
TOWNSHIP OF HURON - KINLOSS

OFFICIAL PLAN



Adopted by the Township of Huron-Kinloss on August 15, 2016.
Approved, with modifications, by the County of Bruce on November 3, 2016.



EXPLANATORY NOTE

On August 15, 2016, the Council for the Township of Huron-Kinloss passed By-law No. 2016-80 to adopt a new Official Plan. The new Official Plan replaced the Township's previous Official Plan approved in 2005. The County of Bruce approved the Township of Huron-Kinloss Official Plan, with modifications, on November 3, 2016 and a Notice of Decision was issued on November 4, 2016.

Table of Contents

Introduction	7
Structure of the Plan.....	8
Relationship to the County Plan	9
Section 1 – Introduction.....	11
1.1 Title	11
1.2 Purpose.....	11
1.3 Vision	11
1.4 Goals.....	11
Section 2 – General Development Policies	14
2.1 Introduction	14
2.2 Population and Housing	14
2.2.1 Population & Employment Projections.....	14
2.2.2 Household Projections.....	14
2.2.3 General Housing Policies	15
2.2.4 Affordable Housing Initiatives	15
2.2.5 Secondary Units	17
2.2.6 Garden Suites.....	18
2.3 Lot Creation and Land Division	19
2.3.1 Introduction.....	19
2.3.2 New Lots Created By Consent	20
2.3.3 Subdivision and Condominium Development Policies.....	21
2.3.4 Part Lot Control Exemption By-laws	22
2.4 Land Use Compatibility	23
2.5 Mobile Homes	23
2.6 Natural Heritage	24
2.6.1 Introduction.....	24
2.6.2 General Policies	24
2.6.3 Wetlands.....	25
2.6.4 Significant Woodlands.....	26
2.6.5 Significant Habitat of Endangered or Threatened Species	27
2.6.6 Significant Wildlife Habitat	27
2.6.7 Fish Habitat	27
2.6.8 Areas of Natural and Scientific Interest	28
2.6.9 Natural Heritage System.....	28
2.6.10 Adjacent Lands.....	29
2.6.11 Environmental Impact Study	31
2.6.12 Watershed Planning.....	32
2.6.13 Surface Water Management	32
2.7 Natural Hazard policies	32
2.7.1 Introduction.....	32
2.7.2 General Policies	32
2.7.3 Lands Prone to Watercourse Flooding	34
2.7.4 Dynamic Beach Hazard Limit	34
2.7.5 Steep and Unstable Slopes and Areas Susceptible to Erosion Hazard.....	34

2.8	Source Water Protection	35
2.8.1	Groundwater.....	35
2.8.2	Policy Direction.....	35
2.8.3	Source Water Protection.....	36
2.8.4	Implementation.....	40
2.8.5	Water Quality and Quantity – Protection Measures.....	41
2.9	Parkland and Open Space Acquisition.....	42
2.10	Economic Development.....	43
2.11	Community Improvement.....	43
2.11.1	Introduction	43
2.11.2	Community Improvement Areas.....	44
2.11.3	Goal.....	44
2.11.4	Objectives	44
2.11.5	Criteria Selection of Community Improvement Areas.....	45
2.11.6	Community Improvement Project Areas.....	45
2.11.7	Implementation Guidelines.....	45
2.11.8	Phasing	46
2.12	Built Heritage Resources, Cultural Heritage Landscapes and Archaeology .	46
2.12.1	Introduction	46
2.12.2	Preservation of Heritage Resources.....	47
Section 3 – Settlement Area Policies		48
3.1	Introduction	48
3.2	Objectives	49
3.3	Concepts Guiding Future Development in the Settlement Areas	50
3.3.1	Supply of Serviced Residential Land	50
3.3.2	Servicing.....	51
3.4	Residential Designations.....	52
3.4.1	Introduction.....	52
3.5	Residential Designation	52
3.5.1	Purpose	52
3.5.2	Objectives.....	52
3.5.3	Permitted Uses	52
3.5.4	General Policies	53
3.6	Lakeshore Residential Designation.....	55
3.6.1	Purpose	55
3.6.2	Objectives.....	55
3.6.3	Permitted Uses	55
3.6.4	General Policies	56
3.7	Hamlet Designation.....	58
3.7.1	Purpose	58
3.7.2	Objectives.....	58
3.7.3	Permitted Uses	58
3.7.4	General Policies	58
3.8	Commercial Designations	59
3.8.1	Introduction.....	59
3.9	Core Commercial Designation	59

