preserved, representative example of its architectural style or period of building.

- b) If the heritage resource is a good, well-preserved and representative example of a method of construction.
- c) If the heritage resource is a well-preserved and outstanding example of architectural design.
- d) If the heritage resource terminates a view or otherwise makes an important contribution to the urban or rural composition, streetscape or landscape of which it forms a part.
- e) If the heritage resource is generally recognized as an important landmark.
- f) If the heritage resource is a well-preserved example of outstanding interior design.
- g) If the heritage resource is an example of a rare or otherwise important feature of good urban or rural design, streetscaping or landscaping.
- h) If the heritage resource is a good representative example of the work of an outstanding local, national or international architect, engineer, builder, landscape architect, interior designer or sculptor.
- i) If the heritage resource associates with a person who is recognized as having made a significant contribution to the Town's social, cultural, political, economic, technological or physical development or who has materially influenced the course of local, regional, Provincial, national or international history.

7.14.3 Designation of Heritage Resources

1. Designation of Individual Heritage Structures

In order to regulate the demolition, removal or inappropriate alteration of identified heritage resources of historical or architectural value or interest, Council may utilize the following procedures:

- a) Council may designate individual properties on the advice and recommendation of the LACAC, if one is established, by passing appropriate by-laws pursuant to Part IV of the Ontario Heritage Act.

Once a property is designated, Council shall not permit the demolition, removal or inappropriate alteration of such buildings or structures, except in accordance with the provisions of the Ontario Heritage Act or unless Council has repealed the designating by-law.

- b) Council may pass by-laws providing for the acquisition by purchase, lease or otherwise of any property or part thereof, including any interest therein, that is designated in accordance with Section 7.14.3.1a) above.
- c) Council may dispose by sale, lease or otherwise of any designated property, or interest therein, acquired in accordance with Section 7.14.3.1b) above, upon such terms and conditions as Council may consider appropriate.
- d) Council may enter into easement agreements or covenants with the owner of a designated property, register such easement or covenant against the real property affected in the land registry office, enforce such registered easement or covenant against the owner or any subsequent owner of such real property and assign such easement or covenant to any person who, in the opinion of Council, will preserve and maintain the property to protect the heritage resource described in the heritage inventory.

2. Designation of Heritage Conservation Districts

Areas or neighbourhoods may exist which warrant preservation due to their heritage value. Council may, in conjunction with the LACAC, pursue the designation of such areas as Heritage Conservation Districts under Part V of the Ontario Heritage Act.

Once an area for possible future designation as a Heritage Conservation District is identified by a by-law passed pursuant to the Ontario Heritage Act, a Heritage Conservation District Plan shall be prepared for inclusion in the Official Plan.

For the purposes of defining areas for possible future designation as Heritage Conservation Districts, regard shall be had for the urban or rural composition of the area, and the incidence therein of buildings or structures of historical or architectural value or interest identified in the heritage inventory.

The preparation of a Heritage Conservation District Plan will involve four primary phases.

a) Background Study

Prior to the preparation of a Heritage Conservation District Plan a background study shall be undertaken which examines, the district's land use pattern; pedestrian and vehicular movements; the historical and/or architectural significance of individual buildings and sites; the physical condition of existing buildings, structures, roads and services etc.; ownership patterns; the socio-

economic characteristics of the district's population; planning restrictions; the visual environment and methods of implementing and financing potential improvements.

b) Heritage Conservation District Plan

On the basis of the background study a Heritage Conservation District Plan shall be prepared. The plan will define the special heritage characteristics of the district and provide recommendations regarding their preservation. The recommendations will relate to the physical, social and economic features of the district and provide a methodology for their implementation.

It is intended that the Heritage Conservation District Plan be incorporated into the Official Plan by amendment.

c) Public Participation

Public involvement will be encouraged throughout the preparation of the Heritage Conservation District Plan, through the use of surveys, workshops and public meetings.

d) Implementation

Council shall implement the Heritage Conservation District Plan by passing a by-law pursuant to the Ontario Heritage Act, by adopting an amendment to the Official Plan pursuant to Section 17 of the Planning Act and, if necessary, by passing an amendment to the comprehensive Zoning By-law pursuant to Section 34 of the Planning Act.

The provisions of Sections 7.14.3.1b), 7.14.3.1c) and 7.14.3.1d) of this Plan, shall apply with necessary changes, in respect to any building or structure and the land appurtenant thereto, that is situated within the area that has been designated as a Heritage Conservation District.

7.14.4 Implementation

In implementing the heritage conservation objectives of this Official Plan, Council shall have regard to the following:

1. Development and/or Redevelopment

It is the intent of this Plan to encourage the conservation of sites of historical, architectural and/or archaeological interest or value as may be identified from time-to-time, whether or not such sites are identified in the heritage inventory.

Accordingly, upon being advised that lands proposed for development or redevelopment may constitute or include a heritage resource of potential or acknowledged historical, architectural and/or archaeological value, Council shall require the owner of such lands to carry out studies to:

- survey and assess the value of the historical, architectural and/or archaeological heritage resource;
- assess the impact of the proposed development or redevelopment on the historical, architectural, and/or archaeological heritage resource; and,
- indicate the methods proposed to be used to mitigate any negative impact of the proposed development or redevelopment on the historical, architectural and/or archaeological resource.

Council shall not pass by-laws or otherwise facilitate the development or redevelopment of lands accommodating an identified heritage resource until the above studies are complete, and Council is satisfied that the proposed work can be undertaken in accordance with the municipality's heritage conservation objectives.

2. Public Works

In considering new public works such as road widening or improvements, Council shall assess the potential impact of the proposed works on identified heritage resources and shall endeavour to ensure that the design of such projects provides for the mitigation of any negative impacts.

3. Integration of Heritage Resources

In considering new development proposals, Council shall encourage the integration of identified heritage resources into the design of the proposed development, including plans of subdivision.

4. Temporary Easements

Council shall encourage the approval authority to grant the severance of a lot occupied by a building included in the heritage inventory, without legal frontage on a public road, where such lot is included in a draft plan of subdivision sanctioned by the Township, and provision has been made for a temporary easement giving vehicular access to such lot from a public road pending registration of the approved draft plan.

5. Public Open Spaces

Where an identified heritage resource is located within a public open space, Council shall encourage the restoration, rehabilitation, use and maintenance of the heritage resource for a purpose compatible with the existing or proposed function of the open space, provided such use is consistent with the other policies of this Plan.

6. By-laws

Council may pass by-laws under the Planning Act and Ontario Heritage Act to regulate the height, bulk, location, size, floor area, use, type of construction, external design and character of identified heritage resources, or in heritage conservation districts.

7. Heritage Fund

It is the intent of this Plan to encourage the restoration or rehabilitation or privately-owned heritage resources identified in the heritage inventory. Accordingly, Council may pass by-laws providing for the making of grants or loans to the owners of designated heritage resources for the purpose of paying for the whole or any part of the cost of the alteration of such designated resources, on such terms and conditions as Council may prescribe, where such alteration will serve to protect or enhance the heritage characteristics of the resource.

8. Demolition Control

Council shall, in conjunction with the LACAC, ensure that it has accurate and adequate architectural, structural and economic information to determine the feasibility of rehabilitation and reuse versus demolition, when considering applications to demolish designated heritage resources.

Council may exercise its legislative authority to control the demolition of residential heritage structures. Where Council has, through by-laws, established an area of Demolition Control under Section 33 of the Planning Act, no person shall demolish the whole or any part of a designated property or property in a designated area, without first receiving a demolition permit from Council.

Council shall ensure that all heritage resources, which are to be demolished or significantly altered, are documented for archival purposes with a history, photographic record and measured drawings prior to demolition or alteration, and that such documentation shall be the responsibility of the applicant in

consultation with the LACAC (or the Ministry of Citizenship, Culture, and Recreation).

9. Site Plan Control

Site plan control by-laws may be utilized where appropriate for the protection of heritage resources by ensuring that new development is compatible with identified resources. This may include requiring the owner of an identified resource to satisfy certain conditions as part of a site plan control agreement with the Township.

10. Property Maintenance and Occupancy Standards By-law

Property maintenance and occupancy standards by-law provisions may be utilized where appropriate for the protection of heritage resources. Furthermore, Council shall ensure that the application of such a by-law is not detrimental to the conservation of identified resources.

11. Sign By-laws

Council may enact a Sign By-law pursuant to the Municipal Act to control the visual impact of advertising and sign design and/or placement on heritage resources. Where a sign by-law is in effect, the approval of Council shall be required before any sign is erected or altered.

12. Subdivision Approval/Agreements

Council shall endeavour to ensure that conditions of consent and subdivision approval and agreements provide for the conservation and protection of heritage resources or the mitigation of adverse effects on identified resources.

13. Parkland Dedication Requirements

Parkland dedication requirements, pursuant to the Planning Act, may be utilized for the conservation of identified heritage resources.

14. Density Increases

Council may, when appropriate for specific development proposals, consider increasing the minimum height and density criteria usually applicable to a specific property to facilitate the retention of a heritage resource. Accordingly, upon application by the owner of a lot accommodating a designated heritage building or structure, Council may pass by-laws whereby the gross floor area of the

designated building or structure, is excluded from the calculation of the maximum permissible density of development on the said lot.

In considering an application for increased density, Council shall have regard to the following.

- a) In circumstances where only part of a designated building or structure is to be retained, Council, in consultation with the LACAC shall be satisfied that the part to be retained contains features of historical and/or architectural value or interest.
- b) Council shall be satisfied that the relationship between the designated building or structure or part thereof, and the overall development will be such that the quality and character of the designated building or structure or part thereof, will be respected.
- c) Where a lot is located in a mixed commercial/residential area, the gross floor area to be excluded from the calculation of the maximum permissible density shall not exceed fifty percent (50%) of the area of the lot.
- d) In circumstances where an increase in density is permitted, Council shall ensure, through an appropriate legal agreement and/or zoning criteria, that the designated building or structure, or part thereof, is retained, maintained and used for purposes which best promote the heritage objectives of this Plan.

7.14.5 Public Awareness

Council shall encourage measures which enhance public appreciation of heritage features, including the undertaking of studies to formulate and implement heritage plans and programs that promote public awareness of the Township's heritage resources.

7.15 Mineral Aggregate Resources

In considering applications for amendments to the Official Plan and/or Zoning Bylaw or for plans of subdivision/condominium or consent approval, the appropriate approval authority(s) shall give consideration to the proximity of the proposed development to existing pits and quarries and to areas identified to have significant potential for the extraction of mineral aggregate resources.

7.16 Noise Attenuation

Where development is proposed in the vicinity of high level noise producers, the development application shall, when deemed necessary by the Ministry of Environment, County of Bruce, or the Town, be accompanied by a noise report which establishes anticipated indoor and outdoor noise levels and, if needed, provides proposed methods of noise attenuation in order to meet accepted standards.

7.17 Frontage On Public Roads

No building or structure shall be erected, extended or enlarged on any lot within the Town unless such lot fronts on a public road, except minor extensions may be permitted to existing buildings or structures, where such extensions comply with all other provisions of this Official Plan and the implementing of Zoning By-law. For the purposes of this Official Plan, a public road shall mean:

- a road which affords the principal means of access to an abutting lot, and which is dedicated, assumed and maintained by the municipality, the County or the Province, and
- a road within a registered plan of subdivision where a subdivision agreement has been entered into but the road(s) will not be assumed until the end of the maintenance period.

7.18 Impact Analysis

Before an amendment is made to this Official Plan and/or before an amendment is made to the implementing Zoning Plan (which may or may not require an amendment to this Official Plan), it shall be demonstrated to the satisfaction of Council:

1. that the proposed use will not have a deleterious impact on adjacent uses as a result of increased traffic, stormwater drainage, noise or other factors deemed significant by the municipality,
2. that the proposed use does not pose a danger to adjacent uses by virtue of its hazardous nature;
3. that the proposed use conforms to the environmental policies of this Plan and will not pollute air, water and/or soil;

4. that the proposed use conforms to the policies (including the servicing and transportation policies) and designations of this Official Plan and the provisions of the Planning Act.

7.19 Community Improvement Official Plan Policies

(SBPOPA26, By-law 123-2010)

7.19.1 Community Improvement

Community improvement may be generally defined as all those activities, both public and private, that maintain, rehabilitate and redevelop the existing physical environment to support community health, environmental, social and economic priorities.

Community Improvement Plans improve the quality of life and the built environment in an area. Community Improvement Areas may be established by Council and designated by by-law, in accordance with the provisions of the Planning Act.

7.19.2 Community Improvement Goal

To improve facilities and infrastructure in the Town's four urban areas that contribute to community health, environmental, social and economic priorities and needs of the Community.

7.19.3 Community Improvement Objectives

1. To improve the physical appearance and economic health of the downtown commercial areas / waterfronts of the Town.
2. To encourage development and redevelopment by the private and/or public sectors to improve the appearance and functionality of the downtown commercial areas, waterfront areas and recreational areas/facilities of the Town.
3. To improve and enhance the existing downtown commercial areas by encouraging improvements to street beautification, facade improvements, store front signage and community signage.
4. To increase tourism and to elevate the Town's status as a destination by coordinating stakeholders to promote each of the communities unique identity.

5. To improve and enhance the recreational facilities/opportunities within the Town by creating communities that are attractive, pedestrian-friendly, and distinctive.
6. To ensure a built environment that supports and encourages active transportation while reducing automobile dependency.
7. To encourage improvements to existing waterfront facilities and the creation of sustainable waterfront environments.
8. To increase both physical and economic connections between the waterfront and the downtown commercial areas.
9. To involve the public in identifying areas in need of improvement and encourage their participation in the process of improvement and rehabilitation projects.

7.19.4 Criteria for Selection of Community Improvement Areas

The following criteria shall be used in the selection of community improvement areas:

1. Deficiencies in the condition and adequacy of commercial areas including areas within commercial building or building facades which exhibit structural deficiencies or need for rehabilitation, inappropriate signage, insufficient off street parking, the need for improvements to the commercial streetscape, etc.
2. Deficiencies in pedestrian access to commercial businesses and recreational assets and inadequacies in cyclist and vehicular circulation within the commercial and / or waterfront areas.
3. Deficiency in the availability and/or condition of municipal hard services such as roads, parking, sanitary sewers, water systems, storm water drainage, sidewalks, bike lanes, bike racks, street lights and trees.
4. Deficiencies in the availability and/or condition of municipal recreation facilities such as parks, playgrounds, arenas, community centres, trails and supportive infrastructure
5. Deficiencies in the condition of waterfront facilities and natural resources under both municipal and private jurisdiction such a marinas, parks, beaches, etc.

6. Deficiencies in the availability and/or condition of municipal, social and cultural facilities such as administration offices, meeting rooms, galleries or libraries, etc.

7.19.5 Community Improvement Project Area

The boundaries of the Community Improvement Project Area are to be established through the Community Improvement Plan. It is the Official Plan's intent that community improvement projects be undertaken in identified areas as needed, whenever funds are available, provided Council is satisfied that the municipality can reasonably finance and afford the cost or its share of the cost.

7.19.6 Implementation Guidelines

In order to carry out the Community Improvement Goals and Actions of this Plan, the Town may:

1. Provide for the preparation of a "Community Improvement Plan" for a Community Improvement Project Area pursuant to Section 28(4) of the Planning Act, R.S.O. 1990, as amended.
2. Designate by By-law the Community Improvement Project Area pursuant to Section 28(2) of the Planning Act, R.S.O. 1990, as amended.
3. Participate and coordinate with senior levels of government. The County of Bruce Official Plan Section 6.13 encourages local municipalities to prepare Community Improvement Plans where appropriate.
4. Cooperate with groups and organizations whose objectives include community improvements and rehabilitation initiatives.
5. Utilize public funding available to municipalities from provincial and federal programs to assist in implementing community improvements.
6. Support and encourage the business improvement area organizations in their efforts to maintain a strong and vibrant business area.

7.19.7 Phasing

It is the intention of this policy that a prioritized list of Community Improvements be identified in a Community Improvement Plan and not as part of the Community Improvement policies of this Official Plan.

In considering the phasing of improvements, priority will be given to those projects that will most substantially increase the safety, stability and aesthetic

quality of the community. The public consultation may be utilized as a basis for the phasing of improvements and rehabilitation projects.

It is the intention of this policy that Community Improvement priorities be subject to review as a result of changes in economic, social or environmental considerations, and the availability of funding. Each new term of Council may conduct a review of the Community Improvement Plan, however additional review may be appropriate if there are changes in the conditions that established the Plan.

8. Consents Policies

8.1 General

This Official Plan intends that the creation of new lots primarily occur by plan of subdivision. Accordingly, an application to the approval authority for consent to sever a parcel of land will only be considered when it is clearly evident that a plan of subdivision is not necessary to ensure proper and orderly development.

In considering applications for consent, the approval authority shall have regard for the policies of this section in addition to all other relevant provisions of this Plan and the Planning Act.

8.2 Development Overview

Within the Town, it is a primary goal of this Official Plan to preserve agriculturally-productive lands and promote the expansion of the agricultural industry by preventing the fragmentation of economically-viable farm units and the encroachment of incompatible land uses. Furthermore, it is the intent of this Plan to limit the amount and type of non-farm development so as to preserve the agricultural community and rural landscape in general.

Within settlement areas, the municipality supports residential intensification, through the consent process, as a means of urban renewal, creating a plentiful and varied supply of housing, and ensuring the most efficient use of existing infrastructure and services.

The approval authority shall be guided by these general planning principles in its consideration of future consent applications.

8.3 Policies Applicable In All Land Use Designations

8.3.1 General

A consent may be granted for any land use (e.g. residential, industrial, commercial) permitted in either the designation or zone covering the land in this Official Plan or in the implementing Zoning By-law, providing the policies of this Plan permit a severance for the proposed use, and the severance conforms with all relevant policies herein.

For access requirements relating to Island Development, See Section 4.7.4 "Fishing Islands". (OMB #PL030265 24Aug/04)

8.3.2 Zoning

The proposed lot and the lot to be retained shall be of an appropriate size and have adequate frontage for the existing and proposed uses, and the severed and retained lots must comply with the provisions of the implementing Zoning By-law.

8.3.3 Servicing

Consents may only be considered when it has been established that the proposed and retained lots meet the servicing requirements of Section 6.0 of this Plan. In all cases it shall be demonstrated to the satisfaction of the appropriate approval authority that an adequate supply of potable water and method of sanitary sewage disposal is available to service the proposed and retained lots.

Consents shall only be approved where development can be accommodated without the undue extension of municipal services, and where it is established that soil and drainage conditions are suitable to permit the siting of buildings.

8.3.4 Waste Disposal Influence Areas

Consents within areas potentially influenced by open or closed solid waste disposal sites, as identified on the Schedules by the Waste Disposal Assessment Areas boundary classification, shall only be approved where it is demonstrated that the proposed use can be situated in accordance with the policies of Section 4.15.4 of this Plan.

8.3.5 Access

1. All lots created by consent shall front on and have access to a public road.
2. The creation of lots with access to arterial roads shall be discouraged, and the creation of lots with access to any road where a traffic hazard would be created due to the curve, grade and/or traffic volumes on the road shall not be permitted.
3. The creation of lots with access onto Provincial highways or County roads shall only be approved where the Ministry of Transportation or the County of Bruce has advised, in writing, that an entrance permit will be issued.
4. The creation of lots shall only be approved in circumstances where the public road affording access to the proposed lots is determined to be of a suitable quality to accept traffic generated by the proposed land use.

8.3.6 Technical or Legal Consents

A consent may be permitted for technical or legal reasons such as boundary adjustments, easements, rights-of-way or other similar purpose which does not result in the creation of a new lot.

8.3.7 Environmental Preservation

Consents shall not be permitted where they may have a deleterious impact on areas deemed to have special environmental significance due to their ecological function, attributes or linkages; nor shall they be permitted in areas unsuited to development due to inherent natural hazards such as their susceptibility to flooding or erosion.

In deliberating on these matters, the approval authority shall be guided by the policies of Section 4.1 of this Official Plan.

8.3.8 Potential Extractive Industrial Areas

Consents shall not be permitted where they may impede the future extraction of mineral aggregates from areas designated Extractive Industrial or Potential Extractive Industrial Area on the Schedules. Furthermore, non-farm residential development shall not be permitted within approximately 210 metres (689 feet) of the property line of an area licenced under the Aggregate Resources Act for the removal of quarry stone, or within approximately 120 metres (394 feet) of an area so licenced which is utilized in the processing of sand, gravel or stone.

8.3.9 Parkland Dedications

In the case of a lot created for residential purposes, the approval authority may require the conveyance of up to a 5% parkland dedication or a cash payment in lieu of land.

In the case of a lot created for industrial or commercial purposes, the approval authority may require the conveyance of up to 2% parkland dedication or a cash payment in lieu of land.

In considering parkland requirements, the approval authority also shall be guided by the provisions of Section 4.2. of this Official Plan.

8.3.10 Minimum Distance Separation

Consents for agricultural and non-agricultural development shall comply with Minimum Distance Separation Formulae I or II, and any other minimum distance separation limitations contained in the implementing Zoning By-law as they may

pertain to the establishment of new intensive agricultural operations in proximity to settlement areas, (also see Sections 4.3. and 4.4).

8.3.11 Lot Creation in Wellhead Protection Areas

(SBPOPA48-18.58, By-law 31-2018)

1. Lot Creation shall not be permitted within Wellhead Protection Area A' or 'Wellhead Protection Area 'B' with a vulnerability score of 10 unless such lots are connected to a Municipal Water system.
2. Lot Creation shall not be permitted within Wellhead Protection Area 'A' or Wellhead Protection Area 'B' where the vulnerability score is "10" unless such lots are connected to a Municipal Sewer System or the septic system can be located outside of a Wellhead Protection Area where the vulnerability score is 10.

8.4 Agricultural Consents

The policies of this Section shall apply to the areas designated Agriculture in this Official Plan. Where an application for consent is received in this area the policies of Sections 8.1, 8.2 and 8.3 shall apply, in addition to the following:

1. A consent may be granted where the parcel to be severed and the parcel to be retained are both to be used for agricultural purposes and the approval authority is satisfied that the parcels are large enough for the proposed use and for a reasonable number of alternative agricultural uses, and that the agricultural use proposed for the site is suitable for the area.

New lots for agricultural use generally should encompass no less than 40 hectares (100 acres). Larger agricultural lots sizes, however, are encouraged as a means of ensuring the economic viability of single, stand alone agricultural operations.

2. A consent may be granted to dispose of a farmhouse rendered surplus through the consolidation of two abutting farm holdings or farm holdings adjacent to one another but separated by a public road, provided that the separation distance between the farmhouse and any livestock operations complies with the Minimum Distance Separation Formulae I or II. It would be preferable if any accessory buildings to the surplus farmhouse were included on the severed lot.

Unless required for servicing purposes or reasons of environmental conservation, the area of the severed parcel should be limited to a maximum of approximately 1.0hectare (2.47acres).

3. A consent may be granted for an agriculturally-related industrial or commercial use requiring proximity to agricultural operations and/or providing agricultural services and supplies to the agricultural community. Such consents shall be contingent upon it being demonstrated to the satisfaction of the approval authority
 - that suitable alternate locations, within the Rural designation on poorer quality agricultural lands are not available,
 - that the proposed use's location within the Town's prime agricultural area is indeed essential to properly service the agricultural community,
 - that the parcel to be severed encompasses the minimum area needed to accommodate the proposed use and
 - that the parcel to be retained is large enough to support a viable agricultural operation, generally no less than 40 hectares (100 acres).
4. In no instances shall an original Town lot be divided into more than two (2) parcels including the retained portion. For the purposes of this section, any original Town lot severed for the purposes of a school prior to 1995, road widening or similar public purposes, or minor lot line adjustments shall be deemed to be an original Town lot.

8.5 Rural Consents

The policies of this Section apply to the areas designated Rural to this Official Plan. Where an application for consent is received in this area, the policies of Sections 8.1, 8.2 and 8.3 shall apply in addition to the following:

1. Consents may be granted for non-farm rural residential uses provided there is compliance with all relevant policies of this Plan.
2. Except where larger lot sizes may be suitable because of environmental constraints or design considerations, the area of any severed lot shall be kept to a minimum, generally a maximum of 1 hectare (2.47 acres) in the case of rural residential lots, and a size consistent with the nature of the proposed non-residential use in the case of other severance applications. In no cases, however, shall a consent exceed 4 hectares in area.

3. The creation of strip or linear rural residential development shall be prohibited, particularly along Provincial or arterial roads. Notwithstanding this broad intent, however, residential infilling will be permitted between two residential lots, existing on the date of adoption of this updated Official Plan, where the distance between the lots, located on the same side of the road, is 100 metres (328 feet) or less. Also, existing strip or linear residential areas may be extended to a physical feature such as a river, sideroad, or major slope, where such feature is approximately 100 metres (328 feet) or less from the established residential area.
4. No more than one additional lot may be created from the original Township lot. For the purposes of this section, any Township lot that has been severed for the purpose of a school or church prior to 1995, a road widening or similar public purposes or minor lot line adjustments shall be deemed to be an original Township lot.

This Plan does not intend for lots created by severance to, in turn, be severed.

Notwithstanding the above, within established rural business parks there shall be no limit on the number of consent approvals, provided all other policies of the Plan are satisfied.

5. Notwithstanding the limitations imposed by Section 8.5 above, for the purposes of this Plan, consents granted in the following circumstances need not be included in the calculation of the maximum number of consents:
 - Consents granted for purposes of lot additions.
 - Consents granted for purposes of infilling.
 - Consents granted for technical or legal reasons.

8.6 Consents In Settlement Areas

Where an application is received in relation to land located within settlement areas, the policies of Sections 9.1, 9.2 and 9.3 shall apply, in addition to the following:

1. Consents which inhibit or limit the potential for future planned development shall not be permitted.
2. Consents within settlement areas generally shall be limited to areas where full municipal services are available. In circumstances where the use of full municipal services is not possible or viable, development on

site-specific communal or private services may be considered, but only in accordance with the provisions of Section 6.0.

3. Consents should only be considered for the purposes of the logical infilling of built-up areas. Consent applications which contemplate the extension of built-up parts of the community and/or the expansion of the settlement area in general shall be discouraged.

8.7 Consents in Wellhead Protection Areas

(SBPOPA48-18.58, By-law 31-2018)

Lot Creation shall not be permitted within Wellhead Protection Area 'A' or 'Wellhead Protection Area 'B' with a vulnerability score of 10 unless such lots are connected to a Municipal Water system.

Lot Creation shall not be permitted within Wellhead Protection Area 'A' or Wellhead Protection Area 'B' where the vulnerability score is "10" unless such lots are connected to a Municipal Sewer System or the septic system can be located outside of a Wellhead Protection Area where the vulnerability score is 10.

9. Implementation

With the exception of the Wiaraton Community Plan, Section 11, which has its own Implementation Section, the Official Plan shall be implemented by the following means:

9.1 Provincial Acts

Council shall implement this Official Plan by utilizing the power conferred upon it by the Planning Act, the Municipal Act and such other statutes as may be applicable.

9.2 Municipal By-Laws

9.2.1 Zoning By-Law

1. General

It is the intent of this Official Plan that a comprehensive amendment to the Town's Zoning By-law be brought into effect by Council in accordance with the policies and land use designations of the Official Plan, which will establish regulations to control the use of land and the character, location and use of buildings and structures.

Although the Zoning By-law shall zone land in accordance with the land use designations and policies of this Plan, it is not intended that all areas designated for a particular land use necessarily be zoned immediately for such use. Rather, holding zones may be placed on certain areas until it is appropriate for development to occur.

Holding zones, established pursuant to Section 34 of the Planning Act, may be utilized to delay development pending the passage of an amendment to the Zoning By-law undertaken in full accordance with the requirements of Section 34 of the Act including those dealing with the Act's notice and appeal procedures. Holding zones established pursuant to Section 36 of the Planning Act may be utilized to delay development in the manner described in Section 9.2.2. below.

2. Zoning Amendments

Amendments to the Zoning By-law may be permitted when Council is satisfied that the impact criteria in Section 8.18 have been addressed, and that the proposed use conforms to all other provisions, including other amendment criteria, of this Official Plan.

3. Existing Uses

Uses of land which legally exist at the date of adoption of this Official Plan may be recognized by an appropriate zoning category in the implementing Zoning By-law and extensions and/or the construction of accessory buildings may be permitted in accordance with any other applicable policies of this Plan.

9.2.2 Holding By-Laws

1. General

Pursuant to Section 36 of the Planning Act, Council may pass a holding by-law for the purpose of delaying development within specific areas until the development criteria contained in the policies of the various land use designations in addition to all other relevant policies of the municipality, County and Province has been satisfied. For example, a holding by-law could be used to enable the phasing of development and the provision of municipal services.

Without limiting the generality of the foregoing, it is the intent of this Official Plan that holding provisions may be applied in circumstances where Council is satisfied regarding the anticipated use of a parcel of land as designated in this Plan, but considers the actual development of the lands for the intended use to be premature pending the requirements and/or conditions of development. Such municipal requirements and/or conditions of development may include, but shall not be limited to, the following:

- that adequate municipal services, including water and sewer services, are available to service the proposed development,
- that development or redevelopment is appropriately phased,
- that a secondary plan or a comprehensive development plan for one or more parcels of land has been prepared,
- that site plans/site plan agreements have been approved,
- that draft/final plans of subdivision/condominium, where deemed appropriate, have been approved,
- that necessary transportation facilities are available to service the proposed development, and
- that necessary studies, as required by Council, regarding the timeliness of development, such as market impact studies, have been prepared.

2. Implementation

Land subject to holding provisions shall be identified within the implementing Zoning By-law by the placement of an (H) immediately following the relevant zone symbol. Permitted uses within areas subject to holding provisions shall be limited to the uses existing at the time of the passing of the by-law, and the holding by-law may be utilized to restrict the expansion of existing uses.

3. Removal of the Holding Symbol

The holding symbol shall be removed from the lands so zoned by an amendment to the Zoning By-law once Council is satisfied that development can proceed in accordance with the policies of this Plan.

9.2.3 Interim Control By-laws

Where Council, by by-law or resolution, directs that a review or a study be undertaken with respect to land uses in the Town or in defined areas of the Town, Council may pass an interim control by-law, pursuant to Section 38 of the Planning Act, which serves to control the use of land, buildings or structures within the municipality or within the defined areas of the municipality that are subject to review and study.

An interim control by-law may remain in effect for a period of time specified in the by-law but shall not be in effect for longer than two years from the date of the passing of the by-law.

9.2.4 Temporary Use By-Laws

Pursuant to Section 39 of the Planning Act, and notwithstanding the other policies of this Plan, temporary uses may be permitted in any land use designation. Before passing a by-law to permit a temporary use, Council shall be satisfied that those of the following requirements which are relevant to the specific application are, or will be fulfilled in order to safeguard the wider interests of the general public:

1. that the proposed development or redevelopment is consistent with the temporary nature of the proposal,
2. that the proposed use will be compatible with adjacent uses,
3. that the size of the parcel of land and the building to be used is appropriate for the proposed use,

4. that services such as water, sewage disposal and roads are sufficient,
5. that matters such as noise, vibration, fumes, smoke, dust, odour, lighting and traffic generating capacity are considered to ensure that the impact of a temporary use will not be detrimental to adjacent uses or the wider community,
6. where necessary, neighbouring uses will be protected by the provision of areas for landscaping, buffering or screening, appropriate setbacks for buildings, structures or uses, devices or measures to reduce nuisances, regulations for alleviating adverse effects caused by outside storage, lighting, advertising signs, etc., and
7. that the by-law has suitable regulations in regard to setbacks, lot coverage, parking and other such items as may be required either through the text of the by-law or by reference to the municipality's Zoning By-law.

9.2.5 Maintenance and Occupancy By-law

Council may pass by-laws, pursuant to the Building Code, to establish minimum standards of maintenance and occupancy for properties within the Town. Such a maintenance and occupancy by-law shall be applicable to all property and shall contain requirements with respect to:

- garbage disposal,
- pest prevention,
- the structural maintenance of buildings,
- the safety of buildings,
- the cleanliness of buildings,
- the services to buildings such as plumbing, heating, electricity,
- keeping lands and waterfronts free from rubbish, debris, weeds, abandoned or used vehicles or equipment,
- maintaining yards, lands, parking and storage areas,
- maintaining fences, swimming pools, accessory buildings and signs, and
- occupancy standards.

1. Property Standards Officer

Council may appoint a Property Standards Officer who will be responsible for administering and enforcing the maintenance and occupancy by-law.

2. Property Standards Committee

Council may appoint a Property Standards Committee, as provided for in the Building Code, to hear appeals against an Order of the Property Standards Officer.

3. Public Land

Complementary to the enforcement of minimum standards on private property, Council shall undertake to keep in a fit and well-maintained condition all municipally-owned properties and structures and to provide or maintain in good repair, roads and sidewalks, etc.

9.2.6 Trailer By-Laws

Pursuant to the Municipal Act, Council may pass trailer by-laws to regulate the use of trailers within the Township.

9.2.7 Ontario Building Code

All construction shall adhere to the regulations of the Ontario Building Code.

9.3 Public Uses

As per Section 10.4.

9.4 Parkland Dedications

To ensure that adequate lands are available to meet the open space and recreational needs of the residents of the Town, Council shall require the conveyance of up to a five percent (5%) parkland dedication in the case of new residential development and up to a two percent (2%) parkland dedication in the case of new commercial or industrial development. In addition, Council may accept a cash-in-lieu of parkland payment when deemed appropriate.

All lands dedicated for parkland purposes must be in a satisfactory physical condition and be located in a manner which provides for their use by the general public. Where a proposed development abuts a body of water, Council shall

endeavour to require that the lands dedicated for parkland be located adjacent to the body of water.

Lands subject to flooding or other environmental hazards may not be accepted as part of the parkland dedication.

Council also shall be guided by the provisions of Section 4.2.

9.5 Capital Works Program And Budget

It is the intent of this Official Plan that, wherever possible, Council, on the basis of the policies contained within this Plan, establish a staged program for the implementation of community facility-related works, public works and/or any other municipally-assisted projects within the Town. A five-year capital improvement program should be developed to systematically implement it. This program should be reviewed annually as part of the capital budget procedure.

9.6 Parking Exemption

It is the general intent of this Official Plan that development or redevelopment meet the requirements of the parking regulations contained within the Town's Zoning By-law. However, where circumstances dictate, and notwithstanding anything to the contrary in this Official Plan or the implementing Zoning By-law, Council may, pursuant to Section 40 of the Planning Act, enter into agreements with an owner(s) of land, buildings or structures, whereby the owner(s) may be exempted from providing or maintaining parking facilities as may otherwise be required, in exchange for the payment of money to the municipality.

All money received by the Town under an agreement entered into pursuant to this section shall be paid into a special account to offset municipal expenses related to the provision of parking.

Where an agreement has been entered into pursuant to Section 40 of the Planning Act, amendments shall be required to neither the Official Plan nor the Zoning-By-law to give effect to the agreement and/or to facilitate the issuance of a building permit.

9.7 Legal Non-Conforming Uses

Land uses which legally existed on the date of the approval of this Official Plan that are neither designated in this Plan nor zoned in the implementing Zoning By-law as a permitted use are termed legal non-conforming uses and, in the long-run, should cease to exist. In some instances, however, it may be desirable to

permit the extension or enlargement of such a legal non-conforming use in order to avoid unnecessary hardship. It is the intent of this Official Plan that any such extensions or enlargements be processed under the authority of Section 34(10) or Section 45(2) of the Planning Act as follows:

9.7.1 Section 34(10) of the Planning Act (Zoning)

Any application for the extension or enlargement of a use which is not permitted in the implementing Zoning By-law but which legally existed at the time of the passing of such a by-law shall be dealt with in the following manner:

1. Land Acquisition

Pursuant to Section 34(8) of the Planning Act, Council shall evaluate the possibility and feasibility of acquiring the property concerned at the time of the submission of an application or possibly at some future date and of holding, selling, leasing or redeveloping the property. At the same time, consideration shall be given to the possibility of relocating the use under consideration to a designated and zoned location where it would be able to function and produce under improved conditions in accordance with the policies of this Plan.

2. Amendment Criteria

Pursuant to Section 34(10) of the Planning Act, if Council considers the purchase of the property to be unrealistic but nevertheless finds that the merits of the application deem it desirable to grant permission for the proposed extension or enlargement, the municipality may pass an amendment to the Zoning By-law. Such a by-law may be passed without amending the Official Plan providing that:

- a) The proposed extension or enlargement of the established, non-conforming use shall not unduly aggravate the situation created by the existence of the use, especially in regard to the policies of the Official Plan and the requirements of the implementing Zoning By-law applying to the area.
- b) The proposed extension or enlargement shall be in appropriate proportion to the size of the existing use established prior to the date of the passing of the implementing Zoning By-law.
- c) The characteristics of the existing use and the proposed extension or enlargement shall be examined with regard to noise, vibration, fumes, smoke, dust, odours, lighting and traffic-generating capacity. If one or more of the above nuisance factors will be created or increased so as to

add significantly to the incompatibility of the use with the surrounding area, then no amendment to the implementing Zoning By-law shall be undertaken.

- d) The neighbouring conforming uses will be protected by the provision of areas for landscaping, buffering or screening, or appropriate setbacks for buildings and structures, devices and measures to reduce nuisances and/or, where necessary, by regulations for alleviating adverse effects caused by outside storage, lighting, advertising signs, etc. The above measures shall be applied to the proposed extension or enlargement and, wherever feasible, also be applied to the established use in order to improve its compatibility with the surrounding area.
- e) Traffic generation and parking conditions in the vicinity will not be adversely affected and traffic hazards will be kept to a minimum by appropriately-designed ingress and egress points to and from the site and improvements to site conditions especially in proximity to intersections, so as to provide maximum safety for pedestrian or vehicular traffic.
- f) Adequate provision has been, or will be made for off-street parking, loading and unloading facilities.
- g) Necessary municipal services such as storm drainage, water supply, sanitary sewage disposal facilities and roads are available or can be made available.

9.7.2 Section 45(2) of the Planning Act (Committee of Adjustment)

Pursuant to Section 45(2) of the Planning Act, the Committee of Adjustment may permit the enlargement or extension of legally-conforming buildings or structures, but no permission may be given to enlarge or extend the building and structure beyond the limits of the land owned and used in connection therewith on the date the by-law was passed.

9.8 Amendments To The Official Plan

Should changing conditions necessitate amendments to the Official Plan, such amendments shall be processed in full accordance with the provisions of the Planning Act, most particularly as they pertain to ensuring proper public notification.

9.9 Public Information

In order to adequately inform the general public as to the policies and proposals contained herein, Council shall, upon receiving the County of Bruce's approval of the Official Plan, reproduce the Plan and make it available to the general public.

9.10 Niagara Escarpment Development Control

The majority of the area identified as Niagara Escarpment Plan Area in this Official Plan is subject to Niagara Escarpment Development Control pursuant to regulations passed under the Niagara Escarpment Planning and Development Act. Zoning By-laws under the Planning Act have no effect in the area of Development Control. Permits for developing land are required from the Niagara Escarpment Commission.

Section 24(3) of the Niagara Escarpment Planning and Development Act states, "No building permit, work order, certificate or licence that relates to development shall be issued, and no approval, consent, permission or decision that is authorized or required by an Act that relates to development shall be made, in respect of any land, building or structure within an area of development control, unless the development is exempt or a development permit relating to the land, building or structure has been issued and the building permit, work order, certificate, licence, approval, consent, permission or decision is consistent with the development permit".

10. Interpretation

10.1 Land Use Boundaries And Roads

It is intended that the boundaries of the land use classifications and the location of roads, as shown on the Schedules attached hereto, are considered as approximate and absolute only where bounded by roads, railways, shorelines, rivers, canals or other similar geographical barriers. Therefore, amendments to be Official Plan will not be required in order to make minor adjustments to the location of land use boundaries provided that the general intent of the Official Plan is preserved. Such minor deviations need not be reflected on the attached Schedules.

10.2 Numeric Standards

It is intended that all numeric standards herein, including any in relation to minimum lot areas, or frontages population or housing projections, be considered approximate and not absolute. Amendments to this Official Plan shall not be required for minor variations from the criteria providing the general intent of the Plan is maintained.

10.3 Accessory Uses

Wherever a use is permitted in a land use designation, it is intended that uses, buildings or structures normally incidental, accessory and essential to that use also be permitted.

10.4 Public Uses

Except as specifically precluded by the policies of this Official Plan, it is intended that institutional/community, utility, communication and publicly-owned transportation, park and playground facilities, including pedestrian and snowmobile trails and other uses deemed to serve a similar public function, be permitted in all land use designations without the need for an Official Plan amendment, providing that their design, particularly the design of any new buildings or structures, maintains general harmony with the uses permitted in the specific land use designation.

For the purposes of this section “utility” means any hard public service such as, but not limited to, water and sewer, stormwater management, electric, natural gas and communication services.

10.5 Subsequent Legislation

Where a Provincial or Federal Act, regulation or guideline, or section thereof is referred to in this Official Plan, it is intended that such reference be interpreted to include any subsequent legislation, regulation or guideline that may replace the specified criteria. Similarly, where reference is made to County or Provincial ministries or agencies, it is intended that such reference be intended to include any ministry, agency or government branch which may assume responsibility for a particular policy / regulation currently administered by the referenced organization.

10.6 Amendments To The Niagara Escarpment Plan

Subject to a public resolution from Council, and consultation with and approval by the Niagara Escarpment Commission, an Official Plan Amendment will not be required to incorporate relevant amendments to the Niagara Escarpment Plan into the Official Plan where such amendments have undergone the public consultation and approval process required under the Niagara Escarpment Planning and Development Act.

10.7 Glossary Of Terms

For the purposes of this Official Plan, the following definitions shall govern unless the context indicates otherwise. A definition shall provide a guide to assist in the preparation of the implementing Zoning By-law.

Accessory Building or Structure shall mean a detached building or structure that is not used for human habitation and the use of which is customarily incidental and subordinate to a main or principal use, building or structure located on the same lot.

Accessory Use shall mean a use customarily incidental and subordinate to and exclusively devoted to the main or principal use or activity on the lot, building, or structure the and which is carried on upon the same lot as such main or principal use, building or structure.

Building shall mean a structure having a roof, supported by columns or walls or supported directly on the foundation and used for the shelter or accommodation of persons, animals or goods.

Building By-law shall mean the Ontario Building Code Act, and the regulations made thereunder, as may be amended, replaced or re-enacted from time-to-time.

Business, Professional and/or Administrative Office shall mean a building or part of a building in which one or more persons are employed in the management, direction or conducting of a business or where professionally-qualified persons and their staff serve clients or patients who seek advice, consultation or treatment and for the purposes of this Plan may include the administrative offices of a non-profit or charitable organization.

Campground - Private shall mean a tourist establishment comprising land used or maintained as grounds for the camping or temporary parking of at least five (5) trailers, motorized mobile homes, truck campers, campers or tents, but does not include parks or camping grounds controlled by any Ministry, agency or branch of the Provincial or Federal or Department of the Government of Ontario or of Canada, or any Crown corporation, commission or board.

Conservation shall mean the preservation, protection and improvement of the natural environment through a comprehensive management and maintenance program administered by the Town, County of Bruce, Grey Sauble Conservation Authority, Ministry of Natural Resources or other public authority for individual or public use.

Conservation Area shall mean lands owned or controlled by a Conservation Authority established under the authority of the Conservation Authorities Act, which lands may be used for forestry, reforestation, conservation, agriculture, conservation land management practices, resource management, boating, swimming, demonstration areas, orienteering, picnicking, hiking, skiing, snowshoeing, equestrian trails, day-camping, occasional overnight camping for non-profit groups on a non-commercial basis, and other passive recreational pursuits, and shall include such accessory facilities as refreshment stands, recreation buildings, washrooms and similar facilities, but shall not include a camping establishment or trails for motorized vehicles.

Convenience Store shall mean a retail commercial establishment supplying groceries and other daily household conveniences to the immediate surrounding area, whether or not such store is open for business 7 days a week.

Council shall mean the Municipal Council of the Corporation of the Town of South Bruce Peninsula.

Dwelling, Single-detached Farm shall mean a dwelling unit accessory to an agricultural or intensive agricultural farm operation which provides permanent accommodation for the owner or full-time supervisor of the agricultural or intensive agricultural farm operation.

Dwelling Unit shall mean a self-contained suite of two (2) or more rooms designed or intended to be used by one (1) household in which sanitary conveniences, cooking facilities and heating facilities are provided, and which has a private entrance either from the outside of the building or through a common hallway, but does not include a hotel, motel, boarding house, tourist home, travel trailer, tent, mobile home, motor home or recreational vehicle.

Eating Establishment shall mean a building or part of a building where food is offered for sale or sold to the public for immediate consumption on or off the premises, and includes a restaurant, dining room, café, cafeteria, ice cream parlour, tea or lunch room, dairy bar, coffee shop, snack bar or refreshment room or stand; but does not include a boarding house, but may include liquor licenced premises.

Existing, unless specifically indicated otherwise, shall mean a building or structure already erected, or the occupancy of such building or structure or the activity on the land on the date of passing of this Official Plan.

Highway shall mean a highway within the meaning of the Municipal Act, and the Highway Traffic Act.

Home industry is defined as a small-scale industrial use carried on within an accessory building to a principal agricultural/rural use (barn/shed/garage), which provides a service to the surrounding agricultural/rural area (e.g. welding shop).

Home occupation is defined as a small-scale commercial use carried on within a detached dwelling unit, which does not change the residential character of the dwelling unit.

Lot shall mean a parcel or tract of land described in a deed or other legal document which is legally capable of conveying title, and:

- is a whole lot described in accordance with and is within a registered plan of subdivision, which has not been deemed by the Town not to be a registered plan of subdivision under a by-law passed pursuant to the Planning Act,
- is a legally-separated parcel of land without any adjoining or abutting land being owned by the same owner or owners as of the date of adoption of this Official Plan, *or*
- the description of which is the same as in a deed which has been given consent pursuant to the Planning Act, *or*

- is the whole remnant remaining to an owner or owners after a conveyance is made with consent pursuant to the Planning Act, but for the purposes of this paragraph, no parcel or tract of land ceases to be a lot by reason only of the fact that a part or parts of it has or have been conveyed to or acquired by the Town, County of Bruce, Province of Ontario, Dominion of Canada, Public Authority; or
- is ordered by the Ministry of Municipal Affairs and Housing to have not been created by a contravention of the Planning Act pursuant to the authority of the Planning Act.

Institution shall mean a building or part of a building used for a governmental, charitable, educational, religious or other similar non-commercial purpose including uses such as municipal offices, hospitals, libraries, public or private (but not commercial) schools, churches, colleges or universities, community centres/halls and senior citizen nursing homes.

Manufacturing, Processing, Assembling or Fabricating shall mean a building or part of a building in which the process of producing any product by hand or mechanical power and machinery is carried on systematically with the division of labour.

Motor Vehicle Service Station shall mean one or more gasoline pump islands together with a shelter primarily for employees, or a building or structure where gasoline, propane or other fuels, oil, grease, antifreeze, tires, tubes, tire accessories, electric light bulbs, spark-plugs, batteries and automotive accessories for motor vehicles or similar automotive products are stored or kept for sale to the general public, or where motor vehicles may be oiled, greased or washed, or have their ignition adjusted, tires inflated or batteries charged, or where only minor mechanical or running repairs essential to the actual operation of motor vehicles are executed or performed.

Park, Private shall mean an open space or recreational area or building, other than a public park, operated on a commercial and/or private member basis, which is devoted to one or more of the following uses or activities or to a similar type of use or activity.

- golf course, hockey or curling rink, health club,
- areas for walking, riding and cross-country skiing, but does not include the racing of animals, motor vehicles, motorcycles or snowmobiles,

- accessory recreational or playground uses such as picnic areas, tennis courts, lawn-bowling greens, outdoor skating rinks, athletic fields, swimming pools and similar uses,
- buildings and structures accessory to the foregoing such as a refreshment booth or pavilion, dining and recreation facilities and administrative offices,
- a clubhouse, which may include dining and recreational facilities to service the clients or members utilizing the recreational facility, and
- parking lots accessory to the foregoing.