3.9.1	Purpose	59
3.9.2	Objectives	60
3.9.3	Permitted Uses	60
3.9.4	General Policies	60
3.10	Highway Commercial Designation	60
3.10.1	General Purpose	60
3.10.2	Objectives	61
3.10.3	Permitted Uses.....	61
3.10.4	General Policies	61
3.11	Lakeshore Recreation Designation.....	61
3.11.1	General Purpose	61
3.11.2	Objectives	62
3.11.3	Permitted Uses.....	62
3.11.4	General Policies	62
3.12	Industrial Designation	63
3.12.1	Purpose.....	63
3.12.2	Objectives	63
3.12.3	Permitted Uses.....	63
3.12.4	General Policies	64
3.13	Major Institutional Designation.....	64
3.13.1	Purpose.....	64
3.13.2	Objectives	65
3.13.3	Permitted Uses.....	65
3.13.4	General Policies	65
3.14	Parks & Open Space Designation.....	65
3.14.1	Purpose.....	65
3.14.2	Objectives	65
3.14.3	Permitted Uses.....	65
3.14.4	General Policies	66
3.15	Environmental Protection Designation	66
3.15.1	Introduction	66
3.15.2	Objectives	66
3.15.3	Permitted Uses.....	67
3.15.4	General Development Policies	67
3.15.5	Lucknow Special Policy.....	68
3.15.6	Lake Huron Shoreline Natural Hazards Special Policy.....	73
3.15.7	Conservation Authority Regulations	73
3.16	Aggregate Extraction	74
3.16.1	Introduction	74
3.16.2	Objectives	74
3.16.3	Permitted Uses.....	74
3.16.4	General Policies	74
3.17	Future Development Designation.....	74
3.17.1	Introduction	74
3.17.2	Objectives	74
3.17.3	Permitted Uses.....	75

3.17.4	General Policies	75
3.18	Special Policy Area Designations	75
3.18.1	Bruce Beach.....	75
3.18.2	Inverlyn Lake Estates	75
3.18.3	Lucknow Industrial Area	77
3.18.4	McLelland/Poirier.....	78
3.18.5	Lucknow Kinsmen Graceland.....	79
3.18.6	Lucknow Kinsmen Graceland.....	79
Section 4 –	Infrastructure	83
4.1	Introduction	83
4.2	Objectives	83
4.3	Transportation Network.....	83
4.3.1	Roadway Classification System.....	83
4.3.2	Provincial Highways	83
4.3.3	County Arterial Roads.....	84
4.3.4	County Collector Roads.....	85
4.3.5	Local Roads.....	85
4.3.6	Private Roads	86
4.4	General Transportation Policies	86
4.4.1	Traffic Impact Study.....	86
4.4.2	Recreational Trails.....	86
4.4.3	Road Widening	86
4.5	Municipal Services and Utilities.....	87
4.6	Waste Water Treatment Plants	87
Section 5 –	Implementation and Plan Administration	88
5.1	Introduction	88
5.2	Interpretation	88
5.3	Official Plan Amendments	88
5.4	Zoning By-law	89
5.5	Holding Provisions	90
5.6	Temporary Use By-law.....	90
5.7	Interim Control By-law	91
5.8	Conditional Zoning	92
5.9	Committee of Adjustment.....	92
5.10	Non-Conforming Uses	93
5.11	Urban Design and Site Plan Control	94
5.12	Property Maintenance and Occupancy Standards.....	94
5.13	Periodic Review	95
5.14	Review and Updating of By-laws	95
5.15	Public Consultation	95
5.16	Other Information to be Submitted in Support of a Planning Application	97
5.17	Technical Amendments to the Plan	99
Glossary	100

INTRODUCTION

The Township of Huron-Kinloss is a municipality within the County of Bruce located in western Ontario along the shores of Lake Huron. The *Township* is bordered by the Townships of Ashfield-Colborne-Wawanosh and North Huron to the south in Huron County, the Municipalities of South Bruce and Brockton to the east and the Municipality of Kincardine to the north. The *Township* consists of an area of approximately 443 square kilometres (44,253 hectares) and has a permanent population of 6,790 people as reported in the 2011 Census.

The primary urban communities of the *Township* are Lucknow and Ripley. The majority of new growth is directed to these Villages where full municipal services and a variety of land uses exist to help create a *complete community*.

The Lakeshore Settlement Area follows the Lake Huron shoreline and consists of an evolving community whereby residents are converting the use of their seasonal dwellings to permanent dwellings. Growth within the Lakeshore Settlement Area is intended to be through infill *development* and minor rounding within the existing Settlement Area boundaries.

Finally, there are six Hamlet communities within the *Township*: Amberley, Holyrood, Kinloss, Kinlough, Pine River and Whitechurch. The Hamlets are recognized as local service centres and are intended to accommodate a more limited range of uses compared to Lucknow and Ripley. Growth and *development* in Hamlets will be limited and intended to serve the needs of the agricultural/rural communities that surround these Hamlets.

The Township of Huron-Kinloss relies on agriculture, tourism and the nuclear industry as the basis of its local economy. The *Township* is a strong agriculturally productive area where livestock and agricultural services complement the local farm community. The location of the *Township* nestled along the shores of Lake Huron plays a significant role in the *development* of tourism within the *Township*. The shoreline is a significant natural feature and of great importance to the growth and *development* of the *Township*. The Bruce Nuclear Generating Station is located north of the *Township* and is a significant employer to residents of the *Township* and provides economic opportunities that the *Township* supports.

The Official Plan is a general land use guide, the purpose of which is to guide land use decisions and manage change in the *Township*. In accordance with the Planning Act, an Official Plan shall contain, “goals, objectives and policies established primarily to manage and direct physical change and the effect on the social, economic and natural environment of the municipality or part of it.”

The Planning Act requires local policies to be consistent with policy statements issued by the *Province*, such as the Provincial Policy Statement. The Provincial Policy Statement provides direction on matters of Provincial interest related to land use planning. The Official Plan is also required to conform to the policies of the County of Bruce Official Plan.