Park, Public shall mean any open space or recreational area, owned or controlled by the Town or by any Board, Commission or other authority established under any statute of the Province of Ontario and may include therein neighbourhood and community, parks, and may include one or more athletic fields, field houses, community centres, bleachers, swimming pools, greenhouses, botanical gardens, zoological gardens, bandstands, skating rinks, tennis courts, bowling greens, hockey and curling rinks, refreshment rooms, fairgrounds, arenas, health clubs, golf courses or similar uses.

The Public Park definition also encompasses buildings, structures and uses accessory to the foregoing including a refreshment booth or pavilion, administrative offices, an outlet for the sale of products associated with a principal public recreational use (golf pro shop/hockey equipment sales), dining facilities, an accessory parking lot and similar uses.

Parking Area shall mean an area provided for the parking of motor vehicles and may include aisles, parking spaces, pedestrian walkways, and related ingress and egress lanes, but shall not include any part of a public street. Parking Area may include a private garage.

Provincial Highway shall mean a street, road or highway under the jurisdiction of the Ministry of Transportation.

Public Authority shall mean Federal, Provincial, County or municipal agencies, and includes any Commission, Board, authority or department established by such agency.

Retail Commercial Establishment shall mean a building or part of a building used for the purpose of selling or offering for sale goods or services on an item-by-item basis directly to the public, and the incidental storage of those goods in limited quantities sufficient only to service such store.

Services, Commercial/Business shall mean a commercial operation in which persons are employed in furnishing services and otherwise administering to the individual and personal needs of persons, such as a barber shop/hairdressing establishment, shoe repair shop or other similar services.

Similar Use shall mean a use of land, building or structure for a purpose which is not specifically mentioned within the Official Plan or implementing Zoning By-law as a permitted use, but which is determined by the Committee of Adjustment to be similar to the permitted use.

Structure shall mean anything constructed or erected, the use of which requires location on the ground, or attachment to something having location on the ground and, without limiting the generality of the foregoing, includes a motor vehicle.

Use shall mean, when used as a noun, the purpose for which a lot or building or structure, or any combination therefore, is designed, arranged, occupied or maintained and when used as a verb, "to use" shall have a corresponding meaning.

11. Warton Community Plan

The Community of Warton which forms part of the Town of South Bruce Peninsula represents the major urban settlement area within the Town and functions as a regional service centre. In the mid-1990's, the former Town of Warton undertook an extensive public participation program designed to determine the community's desired direction for future growth and development. The results of this exercise was the establishment of the Warton Community Plan which provides land use policy direction for the former Town to the Year 2011. The direction of growth and land use policies which apply to the former Town of Warton are contained herein.

The Warton Community Plan consists of the following written text, Section 1 through 5 together with the following schedules:

- Schedule "B" - Land Use Plan
- Schedule "B-1" - Phasing Plan
- Schedule "B-2" - Transportation Plan
- Schedule "B-3" - Community Impact Plan
- Schedule "B-4" - Niagara Escarpment Plan
- Schedule "U-8" - Map 5.2.SBP.W.1 Warton Water Treatment Plan
Events-Based Area Policy Components

11.1 Purpose Of The Community Plan

The Warton Community Plan was developed through extensive public consultation and represents a public statement of how the Community intends to manage its future growth and development. The Plan is designed to be responsive to the needs of area residents and take into consideration Warton's regional function.

The Community Plan contains specific Goals, Actions and Policies intended to assist Council and its various Committees, municipal staff, developers, government agencies and the public in their efforts to maintain and strengthen the economic, environmental and social fabric of the Community of Warton.

The Plan provides a consistent policy framework to guide the public and private sectors in making decisions concerning future development and investment within the Community of Wiarton.

The Community Plan applies to all lands within the boundaries of Wiarton and is intended to function as a major policy document up to the Year 2011.

The Wiarton Community Plan is a Community document under the jurisdiction of Council.

11.1.1 Community of Wiarton

In the context of rural Ontario towns, Wiarton stands out as being truly unique and fortunate. Although its located in one of the last parts of Southern Ontario to be settled, Wiarton is steeped in history.

In the 1870's, logging on the Bruce Peninsula, commercial fishing in Georgian Bay and Lake Huron and the establishment of a farming community stimulated the development of Wiarton as an industrial and commercial centre for the area. Up until World War 1, Wiarton experienced tremendous growth based on the natural resources of the Bruce Peninsula. However, as these resources dwindled due to unsustainable harvesting, so too did the industrial base of Wiarton.

Much of the built heritage of Wiarton remains relatively intact and provides a valuable record of the Town's place in Ontario's history.

11.1.2 Wiarton's Vision

Wiarion's Vision is based on ensuring the highest quality of life possible for all its residents. Central to this is the protection of the health of the Community and the wise and sustainable use of the area's natural resources.

Wiarion will continue to play a prominent regional role and create a positive economic climate for new investment and employment opportunities. These new opportunities will emphasize Wiarton as a tourist destination and promote the enjoyment and appreciation of the natural and cultural resources of the Community and the Bruce Peninsula.

The future growth of Wiarton will complement its small town atmosphere and recognize the Community's heritage as being of central importance to its sense

of identity. The enhancement of the heritage resources of the downtown will reinforce its role as the commercial, social and cultural centre of the Community.

Demands placed upon Wiarton's services will grow as the area continues to attract individuals looking for an improved quality of life. The provision of these services will be balanced with the Community's ability to pay for them and the co-operation of the surrounding municipalities to ensure that the services meet the diverse needs of the area residents.

11.1.3 Wiarton's Planning History

The former Town of Wiarton was introduced to land use planning in 1975 with the adoption of the "Official Plan for the Town of Wiarton", as Part "B" of the Bruce Peninsula Official Plan. This document was intended to guide the growth and development of Wiarton for a 17 year planning period ending in 1991.

As part of the Bruce Peninsula Official Plan, the Wiarton Official Plan was not under the jurisdiction of the Wiarton Town Council, but rather under Bruce County Council. It represented the first generation of planning documents to be established in Bruce County and lacked the comprehensive community focus which is now seen as necessary to achieve effective community planning.

Since 1975 many changes have occurred. These included increased seasonal development along the Lake Huron shoreline, the growth of Wiarton as a retirement and bedroom community, and the proliferation of scattered rural, non-farm residential development in surrounding Wiarton.

During its 17 year planning period the Wiarton Official Plan was amended several times to accommodate changing municipal objectives and unforeseen development proposals. In addition, the changes to the Ontario Planning Act in 1983 significantly altered the legislative framework pertaining to municipal land use planning and resulted in changes to the Wiarton Official Plan.

In the spring of 1992, Wiarton Town Council recognized the need to prepare a new Community Plan which would address the changes that have occurred since 1975 and establish a new blueprint for Wiarton's future. Accordingly, Council commissioned the preparation of the Wiarton Community Plan.

The Wiarton Community Plan contains a much broader focus than the first Official Plan. It continues to have land use and development as a primary focus,

but from a community perspective that recognizes the interrelationship of the economic, environmental and social qualities of Wiarion.

A central feature in the formation of the Community Plan was an extensive effort to consult with the residents of Wiarion. The residents were invited to become involved at the very beginning of the Community Plan Project and were offered numerous opportunities throughout the Project to express their opinions.

The public involvement opportunities included three Public Open Houses (one at the end of each of the three phases of the Project), a day long community issues workshop, a goals and actions questionnaire mailed to each household in Wiarion, regular Steering Committee meetings open to the public, and the formal Public Hearing prior to the adoption of the Community Plan. The success of these efforts resulted in a Community Plan which reflects the needs and wishes of the residents of Wiarion and which in turn is supported by the Community.

11.1.4 Major Community Goals

Through extensive public consultation a set of major Community Goals were developed. These Goals represent what is important to Wiarion and the direction the Community wishes to pursue in the future. They serve to identify the general themes and philosophy of the Wiarion Community Plan.

It is a goal to:

- a) Recognize Wiarion's heritage as being of central importance to the Community's sense of identity.
- b) Protect and enhance Wiarion's built heritage for its cultural, historic and economic value to the Community.
- c) Provide a positive economic climate which will encourage private investment and create a wide range of employment opportunities within the Community.
- d) Protect, enhance, and where warranted, restore Wiarion's healthy environment by minimizing air, water and land pollution and by the wise use of the area's natural resources.
- e) Improve community facilities and infrastructure that address the social, environmental and economic needs of the Community.

- f) Provide a full range of affordable, municipal services to meet the social, environmental and economic needs of the Community.
- g) Promote the waterfront as Wiaraton's primary recreation and tourism resource.
- h) Ensure that municipally owned lands provide a broad range of recreation and open space opportunities for all area residents and visitors.
- i) Support the protection of the Niagara Escarpment for its ecological, visual and economic importance to the Community.
- j) Promote a transportation system which allows for the efficient movement of goods and people, and provides for economic opportunities within the Community.
- k) Promote a mixed and affordable supply of housing to meet the present and future needs of all segments of the Community.
- l) Promote a diverse and balanced commercial base which serves the needs of area residents and visitors.
- m) Make the downtown the economic focus of the Community.
- n) Promote the establishment of light and environmentally clean industry in order to diversify the economic base and employment opportunities within Wiaraton.
- o) Maintain and enhance the existing regional and community institutions within the Town for their economic, social and cultural importance.

11.2 Interpretation Of The Plan

11.2.1 Need to Conform to the Community Plan

Despite any other general or special Act, no public work shall be undertaken and no by-law shall be passed for any purpose that does not conform to this Plan.

11.2.2 How to Use the Community Plan

This Plan is broken down into four different sections beginning with a Vision Statement, then General Community Policies, followed by Land Use Policies, and concluding with an Implementation Section. Each of these sections may

contain policies which are relevant to any given development proposal and should be reviewed when assessing the development.

When trying to determine the policies that are relevant to a specific development proposal, the following process should be followed:

- 1) Identify the subject property on Schedule "B", the Land Use Plan and determine the Land Use Designation which affects the property.
- 2) Review the Land Use Policies contained in Section 3 of this Plan which corresponds to the specific Land Use Designation (e.g., "Residential", "Commercial", "Community Facility", "Rural", etc...).
- 3) Refer to the cross-referenced General Community Policies in Section 4, and/or Implementation Policies in Section 5, along with Schedules B1 to B-4 which are referred to by the Land Use Policies (e.g., environmental concerns, municipal servicing, site plan control etc.).

Depending upon the specifics of the development proposed, some type of planning approval process may be required. The various planning approval processes are reviewed within the "Implementation Section" of this Plan.

11.2.3 Interpretation of the Plan

11.2.3.1 Land Use Designation Boundaries

The boundaries between land use designations on Schedule "B", "Land Use Plan" are to be considered approximate, except where they coincide with roads or clearly defined geographical boundaries.

- a) It is the policy that a Community Plan Amendment shall not be necessary to make minor adjustments to the land use boundaries, provided that the general intent of the Plan is maintained.
- b) Any boundary interpretation affecting the Escarpment Natural Area shall be done in conjunction with the Niagara Escarpment Commission.

11.2.3.2 Land Areas & Densities, and Numerical Projections

This Plan was prepared using the most current information available. However, the accuracy of the numerical figures and projections contained in this plan may change as the planning period advances.

The land area and density figures and numerical projections stated throughout this Plan are intended to act as guides and are not intended to be rigid and absolute.

- a) It is the policy that all figures and quantities contained within the Community Plan shall be considered approximate only. An amendment to the Plan shall not be necessary for any reasonable variance from the figures presented, provided the intent of the Plan is maintained.

11.2.3.3 Policy interpretation

Specific policies of this Plan should not be viewed in isolation, but rather should be interpreted along with the intent of the Wiarthon Vision, Major Community Goals, and relevant actions and policies contained within the Plan. When attempting to determine whether a development proposal conforms to the Community Plan, the Wiarthon Vision, Goals, Actions and Policies must all be reviewed.

- a) It is the policy of the Town that conformity with this Plan shall be determined based on an overall review of the Wiarthon Vision, Goals, Actions and Policies of this Plan.

11.2.4 Monitoring and Review of the Community Plan

Wiarthon has changed and will continue to change. As a result, this Plan should be seen as an evolving document, requiring regular review and upgrading in order to ensure that the policies reflect the changing economic, social and financial circumstances of the Community.

- a) In order to assess the effectiveness of this Plan, Council shall initiate an ongoing monitoring programme which may include an assessment of:
 - i. the adequacy of lands available within the Residential, Commercial, Highway Commercial & Industrial, Community Facility, and Recreation & Open Space designations to support anticipated development;
 - ii. demographic, social and physical changes to the Community;
 - iii. effectiveness of the community improvement, land use, and servicing policies of the Plan;

- iv. changes in County or provincial policies which impact upon the relevance of the Plan;
 - v. the quality of the Community's environment, including Colpoy's Bay and local ground water resources; and,
 - vi. the capacity and operational efficiency of municipal water supply and sewage treatment facilities to accommodate anticipated growth.
- b) In addition to the ongoing monitoring program, Council shall carry out a formal public review of the Community Plan at least every 5 years. Accordingly, there should be formal reviews of the Community Plan in 1999, 2004 and 2009.

As part of the "Five Year Review", at least one public meeting shall be held to obtain the public's views on the need to update or revise the Community Plan.

Council shall notify all agencies and ministries involved in the review of planning decisions of its intent to conduct a Five Year Review.

Council shall prepare a report which summarizes the comments received from the government agencies and ministries and the general public, along with the components of the Community Plan that are in need of revision, as determined by the monitoring program. This report shall be made available at the public meeting.

11.3 Land Use Policies

11.3.1 Residential

This Plan attempts to provide for a population of approximately 2,800 by the year 2011. To accommodate this growth, approximately 190 new housing units are required between the years 1991 and 2011.

Single detached homes are the predominant housing type in Wiarton and will continue to be so during the life of this Plan. However, there is a need to offer residents a greater range of housing types in terms of variety and affordability.

11.3.1.1 Goal

- a) Promote a mixed and affordable supply of housing to meet the current and future needs of all segments of the Community.

11.3.1.2 Actions

- a) Encourage a reasonable supply of building lots and blocks for future residential development.
- b) Encourage a wide range of housing types and designs.
- c) Promote a range of single detached residential lot sizes.
- d) Encourage the design of new residential areas for safe pedestrian travel.
- e) Promote new industrial and commercial development to decrease residential taxes.
- f) Attempt to maintain at least 25% of all residential housing opportunities affordable for low and moderate income.
- g) Improve housing opportunities for Community members with special needs¹ including low income people, seniors and supportive housing for the physically and developmentally handicapped.
- h) Encourage new residential development to be consistent and compatible with surrounding heritage resources.

11.3.1.3 Permitted Uses

Lands designated "Residential" shall be predominately used for low and medium density residential uses.

Other uses compatible with residential neighbourhoods may also be permitted such as parks, public uses, places of worship, public and private schools, bed and breakfasts, home occupations, group homes, garden suites, day nurseries, country inns, and local commercial use, subject to policies contained in this Plan.

11.3.1.4 General Policies for All Residential Lands

The following policies shall apply to all Residential lands within Warton.

11.3.1.4.1 Availability of Affordable Housing

In 1992, the upper limit for an affordable house in Warton was approximately \$128,000 to buy and \$730 to rent. These figures are updated on a yearly basis by the Ministry of Housing.

- a) Council shall encourage an adequate supply of affordable housing.
- b) Council shall attempt to have at least 25% of all new residential construction affordable. In a given year the residential development may meet, exceed or fall short of the 25% target and therefore, to achieve a more realistic picture of the progress made five year averages shall be used to meet affordable housing objectives.
- c) Council shall ensure that the Comprehensive Zoning By-law does not require standards which preclude the development of affordable housing.

11.3.1.4.2 Supply of Serviced Residential Land

- a) Council shall strive toward maintaining a three year supply of serviced draft-approved and registered lots at all times, in order to accommodate projected residential demand.
- b) Council shall establish and maintain an on-going inventory of potential sites for affordable or supportive housing projects.
- c) Council shall negotiate with developers in efforts to establish plans that include the types of housing needed within Warton.

11.3.1.4.3 Range of Housing Types

- a) Council shall support a wide range of housing types, zoning standards and subdivision design standards.
- b) Council shall strive to meet the following housing mix targets;

1994 to 2011 Low Density	-	70%
Medium Density	-	30%
- c) Council shall strive to maintain the existing mix of housing tenure. To this end, the following housing tenure targets are established:

1994 to 2011 Ownership	-	70%
Rental	-	30%

11.3.1.4.4 Special Needs Housing

- i) Council shall seek to improve access to housing for people with special needs, including assisted housing for low income people, seniors housing and housing for physically and developmentally handicapped individuals.
- ii) Council shall work with local groups to determine the demand for special need housing. Council shall support appropriate applications and proposals for special needs housing.
- iii) Council shall consider alternative approaches to providing housing to meet the needs of the senior population.

11.3.1.4.5 Infilling

- a) It shall be the policy of Council to give priority to the infilling of existing residential areas as a means of meeting anticipated housing demand prior to re-designating non-residential lands. Infilling shall be considered small scale residential development within existing residential neighbourhoods.
- b) Infilling development proposals in existing residential neighbourhoods should be in character with the surrounding

building form and yard setbacks in an effort to blend in with the residential neighbourhood.

- c) Council shall request that an infilling development proposal include a "lot grading and drainage plan" which takes into consideration potential impacts on abutting properties.
- d) Infilling shall proceed by severance or by plan of subdivision, subject to Section 11.5.14, Plans of Subdivision and, Section 11.5.15, Consent to Sever Land of this Plan.
- e) Council may require that the developer of an infilling proposal enter into an agreement addressing various development concerns and that the agreement be registered on title

11.3.1.4.6 General Development Policies

- a) In addition to all other policies contained within this Plan, development within the Residential designation shall have specific regard for the following policies:
 - i. Section 11.4.2.3, Heritage Policies;
 - ii. Section 11.4.4.3, Environmental Review Policies;
 - iii. Section 11.4.6.3, Water Supply & Sewage Disposal Policies;
 - iv. Section 11.4.6.4, Stormwater Management Policies;
 - v. Section 11.4.7.6, Waterfront Residential;
 - vi. Section 11.4.8.3, Niagara Escarpment Policies;
 - vii. Section 11.4.9.4, General Road Network Policies;
 - viii. Section 11.4.9.7, Pedestrian and Bicycle Traffic Policies;
 - ix. Section 11.4.9.8, Traffic Impact Assessment Policy;
 - x. Section 11.5.22, Settlement, Servicing and Phasing.
- b) Legal non-conforming uses within the Residential designation shall be subject to Section 11.5.7, Legal Non-Conforming Uses of this Plan.
- c) Legal non-complying uses within the Residential designation shall be subject to Section 12.5.8, Legal Non-Complying Uses of this Plan.

- f) The creation of Residential lots shall be subject to Section 12.5.14, Plans of Subdivision and, Section 11.5.15, Consent to Sever Land of this Plan.
- g) Community Facility development within the Residential designation shall be subject to Section 11.3.4, Community Facility of this Plan.
- iv) The development of parks and public open space within the Residential designation shall be subject to Section 11.3.6, Recreation & Open Space of this Plan.

11.3.1.5 Low Density Residential Policy

Council considers single detached, semi-detached and duplex dwellings, and converted dwellings with no more than two units to be low density residential development.

- a) Single Detached developments shall have a maximum gross density of 15 units per hectare (6 units per gross acre);

Semi-Detached/Duplex developments shall have a maximum gross density of 20 units per hectare (8 units per gross acre).

“Gross density” shall be defined as the density of the residential development in an area, including all local roads and parks.

- b) Single Detached and Semi-Detached/Duplex developments shall have a minimum gross density of 5 units per hectare (2 units per gross acre).
- c) The Comprehensive Zoning By-law may place single detached, semi-detached and duplex development in separate zoning classifications.
- d) Low density residential development may be subject to Site Plan Control under Section 11.5.13 of this Plan.

11.3.1.6 Medium Density Residential Policies

Council considers triplexes, 4-plexes, townhouses, rowhouses, 3 storey apartments, converted dwellings of three or more units, and similar multi-unit forms of housing as medium density residential development.

The following maximum “net density” shall apply to new medium density residential development:

- a) Medium density residential development shall have a maximum net density of 35 units per net hectare (14 units per net acre).

"Net density" shall be defined as the density of the residential development on the site proposed for development, not including local roads and parks.
- b) All medium density residential development proposals shall satisfactorily address the following design criteria:
 - i) compatibility with existing land uses in the immediate area and the historical character of existing buildings;
 - ii) designed with a maximum of three (3) stories and where possible, a building profile which conforms visually with the surrounding residential structures;
 - iii) availability of adequate off-street parking and appropriate access and circulation for vehicular traffic, including emergency vehicles;
 - iv) necessary buffering from abutting uses;
 - v) suitable landscaping, lot grading, drainage and on-site amenities; and,
 - vi) the availability of full municipal services to accommodate the proposed density of development.
- c) Medium density residential development shall be placed in separate zones in the Comprehensive Zoning By-law.
- d) Medium density residential development shall be subject to Site Plan Control under Section 11.5.13 of this Plan.

11.3.1.7 Residential Conversion Policy

The conversion of existing single detached residential dwellings into apartment dwellings, rooming, boarding or lodging houses is a means of providing affordable rental housing. Residential conversion is permitted in the Residential Designation subject to the requirements of the Comprehensive Zoning By-law.

- a) All residential conversion proposals shall satisfactorily address the following development criteria:

- i. the dwelling is structurally sound and of sufficient size to allow the creation of one or more dwelling units;
 - ii. the lot is of sufficient size to allow the required off-street parking at the side and rear of the principal building only and allow for any proposed additions to the residential structure;
 - iii. adequate amenity areas can be retained on the lot;
 - iv. the exterior renovations have specific regard for the relationship of the building to adjacent structures;
 - v. required fire escapes are located at the side or rear of the building;
 - vi. adequate access and circulation for vehicular traffic, including emergency vehicles is provided; and,
 - vii. suitable landscaping, lot grading, drainage and on-site amenities are planned.
- b) Residential conversion may be subject to Site Plan Control under Section 11.5.13 of this Plan.

11.3.1.8 Bed and Breakfast Policy

Bed and Breakfast operations may be permitted within the single detached homes within the Residential designation subject to the requirements of the Comprehensive Zoning By-law.

- a) The Comprehensive Zoning By-law may provide Bed and Breakfast regulations which ensure:
- i. that the establishment of such uses not change the residential character of the area;
 - ii. all requirements of the zoning by-law are met, including adequate off-street parking, minimum floor area for guest rooms and maximum number of guest rooms;
 - iii. such uses only be permitted in buildings which constitute the principal residence of the operator;

- iv. the maximum number of guest rooms for overnight accommodations shall not exceed three; and,
 - v. any other regulation deemed necessary.
- b) Bed and Breakfast operations may be subject to Site Plan Control under Section 11.5.13 of this Plan.

11.3.1.9 Home Occupation Policy

Home Occupations are an important means of realizing small business start-ups and stay-at-home self employment. Home Occupations may be permitted within the Residential designation subject to the requirements of the Comprehensive Zoning By-law.

- a) The Comprehensive Zoning By-law may provide Home Occupation regulations which:
- i. include a detailed list of permitted home occupation uses;
 - ii. restrict the number of people which may be employed in the home occupation;
 - iii. provide a maximum percentage of the floor area of the residence which may be used for the home occupation;
 - iv. ensure the maintenance of the external appearance of the residence and control exterior signs;
 - v. provide appropriate parking standards for such uses; and,
 - vi. limit traffic impact.
- b) Home Occupations may be subject to Site Plan Control under Section 12 5.13 of this Plan.

11.3.1.10 Group Home Policies

The term Group Home is used to describe a wide range of residential care facilities. Group Homes may be permitted within the Residential designation subject to the requirements of the Comprehensive Zoning By-law.

- a) The Comprehensive Zoning By-law may provide regulations which recognize group homes offering housing to persons such as seniors, developmentally or physically handicapped individuals and/or mentally ill

individuals as a permitted use in all residential zones provided the following criteria are satisfied:

- i) the housing is within a single housekeeping unit;
 - ii) the unit houses five or less individuals, not including live-in supervisory staff or receiving family; and,
 - iii) that no physical alterations be made to change the function of the structure as a single detached residential dwelling unit;
- b) The Comprehensive Zoning By-law may provide regulations which permit group homes offering housing to six (6) or more persons such as seniors, developmentally or physically handicapped individuals and/or mentally ill individuals within a special residential zone, provided the following criteria are satisfied:
- i) that the facility is licensed, regulated, financed and/or approved by a government regulatory body;
 - ii) that the sponsoring body demonstrates that a need exists for the facility within the community;
 - iii) that necessary supportive services are readily available for the residents;
 - iv) that the building, in form and exterior amenities, is in keeping with the surrounding residential neighbourhood;
 - v) that no other group home is located within close proximity to the proposed site; and,
 - vi) that the building meets all health, fire safety and building code standards.
- c) The Comprehensive Zoning By-law may provide regulations which permit halfway houses offering housing for persons such as ex-offenders, young offenders, or individuals undergoing substance abuse rehabilitation within a special residential zone, provided the following criteria are satisfied.
- i) the housing is within a single housekeeping unit;

- ii) the unit houses 10 or less individuals, not including live-in supervisory staff or receiving family;
 - iii) that the facility is licensed, regulated, financed and/or approved by a government regulatory body;
 - iv) that the sponsoring body demonstrates that a need exists for the facility within the community;
 - v) that necessary supportive services are readily available for the residents;
 - vi) that responsible supervision, consistent with the requirements of the resident is provided;
 - vii) that the building, in form and exterior amenities, is in keeping with the surrounding residential neighbourhood;
 - viii) that no other group home is located within close proximity to the proposed site; and,
 - ix) that the building meets all health, fire safety and building code standards.
- d) All housing considered under the Group Homes Policies may be subject to Site Plan Control under Section 11.5.13 of this Plan.

11.3.1.11 Garden Suites

The term Garden Suite is used to describe a temporary detached residential unit accessory to a primary residence and which offers an alternative arrangement designed to meet the housing needs of elderly parents, handicapped family members or other similar individuals.

Garden Suites may be permitted within the Residential designation subject to the requirements of the Comprehensive Zoning By-law.

- a) The Comprehensive Zoning By-law may provide Garden Suite regulations which:
 - i) require the residential unit to be detached and accessory to a primary dwelling unit:

- ii) restrict any business or commercial enterprise from taking place within the residence;
 - iii) require the dwelling unit to meet all requirements of the Comprehensive Zoning By-law, including yard setbacks; and,
 - iv) prohibit the use of a mobile home.
- b) The Town may enter into an agreement with the property owner, occupant and/or Canada Mortgage and Housing, or similar government agencies to cover issues such as:
- i) conditions under which the Garden Suite will be removed from the property;
 - ii) the Garden Suite not be used as a rental dwelling unit for profit or gain;
 - iii) the Garden Suite meets all health, safety, servicing and building code standards;
 - iv) the need for bonding or security to ensure that certain conditions of the agreement are met; and,
 - v) other issues deemed important by the Town.
- c) Garden Suites may be subject to Site Plan Control under Section 11.5.13 of this Plan.

11.3.1.12 Child Care (SBPOPA43-16.58)

The term “Child Care” is used to describe a facility that receives children, primarily for the purpose of providing temporary care or guidance for children for a continuous period not exceeding 24 hours.

Child Care premises may be defined within the Comprehensive Zoning By-Law to reflect different types of premises that are outlined in provincial legislation, and may be permitted within residential, commercial, and institutional designations subject to the requirements of the Comprehensive Zoning By-law. Home-based Child care may be permitted in any zone where a dwelling is a permitted use. Child care premises and/or providers shall be licensed by a government regulatory body where applicable.

Child care premises which are not located within a dwelling may be subject to Site Plan Control. Matters to be addressed through site plan control include:

- a) that the establishment of the facility does not change the character of the neighbourhood.
- b) a safe area for the drop-off and pick-up of the children; and
- c) The facility shall meet all health, fire safety and building code standards.

11.3.1.13 Country Inn

The term "Country inn" is used to describe a unique form of accommodation for the traveling public, similar to a Bed and Breakfast but of a slightly larger scale. Such facilities are ideally suited for older buildings, with historic character. In addition to serving meals to those seeking accommodation, Country Inns may also serve meals to the general public, although this should not be the principal function of the Inn.

The establishment of a Country Inn within the Residential designation shall proceed by way of an amendment to this Plan.

- a) Country Inns within the Residential designation shall be located in existing residential buildings with heritage value and shall preserve the unique historic characteristics of the building, in keeping with Section 11.4.2, Heritage Resources of this Plan.
- b) The Comprehensive Zoning By-law may provide Country Inn regulations which ensure:
 - i) that the Country Inn maintain the residential facade of the existing building being utilized and not significantly change the residential character of the area;
 - ii) that structural additions to the existing building shall be limited to 10 per cent of the gross floor area of the existing building;
 - iii) all requirements of the zoning by-law are met, including location and supply of off-street parking, minimum floor area for guest rooms, signage, and buffering and screening between surrounding uses;
 - iv) such uses have a minimum of four guest rooms and a maximum of 10;

- v) that the number of seats in the dining portion of the Country Inn is limited to a total of 25 seats;
 - vi) that the Country Inn is located on or near an arterial road and has minimal traffic impact, including safe vehicle and pedestrian access, and increased traffic generation within residential neighbourhoods;
 - vii) any other regulations deemed appropriate by the Town
- c) Country Inns shall meet all licensing, health, safety and building code standards for motels/hotels.
 - d) Dining facilities associated with a Country Inn shall be located in the principal building of the Country Inn.
 - e) Country Inns shall be subject to Site Plan Control under Section 11.5.13 of this Plan.

11.3.1.13.1 Implementation

A Country Inn may be permitted on the property described as Lots 31 & 32, Plan 229, West side of Berford Street, subject to the requirements of the Comprehensive Zoning By-law.

11.3.1.14 Local Commercial

Local Commercial uses, which serve the daily needs of residential neighbourhoods are permitted within the Residential designation.

11.3.1.14.1 Permitted Uses

Local Commercial uses shall include convenience and personal service facilities which serve the daily needs of residential neighbourhoods.

11.3.1.14.2 Local Commercial Policies

Local Commercial uses are permitted within the Residential designation by an amendment to the Comprehensive Zoning By-law, subject to the following criteria:

- a) Development will be of scale and type that will be compatible with the existing character of the area and serve the needs of the residents of the surrounding neighbourhood.

- b) Development shall not affect the economic viability of other commercial areas.
- c) Development shall be located and designed to minimize traffic conflicts and where possible, shall be encouraged to locate at street intersections.
- d) Landscaping shall be provided between Local Commercial uses and abutting residential uses.
- e) Adequate off-street parking shall be provided.
- f) External advertisements and signs shall be designed to maintain the appearance of the area.
- g) One residential dwelling unit for the owner or operator of the commercial use may be permitted, provided it is in the form of an apartment above or behind the local commercial use.

11.3.1.15 Special Policy Area 1

Special Policy Area 1 covers a portion of undeveloped residential land located at the northern entrance, west of Berford Street. This property has certain vista qualities which are considered to be of local importance. Accordingly, the residential development of this property must be carried out in such a way that ensures these vista qualities remain intact.

The Special Policy Area 1 designation is an overlay designation. The majority of the lands which it covers are within the Residential designation, however, there is a small strip of land along Berford Street designated Environmental Protection. All policies of the Residential and Environmental Protection designations shall apply to this property.

Notwithstanding the policies of the Residential and Environmental designation, the following shall apply to the development of the lands within the Special Policy Area 1 designation:

- a) the maximum net density for medium density residential development shall be 20 units per hectare (8 units per acre);
- b) all residential development shall have a maximum height of 10 metres (33 feet),

- c) all residential development shall be subject to site plan control, which in addition to standard criteria, shall also include a landscape plan which strives towards the maximum maintenance of the natural vegetative cover and zero disruption of the vegetation cover on lands designated Environmental Protection;
- d) all site plan control criteria shall be confirmed in a Site Plan Agreement which shall be registered on title; and,
- e) vehicle access to the property shall be obtained from the extension of Daniel Street.

11.3.1.16 Special Policy Area 2

(OPA 39 Schiefley), By-Law 120-2014, Park Part Lot H Division S, RP3R5493 Parts 2, 3 & 4 (Wiarion)

Notwithstanding the policies of Section 11.3.1.6 Medium Density Residential Policies, on the lands described as Park Part Lot H Division S, RP3R5493 Parts 2, 3 & 4 (Wiarion), Maximum net density shall be 40.4 units per hectare.

11.3.1.17 Special Policy Area 3

(OPA 27 Barry's Construction and Insulation Ltd.), By-Law 64-2016, Park Part Lot 1 DIV S Frank N/S RP3R6064 Parts 1 to 4 (Wiarion) OMB PL160881

Notwithstanding the policies of Section 11.3.1.6 Medium Density Residential Policies, on the lands identified as Residential Special Policy Area 3 the Maximum net density shall be 45 units per hectare.

11.3.1.18 Special Policy Area 4

(OPA 30-11.58 Wiarion South - Concession 21 Part Lots 1, 2 & 3)
By-law 61-2016 amended by OMB PL161287

Special Policy Area 4 covers approximately 95 hectares of land south of Elm Street and west of Highway 6, to the revised western boundary of the Wiarion Settlement Area as shown on Schedule "A". It is intended that this area be developed as a new residential neighbourhood within the Wiarion Community. A general land use configuration with a village centre area and residential lands are shown within Special Policy Area 4 on Schedule "A". The following policies will implement the direction of Council to set out the objectives,

development criteria and provisions to facilitate the orderly progression of growth and development within this area.

The low historical growth rate for the Warton Settlement area requires that a staged growth management policy approach be established in Special Policy Area 4 in order to avoid scattered uneconomical development and to encourage a natural expansion of the existing urban area. The development of this area will occur through a staged growth management approach subject to the following:

- 1) All development will occur on full municipal services. Notwithstanding the provisions of Section 11.5.22, development phasing within Special Policy Area 4 on Schedule "B" may proceed in accordance with a Master Development Agreement, including an approved servicing and phasing plan, as further provided under paragraph 4.
- 2) Lands designated "Residential" within Special Policy Area 4 on Schedule "B" shall provide for the development of low density and medium density residential uses which may include single-detached, semi-detached low-rise apartment, townhouse or other similar forms of housing, and any other uses permitted in the Residential designation, subject to the Residential policies of the Town's Official Plan. Subject to paragraph 6), sensitive institutional uses shall also be permitted within the Residential designation. A range of ownership and tenure options may be considered through each development phase.
- 3) Lands designated "Village Centre" within Special Policy Area 4 on Schedule "B" are intended to facilitate a mixed-use neighbourhood which is conveniently located in the community. In some cases, multiple uses may be located in the same building. Permitted uses within this area may include:
 - Commercial uses, including retail, restaurant, accommodations, medical, financial and entertainment uses but not including single-use alcohol sales establishments.
 - Multiple-family residential.
 - Assisted living accommodations and associated facilities, including retirement home, nursing home, hospice and other similar uses.

- Professional and personal service uses including ATMs, with a maximum of one deposit-taking financial institution (bank).
- Institutional uses.
- Community facilities, including recreation centre, administration, meeting space, and maintenance.
- Open space, walkways, plazas, active or passive recreational uses and associated buildings or structures.

Notwithstanding the foregoing, sensitive institutional uses are further subject to the provisions of paragraph 6).

Development in the "Village Centre" designation shall not affect the economic viability of other commercial areas in the Town, with particular regard for commercial uses. Phasing of commercial uses within the Village Centre shall be subject to a market analysis to determine that any proposed retail uses will not adversely impact the plan function of the Highway Commercial area and/ or the Downtown area of the Town. It is intended that all three of these commercial areas should develop to their maximum potential, including competitive and complementary uses, while maintaining a healthy community balance.

- 4) Prior to commencement of development, a Master Plan shall be prepared by the developer and will form the basis of an overall site plan approval. The Master Plan will provide the following:
 - i) A detailed land use pattern, including a transportation plan depicting primary and secondary roads, traffic and pedestrian circulation. The land use pattern shall also provide information relating to the design and location of various housing types proposed, and exterior design elements.
 - ii) Development staging details, including population and dwelling unit growth and commercial space needs anticipated for each development phase. Subsequent development stages will be determined based on the extent of completion of the previous stage, or a reasonable anticipated growth rate. The municipality may use holding provisions to regulate staging of the development. For this purpose, the municipality may also require the developer to provide relevant market analysis to address the

scale of development and appropriate phasing parameters for various stages.

- iii) A demonstration of the land use compatibility between the proposed community development and surrounding lands within the residential, commercial and industrial designations.
 - iv) Areas identified for the following land use purposes:
 - Residential
 - Open Space and Recreation, including areas/blocks for stormwater management purposes
 - Environmental Protection
 - Village Centre
 - v) Land use patterns, residential densities and building forms that efficiently utilize resources, energy and infrastructure shall be encouraged.
 - vi) A passive surface water management system that is integrated with an open space network.
 - vii) A parkland system that is convenient and accessible to community residents.
 - viii) An integrated trail system that enhances access to significant environmental areas as well as active and passive recreation areas.
 - ix) The main roads within Special Policy Area No. 3 will tie into existing municipal roads and provide connections to adjacent lands, where appropriate.
 - x) A Master Development Agreement will be entered into between the municipality and the developer to ensure that all applicable development related matters are addressed to the satisfaction of the Town, including staging, zoning, servicing and financing. All costs of preparing, reviewing, and registration of the agreement shall be borne by the developer.
- 5) Subject to Municipal Servicing capacity at the time of development, Phase One of development may include a maximum of 150 residential

dwelling units, a maximum gross floor area of 1,000 square metres for retail commercial uses, and a maximum gross floor area of 2000 square metres for non-retail commercial uses, as well as any other permitted uses. Requirements for a market analysis shall apply to any commercial development above these thresholds in any phase.

- 6) Constraints identified on Schedule "AQ are subject to the Ontario Technical Standards and Safety Authority ("TSSA") and/or Ministry of the Environment and Climate Change regulations and guidelines and shall be addressed through zoning and site plan control.

For the purpose of certainty, reference to "sensitive institutions" under the TSSA shall be defined herein as:

- Child care facility regulated under the Child Care and Early Years Act, 2014
- Hospice
- Hospital
- Long Term Care Home regulated under the Long Term Care Homes Act, 2007
- Special Care Home regulated under the Homes for Special Care Act
- Retirement Home regulated under the Retirement Homes Act, 2010
- Group living residences and intensive support residences regulated under the Services and Supports to Promote the Social Inclusion of Persons with Developmental Disabilities Act, 2008
- Care facilities which meet the definition of "care occupancy" under the Ontario Building Code (Ontario Regulation 332/12)
- School regulated under the Education Act or the Early Childhood Educators Act, 2007
- College or University

The above defined sensitive institutional uses shall be permitted within the Residential or Village Centre designations but shall be prohibited within the 794.0 metre Hazard Distance shown on Schedule "A". Notwithstanding the foregoing, a "care occupancy"

shall be permitted in a residential dwelling unit within the Hazard Distance if it meets the criteria for a Group C residential occupancy under the Ontario Building Code (Ontario Regulation 332/12).

11.3.2 Commercial

The social and economic well being of Wiarton is dependent upon a diverse and balanced commercial base, focussed on the downtown commercial core.

Within Wiarton commercial activities have been placed within two (2) separate commercial land use designations: Downtown Commercial and Marine Commercial.

11.3.2.1 Goals

- a) Promote a diverse and balanced commercial base which serves the needs of area residents and visitors.
- b) Maintain and enhance the downtown as the economic focus of the Community.

11.3.2.2 Actions

- a) Actively promote the downtown commercial core as the focus for retail and service activity within the Town and region.
- b) Encourage a compact, pedestrian oriented downtown commercial core.
- c) Attempt to relieve traffic congestion within the downtown.
- d) Award public recognition for efforts which promote the historic theme of the downtown.
- e) Permit commercial development outside the downtown core only if it cannot be located within the downtown or will not have a negative impact on the viability of the downtown.
- f) Promote a wide range of marine commercial uses that are compatible with the maintenance of the ecological balance of the waterfront and surrounding park lands.
- g) Promote the enhancement of the pedestrian, visual and structural linkages between the downtown and the waterfront.

11.3.2.3 Downtown Commercial

Wiaraton's downtown commercial core contains the majority of retail and service activities. A majority of businesses in this area are concentrated along a three block section of Berford Street, between Frank Street and Division Street.

11.3.2.3.1 Permitted Uses

On lands designated "Downtown Commercial" a wide variety of retail, office, service, administrative, cultural, community facility, medical and entertainment uses shall be permitted. Service uses shall include hotels, restaurants, personal service establishments and financial institutions.

Residential uses shall be permitted within the Downtown Commercial designation provided they are in the form of apartments above or behind the principal commercial use of the building.

Commercial uses oriented to vehicular traffic such as automobile dealerships, new service centres, truck depots and motels shall not be permitted within the Downtown Commercial designation. Existing uses oriented to vehicular traffic shall be encouraged to relocate to lands within the Highway Commercial & Industrial designation.

11.3.2.3.2 Downtown Commercial Policies

- a) Council shall provide for commercial and accessory residential intensification within the lands designated Downtown Commercial as a means of creating a compact downtown commercial core.
- b) Development and redevelopment within the Downtown Commercial designation shall have a minimum building height of two (2) stories and a maximum height of four (4) stories.
- c) Development and redevelopment within the Downtown Commercial designation shall be compatible with surrounding heritage resources and shall be assessed based on Section 11.4.2.3, Heritage Policies of this Plan.
- d) Council, in conjunction with the owners and/or operators of businesses within the Downtown Commercial designation, shall improve the streetscape of the downtown by undertaking improvements such as the lighting of public areas and walkways, the provision of street furniture and rest areas, the identification of

pedestrian crossings, the provision of the planting of trees and the regulation of signage.

- e) Business and property owners within the Downtown Commercial designation shall be encouraged to implement the Downtown Heritage Facade Design Guidelines found in Section 11.4.2.6 of this Plan.
- f) Council shall require all development and redevelopment within the downtown commercial core, defined as buildings fronting on Berford Street between George and William Street¹ to have a zero front yard building setback. Notwithstanding this, a developer may apply for a By-law Amendment to allow for a building setback of up to a maximum of 3 metres (10 feet), provided the site design is compatible with the surrounding streetscape.

For other development and redevelopment proposals within Downtown Commercial designation, the preference shall be for a zero front yard building setback in order to extend and maintain a consistent streetscape. However, consideration may be given to permit a front yard building setback equal to the average setback of existing abutting structures.

- g) The commercial use of the rear of buildings fronting onto Berford Street and backing onto Louisa Street shall be encouraged, provided adequate off-street parking and loading facilities are available.
- h) In an effort to address downtown traffic congestion, the Town shall undertake a study to assess the adequacy of the supply, location and management of off-street parking, loading and service areas.
- i) All development and redevelopment proposals effecting property fronting on William Street, east of Berford Street shall enhance the scenic vista and pedestrian access between the downtown and the waterfront.
- j) Downtown and Waterfront improvement programs shall be undertaken which strengthen the linkages between the downtown and the waterfront in order to enhance the attractiveness and efficiency of these two community resources.

- k) Outdoor storage of supplies or waste materials shall be discouraged. Outdoor product displays shall be permitted.

11.3.2.3.3 Downtown Commercial Parking Policies

Council recognizes public and private parking as an important resource within the downtown commercial core of Wiarton.

- a) It shall be a policy of Council to require all development and/or redevelopment to provide adequate off-street parking and loading facilities and, further, that access to the parking areas be limited in number and designed to ensure traffic safety.

Shared access points shall be encouraged between similar adjoining land uses in order to minimize the number of access points and traffic hazards.

- b) In order to maintain a consistent and uncluttered street scape, it shall be the policy of Council to require the location of off-street parking facilities to the rear and side of the buildings. No parking shall be permitted between the street and the front of the principal building.
- c) Off-street parking, drive-ways and/or loading areas adjacent to residential uses shall be suitably screened or buffered through the use of fences, berms or other appropriate landscape treatment.
- d) All parking areas shall be appropriately illuminated to ensure the safety of pedestrian and vehicular access.
- e) Council, in conjunction with the Business Improvement Area (B.I.A.) shall improve the management and supply of public parking within the downtown commercial core.
- f) Council may enter into an agreement with an owner of a building which is being developed or redeveloped within the downtown commercial core, to provide for the payment of cash-in-lieu of parking in accordance with Section 11.5.12, Parking, Cash-in-lieu Requirements of this Plan.

11.3.2.3.4 Special Policy Area 3 (OPA #38 Morton, By-law 97-2014)

Notwithstanding the policies of Section 11.2.3.3.1 Permitted Uses – Downtown Commercial designation, on the lands described as S Part Lot

15 Lane Lot 16 DIV/S Wiaraton, Automotive sales and service shall be a permitted use.

11.3.2.4 Marine Commercial

The lands designated Marine Commercial are located along the western shoreline of Colpoy's Bay) at the base of the Niagara Escarpment. This "marina basin" functions as an important economic resource for the community.

11.3.2.4.1 Permitted Uses

The predominant land uses within the Marine Commercial designation shall include marinas and facilities for the sale, rental, servicing, repair and storage of boats and other water recreation vehicles.

Recreation commercial uses associated with fishing tackle supplies, fishing charters, diving charters, tour boats, and boat and water recreation vehicle rentals shall be permitted within lands designated Marina Commercial.

Ancillary commercial uses of a convenience nature or eating establishment which primarily serve the needs of the persons using the marina shall also be permitted.

11.3.2.4.2 Marine Commercial Policies

- a) The policies under Section 11.4.7.5, Marinas, shall be considered when assessing proposals for Marine Commercial development.
- b) Council shall promote the continued upgrading of marine facilities to further develop the waterfront as a tourism destination and attraction.
- c) Adequate off-street parking facilities shall be provided by new or expanded Marine Commercial development.
- d) In order to ensure that Marine Commercial lands within Wiaraton develop as attractive waterfront entrances to the community, it shall be a policy of Council that the following site development standards be incorporated into all Marine Commercial development proposals:

- i) Landscaping shall be provided and may be part of a public waterfront walking trail system which incorporates rest areas and picnic areas.
 - ii) Signs should be designed to be functional and avoid visual clutter and distraction, and where possible should be located on shared sign structures.
- e) All development and redevelopment proposals must be designed to ensure the maintenance of the ecological balance of the waterfront.

11.3.2.5 General Policies For All Commercial Lands

The following policies apply to all commercial lands.

- a) In addition to all other policies contained within this Plan, development within the Commercial designation shall specific regard for the following policies:
 - i. Section 11.4.2.3, Heritage Policies;
 - ii. Section 11.4.4.3, Environmental Review Policies;
 - iii. Section 11.4.6.3, Water Supply & Sewage Disposal Policies;
 - iv. Section 11.4.6.4, Stormwater Management Policies;
 - v. Section 11.4.8.3, Niagara Escarpment Policies;
 - vi. Section 11.4.9.4, General Road Network Policies;
 - vii. Section 11.4.9.7, Pedestrian and Bicycle Traffic Policies;
 - viii. Section 11.4.9.8, Traffic Impact Assessment Policy;
 - ix. Section 11.5.13, Site Plan Control; and,
 - x. Section 11.5.22, Settlement, Servicing and Phasing.
- b) All Commercial development proposals shall have regard for Section 11.4.9.11, Uniform Municipal Signage Policies of this Plan.
- c) Legal non-conforming uses within the Commercial designation shall be subject to Section 11.5.7, Legal Non-Conforming Uses of this Plan.
- d) Legal non-complying uses within the Commercial designation shall be subject to Section 11.5.8, Legal Non-Complying Uses of this Plan.
- e) The creation of Commercial lots shall be subject to Section 11.5.14, Plans of Subdivision and, Section 11.5.15, Consent to Sever Land of this Plan.

11.3.3 Highway Commercial and Industrial

Providing opportunities for the establishment of highway commercial and environmentally clean industry is important to the long term economic health of the Community.

There are two areas within Wiarton designated Highway Commercial & Industrial. The smallest area is located at the north end at the junction of Berford Street (Highway #6) and Jenny Street. The most prominent area is located at the southern end, along Highway #6.

11.3.3.1 Goal

- a) Promote the establishment of highway commercial businesses and environmentally clean industry in order to diversify the economic base and employment opportunities within Wiarton.