STRUCTURE OF THE PLAN

The Official Plan is divided into five sections, each of which is described in the following Sections:

Section 1 (Vision, Goals and Objectives) contains the Vision of the *Township*. This Vision is a statement of the highest aspirations for the *Township* of Huron-Kinloss as established through the *development* of the strategic/sustainability plan entitled “Our Future Huron-Kinloss”. The goals that form the basis of this Plan support the Vision. These goals and objectives also establish a framework for the remaining policies of the Plan.

Section 2 (General Development Policies) contains policies that apply to all *Settlement Areas* and provide general guidelines that will be considered when reviewing *development* and planning applications.

Section 3 (Settlement Area Policies) contains specific policies that apply to the various land use designations contained within the *Township’s Settlement Areas* as set out on Schedule ‘A’.

Section 4 (Infrastructure Policies) contains the policies that provide the direction for public investment in *roads*, services (e.g. sewage and water), storm water management and utilities.

Section 5 (Implementation and Plan Administration) describes how the vision, goals, objectives and policies of the Official Plan will be managed and implemented.

The policies of this Official Plan are also implemented on the following Schedules:

Schedule A	Settlement Areas
Schedule A-1	Land Use Plan – Village of Lucknow
Schedule A-2	Land Use Plan – Village of Ripley
Schedule A-3	Land Use Plan – Lakeshore Urban Area
Schedule A-4	Land Use Plan – Amberley
Schedule A-5	Land Use Plan – Holyrood
Schedule A-6	Land Use Plan – Kinloss
Schedule A-7	Land Use Plan – Kinlough
Schedule A-8	Land Use Plan – Pine River
Schedule A-9	Land Use Plan – Whitechurch
Schedule B	Natural Heritage System
Schedule B-1	Natural Heritage System – Lucknow
Schedule B-2	Natural Heritage System – Ripley
Schedule B-3	Natural Heritage System – Lakeshore Urban Area
Schedule B-4	Natural Heritage System – Amberley
Schedule B-5	Natural Heritage System – Kinloss
Schedule B-6	Natural Heritage System – Kinlough
Schedule B-7	Natural Heritage System – Whitechurch
Schedule C	Wellhead Protection Areas

Schedule C-1	Wellhead Protection Areas – Lucknow
Schedule C-2	Wellhead Protection Areas – Ripley
Schedule C-3	Wellhead Protection Areas – Lakeshore North
Schedule C-4	Wellhead Protection Areas – Lakeshore South
Schedule C-5	Wellhead Protection Areas – Whitechurch
Schedule D-1	Significant Groundwater Recharge Areas
Schedule D-2	Highly Vulnerable Aquifers

HOW TO READ THIS PLAN

The Official Plan should be read in its entirety in all instances. When determining the policies that apply to a given property, the following steps should be undertaken:

1. The property should be located on Schedule A to determine the applicable designation.
2. The property should be located on Schedules A, B and C to determine the classification of *road* that services the property and whether the property is located adjacent to or within the Environmental Protection designation and/or within a *Wellhead Protection Area (WHPA)*.
3. The policies of the applicable designation should be reviewed. The policies that reflect the land use designations identified on Schedule A are found in [Section 3](#) of this Plan.
4. [Section 2](#) – General Policies, [Section 4](#) – *Infrastructure* Policies and [Section 5](#) – Implementation and Plan Administration, apply to all areas subject to this Plan.

The Official Plan applies to all lands within the *settlement areas* of the Township of Huron-Kinloss including publicly owned lands. Landowners, developers and all users of this Plan should read all of the relevant policies as if they are cross-referenced with each other. This is a comprehensive document and while specific policies sometimes refer to other policies, these cross-references do not take away from the need to read this Plan in its entirety.

RELATIONSHIP TO THE COUNTY PLAN

The County of Bruce adopted the Bruce County Official Plan on May 20, 1997, which was approved by the Minister of Municipal Affairs and Housing (MMAH) on September 15, 1998, and further modified by order of the Ontario Municipal Board November 16, 1999. The Five Year Review was approved by MMAH on June 21, 2010.

The Planning Act requires that the Official Plan for the Township of Huron-Kinloss shall conform to the *County* Plan. The approval of this Plan by the County of Bruce, the delegated approval authority, represents that this requirement has been met. In the event of a conflict between the Official Plan of the County of Bruce and this Official Plan, the County Official Plan prevails to the extent of the conflict but in all other respects this Official Plan remains in effect.

The *County* Official Plan provides for local municipalities to rely on the *County's* planning policies or to develop their own more detailed policies for all or parts of their community. The Township of Huron-Kinloss has chosen to prepare its own local municipal plan. However, in order to avoid duplication, the *Township* has determined that the policies and land use plans of the *County* Official Plan pertaining to the agricultural lands and rural areas outside of the *Township's settlement areas* are appropriate for Huron-Kinloss.

Therefore, this Official Plan applies only to the Primary (Lucknow and Ripley) and Secondary (Lakeshore) Urban Communities and Hamlet Communities (Amberley, Holyrood, Kinloss, Kinlough, Pine River and Whitechurch) of Huron-Kinloss. The *County* Official Plan will govern land uses outside of the *settlement areas*, and will set out the broad policies applying to the *settlement areas*, but the *Township* will provide detailed planning policies for land use within the boundaries of the *settlement areas*.