11.3.3.2 Actions

- a) Promote highway commercial/industrial areas as attractive entrances into Wiarton.
- b) Encourage the relocation of highway commercial uses and industry located within the downtown and residential areas to more appropriate lands.
- c) Pursue innovative and creative approaches to encouraging environmentally clean industry to locate within Wiarton.
- d) Promote the establishment of a municipally owned or sponsored business park.
- e) Promote a balanced municipal tax base (commercial/industrial representing roughly 35 per cent of total assessment) through the promotion of industrial and commercial development so as to decrease the tax burden on existing and future residents.

11.3.3.3 Permitted Uses

In areas designated Highway Commercial & Industrial, the various uses permitted shall complement the economic function of the downtown commercial core and not have a negative impact on the economic viability of the downtown. The predominant Highway Commercial use of land shall be for those commercial uses which are dependent upon a high degree of access and visibility to vehicular traffic such as motels, eating establishments forming part of a motel, motor vehicle service stations and gas bars, automotive and recreational vehicle sales, service and rental establishments, agricultural and industrial equipment sales and service establishments, contractor yards, and fuel storage depots.

Limited retail commercial establishments such as major furniture and appliance sales, warehouse outlets, building supply outlets, fitness centres, grocery store or other similar retail uses, located in a single use building, in excess of 370 square metres (3,980 square feet) and having large parking and/or outdoor storage or

display requirements not consistent with the compact nature of the downtown commercial core may also be permitted within the Highway Commercial designation. Shopping Centres, strip malls and associated retail uses shall be prohibited.

The predominant Industrial use of land shall be for the manufacturing, fabrication, processing and assembling of goods and materials, warehousing, storage, builder's yards, transportation and communication facilities, and public utilities.

In addition, complementary uses such as research and development facilities, education and training centres, computer, electronic or data processing establishments, scientific, technological or communication establishments, veterinary clinic and/or kennel, printing plants, and community facilities shall also be permitted.

11.3.3.4 General Highway Commercial & Industrial Policies

- a) Council shall encourage the majority of new Highway Commercial and Industrial development to locate in the south end.
- b) In the absence of municipal sewer and water systems, highway commercial and industrial uses which do not require or create large volumes of water and can be serviced by septic tanks and private well systems shall be permitted. Appropriate highway commercial and industrial uses shall be determined on an individual basis and shall be assessed by the Ministry of the Environment and Energy, or their agent, based upon the type and volume of waste produced, the size of the proposed lot and the nature of the soils.
- c) If development takes place on private services, the developer shall be required to enter into an agreement covering the equitable distribution of the costs of eventually extending municipal services to the development. As new development occurs on private services, each site must be pre-engineered for future connection to municipal water and sewage systems.
- d) In order to ensure that the Highway Commercial and Industrial lands develop as attractive entrances to the community, it shall be a policy of the Town that the following site development standards be satisfactorily addressed by all Highway Commercial and Industrial development proposals:

- i) landscaping shall be provided between any Highway Commercial and Industrial use or parking areas and the adjacent highway, except for designated entrances and exits;
 - ii) all outdoor storage for uses other than automotive and recreational vehicle dealerships should be located to the rear or side of the main building on the lot and shall be fenced or suitably screened from adjacent uses;
 - 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;
 - iv) underground wiring for hydro, telephone, and other transmission lines shall be promoted; and,
 - v) vehicular parking for employees shall be restricted to the side or rear of the principal building and screened from surrounding uses and views from the street.
- e) To allow for the safe and efficient movement of traffic, strip development shall be prohibited.

Highway Commercial and Industrial uses should be grouped for access and servicing advantages. Efforts shall be made to reduce access points by combining exits and entrances or by creating service roads where possible.

- f) Adequate off-street customer parking facilities shall be provided and shall be located to the rear and side of the principal building fronting on Highway #6 (Berford Street). Development proposing customer parking in the front yard must demonstrate that no other feasible option exists for accommodating the needed parking.
- g) Where necessary, off-street parking, drive-ways and/or loading areas adjacent to residential uses shall be suitably screened or buffered through the use of fences, berms or other appropriate landscape treatment.
- h) All parking areas shall be appropriately illuminated to ensure the safety of pedestrian and vehicular access.

- i) Effects of Highway Commercial and Industrial development on adjacent uses shall be minimized by:
 - i) providing distance separation and/or 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; and,
 - iii) ensuring that off-street parking facilities do not adversely affect surrounding uses.

- j) The establishment of a fully serviced "Business Park" for Highway Commercial and Industrial development shall ensure an efficient and coherent pattern of development and appropriate municipal servicing. The lot arrangement and road pattern shall be designed to ensure access to an internal road system with no individual road access onto an arterial or collector road.

- k) 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.

- l) Where feasible, similar uses should be encouraged to be grouped together to avoid land use conflicts. For example, uses which serve the travelling public should be separated from those which require large amounts of land.

11.3.3.5 Special Policy Area 2

(OPA 15 Colonel By Inn c/o Davidson (OPP Stn), By-Law 13-2008, Pt Lot 1 Con 20 & RP 3R2179 Part 1, Warton)

Special Policy Area No. 2 covers the lands located between Industrial Road and Boat Lake Road fronting onto Highway 6. In addition to the Highway Commercial and Industrial polices as outlined in Section 11.3.3.4, the following shall apply:

- 1) Section 11.3.3. is hereby amended by adding HCI SPA 2 as Section 11.3.3.5. Development of these lands shall be in accordance with Section 11.3.3 save and except for the following:

- 2) Section 11.3.3.3 being the permitted uses for the HCI designation is hereby amended by deleting the words contractor yard and fuel storage depot in the first paragraph. And further, Section 11.3.3. is amended by deleting paragraph 3 in its entirety.
- 3) HCI SPA 2 shall be serviced within three to five years of adoption of this amendment. Council may consider permitting new uses on individual septic systems, which may include holding tanks, and private wells as an interim measure until full municipal services are provided.
- 4) The unnamed creek as identified as fish habitat and as being connected to the coldwater Clavering Creek shall have a minimum 30-metre development setback and protection of the creek shall be enhanced through appropriate landscaping and mitigative stormwater measures.
- 5) Prior to development on the retained portion of the lands, a stormwater management plan (SWMP) shall be created for the area which incorporates the proposed OPP station. This SWMP will address any potential water quality and quantity affects to the watercourse which crosses the property. Mitigation measures should be employed to ensure that post-development flows remain consistent with predevelopment flows and that the water quality and fish habitat in the watercourse are not degraded by the proposed business park.
- 6) In addition to the General Policies listed in 11.3.3.4 the following is added to Subsection (d):
 - i. The promotion of high standards for building and site design, landscaping and signage for all development and redevelopment;
 - ii. The provision of an appropriately landscaped, continuous 15 meters (50 foot) buffer area along the frontage on Highway #6 (Berford Street) shall be provided. his buffer shall not include any building or structure and shall not include any parking area or outdoor storage. This buffer shall provide for pedestrian and cyclist opportunities between employment areas and residential, commercial, institutional area and parks and open space in the absence of an alternatively provided route from Highway #6.
- 7) Deleting and replacing 11.3.3.4.d.ii, all outdoor storage areas shall be located to the rear of the main building and shall be fenced or suitably screened from Highway #6 (Berford Street);

- 8) Deleting and replacing 11.3.3.4.f, adequate off-street parking facilities shall be located to the rear of the principle structure fronting on Highway #6 (Berford Street), with limited parking for service vehicles permitted on the side of the principle structure. Buffer landscaping shall be provided between the service vehicle parking area and the front yard.
- 9) Deleting and replacing 11.3.3.4.h, all parking areas shall be appropriately illuminated to ensure safety of pedestrian and vehicular access and shall be Dark Skies Compliant minimizing lighting impacts on adjacent properties.
- 10) Deleting and replacing 11.3.3.4.j, designated entrances to any proposed development shall be from an internal road system only. No individual road access onto Highway #6 (Berford Street) will be permitted with the exception of the OPP Wiarion Detachment located at 50 Berford Street.

11.3.4 Community Facility

The wide range of community facilities located in the Town of Wiarion help define the community's role as a regional service centre. Not only do these facilities draw people into the community because of their various functions, they also provide a large number and wide range of employment opportunities.

Within Wiarion, community facilities are located throughout the Town because they have been permitted within residential neighbourhoods and commercial areas.

11.3.4.1 Goal

- a) Maintain and enhance the existing regional and community facilities within the Town for their economic, social and cultural importance.

11.3.4.2 Actions

- a) Promote the use of schools and community facilities as community centres.
- b) Encourage the establishment of regional and community facilities and programs which address the changing needs of the Community.
- c) Encourage the grouping of professional medical services within the downtown commercial core or at the Hospital site.

- d) Promote the location of special need housing complexes close to community facilities and support services.

11.3.4.3 Permitted Uses

The Community Facility designation shall permit uses associated with health, welfare and education purposes, such as hospitals, schools, public libraries, places of worship, day nurseries, fraternal association halls and other similar places of assembly, funeral homes, arenas and similar public recreation facilities, government offices, police or fire stations, public utilities and related uses and activities.

Professional medical services other than those offered as part of a home occupation, shall only be permitted within lands designated Downtown Commercial or on hospital lands designated Community Facility.

11.3.4.4 Community Facility Policies

The following policies shall apply to all lands designated Community Facility within the Town of Warton.

- a) It shall be the policy of the Town to ensure that new Community Facilities are designed and located so as to allow for the shared use of the facility.
- b) It shall be the policy of the Town that the following criteria be satisfactorily addressed by all new Community Facility proposals:
 - i) that the proposal is of a scale which is compatible with surrounding uses and should be able to function as a focal point for the neighbourhood or community;
 - ii) that the anticipated level of vehicular and pedestrian traffic does not have significant negative impacts.
 - iii) the site area is adequate to accommodate buildings, future expansions, accessory off-street parking and landscaping;
 - iv) the proposed site is located within close proximity to necessary support community facilities; and,
 - v) the proposed site is strategically located in order to minimize travel time for the existing and anticipated service area population.

- c) Adequate buffer, planting or fencing shall be established between Community Facility land uses and adjacent land uses.
- d) Adequate off-street parking facilities shall be provided and located to the rear and side of the principal building. Development wishing parking in the front yard must demonstrate that no other feasible option exists for accommodating the needed parking.
- e) In addition to all other policies contained within this Plan, development within the Community Facility designation shall have specific regard for the following policies:
 - i) Section 11.4.2.3, Heritage Policies;
 - ii) Section 11.4.4.3, Environmental Review Policies;
 - iii) Section 11.4.6.3, Water Supply & Sewage Disposal Policies;
 - iv) Section 11.4.6.4, Stormwater Management Policies;
 - v) Section 11.4.8.3, Niagara Escarpment Policies;
 - vi) Section 11.4.9.4 General Road Network Policies;
 - vii) Section 11.4.9.7, Pedestrian & Bicycle Traffic Policies;
 - viii) Section 11.4.9.8, Traffic Impact Assessment Policy;
 - ix) Section 11.5.13, Site Plan Control; and,
 - x) Section 11.5.22, Settlement, Servicing and Phasing.
- f) Legal non-conforming uses within the Community Facility designation shall be subject to Section 11.5.7, Legal Non-Conforming Uses of this Plan.
- g) Legal non-complying uses within the Community Facility designation shall be subject to Section 11.5.8, Legal Non-Complying Uses of this Plan.
- h) The creation of Community Facility lots shall be subject to Section 11.5.14, Plans of Subdivision and, Section 11.5.15, Consent to Sever Land of this Plan.

11.3.5 Environmental Protection

With Wiaraton being located on the shores of Colpoy Bay and surrounded by the Niagara

Escarpment, it is very important that areas of the Town which present potential for loss of life or damage to property through flooding or erosion not be developed.

Given the importance of the environment, there should be no need to develop or encroach upon lands with inherent physical hazards. These lands should be left in a natural state.

11.3.5.1 Goal

- a) To protect and preserve lands having inherent physical and environmental constraints to development, in order to avoid potential danger to life or property from the use of such lands.

11.3.5.2 Action

- a) Limit the development of lands with poor drainage, potential for flooding and erosion, steep slopes or other physical limitations which could endanger human life, cause property damage and/or social disruption.

11.3.5.3 Permitted Uses

On lands designated Environmental Protection, permitted uses shall be limited to essential flood and erosion-sediment control structures carried out or supervised by a public authority, and open space uses not requiring closed buildings or major alterations to the landscape, such as non-intensive agriculture as defined in the Comprehensive Zoning By-law, conservation, outdoor recreation, public or private parks, and essential public utilities.

Notwithstanding the above, permitted uses on lands abutting the Escarpment Natural Area designation identified on Schedule AA shall be limited to essential flood and erosion-sediment control structures carried out or supervised by a public authority, non-intensive recreational open space uses, such as, nature viewing and trail activities except motorized vehicle trails or the use of motorized trail vehicles, provided that the impacts on the Escarpment landscapes and the natural environment are minimal, uses permitted in Park or Open Space Master or Management Plans which are not in conflict with the Niagara Escarpment Plans, and essential public utilities.

11.3.5.4 Environmental Protection Policies

- a) Repair or replacement of existing structures or uses that are located within lands designated Environmental Protection and have been damaged or destroyed by fire or natural causes - except flooding or erosion - shall be

permitted, provided the feasibility of relocating the structure or use outside of the Environmental Protection designation has been assessed. Where relocation outside of the Environmental Protection designation is not possible the following guidelines shall apply:

- i) The replacement use or structure must not exceed in size or extend further into the Environmental Protection designation than the original building or use.
 - ii) The replacement structure must not result in a more intensive use than that of the original structure or use at the time it was destroyed.
 - iii) Where feasible, flood and/or erosion protection measures shall be incorporated into the design of the replacement building or use.
- b) The construction of new foundations under existing structure shall be permitted provided adequate flood-proofing and/or erosion control measures are incorporated into the design of the new foundation.
 - c) New infilling lots may include lands within the Environmental Protection designation provided there is sufficient land outside of the designation to accommodate the proposed development and where development shall not create or aggravate any hazardous conditions or diminish the natural values of the Environmental Protection lands.
 - d) Lots within new Plans of Subdivisions shall not extend into the Environmental Protection designation. Where possible, Environmental Protection lands shall be maintained as one single block, either as municipal parkland or in common ownership by property owners within the subdivision.
 - e) Lands designated Environmental Protection shall be placed in a separate zone in the Comprehensive Zoning By-law.

The boundaries of Environmental Protection lands shall be amended as more detailed mapping becomes available. Minor alterations to the boundaries of the Environmental Protection designation resulting from more detailed mapping shall not require an amendment to this Plan.

The Environmental Protection boundaries shall incorporate an appropriate setback from the physical hazards and natural features being protected.

Where associated with the Niagara Escarpment, an appropriate setback may be as much as 30 metres (100 feet) back from the face of the Escarpment and should, as a minimum, cover the wet areas and wooded areas above and below the Escarpment.

11.3.6 Recreation and Open Space

Public parkland and open space are important and valuable assets of any community. Warton is fortunate to have several large community parks which contribute to the overall attraction of the Town. It is important that as the Community grows, so to does the quantity and quality of its parks and open spaces.

11.3.6.1 Goal

- a) Ensure that municipally owned lands provide a broad range of recreation and open space opportunities for all residents and visitors.

11.3.6.2 Actions

- a) Establish a diverse range of recreation opportunities for individuals and groups of all ages, lifestyles and abilities.
- b) Attempt to locate new parkland next to other new public lands, such as a new school site, in order to maximize their benefit to the Community.
- c) Promote the protection of lands which are important scenic vistas, possess important natural qualities, or are needed for public works.
- d) Identify important scenic vistas within Warton which should be protected.
- e) Develop Bluewater Park as a regional recreation facility offering both active and passive recreation opportunities.
- f) Develop Dan Davidson Park as a community recreation facility offering both active and passive recreation opportunities.

11.3.6.3 Permitted Uses

In areas designated Recreation & Open Space, the predominant use of land shall be oriented towards active and passive recreation and conservation activities. Permitted uses shall include public parks, pedestrian walkways and bicycle

paths, playgrounds, picnic areas, swimming pools, sport fields, community centres, arenas, farmers market, restaurant, tourist information centre, museum, diving services and tour boats and other similar public or private recreation uses.

Public utilities, cemeteries and municipally owned and operated travel trailer parks may also be permitted within the Recreation and Open Space designation.

11.3.6.4 Recreation & Open Space Policies

- a) It shall be the policy of the Town to develop and maintain a system of parkland and recreation facilities necessary to meet the varied needs of the Community.
- b) The Town shall ensure that adequate parkland is secured and equipped for the benefit of the Community and shall take advantage of opportunities to add to its parkland inventory.
- c) The establishment of future parkland areas shall, wherever feasible, be co-ordinated with the School Boards in order to achieve the integration of facilities and to maximize the recreation opportunities and use of the facility.
- d) The addition of parkland to the Town's parkland inventory shall be subject to the following criteria:
 - i) The lands shall be of sufficient size and equipped with appropriate facilities to meet the needs of the particular service area.
 - ii) If possible, neighbourhood and community parks should be located adjacent or near to school sites.
 - iii) Parks shall be centrally located to the neighbourhood being serviced in order to minimize pedestrian distance to the parks and maximize the potential use of the park.
 - iv) Where possible, new development shall consider the possibility of linking park areas through natural Open Space connectors such as walking trails, shorelines and drainage systems.
- e) Parkland proposals involving Environmental Protection lands shall be subject to Section 3.5, Environmental Protection of this Plan.

- f) Parkland proposals involving the waterfront shall be subject to Section 11.4.7, Waterfront of this Plan.
- g) Parkland proposals involving the Niagara Escarpment shall be subject to Section 11.4.8, Niagara Escarpment.
- h) It is the policy of this Plan that Recreation & Open Space lands may be zoned in separate categories in the Comprehensive Zoning By-law.

11.3.6.5 Parkland Dedication

- a) It shall be the policy of the Town to require the dedication of parkland, in accordance with the Planning Act, for all developments, redevelopments and plans of subdivisions. These lands shall be suitable for use as municipal parkland and shall be assessed based on meeting one or more of the following criteria:
 - i) the lands are located near or adjacent to established parks, school yards, natural area or storm water management areas;
 - ii) the lands are within easy walking distance of the residential neighbourhood to be serviced;
 - iii) the lands have adequate street frontage to provide for visibility and safety;
 - iv) the lands are level, regularly shaped and not susceptible to major flooding, poor drainage, or other environmental or physical conditions which would interfere with their development or use for public recreation; and,
 - v) the lands represent important scenic vistas or possess unique natural qualities.
- b) The Town may accept additional lands over and above the parkland dedication required under the Planning Act and may incorporate these lands into its park system. Such lands may include:
 - i) stormwater management areas;
 - ii) lands having environmental or physical conditions which render them unsuitable for development; and,

- iii) lands which represent important scenic vistas or possess important natural qualities.

11.3.6.5.1 Cash-in-lieu of Parkland

- a) The Town may require cash-in-lieu of parkland, as provided for in Section 42 (6) of the Planning Act, under the following circumstances:
 - i) the amount of parkland to be dedicated in accordance with Section 42 of the Planning Act is of insufficient size to be usable for normal public recreational activities;
 - ii) the neighbourhood is adequately serviced by existing municipal parks or open space;
 - iii) the Town wishes to combine the parkland dedications of a number of small developments in order to provide for one large park; and,
 - iv) the required dedication would render the remainder of the site unsuitable or impractical for development.
- b) Cash-in-lieu of parkland payments shall be placed in a separate account and used for the acquisition or development of parkland within the Community.

11.3.7 Rural

Certain lands within the Town of Wiarton have very limited development potential because of difficulty in providing full municipal services in the foreseeable future. There are also lands within the Town which are suitable for development but are not needed at this time to accommodate the expected urban growth of the Town during the planning period. These lands shall be placed within the Rural designation.

11.3.7.1 Goal

- a) Preserve lands with limited soil overburden and/or physical characteristics which make providing full municipal services financially prohibitive in their present state.

11.3.7.2 Actions

- a) Restrict the use of lands with limited soil overburden and/or physical characteristics which make providing full municipal services financially prohibitive to existing uses.

11.3.7.3 Permitted Uses

The use of lands designated Rural shall be limited to non-intensive agricultural uses, forestry, recreation and open space activities. Existing uses may also be permitted. New intensive agricultural activities shall not be permitted within the Rural designation.

11.3.7.4 Rural Policies

- a) The creation of parcels of lands which are not viable agricultural units, as determined by the Ministry of Agriculture & Food, shall be prohibited.
- b) Legal non-conforming uses within the Rural designation shall be subject to Section 11.5.7, Legal Non-Conforming Uses of this Plan.
- c) Legal non-complying uses within the Rural designation shall be subject to Section 11.5.8, Legal Non-Complying Uses of this Plan.
- d) Notwithstanding the above policies, a "trade retail establishment" may be permitted on those lands comprising Part of Park Lot 9, Range 1, North of Division Street, Town of Warton.

For the purpose of this policy, a "Trade Retail Establishment" shall mean a business or service operated by a self-employed plumber, electrician, carpenter, or general contractor who, as a secondary component of the business, sells supplies used in their trade.

11.3.8 Escarpment Natural Area

All the lands east of Gould Street in the Town of Warton are within the Niagara Escarpment Plan Area. The majority of these lands are designated Urban Centre within the Niagara Escarpment Plan. There is however a parcel of land located in the northeast section of the Town which is designated Escarpment Natural Area in the Niagara Escarpment Plan. This area requires special recognition in the Community Plan.

11.3.8.1 Goal

- a) Protect the lands within the Town of Wiarton designated "Escarpment Natural Area" in accordance with the policies of the Niagara Escarpment Plan for such lands.

11.3.8.2 Actions

- a) Identify lands designated "Escarpment Natural Area" in the Niagara Escarpment Plan, located within the Town of Wiarton on Schedule "A" Land Use, of this Plan.
- b) Recognize the Niagara Escarpment Commission as the decision making body in determining the appropriateness of development within the Escarpment Natural Area.

11.3.8.3 Permitted Uses

Subject to a review by the Niagara Escarpment Commission, the following uses may be permitted on lands designated Escarpment Natural Area. Permitted uses include, existing uses, single-detached dwellings, non-intensive recreation uses such as nature viewing and trail activities except motorized vehicle trails or the use of motorized trail vehicles, forest, wildlife and fisheries management, archaeological activities, essential transportation and utility facilities, accessory buildings, structures and facilities, home occupations and cottage industries, and essential watershed management and flood and erosion control projects carried out or supervised by a public authority, the Bruce Trail corridor and other trail related construction and unserviced Overnight Rest Area and Access Points for Bruce Trail users, and bed and breakfast homes.

11.3.8.4 Escarpment Natural Area Policies

- a) It is a policy of the Town to identify lands designated "Escarpment Natural Area" under the Niagara Escarpment Plan within a separate land use designation on Schedule "A", Land Use Plan of this Plan.
- b) Development proposals involving lands designated "Escarpment Natural Area" shall be subject to the "Escarpment Natural Area" policies of the Niagara Escarpment Plan. All such development proposals shall require a review by Niagara Escarpment Commission.

11.4 General Community Policies

11.4.1 Introduction

This Section details the General Community Policies of the Town of Wiarton. It covers a broad range of economic, environmental and social subjects which have been identified by the residents of the Town of Wiarton as being important to the Community.

11.4.2 Heritage Resources

Wiarion's heritage means different things to different people. It relates to the values placed on the historic, architectural, archaeological, and scenic features of the Town.

Heritage is constantly being created and evolving. It has the potential to act as a bonding element within the Community, providing a sense of identify. The conservation of heritage resources, allows the Community to promote its uniqueness and establishes a sense of community pride.

11.4.2.1 Goals

- a) Recognize Wiarton's heritage as being of central importance to the Community's sense of identity.
- b) Protect and enhance Wiarton's built heritage for its cultural, historic and economic value to the Community.

11.4.2.2 Actions

- a) Encourage the protection, restoration and enhancement of existing buildings, structures, streetscapes or areas which contribute to the identity and history of the Town of Wiarton, particularly those of historic, architectural, or archaeological significance.
- b) Encourage the establishment of a Local Architectural Conservation Advisory Committee (LACAC) to assist in the identification, promotion and protection of heritage resources.
- c) Adopt heritage facade design guidelines for new development and redevelopment within the downtown.

11.4.2.3 Heritage Policies

- a) It shall be a policy of the Town to review all development and redevelopment proposals in terms of their impact on the area's heritage resources.
- b) It shall be a policy of the Town to use all appropriate means available to ensure development and redevelopment proposals are compatible with the heritage resources of the Community.
- c) It shall be a policy of the Town to encourage organizations such as the Business Improvement Area (B.I.A.), to establish an ongoing facade improvement program, promoting the use of the facade design guidelines through annual design awards, design workshops and pamphlets, and display old photos and before and after pictures.

11.4.2.4 Ontario Heritage Act

One of the main vehicles available to the Town of Wiarton to carry out its Heritage Goals, Actions and Policies is the Ontario Heritage Act. This Act enables the Town to protect properties of historic or architectural value from demolition or unsympathetic alteration.

It allows the Town to:

- a) Pass by-laws to designate individual properties of historic, architectural or archaeological significance to the Community. The by-laws shall include a description of the property and a statement of the reasons for designation.
- b) Pass by-laws to designate Heritage Conservation Districts in order to protect the heritage resources of an area. The by-laws shall be based on a study identifying the heritage resources of the area.

Within a Heritage Conservation District, development proposals must give consideration to protecting the character of the area.

11.4.2.5 Local Architectural Conservation Advisory Committee (LACAC)

The purpose of a Local Architectural Conservation Advisory Committees (LACACs) is to assist the Town in identifying buildings and districts suitable for

historic designation. The following guidelines may be considered by a LACAC when assessing the value of buildings and districts for historic designation:

- a) has the building or property been associated with the life of an historic person;
- b) is the building an important example of the architectural or construction style of a specific period, or the work of an important builder, designer, or architect;
- c) are comparable structures rare;
- d) does the Community support the designation of the building or property based on its architectural and visual values;
- e) does the building or the property retain a large part of its original character and craftsmanship;
- f) does the building have value as a landmark or as an integral part of a distinctive area or neighbourhood of the Community; and,
- g) does the building have value in terms of its architectural features such as style, plan, and the sequence of spaces; use of materials and details including windows, doors, signs, ornaments; colours, textures, and lighting; and, the relationships of all these to neighbouring buildings.

11.4.2.6 Downtown Heritage Facade Design Guidelines

The visual organization of buildings and spaces is one of the factors which contributes to the unique character of Wiaraton's downtown.

The design of the streetscape must consider elements of diversity and detail within an overall framework of harmony. Scale, form and colour combine to create a variety of visual characteristics. It is these visual characteristics, in conjunction with the nature of the businesses which produce the "character" of the streetscape.

The following heritage facade design guidelines have been adopted from the 1987 "Wiaraton Commercial Facade Improvements Study" and supported by the Town of Wiaraton. They are to provide direction to Town Council, municipal staff, members of the B.I.A. and individual property owners and their tenants in improving the visual appearance of the downtown.

Appendix "A" presents a visual picture of the various facade components.

a) Facade Repair/Clean-up

There should be general carpentry, painting and brick cleaning and pointing of buildings as a minimum to improve their visual appearance.

b) Pedestrian Shelter/Awnings

In order to accentuate the strong horizontal lines and enhance pedestrian shelter along the sidewalks, large horizontal awnings should be incorporated as a major design item.

Storefront awnings should only be within the storefront areas and if storefront cornices or signboards exist, the awnings should be located directly below them.

The bottom of the storefront awning should be no less than 2 metres (6.5 feet) above the sidewalk.

Awnings and shutters could also be introduced to the upper facade windows.

c) Signage

Signage should be restricted to storefronts. They should be flat to the storefront and located on the signboard. The signs should have limited information with simple and straight forward lettering and be of a period design.

All large projecting signs should be removed, along with all other overly large and inappropriately located sign.

d) Colours

A green accent colour should be selected and used sparingly on signage, trim and street furniture. The shade of green should be bright, vivid and compatible with the existing dominant reds, yellows and grays.

e) Storefronts

In the case where important cosmetic storefront components have been gradually phased out during the rebuilding and redesign of the structure, these components should be re-introduced. The following guidelines are for the various important components of the storefront:

- i) The storefront cornice separates the storefront from the upper facade and should be constructed and maintained in such a manner that it is aligned with neighbouring storefront cornices.
- ii) The signband is located above the transom windows and below the storefront cornice and may in fact act as the storefront cornice. They should be utilized for the largest signs and should not span more than one storefront, but should align with neighbouring signbands. If one business encompasses more than one storefront, individual repeating signbands should be considered for each of the original storefronts.
- iii) Transom Windows are a valuable asset which can maximize the amount of natural light in the store and can be a very attractive design feature. The original transom window frames should be maintained in the display windows.
- iv) Relatively substantial pilasters or columns on either side of the storefront help separate it from its neighbours. They are normally the outside faces of the buildings' party walls and act as structural supports and serve to visually frame the display windows. These features should be maintained or added in order to create a valuable visual streetscape pattern.
- v) The display windows are the central and largest components of the storefront and can encourage window shopping. They reduce the barrier between the store and the pedestrian and allow the store space to become part of the street. Display windows should be large and unobstructed and continually maintained. A certain amount of attractive painted signage on the display windows is encouraged.
- vi) Storefront entrances and doors can reflect the commercial importance of the store through its proportions and materials. In

considering doors, special attention should be paid to the quality of the hardware, making sure it is simple and smooth to operate. Original doors should be maintained. When buying a new door, choose a commercial door with large glass panels and dark anodized frames.

- vii) A basepanel establishes a visible anchor to the storefront where the building meets the ground. At the same time it acts as a sill for the display windows and provides a simple method of elevating the display area to a more effective height. The original basepanels should be maintained. Decorative articulation can be added where appropriate. They should be the same colour and texture as the display window frame or the storefront pilaster materials.

11.4.3 Economy

The success of Wiarton's economy can be measured in the availability of jobs and the range of goods and services provided. As a regional service centre, Wiarton's economic health is very important to those living within the Community, as well as those living in the surrounding municipalities.

Wiarion needs to establish a positive economic climate which attracts new growth and development and allows the local economy to flourish. A healthy, growing economy allows for improvements in the services available, attracts new residents and provides jobs for the young people growing up within the Community.

11.4.3.1 Goal

- a) Provide a positive economic climate which encourages private investment and creates a wide range of employment opportunities within the Community.

11.4.3.2 Actions

- a) Streamline the local approval process for new development, while ensuring the protection of Community interests.
- b) Promote Wiarton as a regional service centre and tourist destination.
- c) Provide sufficient suitable lands and necessary municipal services for a broad range of economic activities.

- d) Strengthen Wiarton's downtown as the Community's focal point of activity and commerce.
- e) Advocate municipal co-operation with private enterprise.
- f) Participate with the BIA, tourism organizations and service groups in the co-ordinated promotion of Wiarton.
- g) Participate with local agencies in providing retraining and continuing education opportunities for the local labour force.
- h) Recognize home occupations as an important economic activity that require development standards in order to minimize their impact on surrounding residential properties.
- i) Promote the Town in terms of its access to Colpoy Bay, Niagara Escarpment, the Bruce Trail, and the two Bruce Peninsula National Parks.
- j) To cooperate with Amabel and Keppel townships to ensure that development outside of Wiarton does not have a negative impact on the Town's regional function.
- k) Promote a coordinated and cooperative approach to regional economic development initiatives.

11.4.3.3 Regional Economic Development Policy

Wiarion's economy is based on small businesses which provide services to area residents. Much of the economy of this area is dependent upon a strong tourism industry and a stable agricultural industry.

The continued growth and success of Wiarton and the surrounding municipalities is dependent upon their ability to cooperate and coordinate their economic development initiatives.

- a) It is a policy of the Town to play an active role on the local Community Futures Committee in order to implement the Bruce Peninsula Economic Development Strategy. This shall involve economic development which attempts to:
 - i) expand opportunities for existing business and industry;
 - ii) attract and development new economic investment;

- iii) increase competitiveness of local business and industry;
 - iv) ensure balanced future development; and,
 - v) build cooperative partnerships for economic development planning and implementation.
- b) It is a policy of the Town to play a central role in supporting and working with the various tourism organizations, such as the Bruce Peninsula Tourist Association, Bruce County Tourism and other regional tourism organizations, in their efforts to promote the many natural features and attractions this area has to offer.

11.4.3.4 Coordination of Local Promotion Policy

Numerous groups and individuals regularly promote the many local attractions and special events occurring within the Town of Wiarton. However, these community promotional efforts lack direction and coordination.

- a) It is a policy of the Town to assume the leadership role in coordinating the efforts of the Wiarton B.I.A., local service groups and special event groups in order to promote the Town of Wiarton. This may involve providing a municipal staff member to act as a promotion coordinator.

11.4.4 Environment

The Town of Wiarton is very fortunate to be located in a beautiful natural setting. The Niagara Escarpment and Colpoy Bay act as constant reminders of the importance of the natural environment and all it has to offer.

Society is entering a new era where man's relationship with the environment is of paramount concern. In fact, much of Wiarton's economic potential is dependent upon the wise and careful use of the area's many natural resources.

11.4.4.1 Goals

- a) Protect, enhance and where warranted, restore Wiarton's healthy environment by minimizing air, water and land pollution and by the wise use of the area's natural resources.
- b) Recognize Wiarton's healthy environmental as being of central importance to the Community's sense of identity.

11.4.4.2 Actions

- a) Review all development proposals to ensure that environmental concerns are addressed.
- b) Improve the water quality of Colpoy Bay through wise land use practices and the efficient treatment of sewage and the management of stormwater.
- c) Initiate a municipal tree planting program and adopt tree cutting guidelines for the removal of trees on municipal property.
- d) Cooperate with surrounding communities to develop a waste management master plan which promotes the reuse, reduction and recycling of waste.
- e) Protect the Niagara Escarpment for its ecological, visual and economic importance to Warton.
- f) Review all development proposals along the shores of Colpoy Bay in order to minimize flooding potential and ensure no net loss of fish habitat.
- g) Promote the conservation of energy, water and other natural resources.

11.4.4.3 Environmental Review Policies

- a) It is a policy of the Town to require all land use proposals to be reviewed by Council and appropriate government agencies in order to ensure that development which has the potential to seriously harm the environment is not permitted within Warton.
- b) The environmental review of all development proposals shall assist in determining whether the development should be endorsed by the Town and if so what environmental safe-guards shall be necessary.
- c) Depending on the scale, intensity and type of development being proposed, a number of environmental studies, as determined by the Town or various government agencies, may be required prior to the Town making a decision on the development.

The following subsections identify the issues to be considered and/or studied as part of the environmental review off all development proposals.

11.4.4.4 Land Use Compatibility

- a) The Town shall consider the land use compatibility between sensitive land uses, such as residential, and transportation, utility and industrial facilities.
- b) Land uses which are incompatible because of noise, dust, odour, vibration and other adverse environmental impacts should generally be kept separate from sensitive land uses.
- c) The Town shall strive to maintain compatibility between sensitive land uses and industrial facilities. Measures including land use separation, buffering, screening and site design measures shall be provided between incompatible land uses in accordance with the guidelines of the Ministry of Energy and Environment. Distances shall vary depending on the nature of the industrial facility and the intervening land use.
- d) A closed landfill site is located in Lot 7, Range 2, and shown on Schedule "A" of this Plan. The potential migration of methane gases and leachate from this site through soils and groundwater may create health and safety concerns for adjacent properties. Therefore, where new development is proposed within 500 metres of the site, soils, atmospheric and groundwater testing for methane gas and leachate migration may be required prior to the approval of any development proposal where the Ministry of the Environment and Energy determines a potential for adverse impacts exists.

11.4.4.5 Water Quality and Quantity

- a) The Town shall consider the potential impact a development may have on the quality and quantity of the Town's water resources. Such an assessment should not only involve the individual development but should also take into account the cumulative effects over time that such development may result in.
- b) Development shall be assessed based on its:
 - i) protection, maintenance and enhancement of water resources;
 - ii) impact on the quality and quantity of surface and groundwater resources; and,

- iii) promotion of water conservation and the efficient use of water resources.
- c) Application of Drinking Water Source Protection Policies outlined in Section 4.16 of the Official Plan for the Town of South Bruce Peninsula”.

11.4.4.6 Site Re-Use - Soil Quality Assessment

- a) The Town shall require residential and commercial development proposals involving the redevelopment of industrial, transportation or utility sites to include necessary information on potential contamination of the site through the previous use.
- b) It shall be a policy of the Town to promote the establishment of a municipal inventory of sites where existing and past uses may have contributed to the presence of contaminants in the soil.
- c) Where redevelopment proposals involve sites which may be potentially contaminated, the Town shall request an analysis to determine the extent of the contamination.
- d) The contaminated sites must be thoroughly investigated and a clean-up plan prepared in accordance with Ministry of Energy and Environment guidelines, prior to the Town's consideration of the re-development proposal.

11.4.4.7 Fish Habitat

- a) It shall be a policy of the Town that development only be permitted where there will be no net loss of fish habitat, and where possible, the development will create a net gain in fish habitat.

11.4.4.8 Water Conservation Policies

- a) It is a policy of the Town to encourage water conservation by the residents, businesses and industry tied into the municipal water treatment and supply system. This may include the promotion of water conservation practices such as, water meters, simple changes in daily habits and retrofits to plumbing.

- b) It is a policy of the Town to promote a water conservation educational program to assist users in undertaking reasonable steps to reduce water consumption. Such a program may include the following:
 - i) basic research into water conservation products and techniques that are effective and available for households, businesses and industries;
 - ii) distribution of basic information on products and techniques to all households;
 - iii) distribution of more specific information as requested by Town residents; and,
 - iv) periodic presentations on water conservation so that all residents can learn about water conservation techniques and have their questions answered.

11.4.4.9 Energy Conservation Policy

- a) It shall be the policy of the Town to encourage development to utilize measures which lead to the conservation of energy resources. These measures may include:
 - i) maintaining a compact urban form;
 - ii) establishing an efficient transportation network;
 - iii) providing neighbourhood services and facilities in close proximity to residential development to reduce vehicular travel;
 - iv) avoiding development which results in extensive loss of sunlight to adjacent land uses; and,
 - v) encouraging the energy efficient design of buildings and the installation of energy conserving appliances, fixtures and systems.

11.4.4.10 Tree Planting Program and Tree Removal Guidelines

- a) It shall be a policy of the Town to continue the tradition of street beautification through the establishment of a "tree planting" program.

Such a program could offer residents, schools, youth groups and businesses seedling trees for planting at a break even cost. It should identify areas in need of tree planting, as well as areas to avoid when planting. The type of trees planted should be native species located within the surrounding natural environment.

Such a program could also establish guidelines identifying the replacement of nuisance trees in more appropriate locations.

- b) It shall be a policy of the Town to establish "tree removal guidelines" which shall control the cutting of trees on municipal property. These guidelines should identify heritage trees and nuisance trees, notification procedures for residents effected by the removal of the tree, and the replacement of nuisance trees in more appropriate locations.

11.4.4.11 Waste Management Policies

- a) It shall be a policy of the Town to participate in the Bruce County Waste Management Master Plan Study. This Study is designed to develop a comprehensive long-term system for the management of the solid waste generated in the County, based on waste diversion.
- b) It shall be a policy of the Town to endorse and implement reasonable waste diversion strategies, including innovative reduce, reuse and recycle techniques which result from the Bruce County Waste Management Master Plan Study.

11.4.4.12 Great Lakes Shoreline Flood Plain Policies

- a) The limits of the Great Lakes shoreline flood plain shall be defined based on the Regulatory Lake Flood Standard which is equal to the 100 year lake flood level plus a setback allowance for wave uprush.
- b) New development may be permitted on existing vacant lots of record that are within the regulatory flood standard subject to the following:
 - i) there is sufficient area within the lot to place the new development outside of the 100 year flood line;
 - ii) new development will not create or aggravate flooding or erosion problems on adjacent properties; and,

- iii) the new structure must be adequately flood-proofed to the regulatory flood-proofing level.
- c) Additions to non-compatible structures located within the 100 year lake flood limit shall not be permitted.
- d) Additions to structures located within the wave uprush setback may be permitted provided adequate flood-proofing measures are incorporated into the design of the addition.
- e) Permanently open, non-enclosed additions that do not require a foundation, such as decks or verandas may be permitted provided they do not obstruct flow.

11.4.5 Community Improvement (SBPOPA26 By-law 123-2010)

11.4.5.1 Community Improvement

Community improvement may be generally defined as all those activities, both public and private, that maintain, rehabilitate and redevelop the existing physical environment to support community health, environmental, social and economic priorities.

Community Improvement Plans improve the quality of life and the built environment in an area. Community Improvement Areas may be established by Council and designated by by-law, in accordance with the provisions of the Planning Act..

11.4.5.2 Community Improvement Goal

To improve facilities and infrastructure in the Town's four urban areas that contribute to community health, environmental, social and economic priorities and needs of the Community.

11.4.5.3 Community Improvement Objectives

1. To improve the physical appearance and economic health of the downtown commercial areas / waterfronts of the Town.
2. To encourage development and redevelopment by the private and/or public sectors to improve the appearance and functionality of the downtown commercial areas, waterfront areas and recreational areas/facilities of the Town.

3. To improve and enhance the existing downtown commercial areas by encouraging improvements to street beautification, facade improvements, store front signage and community signage.
4. To increase tourism and to elevate the Town's status as a destination by coordinating stakeholders to promote each of the communities unique identity.
5. To improve and enhance the recreational facilities/opportunities within the Town by creating communities that are attractive, pedestrian-friendly, and distinctive.
6. To ensure a built environment that supports and encourages active transportation while reducing automobile dependency.
7. To encourage improvements to existing waterfront facilities and the creation of sustainable waterfront environments.
8. To increase both physical and economic connections between the waterfront and the downtown commercial areas.
9. To involve the public in identifying areas in need of improvement and encourage their participation in the process of improvement and rehabilitation projects.

11.4.5.4 Criteria for Selection of Community Improvement Areas

The following criteria shall be used in the selection of community improvement areas:

1. Deficiencies in the condition and adequacy of commercial areas including areas within commercial building or building facades which exhibit structural deficiencies or need for rehabilitation, inappropriate signage, insufficient off street parking, the need for improvements to the commercial streetscape, etc.
2. Deficiencies in pedestrian access to commercial businesses and recreational assets and inadequacies in cyclist and vehicular circulation within the commercial and / or waterfront areas.
3. Deficiency in the availability and/or condition of municipal hard services such as roads, parking, sanitary sewers, water systems, storm water drainage, sidewalks, bike lanes, bike racks, street lights and trees.

4. Deficiencies in the availability and/or condition of municipal recreation facilities such as parks, playgrounds, arenas, community centres, trails and supportive infrastructure
5. Deficiencies in the condition of waterfront facilities and natural resources under both municipal and private jurisdiction such a marinas, parks, beaches, etc.
6. Deficiencies in the availability and/or condition of municipal, social and cultural facilities such as administration offices, meeting rooms, galleries or libraries, etc.

11.4.5.5 Community Improvement Project Area

The boundaries of the Community Improvement Project Area are to be established through the Community Improvement Plan. It is the Official Plan's intent that community improvement projects be undertaken in identified areas as needed, whenever funds are available, provided Council is satisfied that the municipality can reasonably finance and afford the cost or its share of the cost.

11.4.5.6 Implementation Guidelines

In order to carry out the Community Improvement Goals and Actions of this Plan, the Town may:

1. Provide for the preparation of a "Community Improvement Plan" for a Community Improvement Project Area pursuant to Section 28(4) of *the Planning Act*, R.S.O. 1990, as amended.
2. Designate by By-law the Community Improvement Project Area pursuant to Section 28(2) of the Planning Act, R.S.O. 1990, as amended.
3. Participate and coordinate with senior levels of government. The County of Bruce Official Plan Section 6.13 encourages local municipalities to prepare Community Improvement Plans where appropriate.
4. Cooperate with groups and organizations whose objectives include community improvements and rehabilitation initiatives.
5. Utilize public funding available to municipalities from provincial and federal programs to assist in implementing community improvements.
6. Support and encourage the business improvement area organizations in their efforts to maintain a strong and vibrant business area.

11.4.5.7 Phasing

It is the intention of this policy that a prioritized list of Community Improvements be identified in a Community Improvement Plan and not as part of the Community Improvement policies of this Official Plan.

In considering the phasing of improvements, priority will be given to those projects that will most substantially increase the safety, stability and aesthetic quality of the community. The public consultation may be utilized as a basis for the phasing of improvements and rehabilitation projects.

It is the intention of this policy that Community Improvement priorities be subject to review as a result of changes in economic, social or environmental considerations, and the availability of funding. Each new term of Council may conduct a review of the Community Improvement Plan, however additional review may be appropriate if there are changes in the conditions that established the Plan.

11.4.6 Municipal Services

A fundamental function of the Town of Wiarton is the provision of services to its residents. The ever increasing number of services being demanded and the escalating costs of providing these services are issues the Town must address.

11.4.6.1 Goal

- a) Provide a full range of affordable, municipal services to meet the social, environmental and economic needs of the Community.

11.4.6.2 Actions

- a) Ensure the efficient use of municipal sewer and water services.
- b) Provide sufficient sewage treatment and water reserve capacity and adequate collection and distributions facilities for future growth.
- c) Where financially feasible, provide municipal sewer and water services to developed areas within the Town prior to extending them outside of the Town.
- d) Consider a wide range of options for paying for municipal services such as taxes, user-fees, front-ending, privatization, inter-municipal agreements and prioritizing service delivery.

- e) Pursue a cooperative and comprehensive cost sharing approach to the provision of intermunicipal services.
- f) Establish a municipal master drainage plan.

11.4.6.3 Water Supply & Sewage Disposal Policies

The Town of Wiarton has water supply capacity for approximately 5,000 individuals, or reserve capacity for an additional 1,700 individuals.

The sewage disposal system is presently used to capacity and services approximately 3,100 people. The 3,100 figure includes an estimate for commercial and institutional users. The lack of reserve sewage disposal capacity is the result of infiltration and extraneous flows from stormwater.

The fact that stormwater flows into the sanitary sewage system has, in the past, produced events where the average daily flows have significantly exceeded the design capacity for the sewage works.

- a) It shall be a policy of the Town that all new development and redevelopment shall proceed only where full municipal water supply and municipal sewage disposal services, to such standards as may be required.
- b) Notwithstanding the above policy, the Town may permit limited infill development within the Highway Commercial and Industrial designation on private services, subject to the requirements of, and approval by, the Ministry of the Environment and Energy or its agent. In the long term, however, it is the intent of this Plan that municipal water and sewer services will be extended to service such areas. In this regard, Development Agreements which provide for an equitable distribution of the costs of future servicing will be a prerequisite to development. As new development occurs on private services, each site must be pre-engineered for future connection to municipal water and sewage systems.

Any new development initially developed on individual sewage disposal and water supply systems must demonstrate that the waste flow is of low volumes and can be supported by private sewage disposal and water supply systems to the satisfaction of the Ministry of the Environment and Energy or their agent.

- c) The Town shall initiate a program to extend its water/sewage works to areas within the Town which are on private services, except where physical conditions would make costs prohibitive. Municipal services shall be extended in accordance with the Phasing Plan set forth in Section 11.5.22.
- d) The Town shall prepare a municipal serving plan which strives to provide water supply and sewage disposal services which support the environmental, urban intensification and growth management policies of this Plan in a manner which is efficient and cost effective.
- e) Adequate reserve capacity in the Town's water/sewage works must be demonstrated to be available to accommodate proposed development. Limitations in the capacity or operating performance of the water/sewage works shall be recognized as a constraint to the timing of new development.
- f) The Town shall require the staging of development in order to allow for the orderly and cost effective provision of municipal services in accordance with Section 11.5.22, Settlement, Servicing and Phasing of this Plan.
- g) The Town shall pass by-laws and enter into agreements, including financial arrangement, with property owners for the installation of municipal services.
- h) The Town shall require development and redevelopment projects which demonstrate that surface water originating from the site is not entering the sanitary sewer system.
- i) The Town shall only provide sewer and water services to lands outside of the Town's Corporate Limits, when the service capacity is clearly surplus and when it is assured that the long term commitment to Town residents can be met.