The policies of this Plan provide greater detail than those set out in the *County* Plan and intend to implement the *County-wide* policies for the Huron-Kinloss *Settlement Areas*. The interpretation of this Plan will be undertaken in conjunction with the County of Bruce.

SECTION 1 – INTRODUCTION

1.1 TITLE

This document shall be known as the “Official Plan for the Township of Huron-Kinloss”.

1.2 PURPOSE

The purpose of the Official Plan for the Township of Huron-Kinloss is to establish goals and objectives for *development* in the community and to guide and direct land use activity to the year 2036.

It is also the purpose of the Official Plan to:

- a) Establish policies to guide *Council* and its Committees over the next twenty years in their decisions regarding land use planning and environmental protection;
- b) Provide the public with a clear statement of Council's intentions for the future *development* of the *Township*;
- c) Minimize land use conflicts;
- d) Designate land for various purposes in order to meet the future needs of the *Township*;
- e) Assist with the planning of services by the *Township* and other public and private bodies; and,
- f) Provide a reasonable balance among land uses and to ensure a sound tax base.

1.3 VISION

Huron-Kinloss celebrates a unique mix of welcoming communities and natural beauty.

1.4 GOALS

Huron-Kinloss' goals are derived from five key themes identified through the *development* of the strategic/sustainability plan entitled 'Our Future Huron-Kinloss', which was adopted by *Council* on November 18, 2013: prosperity, vibrancy, spirit, accessibility and environmentally conscious. The goals outlined in this section are the basic decision-making guidelines of this Plan. They reflect the general long-range intent of the Plan and are further interpreted by the policies herein. The goals of this Plan are as follows:

- a) To maintain and enhance the *Township* as a vibrant, caring, progressive community, rich in its diversity of amenities, with quality of life and

economic prosperity strived for throughout the *Township's* communities.

- b) In recognition of the importance of being responsive to public and market needs, fostering trust within the community and improving communication, it is the objective of *Council* that a wide range of public participation opportunities be an integral part of all planning decisions.
- c) To guide future land use decisions in the *Township* in a manner that recognizes the rural nature of the municipality and the strong physical and economic link to the agricultural community; enhances the natural and human environment, separates incompatible land uses and ensures orderly *development* within the *Township*.
- d) To preserve, protect and encourage the continued use of surrounding agricultural areas for agricultural purposes.
- e) To provide for the management of the natural resources within the *Township* in a manner that minimizes undesirable short and long term impacts on the natural environment and the quality and quantity of groundwater and *surface water*, and maintains or improves the safety and quality of life for existing and future residents.
- f) To concentrate the majority of growth in the *Township* within the Villages of Lucknow and Ripley and the Lakeshore Settlement Area, particularly where services can be provided in a cost effective and environmentally responsible manner.
- g) To ensure that there is an adequate supply of appropriately zoned and serviced land to accommodate all urban growth needs within the *Township's Settlement Areas*.
- h) To encourage and provide opportunities for a full range of housing options, in appropriate locations, to meet the needs of all existing and future residents, including support for the ongoing maintenance and rehabilitation of the community's existing housing stock.
- i) To promote and facilitate local business retention and new business attraction opportunities throughout the *Township* with particular focus on the commercial core areas in the Villages of Lucknow and Ripley.
- j) To support Bruce Power, the region's largest employer, and recognize the importance of the nuclear industry as a major contributor to the strength of the local economy.
- k) To facilitate the provision of an adequate level and a wide range of commercial services and employment opportunities in the most appropriate locations, including those related to the tourism, travel accommodation and agricultural industries.

- l) To promote and facilitate opportunities for people of all ages and cultural backgrounds to experience a wide range of arts, recreation and cultural activities, including annual festivals and events, the performing and visual arts, community centres, places of worship and *built heritage resources*.
- m) To protect, *conserve* or wherever feasible, rehabilitate and/or reuse the *cultural heritage resources* of the *Township*.
- n) To create safe, attractive and accessible communities in which to live, work and play through the implementation of community improvement policies and the use of good urban design in all new *development*, among others.
- o) To encourage partnerships with private and public landowners, the *County*, public groups, the Conservation Authorities, the Lake Huron Coastal Centre, and the governments of Ontario and Canada for the continued stewardship and enhancement of the *Township's* natural environment.
- p) To ensure the cost effective provision and maintenance of transportation systems and municipal services, as required to service existing and future residents and businesses.

SECTION 2 – GENERAL DEVELOPMENT POLICIES

2.1 INTRODUCTION

This Section of the Plan presents the policies that are applicable throughout the *Settlement Areas* of Huron-Kinloss regardless of the land use designation, unless otherwise indicated. These policies should be read in conjunction with the vision, principles, goals, objectives and policies contained in other sections of the Plan.

2.2 POPULATION AND HOUSING

2.2.1 Population & Employment Projections

The population of Huron-Kinloss has fluctuated with the economic prospects of the region. In 2011, the population of Huron-Kinloss was 6,790 persons, based on Census data from Statistics Canada. Historically, growth in the *Township* has been modest. Between 1981 and 2011, the population of Huron-Kinloss grew by 1,127 persons. Population growth in the *Township* to the year 2036 is expected to remain relatively constant. Population data and projections only include permanent residents – those whose primary place of residence is Huron-Kinloss.