11.4.6.4 Stormwater Management Policies

- a) It is a policy of the Town to require "at-source best management practices and techniques" to maintain stormwater quality and quantity. This shall assist in controlling flooding, ponding, erosion and sedimentation and enhance the water quality and fishery habitat of Colpoy Bay.

- b) It shall be a policy of the Town to undertake the development of a Municipal Master Drainage Plan, in cooperation with the Grey Sauble Conservation Authority, the Ministry of Energy and Environment and the Ministry of Natural Resources, in order to control the quantity and quality of surface water.
- c) It is a policy of the Town that once a Master Drainage Plan is approved, development proposals shall be required to include a drainage plan which manages drainage in accordance with the Master Drainage Plan.
- d) It is a policy of the Town that if drainage is planned through an adjacent municipality, then the adjacent municipality shall be consulted with respect to the Master Drainage Plan.
- e) Development shall incorporate stormwater management practices to control runoff up to the Regulatory Flood level.
- f) Until such time as a Master Drainage Plan is approved, development proposals shall be required to submit a drainage management report which meets the quality and quantity requirements of the Town of Wiarton, Grey Sauble Conservation Authority, the Ministry of Energy and the Environment, the Ministry of Natural Resources and/or the Ministry of Transportation.
- g) Where appropriate, all new development shall incorporate the "Major-Minor" system concept, as required by the Grey Sauble Conservation Authority, and:
 - i) The stormwater management system shall be designed to control runoff from the site to pre-development levels, and where necessary shall require detention or temporary storage facilities to control discharge rates. Where feasible detention must be provided on site.
 - ii) The Minor system shall accommodate runoff from more frequent storms up to the design capacity of an existing receiving system and, where necessary, shall require retention or storage facilities. New collection systems shall be designed in accordance with the Town's Municipal Servicing Standards.

- h) It is a policy of the Town that natural drainage systems used in the design of new subdivisions and major watercourses be left, as much as possible, in their natural state, including existing vegetative buffers. Channelization shall be discouraged. Detention and retention facilities may be permitted in open space areas to ensure controlled runoff into receiving streams.
- i) Any modification to an existing natural watercourse shall preserve floodplain storage capacity and shall require approval from the Grey Sauble Conservation Authority.
- j) The Town shall assume ownership and/or maintenance responsibilities for new stormwater management facilities/structures.

11.4.7 Waterfront

The natural beauty of Wiarton's waterfront is one of the most important assets of the Town. Not only has the waterfront shaped the historic development of the Town, but it provides tremendous opportunities for future economic and social opportunities within the Community.

11.4.7.1 Goal

- a) Promote the waterfront as Wiarton's primary recreation and tourism resource.

11.4.7.2 Actions

- a) Increase the profile of the waterfront as a multi-use area, catering to the recreation needs of area residents and visitors.
- b) Ensure the long term public ownership of the Bluewater Park as an important recreation and tourism resource.
- c) Lease or rent structures such as the train station and coal sheds for commercial ventures like a farmers market, restaurant, tourist information centre, museum, diving services and tour boats, in order to enhance the role of the waterfront as a tourist attraction.
- d) Promote the expansion of the marina area through such things as a new breakwall, boat ramp, moorings, diving facilities and swimming area, in conjunction with the Ministry of Natural Resources.

- e) Establish a committee of Council, with the responsibility of providing advice on the planning and management of Bluewater Park in order to maximize its potential as an important Community resource.
- f) Encourage low rise residential development along the eastern, private shoreline.
- g) Promote the development of a pedestrian link along the entire length of the shoreline.
- h) Maintain and enhance existing scenic vistas and public access points along the waterfront.

11.4.7.3 Waterfront Policies

Wiarthon's waterfront is very important to the economic and social fabric of the Community. It provides abundant recreation and tourism opportunities, including sports and athletic facilities, fishing and boating, swimming and walking, camping and picnic areas and a breath-taking view of Colpoy Bay.

It is also home to many of the social events which take place within the Community such as the Rotary Village Fair, Fall Fair, Groundhog Weekend, numerous softball tournaments and horseshoe tournaments, to name but a few.

The waterfront is made up of three distinct components: Bluewater Park in the middle, two marinas along the western shoreline, and an area of residential development along the eastern shoreline.

- a) It shall be the policy of the Town that the waterfront be a primary tourism resource with tremendous potential for stimulating new economic and social opportunities within the Community.
- b) Bluewater Park shall be recognized as the recreation centre of the Town. The current recreation facilities will be maintained and upgraded as needed.

Lands will be provided for passive, unstructured recreation activities such as picnicking, kite flying, walking, fishing and special events.

- c) It shall be the policy of the Town to preserve the view of Colpoy Bay from the waterfront. This may include the development of scenic lookout sites,

controls on waterfront development and the endorsement of the principles of the Niagara Escarpment Plan.

The visual experience of Wiarton's waterfront shall not be limited to that available from land but should also include the view available from Colpoy Bay.

- d) It shall be the policy of the Town to develop and maintain major public access points to the waterfront to allow the public to enjoy the benefits of living and visiting a waterfront community. The major access points shall be identified on Schedule "C", Transportation Plan, and should be clearly marked as public lands.
- e) It shall be the policy of the Town to construct a waterfront walking trail as detailed in Section 11.4.9.7, Pedestrian and Bicycle Traffic, with connecting access to the Bruce Trail.
- f) It shall be the policy of the Town to maintain and add to the existing inventory of public waterfront lands. This shall not preclude the Town from leasing the public waterfront lands to private operations, so long as public access to these lands/facilities is ensured.
- g) It shall be a policy of the Town to establish standard directional signage along Berford Street/Highway #6 promoting the various services and opportunities available at the waterfront, in keeping with Section 11.4.9.11, Uniform Municipal Signs of this Plan.

11.4.7.4 Bluewater Park

Bluewater Park is owned and operated by the Town and represents the majority of the public lands within the Town of Wiarton. It contains many of the Town's athletic and sports facilities, a beach and swimming area, a boat ramp and public dock, the train station boutique, a municipal camp ground, a picnic shelter and a large amount of open space.

Over the years, Bluewater Park has undergone numerous changes and face-lifts however, it still remains an under-utilized resource with a physical layout which makes it an uninviting area for both tourist and local residents.

- a) It is a policy of the Town to encourage the establishment of a new advisory committee to Council, which is responsible for making recommendations on the planning and management of Bluewater Park.
- b) Because of the importance of Bluewater Park to the Town's recreation program it may be necessary for the "Bluewater Park Committee" and the Parks and Recreation Committee to effectively communicate and co-ordinate their activities. To assist in this, the Town should assign the Recreation Director and/or Town Clerk to both Committees.
- c) Activities of the Bluewater Park Committee should include the following:
 - i) a comprehensive review of the recommendations of the 1989 Waterfront Study and Plan and the 1985 CAUSE Study and a determination of which of the recommendations are desirable and financially obtainable;
 - ii) identification of projects which can make the Park more accessible and inviting to local residents and tourist;
 - iii) preparation of long term and short term work programs which itemize and prioritize the various projects the Committee would like to undertake - this should include accurate cost estimates to help in the preparation of the annual budget submission to Council;
 - iv) provide opportunities for public input in the preparation of the long term and short term work programs;
 - v) solicit the cooperation of the various service clubs and organizations within the Community who have an interest in Bluewater Park;
 - vi) reorganize the campground, moving it back from the waterfront, so as to provide better public access to the shoreline;
 - vii) review, assess and design a pedestrian and road network plan which includes an inviting entrance to the park, sufficient parking areas and improved linkage with the downtown commercial core;
 - viii) improve the signage of the Park, decreasing the emphasis on the campground in favour of increasing the public accessibility to the Park;

- ix) establish a landscaping plan incorporating such themes as an arboretum, community garden plots, re-organization of hedges;
- x) construct a waterfront walking trail as detailed in Section 4.9.7, Pedestrian and Bicycle Traffic with connecting access to the Bruce Trail;
- xi) consider the redevelopment and/or reuse of the coal sheds and train station, considering opportunities for commercial business compatible with the Park such as a farmers market, restaurant, tourist information centre, boat and bicycle rentals, boat tours and retail businesses; and,
- xii) minimize the potential for conflict between the boat ramp and parking area and the children playground and swimming area.

11.4.7.5 Marinas

Wiarthon's marina basin makes up much of the western portion of the Town's waterfront. It presently consists of two private marinas, one of which is located on leased public lands. Both these operations provide quality moorings for both the resident and transient boating public.

The two marinas represent an important economic component of the Town's tourism industry. Many of the resident boaters use their boats as "cottages" and thereby provide similar economic benefits as the typical cottage residents.

The marinas also draw a growing number of transient boaters into the Community. As well, the number of sport fishing boats and fishing charters moored at the marinas has increased dramatically in the last number of years.

- a) It shall be the policy of the Town to recognize the economic importance of the marinas and help strengthen the economic viability of these operations. This may include the consideration of expanding the marina basin and establishing an additional breakwall and boat ramp to support the increase number of boaters, subject to the policies of Section 11.4.4.3, Environmental Review of this Plan.
- b) The range of land uses permitted within the marina basin shall be limited to those uses which maintain the ecological balance of the marina area, as detailed in Section 11.3.2.4, Marine Commercial.

- c) The Town shall ensure public access to the lands and facilities it owns and leases within the marina basin and shall attempt to maintain public access to other public lands and facilities within the marina basin, specifically the federal government dock.
- d) The Town shall promote improvements to the visual appearance of the open storage of boats and boat cradles within the marina basin.
- e) It shall be a policy of the Town to continue to lease the marina lands to private development for the purpose of providing moorings for recreation boating and the operation of marinas.

11.4.7.6 Residential

The eastern section of the Town's waterfront is identified and used for residential development. The majority of this land is developed with single detached residential development, however there are a number of small blocks of vacant waterfront property, which if consolidated would have significant medium density residential development potential.

- a) The Town shall permit medium density residential development on a consolidation of easterly vacant waterfront property in accordance with the policies identified in Section 11.3.1 Residential and 11.4.4.12 Great Lakes Shoreline.
- b) Waterfront residential development shall have a maximum height of three stories and shall be of a design compatible with surrounding land uses and the character of the Town.
- c) The visual impact of new residential development along the waterfront shall be very important. Such development shall be consistent with Warton's skyline and shall be in keeping with Section 11.4.8.3 Niagara Escarpment, of this Plan. The visual appearance of the development from Colpoy Bay shall also be considered.
- d) New residential development along the waterfront shall provide for public access to the waterfront and shall incorporate a waterfront walking trail detailed in Section 11.4.9.7, Pedestrian & Bicycle Traffic of this Plan.

11.4.8 Niagara Escarpment

The combination of geological and ecological features of the Niagara Escarpment provides Warton with a landscape unequalled in Canada. As such, it represents one of Ontario's principal outdoor recreation areas.

The Niagara Escarpment is one of the most prominent physical features within the Town of Warton. Its importance is not limited to the way in which it physically shapes the Town, but extends to include an ecological, visual and economic importance to the Community.

11.4.8.1 Goal

- a) Support the protection of the Niagara Escarpment Plan Area for its ecological, visual and economic importance to the Community.

11.4.8.2 Actions

- a) Co-operate with the Niagara Escarpment Commission in the long term protection of the Niagara Escarpment.
- b) Recognize the importance of the Bruce Trail as a provincial and local nature trail.

11.4.8.3 Niagara Escarpment Policies

- a) The Town endorses the objectives of the Niagara Escarpment Plan and shall establish a planning process which ensures the protection of the Niagara Escarpment. For urban areas such as Warton, this means minimizing the impact and further encroachment of urban growth on the Escarpment Environment.
- b) It shall be the policy of the Town that all development be of an urban design compatible with the visual and natural environment of the Niagara Escarpment. Where appropriate, provisions for adequate setbacks and screening shall be required to minimize the visual impact of development on the Escarpment landscape.
- c) The Town shall provide for adequate public access to the Escarpment through means such as parking areas and walkways or pedestrian trails such as the Bruce Trail.

- d) New lots shall not be created to include lands designated Escarpment Natural Area, except where such lot creation is for the purpose of correcting conveyances, enlarging existing lots provided there is sufficient area in the Urban Area designation to accommodate the proposed development, or where the land in the Escarpment Natural Area is to be acquired by a public body.
- e) Growth should be compatible with and provide for the protection of unique ecologic areas, wildlife habitats, streams and water supplies and other environmentally sensitive areas both inside and adjacent to the Town.
- f) It shall be a policy of the Town to forward all development proposals to the Niagara Escarpment Commission which fall within the Niagara Escarpment Plan Area, as detailed in Schedule "E", Niagara Escarpment Plan Area. Further it is the policy of the Town to forward all development proposals to the Niagara Escarpment Commission which fall within 120 metres (400 feet) of the boundary of the Niagara Escarpment Plan Area.
- g) It shall be a policy of the Town to enhance and promote major scenic vistas located throughout the Community. Major scenic vistas shall be recognized on Schedule "C", Transportation Plan. All development shall have due regard for the enhancement of the scenic quality of the Town.

11.4.8.4 Bruce Trail Policies

The Bruce Trail is a 740 kilometre hiking and nature trail running the length of the Niagara Escarpment. It represents an integral part of the recreation function of the Niagara Escarpment, linking many of the parks and natural features of the Escarpment.

The Town of Wiarton is an important centre along the northern section of the Bruce Trail, providing trail users with a variety of amenities, particularly overnight camping facilities. The Town of Wiarton has been recognized as a major "Overnight Rest Area" along the Bruce Trail.

- a) It shall be the policy of the Town to recognize the Bruce Trail as an important recreation asset within the Community by identifying the Bruce Trail route on Schedule "C", Transportation Plan to this Plan.

- b) The Town shall attempt to enhance the local awareness and use of the Bruce Trail through education programs and improved access and signage of the Trail within the Town.
- c) The Town shall provide for the continuation and enhancement of Wiarnton's role as an Overnight Rest Area along the Bruce Trail.
- d) It is recognized that where the Bruce Trail crosses private property, the location of the Trail is an indication of goodwill on behalf of the property owners. In order to ensure the maintenance of the Trail in its proposed location, it shall be necessary for the Bruce Trail Association or other public bodies to secure title to the Trail in one of the following ways:
 - i) purchase of the necessary lands;
 - ii) acquisition of certain development rights in the form of an easement or right-of-way; and,
 - iii) as a condition to the approval of a plan of subdivision.
- e) The location of the Bruce Trail, as indicated on Schedule "C", Transportation Plan shall be considered approximate only. Amendments to this Plan shall not be required in order to make adjustments or deviations to its location within the Town of Wiarnton, provided that the general intent of this Plan is maintained.

11.4.9 Transportation

The transportation system in the Town of Wiarnton provides an important component of the framework for municipal growth and development and is a vital municipal service.

Not only is it important to recognize the need for an efficient and safe road system, but it is also important to identify policies for the efficient and safe movement of pedestrian and bicycle travel within the Town. Wiarnton also benefits greatly from the services provided through the Wiarnton Federal Airport and the two marinas.

11.4.9.1 Goal

- a) Promote a transportation system which allows for the efficient movement of goods and people, and provide for economic opportunities within the Community.

11.4.9.2 Actions

- a) Promote an improved system of arterial and collector roads which provide for the safe and efficient movement of local and through traffic, including a possible alternate traffic route around Wiaraton.
- b) Support, through the Wiaraton Airport Committee, the marine, weather, customs, and air traffic services provided at the Wiaraton Federal Airport for the benefit of Wiaraton and the surrounding area.
- c) Establish uniform signage which identifies the location of major community facilities, historic features and recreational opportunities within Wiaraton.
- d) Encourage a wide range of marine transportation opportunities including marina moorings, boat rentals and tour boats.
- e) Promote bicycle and pedestrian travel.
- f) Promote the expansion of the affordable transportation system for seniors and disabled.

11.4.9.3 Road Classification Policies

- a) The Town shall classify roads according to their predominant function. The road classifications are as follows:
 - i) Provincial Highways are designed to handle high volumes of traffic within or through the Town and provide limited access to abutting properties. Right-of-way widths shall normally vary from 26 metres to 36 metres.
 - ii) Arterial roads are designed to handle high volumes of traffic on as many as four traffic lanes within or through the Town and provide limited access to abutting properties. Right-of-way widths shall normally vary from 26 metres to 36 metres.
 - iii) Collector roads are designed to collect and carry local traffic to the arterial roads or distribute traffic to the local roads on two or four traffic lanes and provide some access to abutting properties. The designed right-of-way width shall vary between 20 and 30 metres.

- iv) Local roads are designed to handle predominantly local traffic at low operating speeds on two traffic lanes. Local roads shall generally have a minimum right-of-way width of 20 metres or less.

11.4.9.4 General Road Network Policies

- a) The Town shall integrate the planning of the municipal road network with the existing and proposed road networks under the jurisdiction of the Province, the County of Bruce and surrounding municipalities.
- b) The Town shall continue to investigate and promote an alternate route around Wiarton, through consultation and co-operation with the Ministry of Transportation, the County of Bruce and surrounding municipalities.
- c) No new development and/or redevelopment shall be permitted unless such lands are accessible by an improved public road, maintained year round, and which is of an acceptable standard of construction to accommodate the traffic to be generated by the new development.
- d) The Town shall require, as a condition of approval of any new development or redevelopment, that sufficient lands be conveyed to the Town to provide for a road right-of-way width in accordance with the road classification identified on Schedule "C", Transportation Plan and defined in Section 11.4.9.3, Road Classification.
- e) The Town shall require, as traffic conditions warrant, improvements in the form of jog eliminations, regulation of turning movements, proper signing, installation of traffic signals, marking of traffic lanes and channelization to be undertaken.
- f) The Town shall not assume or dedicate any roads which do not meet the minimum acceptable standards of the Ministry of Transportation or which are not eligible for subsidy.
- g) It is a policy of the Town that development adjacent to arterial, collector and local roads shall have sufficient setback requirements established in the Comprehensive Zoning By-law in order to afford a measure of compatibility for surrounding land uses. As may be necessary from time to time, the Town shall consult with the Ministry of Transportation and the County of Bruce in determining appropriate setback requirements for development abutting Provincial highways and County roads.

- h) In considering development proposals, the Town shall ensure that new intersections are properly located and designed to ensure traffic safety. When existing intersections are significantly affected by new development, the Town may require improvements to such intersections.
- i) In considering development proposals adjacent to arterial, collector or local roads, the Town shall regulate the number, location and design of entrances.
- j) Properties fronting on Highway # 6, south of Elm Street shall require an approved entrance permit from the Ministry of Transportation prior to development proceeding. Such development proposals must meet the Ministry of Transportation's safety requirements and guidelines.

11.4.9.5 Road Widening Policies

- a) Road widening shall take place in conformity with the standards outlined in Section 11.4.9.3, Road Classification, where deemed necessary by the Town. Privately owned land required for road allowance widening may be acquired by the appropriate road authority through purchase or dedication as a condition of subdivision, severance, or site plan approval or other appropriate means.
- b) Road widening in excess of road allowance requirements may be required at any intersection for the purpose of providing daylight triangles, lane channelization, or locations for traffic control devices. They may also be required along any arterial road to accommodate auxiliary turning lanes that shall provide better access to land uses that are major traffic generators.
- c) Generally, road widening shall be taken equally on both sides of a road as measured from the centre-line of the road allowance. Where physical or other conditions necessitate a widening on one side in excess of an equal amount, only that portion of the widening that represents an equal amount shall be required as dedication under the Planning Act.
- d) The Zoning By-law may establish setback requirements from the centre-line or the limit of the required road allowance. The Zoning By-law may also recognize, as legal uses, properties which do not conform to lot area or setback requirements due to road widening.

11.4.9.6 Warton & District Federal Airport Policies

The Warton & District Federal Airport is a major regional transportation and communication facility. It is the largest federal airport between Toronto and Sault St. Marie and provides the Lake Huron-Georgian Bay region with a multitude of weather and navigational service.

The Warton Airport provides the flight services for the area stretching from Goderich to the North Shore of Georgian Bay. It is registered as a national point of entry, offering Canada Customs custom and immigrations services. As well, it is the central Canadian Coast Guard command for all of Georgian Bay, central Lake Huron and the North Channel, west to Little Current.

The Town recognizes the local and regional importance of the Warton Airport.

- a) The Town shall play a lead role on the "Warton Airport Committee" to promote the Warton Airport as a major regional transportation and communication facility.

The Town shall strive to ensure that the services offered by the Airport continue to be maintained, diversified and enhanced, so as to ensure the long term success of the facility.

- b) Within the corporate boundary of the Town of Warton, the Town shall use the Comprehensive Zoning By-law to regulate the height of natural growth and structures and land uses which may cause bird hazards to aircraft, in accordance with the Federal Ministry of Transportation's "Warton Airport Zoning Regulations".

- c) The Town shall review the planning documents of Bruce and Grey Counties, and Amabel and Keppel Townships in order to encourage that they recognize the Warton Airport as a major regional transportation and communication facility.

The Town shall encourage surrounding jurisdictions to incorporate the Federal Ministry of Transportation's "Warton Airport Zoning Regulations" in their respective planning documents.

- d) The Town shall work with Bruce County, Grey County and Keppel Township to maintain an efficient connecting road network from the Airport to the Town.

- e) The Town shall encourage Grey County and Keppel Township to continue to upgrade the road system connecting the Airport to surrounding urban centres such as the City of Owen Sound.

11.4.9.7 Pedestrian & Bicycle Traffic Policies

An important component of any transportation system is the establishment of a safe and efficient pedestrian and bicycle system. People should be encouraged to walk and ride bicycles within the Town of Wiarton.

- a) It shall be a policy of the Town to develop a pedestrian walkway system which links major commercial, residential, community facilities and open spaces areas in a continuous system.
- b) Pedestrian access from the downtown to the waterfront shall be improved to stimulate the function of the waterfront as a major attraction within the Town.
- c) It shall be a policy of the Town to encourage the development of a walking/biking trail along the waterfront with connecting access to the Bruce Trail. The route for such a trail shall be recognized on Schedule "C", Transportation to this Plan.
- d) The Town shall recognize the regional and local importance of the Bruce Trail as detailed in Section 4.8.4, Bruce Trail Policies of this Plan.
- e) It shall be a policy of the Town to require all new development to include the establishment of adequate sidewalks.
- f) The Town shall strive to establish proper signage and traffic controls to allow for the safe movement of pedestrian traffic across arterial or collector roads.

11.4.9.8 Traffic Impact Assessment Policy

- a) Where development will add significant volumes of traffic to the road system or where it is proposed in an area with recognized road deficiencies, the Town shall require a traffic impact assessment. This assessment may include a review of the following:
 - i) traffic generation rates;

- ii) traffic patterns;
- iii) impacts on individual roads and intersections;
- iv) impacts on existing development;
- v) conflicts with pedestrian traffic;
- vi) corrective measures including improvements; and,
- vii) other matters determined by the Town.

11.4.9.9 Design and Construction Standards Policies

- a) The design and construction of all roads and sidewalks under, or proposed to be under the jurisdiction of the Town shall be guided by the Design Standards By-law for Town.
- b) The design, construction, and transportation improvements necessitated by any subdivision, development or re-development shall be paid by the developer in accordance with agreements entered into with the Town.

11.4.9.10 Seniors and Disabled Transportation System Policies

The Town of Wiarton is the host municipality for a bus service program, offering seniors and physically and developmentally handicapped individuals from Tobermory to Shallow Lake an inexpensive bus service to Owen Sound twice a month.

This very important service is necessary to provide seniors and physically and developmentally handicapped individuals the opportunity to go to Owen Sound for a host of services.

- a) It is a policy of the Town to continue to operate as the Host Municipality for the Seniors Bus Service, and to work with the Seniors Bus Service Committee and other participating municipalities to improve and extend the service to ensure that it is available to all those who need it.
- b) It shall be the policy of the Town to promote the Seniors Bus Service, so as to increase its profile and its use in order to have the system become self-sufficient and less dependent upon government assistance.

11.4.9.11 Uniform Municipal Signage Policies

- a) As part of the Town's effort to enhance its identity and promote its function as a tourist destination, a uniform design standard for municipal signs shall be adopted.
- b) Municipal street signs, directional signs and site signs, along with other signs under the jurisdiction of the Town should conform to the design standards, as funds become available.
- c) The municipal street design standard should incorporate a historic theme and promote the many natural features of the Community. As well, consideration should be given to various standardized international symbols used for signage.
- d) The Town shall encourage private business to adopt the design standards.

11.5 Implementation

11.5.1 Purpose of the Implementation Section

The purpose of this section is to explain how the policies of the Town of Warton Community Plan shall be put in place. The Implementation Section lists all the regulatory measures that the Town has at its disposal to manage growth and development.

This Section also acts as a guide to those who wish to participate in the planning process or who propose developments within the Town. To this extent, efforts have been made to clearly explain the various planning tools available to the Town, when they may be used, and the type of issues they can address.

11.5.2 How to Amend the Plan

Circumstances may arise where an individual proposes a development which does not conform to the policies of the Community Plan. In order to permit such a development, the individual must submit an application to amend the Community Plan. The Town should give fair consideration to all Community Plan Amendments and notify the general public and government agencies and ministries of the nature of the proposed amendment, in accordance with the requirements of the Planning Act.

- a) The submission of a Community Plan Amendment to the Town shall be accompanied by a detailed site plan of the proposed development and a report which addresses the following questions:
- i) Does the Amendment comply with the Vision for the Town of Wiarton?
 - ii) Does the Amendment further the Goals and Actions of the Plan?
 - iii) If the Amendment does not further the Goals and Actions, have circumstances changed to make the Goals and Actions invalid in relation to the proposal development?
 - iv) Is the Amendment in keeping with Provincial and County policy?
 - v) Is there a demonstrated need for the proposed development?
 - vi) Can the lands affected be adequately serviced to accommodate the proposed development? What improvements shall be required to properly service the land?
 - vii) What impacts will the proposed development have on surrounding land uses, traffic movements, servicing, built heritage and natural environment. How can these impacts be eliminated or minimized?

11.5.3 Existing Uses Which Do Not Conform to the Plan

There may be existing land uses within the Town which this Plan would not now permit in their present location. Existing land uses which do not conform to the Community Plan, and are considered incompatible with the surrounding uses, should cease to exist in the long run.

- a) It is the policy of the Town that any land use, existing on the date of the adoption of this Plan, not recognized as a permitted use within the Land Use Designation in which it is located, should cease to exist in the long run.

11.5.4 Legislation Pursuant to the Planning Act and Municipal Act

The Planning and Municipal Acts make available to the Town a number of tools which can be used to implement the Goals and Actions of this Plan.

- a) The Town shall take advantage of the provisions of the Planning and Municipal Acts in order to implement the Goals and Actions of this Plan.

11.5.5 The Comprehensive Zoning By-law

The Town of Wiarton Comprehensive Zoning By-law is the major tool available to the Town to implement the policies of the Community Plan. The Comprehensive Zoning By-law covers the entire Town and sets out detailed regulations which attempt to implement the broader land use goals, actions and policies of the Community Plan.

- a) It is the policy of the Town to amend the Comprehensive Zoning By-law to bring it into compliance with the Community Plan.
- b) It is the policy of the Town to refuse amendments to the Comprehensive Zoning By-law which do not conform to the Community Plan.
- c) Existing legal non-conforming land uses may be placed in zones that do not correspond with the Land Use Designation of the Community Plan. The Comprehensive Zoning By-law may recognize existing uses, provided the following criteria are met:
 - i) the zone does not permit significant negative changes in the use of the property or impacts on adjacent uses;
 - ii) the recognition of the legal non-conforming use does not represent a danger to surrounding uses and/or persons; and,
 - iii) the legal non-conforming use does not interfere with the desirable development or enjoyment of the adjacent area.
- d) Vacant land within the Town may be placed in the "Planned Development" zone. The Planned Development zone restricts the use and development of vacant land until an appropriate development proposal is submitted. The Planned Development zone may permit the continued use of existing buildings and structures. All new use shall require an amendment to the Zoning By-law.

11.5.6 Minor Variances to the Comprehensive Zoning By-law

In certain instances, a proposal to construct a new structure or expand an existing structure may not be able to meet one or more of the provisions of the Comprehensive Zoning By-law (e.g., an addition to a house cannot meet the side

yard requirements). In such cases, the individual may request the Committee of Adjustment to grant a "minor variance" from one or more of the requirements of the Zoning By-law in order to permit the development to proceed.

- a) The Committee of Adjustment may consider granting a minor variance to a proposed development which cannot reasonably meet one or more of the provisions of the Zoning By-law provided the development meets sound planning principles.
- b) Prior to considering a minor variance application, the Committee of Adjustment may require the applicant to demonstrate that the development is:
 - i) in keeping with the character and environment of the surrounding neighbourhood;
 - ii) in keeping with the intent of the Comprehensive Zoning By-law;
 - iii) in keeping with the intent of the Community Plan;
 - iv) an appropriate and desirable use of land; and,
 - v) truly minor in nature.
- c) If a minor variance application is approved, the Committee of Adjustment may impose conditions which shall ensure that the development has minimal impact on surrounding uses and satisfies reasonable planning criteria.
- d) The Chief Building Official for the Town shall be satisfied that all the conditions of the minor variance are met prior to the issuance of a building permit.

11.5.7 Legal Non-Conforming Uses

Certain uses, which legally existed prior to the passage of the Comprehensive By-law, but are not permitted in the new Zoning By-law are referred to as "legal non-conforming".

Legal non-conforming uses are allowed to continue to exist, provided no alterations, expansions or changes of use are made. All alterations, expansions or changes in use require approval by the Committee of Adjustment.

- a) It is the policy of the Town that legal non-conforming uses should cease to exist in the long run. Additions, expansions or changes in use which do not meet the requirements of the Comprehensive Zoning By-law should be discouraged.
- b) The Town recognizes that circumstances may exist where changes to legal non-conforming uses may be desirable given their economic, cultural, social or historical importance to the Community. In such cases, the Committee of Adjustment may grant permission for an addition, expansion or change in use.

A change in use of a legal non-conforming use to a use which is still not in compliance with the Comprehensive Zoning By-law, but which is more compatible than the existing use, may be permitted by the Committee of Adjustment.

The Committee of Adjustment shall use the following criteria to assess such proposals. Failure to meet one or more of these criteria may provide grounds for refusal of the application by the Committee of Adjustment.

- i) The proposed addition, expansion or change of use shall not make the non-conforming nature of the property worse.
- ii) The proposed addition, expansion or change of use shall be in an appropriate proportion to the size of the existing use.
- iii) The proposed addition, expansion or change of use shall have minimal impact on the surrounding built environments in terms of projected levels of noise, vibration, fumes, smoke, dust, odours, lighting and traffic generation.
- iv) The proposed addition, expansion or change of use shall include the protection of surrounding uses through the provision of landscaping, buffering, or screening, appropriate setbacks for buildings and structures, or other measures which improve compatibility with the surrounding area.
- v) The traffic and parking conditions shall not be adversely affected by the proposed addition, expansion or change of use - appropriately designed ingress and egress points to and from the site and improvements to sight conditions shall

be considered in order to promote maximum safety for pedestrian and vehicular traffic.

- vi) The site include the adequate provision of off-street parking, loading and unloading facilities.
 - vii) The development is provided with applicable municipal services such as storm drainage, water supply, sanitary sewers and roads, which are available or can be made available through the conditions of approval.
- c) The Committee of Adjustment may place conditions on the approval for the addition, expansion or change in use of non-conforming uses. These conditions may include, but are not limited to, application of Site Plan Control, cash-in-lieu of parking, the installation of services and bonding.

11.5.8 Legal Non-Complying Uses

Situations may exist where the present use of a parcel of land is permitted in the zone in which it is located, but the buildings located on the property do not meet one or more of the provisions of the zone (e.g., a house located too close to the lot line). These situations are known as legal non-complying uses.

- a) It is the policy of the Town to permit the expansion, alteration and addition of non-complying uses, without Committee of Adjustment approval, provided that:
 - i) the expansion, alteration or addition does not further aggravate the existing non-compliance of the use; and,
 - ii) the expansion, alteration or addition does not create another non-compliance with the By-law.

11.5.9 Increased Height and Density Provisions

The Town has the authority to pass a By-law which authorizes increases in the height and/or density of a specific development proposal permitted under the Comprehensive Zoning By-law, in return for the developer providing facilities, services or other matters which are deemed beneficial to the Community.

- a) It is the policy of the Town that increased height and density provisions shall only be awarded to developments where adequate municipal services are available and such increased height and density does not

have a negative impact on surrounding lands uses or places a financial burden on the municipality and where one or more of the following criteria are fulfilled:

- i) the development provides for assisted housing, seniors housing or special need housing in accordance with the identified needs of the community;
 - ii) the development incorporates the preservation and restoration of buildings of historic or architectural value which will serve to meet the heritage resources goals and actions of this Plan;
 - iii) the development incorporates a comprehensive redevelopment plan for lands within the Downtown Commercial area of the Town, which provide for the intensification of the land use and serve to reinforce the economic viability of the downtown commercial core;
 - iv) the development includes the provision of significant community amenities and recreational facilities in locations identified by the Town which serve the identified needs of the community as a whole.
- b) It is the policy of the Town that the owner of lands granted increased height and density shall enter into an agreement with the Town, to be registered on title of the property, dealing with the specific criteria to be met.

11.5.10 Interim Control By-laws

The Town has the authority to place a freeze on the development lands, as permitted under the Comprehensive Zoning By-law, where they have serious concerns with allowing development to continue. For example, serious environmental problems may come to the attention of the Town which could result in the development of certain areas within the Town being hazardous to life or property.

In such case, the Town may put a hold on development permitted under the Comprehensive By-law, for a maximum period of two years through an "Interim Control By-law. The initial Interim Control By-law can be in effect for a one year period, with an one year extension if required.

This freeze in development allows the Town to undertake a thorough review of its policies and take the necessary action to address the problem.

The Town should only use Interim Control in limited circumstances, where the development of lands pose serious problems and require study.

- a) It is the policy of the Town to use Interim Control in circumstances where an immediate policy review of specific issues is required.
- b) After placing lands under Interim Control, the Town shall undertake a study of the issues associated with the lands forthwith and bring forward the necessary corrective action.

11.5.11 Holding Provisions

Through the Comprehensive Zoning By-law, the Town may see fit to pre-zone property for development. In such cases, the Town may place a Holding Symbol on the zone which prevents any development from taking place until the Town is satisfied that certain conditions have been met. In such instances the Town can indicate its support for the principle of the development but also identify the need for additional actions prior to development proceeding.

The use of a Holding Symbol is seen as an effective tool in the streamlining of the approval process. Following a public notice, the Town simply has to pass a by-law to remove the Holding Symbol once they are 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.

- a) The Town 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.
- b) 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 Town may allow additions or alterations to existing uses.
- c) The Town 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.

Conditions to be imposed by the Town may include:

- i) the owner/developer entering into a Site Plan Control or Subdivider's Agreement to the satisfaction of the Town;
- 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 Province, 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 a 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 Town; and,
- vi) the development/redevelopment within commercial and industrial lands is in accordance with the design and site criteria established by the Town.

11.5.12 Parking, Cash-in-Lieu Requirements

The Comprehensive Zoning By-law contains provisions prescribing a minimum number of parking spaces for specific land uses. In some circumstances, a development proposal is unable to accommodate the required number of parking spaces.

If a development is unable to provide enough parking spaces, the Town has the authority to offer an exemption from the parking requirements of the Comprehensive Zoning By-law, and except a cash payment in-lieu of each parking space not provided.

- a) The Town shall adopt a Cash-In-Lieu By-law enabling it to accept cash payments in compensation for insufficient parking spaces involving development/ redevelopment proposals.
- b) It is the policy of the Town to consider the payment of cash-in-lieu of parking as a effective mechanism for encouraging a compact, efficient and viable downtown core.

- c) Monies raised through cash-in-lieu shall be placed in a special reserve fund, separate from general revenues, dedicated to managing existing public parking resources and/or establishing new parking facilities.
- d) In order to determine the actual costs of providing a parking space, and the appropriate fee to be charged for each space levied, the Town shall undertake a parking study.
- e) In order to encourage development/redevelopment within the downtown core, the Town may wish to have a cash-in-lieu fee which is less than the true cost of providing new parking spaces.

11.5.13 Site Plan Control

The Town has the authority, under Site Plan Control, to require development proposals to include a site plan which identifies such things as finished elevations, site buffering, lot grading and drainage, etc...

The Town can also require that a developer enter into an agreement to ensure that work is carried out in accordance with the site plan.

- a) All lands within the corporate limits of the Town of Wiaraton shall be designated as a Site Plan Control Area.
- b) Within the Site Plan Control Area, the Town may require drawings showing plans, elevation and cross section views for any building to be erected for any purpose.
- c) The Town may require the signing of a Site Plan Agreement as a condition of the development of the lands. Such agreements shall be required prior to the issuance of a building permit.
- d) Upon the execution of a Site Plan Agreement, the agreement may be registered on title of the lands and be binding on all future land owners.
- e) The Town may require the following provisions to be made through the Site Plan Approval and Agreement process:
 - i) road widening of streets to the minimum road right-of-way widths in accordance with Section 11.4.9.5, Road Widening Policies;
 - ii) off-street vehicular loading and parking facilities;

- iii) lighting facilities of lands, buildings or structures;
- iv) all means of pedestrian access;
- v) landscaping;
- vi) facilities for the storage of garbage and other waste material;
- vii) required municipal easements;
- viii) grading or alteration in elevation or contour of the land and disposal of storm, surface and waste water from the land; and,
- ix) cash bonding.

11.5.14 Plan of Subdivision

Prior to approving a Plan of Subdivision, the Province requires that a developer satisfy all conditions placed upon the development by the Town or by the various government agencies and ministries. This process usually involves the developer entering into a Subdivider Agreement with the Town.

Subdivider Agreements provide the Town with a legal and binding mechanism to ensure that the design and servicing of the subdivision meet municipal standards, as well as allow for some type of performance bond should any costs be incurred by the Town in the development of the subdivision.

Subdivider Agreements usually cover such issues as lot grading and drainage, the construction of roads and the installation of sewer and water lines, and the establishment of parkland.

The Town should be satisfied that the terms of the Subdivider Agreement have been met prior to the lots being developed.

- a) The Town shall not support Plans of Subdivision that do not conform to the policies of the Community Plan and/or the provisions of the Comprehensive Zoning By-law.
- b) Prior to permitting the development of a Plan of Subdivision, the Town shall be satisfied that the development can be supplied with municipal services such as schools, fire protection, water supply, storm drainage, sewage disposal facilities and road maintenance. Such development should not adversely affect the finances of the Town.

- c) The Town shall enter into Subdivider Agreements as a condition of the approval of Plans of Subdivision. Such agreements shall ensure that the necessary internal or external services will be provided by the developer to the specifications established by the Town, as expressed in Section 4.6, Municipal Services, and the Town's Design Standards By-law.

11.5.15 Consent to Sever Land

The Bruce County Land Division Committee has the authority for creating lots by consent and granting right-of-ways and easements within the Town of Wiarton. However, the Town has a large degree of control over the creation of lots by consent and can request that conditions be placed on the approval of such lots, similar to the conditions it may ask for with a Plan of Subdivision.

- a) The Town shall support applications to create lots by consent when:
 - i) the scale of development proposed or the total development potential of the property would not require a plan of subdivision;
 - ii) the application represents infilling in an existing built up and serviced area, and the proposed lots are in keeping with the lot area, frontage and density pattern of the surrounding neighbourhood;
 - iii) the creation of lots would not create or worsen traffic, access or servicing problems; and,
 - iv) the application represents an orderly and efficient use of land, and its approval would not hinder the development of the retained lands.
- b) The Town shall not support Consent applications that do not conform with the policies of the Community Plan and/or the provisions of the Comprehensive Zoning By-law.
- c) Prior to permitting the creation of lots by Consent, the Town shall be satisfied that the development can be supplied with municipal services such as schools, fire protection, water supply, storm drainage, sewage disposal facilities and road maintenance. Such development should not adversely affect the finances of the Town.

- d) The Town may enter into a Subdivider Agreement as a condition of the approval of Consent applications. Such agreements shall ensure that the necessary internal or external services be provided by the developer to the specifications established by the Town, as expressed in Section 4.6, Municipal Services, and the Town's Design Standards By-law.

11.5.16 Property Maintenance and Occupancy

The Town of Wiarton has the authority to enact a by-law which prescribes minimum standards for the maintenance of land and buildings, and the occupancy of buildings within the Community. Through a Property Maintenance and Occupancy By-law, the Town can legally require the repair of buildings or the cleaning up of properties that do not meet acceptable Town standards.

- a) It is the policy of the Town to maintain a Property Maintenance and Occupancy By-law, affecting all lands within the Town boundaries, regulating such matters as:
 - i) garbage disposal, pest prevention, structural maintenance of buildings, and cleanliness of buildings;
 - ii) services of buildings (plumbing, heating, electricity); and,
 - iii) maintenance of yards, waterfront areas, removal of weeds, debris, rubbish, abandoned boats, unlicensed or wrecked vehicles, trailers, vehicles etc.
- b) The Town shall appoint a "Property Standards Officer" who shall be responsible for administering and enforcing the Property Maintenance and Occupancy By-Law.
- c) The Town shall appoint a Property Standards Committee for the purpose of hearing appeals against an order by the Property Standards Officer.
- d) In addition to the enforcement of minimum standards on private properties, the Town shall undertake to keep all municipally owned properties and structures in a fit and well maintained condition, and to maintain in good repair municipal services such as roads, side walks, water and sewage facilities, etc.

11.5.17 Sign By-law

The Town of Warton has the authority to regulate, through a by-law and permit system, the placement of signs, notices, placards or other advertising devices on private and public lands. Under such a By-law, the Town may require the removal of signs not in compliance with the By-law, levy fines against contravention to the sign by-law, and require licensing of those persons supplying mobile signs.

- a) In order to ensure the visual integrity of the roadside environment, it is the policy the Town to adopt a Sign By-law addressing such matters as:
 - i) appropriate location and dimension for signs advertising home occupations;
 - ii) criteria for locating signs and awnings in the Downtown core, in accordance with Section 11.4.2.3.3, Downtown Heritage Facade Design Guidelines;
 - iii) criteria for locating signs on public streets and on public lands;
 - iv) appropriate location and time limits for portable signs on private and public lands; and,
 - v) the licensing of mobile sign dealers who are involved in the leasing, renting or selling mobile signs within the Town.

11.5.18 Public Consultation and a Fair and Timely Process

The Community Plan attempts to clarify the planning direction and policies for those who become involved in the planning process in the Town of Warton. To this extent, this Section outlines the planning process and how to have meaningful input into the process.

- a) It is the policy of the Town that all development applications be dealt with in a fair and expedient manner without undue time delays.
- b) It is a policy of the Town to consult with the public prior to finalizing the adoption or update of the following initiatives:
 - i) a Sign By-law;
 - ii) a Community Improvement Plan;
 - iii) a Property Standards By-law;

- iv) a Cash-in-Lieu for Parking Study;
- v) a Development Charges By-law; and,
- vi) any other initiative that may affect the Community.

11.5.19 Cooperation with Adjacent Municipalities

The policies, activities and services of adjacent municipalities may have impacts on the long term planning goals of the Town of Wiarton. Therefore, the Town adopts the following policies aimed at improving land use and servicing decisions by adjacent municipalities:

- a) The Town shall adopt a process for reviewing all commercial, industrial, institutional or residential development applications and planning policy initiatives on nearby lands which could impact on the integrity and viability of the Town's development.
- b) The Town shall discourage the fragmentation of lands adjacent to Town that may have a negative impact on the development of existing lands within the Town, or the expansion of Town boundaries.
- c) The Town shall only provide hard and soft services to lands outside of the Town's Corporate Limits, when the service capacity is clearly surplus and when it is assured that the long term servicing commitment to Town residents can be met. The provision of services to residents outside of the Town may be based on a user pay system.
- d) In order to ensure appropriate services to residents living within the greater Wiarton area, the Town may enter into agreements that it finds advisable, relating to the sharing of community services. Such agreements may deal with roads servicing, recreation, fire protection, garbage disposal and recycling.
- e) The Town shall pursue municipal amalgamation with adjacent municipalities, as the most preferred option for municipal organization and service delivery.

11.5.20 Finance

This Plan makes reference to a number of Community initiatives under the responsibility of the Town. However, the Town should provide and improve services in a fiscally responsible manner.

It must be understood that the Community Plan has a life expectancy of 15 to 20 years and that all of the projects and priorities referred to in the Plan cannot be initiated or implemented as soon as the Plan is adopted.

It is the intention of the Town, therefore, to only carry out those expenditures and public works that are affordable, given the Town's financial abilities.

- a) The Town shall not grant approval to any development unless it is in a financial position to provide the services required by such development.
- b) The Town shall promote the establishment of a diverse and stable economic base both in terms of job opportunities and tax revenue.
- c) The Town may undertake a Development Charges Study to determine the cost of providing services to new developments, and may implement a Development Charges By-law enabling the recovery of the costs of servicing new development.
- d) The Town shall use the following guidelines in making financial decisions:
 - i) capital expenditures shall be guided by a Five Year Capital Forecast, reviewed annually;
 - ii) outstanding debenture debt shall be limited to a percentage of taxable assessment and assessment eligible for grants-in-lieu of taxes - this percentage figure shall be reviewed annually in light of changing circumstances and responsibilities; and,
 - iii) capital expenditures from current funds may be limited to a predetermined mill rate for each year.

11.5.21 Public Works and the Community Plan

This Plan represents the culmination of lengthy public participation and review process and was adopted to reflect the aspirations and needs of the Community. In this regard, it is the intention of the Town that all actions taken by the Town shall be guided by the policies of the Plan.

- a) It is the policy of the Town that all public works shall be carried out in accordance with the policies of this Community Plan.

11.5.22 Settlement, Servicing and Phasing

This Plan is based on the philosophy that economic growth and sustainable development should be encouraged, and that both need to be planned and implemented in a manner that is both environmentally and economically sound. Given this philosophy, the Town shall use the following principles for guiding development:

- a) The Town shall permit new development in appropriate areas in accordance with a phased approach as indicated on Schedule "B", Phasing Plan to ensure for the orderly and cost effective provision of hard services.

The Town's Phasing Plan represents the ideal strategy given the servicing capabilities of the Town at the time of adoption of this Plan. Should circumstances change that require major revisions of Schedule "B", an amendment to this Plan shall be required. However, minor changes to Schedule "B" shall not require an amendment to this Plan, provided its intent and purpose is maintained.

- b) The following three phases have been developed based on the servicing criteria of this Plan:

Phase One Area

The Phase One area has top priority for municipal service allocation. This area represents the area of Town which is currently provided with municipal water and sewer, and can reasonably be provided with continued service in the future.

Prior to development of any areas outside of Phase One Area, the Town shall be satisfied that adequate capacity shall be available to Area One well into the future. Additionally, the Town shall be assured that enough capacity exists to permit infilling and intensification within Phase One Area.

Phase Two Area

Phase Two Area encompasses those lands that are currently partially serviced with either Town water or Town sewer. In order to prevent environmental problems that are often associated with partial servicing, it

is the intention of the Town that lands located in Phase Two Area be fully serviced prior to any large blocks of vacant land being developed.

Phase Three Area

The Phase Three Area represents the areas designated for development or future development, but which are not yet serviced by hard municipal services, or which are not suitable for development given various physical or natural constraints. It is intended that municipal services shall not be extended to the Phase Three Area until Phase One and Two Areas have been adequately serviced at full urban densities.

- a) It is the policy of the Town to require the installation of appropriate services to new developments and that such servicing is the responsibility of the developer.
- b) In order to ensure that new developments are properly serviced, the Town shall make available to developers a Design Standards By-law. This manual shall be used in conjunction with this Plan and shall specify the design criteria for the following matters:
 - i) sanitary sewers, including all necessary manholes, and service connections to each lot;
 - ii) watermains, hydrants, valves, valve chambers, and connecting services to each lot;
 - iii) road width, surfacing, elevations etc.;
 - iv) stormwater drainage works and overland surface water flow, diversion of weeping tile or roof drainage from the sanitary system;
 - v) concrete sidewalks;
 - vi) seeding or sodding of boulevards between curb line to property line driveway entrances;
 - vii) footpaths; and,
 - viii) electrical distribution, street lighting and street sign.