Permanent population and employment projections to the year 2036 are shown in Table 1. The Township of Huron-Kinloss is projected to grow by 1,132 persons and 102 jobs from 2016 to 2036.

Table 1: Population & Employment Projections for the Township of Huron-Kinloss to 2036

Year	Population (persons)	Employment (jobs)
2016	7,189	647
2021	7,397	666
2026	7,700	693
2031	8,008	721
2036	8,321	749

2.2.2 Household Projections

Despite low population growth, the number of households has increased. This is a common phenomenon in Ontario as household size decreases and the *Province's* population ages. The demand for housing, especially along the lakeshore, where seasonal residences are being converted to permanent residences reflects increased demand for retirement housing. The number of households in the Township of Huron-Kinloss is projected to grow by 1,047 units from 2016 to the year 2036. Household projections to the year 2036 are

shown in Table 2. Household data and projections include both permanent and seasonal dwellings.

Table 2: Household Projections for the Township of Huron-Kinloss to 2036

Year	Huron-Kinloss Households (dwellings)
2016	4,170
2021	4,391
2026	4,656
2031	4,931
2036	5,217

2.2.3 General Housing Policies

To provide opportunities for a range of housing types and densities to accommodate a diversity of lifestyles, age groups, income levels and persons with special needs and to ensure that new housing styles are in character with existing neighbourhoods.

Future residential growth is expected to be accommodated primarily within the Villages of Lucknow and Ripley and the Lakeshore areas which can provide adequate water and/or sewage systems.

Limited growth is planned to occur within the Hamlets.

2.2.4 Affordable Housing Initiatives

2.2.4.1 Housing

The *Township* will encourage, and assist where possible, with the *development* of rental housing in the *Settlement Areas*.

The *Township* will strive to achieve a minimum of 30% of new housing units in the form of medium and high density multi-unit *development* within Primary Urban Communities of Lucknow and Ripley.

The *Township* will strive to achieve a minimum of 30% of new housing be provided as *affordable* housing.

The *Township* may permit the *development* of secondary units in accordance with the Secondary Unit policies in [Section 2.2.5](#).

The *Township* will consider applying more innovative and flexible zoning to affordable housing initiatives.

The *Township* may implement senior government housing programs.

The *Township* will work with the County of Bruce to enact a Municipal Housing Facilities By-law under Section 110 of the Municipal Act to enable the provision of incentives to the public and private sectors to create new affordable housing.

The *Township* will consider the provision of affordable housing where Township-owned lands are deemed surplus to the needs of the Municipality and are being considered for sale and/or alternate use.

The *Township* will consider providing surplus lands for affordable housing.

The *Township* will consider providing a grant-in-lieu of residential development charges, and consider waiving other fees, such as planning fees and building permit fees, to promote affordable housing developments.

2.2.4.2 *Mixed Use Development*

The *Township* may promote the conversion of vacant or under-utilized upper level or rear of buildings in the Core Commercial designation to residential apartment units in order to intensify the use of existing buildings and to increase the population density of commerce areas. Reductions to parking requirements or other requirements may be considered by *Council* where *affordable* housing units are provided.

2.2.4.3 *Alternative Development Standards*

The *Township* may consider the use of alternative *development* standards through the use of site specific Zoning By-laws that would result in the provision of more *affordable* housing opportunities, including secondary units.

2.2.4.4 *Subdivision Development*

In order to encourage a variety of unit types in a *development*, the design of subdivisions will be encouraged to provide for varying lot sizes and dwelling unit styles.

The Zoning By-law may establish minimum densities in order to ensure efficient use of services and *infrastructure* and to encourage a variety of unit styles.

2.2.4.5 *Housing for those with Special Needs*

The *Township* will encourage the improvement of access to *affordable* housing that is safe for people with social and special needs, including, but not limited to, assisted housing for low income earners, individuals with disabilities and seniors through the *development* of a variety of housing styles and housing sizes.

The *Township* will encourage working with local groups to determine special housing needs and support local efforts for appropriate applications and proposals for social and special needs housing.

The *Township* will encourage the consideration of alternative approaches to providing housing specifically targeted to the future senior population and persons with disabilities.

2.2.5 Secondary Units

2.2.5.1 General Policies

The policies of this section provide guidance for the development of secondary units within the Settlement Areas of the Township.

This plan recognizes two types of secondary units:

- 1) Secondary units that are within a principal dwelling unit connected to a municipal sewer system;
- 2) Secondary units that are within a principal dwelling unit NOT connected to a municipal sewer system.

Secondary units in accessory buildings and/or structures shall not be permitted within the Settlement Areas of the Township except in garden suites that are developed in accordance with the provisions in [Section 2.2.6](#).

A secondary unit means a self-contained residential dwelling unit with kitchen and bathroom facilities that is of a secondary nature to the principal dwelling.

Secondary units shall be permitted in the Residential and Hamlet designations where appropriate sewage and water services exist.

Home businesses are not permitted within a dwelling containing a secondary unit.

Secondary units may be subject to site plan control and municipal registration.

2.2.5.2 Secondary Units within a principal dwelling unit connected to a municipal sewer system.

A secondary unit shall be permitted within a detached dwelling, a semidetached dwelling or a row house dwelling that is connected to a municipal sewer system.

Where the Zoning By-law permits secondary units, the Zoning By-law **shall not establish any performance standards to secondary units** that may regulate matters such as minimum lot area or minimum lot width.

The Zoning By-law **shall not establish any performance standards** that:

- a) Only permit secondary units on lots that are legally conforming with respect to use, and legally complying with respect to lot and building performance standards.

- b) Regulate the maximum density and distribution of secondary units.

2.2.5.3 Secondary Units within a principal dwelling unit NOT connected to a municipal sewer system.

A secondary unit shall be permitted within a detached dwelling, a semidetached dwelling, or a row house dwelling that is not connected to a municipal sewer system in the Residential and Hamlet designations identified on Schedule A to this Plan, subject to the policies of this section.

Where the Zoning By-law permits secondary units, the Zoning By-law shall establish performance standards for secondary units that may include matters such as minimum lot area, minimum lot width, parking requirements, size and number of driveways in order to ensure that the character of the residential area is maintained.

The Zoning By-law may provide performance standards that:

- a) Only permit secondary units on lots that are legally conforming with respect to use, and legally complying with respect to lot and building performance standards.
- b) Regulate the maximum density and distribution of secondary units.

Secondary units shall only be permitted on lots where it can be demonstrated that adequate water and sewer servicing exists.

2.2.6 Garden Suites

A garden suite means a one-unit detached residential building or structure containing bathroom and kitchen facilities that is *accessory* to an existing residential structure and is designed to be temporary.

Garden suites shall only be permitted in the Residential, Lakeshore Residential and Hamlet designations.

A garden suite in the form of a separate detached building or structure may be permitted through a Temporary Use By-law. When considering an application for a temporary garden suite *Council* shall consider the following:

- a) The appropriateness of the garden suite as a means of ensuring supervision and/or care of the occupant;
- b) The need to provide the use in a separate building;
- c) The size, appearance and location of the building as it relates to the character of the neighbourhood;
- d) The existing or proposed services; and
- e) The ability of the garden suite to meet applicable Zone requirements such

as minimum setbacks, lot coverage, lot area and parking requirements.

As a condition of approval of a garden suite, the *Township* shall require an agreement between the *Township* and the property owner, including, such matters as:

- a) The installation, maintenance and removal of the suite;
- b) The period of occupancy of the suite;
- c) The monetary or other form of security the *Township* may require for actual or potential costs to the municipality related to the enforcement of the agreement;
- d) The principal dwelling will be occupied by the owner;
- e) The garden suite shall not be used as a rental dwelling unit for profit or gain; and,
- f) The garden suite meets all health, safety, servicing, and fire and building code standards.

2.3 LOT CREATION AND LAND DIVISION

2.3.1 Introduction

This Section contains policies that are to be considered with every application to subdivide land. Proposed lot creation shall comply with the policies of the underlying land use designation identified on Schedule 'A' Land Use Plan and the provisions of the *Township's* Zoning By-law.

A new building lot is created by one of three methods: plan of subdivision, consent or part lot control exemption. The County of Bruce is the approval authority for these lot creation methods.

The preferred means of lot creation in the *Settlement Areas* is by plan of subdivision or condominium. Consents shall only be granted:

1. When the scale of *development* proposed or the total potential of the property would not require a plan of subdivision; and
2. In determining whether a Plan of Subdivision under the Planning Act is necessary, consideration shall be given to the necessity of major service extensions to properly service the *development*. In instances where major service extensions are not required to properly service a *development*, *development* by consent may be considered.

A consent to sever land shall only be granted if the proposed use of the land conforms to this Plan and complies with the Zoning By-law, and where it is clear that a plan of subdivision is not necessary for the proper and orderly

development of the land. Where an application for consent contravenes this Plan or the Zoning By-law, no consent shall be granted unless the Plan and/or the Zoning By-law is/are first amended.

In considering the creation of new lots and in particular lots created by plan of subdivision, the *County*, in consultation with the *Township*, may require studies, as identified in Section 5.16 of this Plan, to ensure that the policies of this Plan are appropriately addressed.

2.3.2 New Lots Created By Consent

2.3.2.1 General Criteria

In considering lot creation by consent, the *Township* and the approval authority shall be satisfied that the proposed lot creation conforms to the following criteria:

- a) The severed and retained lots front on a public *road* or a condominium *road* that is maintained on a year-round basis and is adequate for the proposed use;
- b) Safe and suitable access is available, which meets municipal, *County* or Provincial transportation objectives, standards and policies for safety and access;
- c) The site contains a suitable building envelope and can be appropriately serviced with appropriate water services, sewage services, stormwater services, schools, fire protection, and garbage/recycling services to the satisfaction of the appropriate approval authorities;
- d) All parcels shall comply with the provisions of the Zoning By-law. Zoning compliance shall be a condition of the approval of all new lots created by consent;
- e) The *development* will not have a negative impact on the drainage patterns in the area;
- f) The division of land represents orderly and efficient use of land, and its approval would not hinder future *development* of the retained lands;
- g) The division of land represents infilling in a Settlement Area and the proposed lots are compatible with the surrounding area;
- h) The proposed *development* meets the requirements outlined in Section 51(24) of the Planning Act;
- i) The division of land will result in a developable portion of the lot outside of the limits of the Environmental Protection designation or outside of a natural heritage feature. Lot creation may be permitted adjacent to a natural heritage feature subject to the results of an *Environmental Impact*

Study;

- j) The division of land is not located entirely in a *floodplain*, the dynamic beach or any other physical constraint as determined by the *Township* or the appropriate Conservation Authority;
- k) The proposed *development* demonstrates compatibility between the proposed land uses and existing land uses;
- l) The severance should not lead to the creation of an undersized, irregularly shaped lot which is unsuited for the existing or proposed use; and
- m) Lot line adjustments for the purposes of boundary alterations, right-of-ways, easements and conveyances to abutting properties may be permitted. In no case, however, shall such consent result in a lot that does not comply with the requirements of the Zoning By-law.
- n) Land acquisitions, or land disposals that further the Parks & Open Space, Environmental Protection or Natural Heritage policies of this Plan by the Ministry of Natural Resources and Forestry, Conservation Authorities, the *County*, the *Township*, or other public or private non-profit corporations need not adhere to the lot area requirements of this Plan. The acquisition or disposal need not conform to the applicable Zoning By-law.

On the granting of a consent, the *County* and/or *Township* may recommend conditions on the severed and/or retained lands to ensure the proper *development* of the severed and/or retained lands including but not limited to the requirement for a stormwater management plan, lot grading plan, tree retention plan, parkland dedication, cash-in-lieu of parkland, roadway/highway widening dedication, servicing requirements, or any other requirements as determined by the *County* and/or *Township*.

The *County* and/or *Township* may also enter into a Subdivision Agreement as a condition of the consent approval for any application made under Section 51 or 53 of the Planning Act. Such agreements shall ensure that the necessary internal or external services be provided by the developer to the specifications established by the *County* and/or *Township* and shall ensure that the *development* does not negatively impact the *County* and/or *Township* financially.

2.3.3 Subdivision and Condominium Development Policies

This section is intended to contain general Plan of Subdivision and Condominium policies that are to be considered with every application for Plan of Subdivision or Condominium. Regard should also be had to the specific policies dealing with lot creation in each land use designation.

Prior to *Council* recommending approval of an application for Plan of

Subdivision or Condominium, *Council* shall be satisfied that:

- a) The approval of the *development* is not premature and is in the public interest;
- b) The lands will be appropriately serviced with *infrastructure*, fire protection, schools, parkland and open space, community facilities and other amenities, as required;
- c) The density of the *development* is in keeping with the policies of the designation;
- d) The subdivision or condominium, when developed, will be easily integrated and connected with existing *development* in the area;
- e) The subdivision or condominium conforms with the policies of this Plan; and
- f) The proposal conforms to Section 51 (24) of the Planning Act, as amended.

The *County* and/or *Township* shall enter Subdivision and Condominium Agreements as a condition of the approval of Plans of Subdivision or Condominium. Such agreements shall ensure that the necessary internal or external services will be provided by the developer to the specifications established by the *County* and/or *Township* and shall ensure that the *development* does not negatively impact the *County* and/or *Township* financially.

Model homes/sales trailers may be permitted following draft approval provided the Draft Approval permits the use, subject to an agreement with the *County* and/or *Township* and provided the use is permitted by the Zoning By-law.

2.3.4 Part Lot Control Exemption By-laws

Where land to be subdivided is part of a registered plan or plan of subdivision, *Council* may pass a by-law exempting any part of such plan of subdivision from the part lot control provisions of the Planning Act. This effectively allows the land to be subdivided without requiring the approval of a consent. The County of Bruce is the approval authority for Part Lot Control Exemption By-laws.

Part lot control exemption is typically used to facilitate the division of individual lots used for semi-detached and freehold street townhouse dwellings, following the registration of a plan of subdivision creating a larger lot or block of land. Part lot control exemption by-laws may be used in other circumstances where a plan of subdivision or consent is deemed to be unnecessary by the County of Bruce. Prior to passing a part lot control exemption by-law, *Council* shall be in receipt of a registered plan identifying the proposed division of land. Upon approval of a Part Lot Control Exemption By-law by the County of Bruce and

prior to the registration of said By-law, *Council* shall ensure that any site plan, subdivision or development agreements necessary to ensure the appropriate development of the lot(s) has been executed and registered as required.

Part lot control exemption by-laws shall provide for the expiration of the by-law within a one to three year time period or upon conveyance of all or any parts of the reference plan.

Lots created by part lot control shall conform to the policies of this Plan and comply with the Township's Zoning By-law.

2.4 LAND USE COMPATIBILITY

Proposed *development* of all land within the *Township's Settlement Areas* must generally be compatible with adjacent land uses. Residential areas and other *sensitive land uses* shall be protected from undesirable air quality, excessive noise or vibration through the policies of this Plan and the use of *Site Plan Control*.

Development of land proposing to locate residential or other *sensitive land uses* near industry, airports, arterial roads, provincial highways and/or sewage works/lagoons or new commercial or industrial *development* proposed in proximity to existing residential *development* may be required to carry out noise, air quality and/or vibration assessments and determine control measures which are satisfactory to the *County* and/or the *Township* and which meet the *Province's* recommended sound, air quality and vibration limits. The *County* and/or *Township* may require additional studies in accordance with [Section 5.16](#) to demonstrate compatibility.

The *Township* may use *Site plan Control*, and the implementing Zoning By-law, to require buffering between uses of land where there may be conflicts such that one use may detract from the enjoyment and functioning of the adjoining use. Such buffering will be considered in light of the Ministry of Environment and Climate Change's guideline entitled "Guideline D-6 Compatibility Between Industrial Facilities and *Sensitive Land Uses*" and/or Ministry of Environment and Climate Change Guideline D-2 "Compatibility between Sewage Treatment and Sensitive Land Use", as amended from time to time, and may include landscaping, screening and the separation of uses by extra distance between them.

Added conditions such as increased yard requirements, planting strips, fencing, and/or berms, deflective lighting, noise warning clauses or other mitigative measures are all added requirements that may be imposed on any *development* applications to offset aspects of incompatibility between any two land uses as may be set out in the implementing Zoning By-law.

2.5 MOBILE HOMES

Mobile homes shall not be permitted as a dwelling within any Settlement Area

except in accordance with the Garden Suite policies of [Section 2.2.6](#) and Lakeshore Recreation policies of [Section 3.6.4](#) of this Plan.

2.6 NATURAL HERITAGE

2.6.1 Introduction

Natural heritage features include habitat of endangered or *threatened species*, *significant wildlife habitat*, *wetlands*, *significant valleylands*, areas of natural and scientific interest, *significant woodlands* and *fish habitat*. The protection of environmental features is important to the local economy as the tourism industry is dependent up on the health of the natural environment. Additionally, the general health of the population benefits from clean air, clean water and the biodiversity that is maintained by protecting and enhancing environmental features.

The policies of this Plan protect *significant* natural heritage, hydrologic and *groundwater features* through the identification and prohibition of *development* within such areas. Natural heritage features are identified in the Environmental Protection designation shown on Schedule 'A' of this Plan. The *Natural Heritage System*, comprised of *significant* natural heritage features and key hydrologic features as well as other lands that serve as *linkages*, corridors and adjacent lands, is identified on Schedule 'B' of this Plan to protect and, where possible, enhance an interconnected system of *significant* features and *linkages*. This Plan also recognizes the importance of protecting *groundwater features*, which are addressed in [Section 2.8](#).

This Plan will rely on the Environmental Protection designation shown on Schedule 'A' and *Natural Heritage System* mapping shown on Schedule 'B' to achieve the *Township's* environmental goals and objectives. Minor changes to the mapping of environmental features on Schedule 'A' and/or Schedule 'B' may be permitted without amendment to this Plan or zoning by-law subject to an *Environmental Impact Study* and approval of the appropriate Conservation Authority.

2.6.2 General Policies

Where any *development*, including public works, is considered, the impact of the proposal on the natural heritage features shall be considered prior to any approvals being given.

Lands that are adjacent to natural heritage features shall contain and maintain appropriate buffer areas to protect the feature. Buffer areas identified by an approved Environmental Impact Study or similar study shall be designated Environmental Protection and zoned.

The *development* of recreational trails in natural heritage features are permitted provided the feature is capable of sustaining the type and amount of traffic envisioned for the trail.

Development that is located in or adjacent to a natural heritage feature, and supported by the policies of this Plan, may be subject to *Site Plan Control*.

This Plan considers the natural heritage and *watershed* areas in a comprehensive manner including inter-relationships and connections to areas beyond the *Township's* boundaries. The *Township* shall encourage and support the preparation and implementation of *watershed* and subwatershed studies to properly manage the two larger *watershed* areas under the jurisdiction and guidance of the Saugeen Valley and Maitland Valley Conservation Authorities.

The natural areas along the shorelines and valley lands shall be protected and enhanced in terms of their *ecological function* and natural and scenic quality with particular focus on those species that are rare or at risk. Within all watercourses, the *Township* shall encourage improvements to water quality, base flow and peak flow conditions and the enhancement of general aquatic, habitat conditions.

The *Township's* groundwater resources are also considered a valuable and necessary natural environment resource. Accordingly, groundwater resources shall be identified and protected with extraction of groundwater beyond sustainable limits being discouraged. Municipal drinking water supplies shall be protected in accordance with the Clean Water Act and the policies in [Section 2.8](#) of this Plan.

Comprehensive reviews of new *development* and/or *site alteration* proposed within or adjacent to natural environment features shall be undertaken. The impact of *development* on these features and their functions shall be clearly identified and understood prior to any such *development* being considered for approval. Only *development* which demonstrates no *negative impacts* on the *natural features* or their ecological functions shall be permitted.

This Plan promotes the maintenance, restoration and enhancement of the woodland areas of Huron-Kinloss. Subdivisions and *development* applications will be required to address how tree preservation will be achieved. During the course of a *development* application, *woodlands* shall be identified, and assessments undertaken to determine the best techniques for preservation of the woodland functions. *Council* will encourage the preservation of trees through the use of *site plan* control, subdivision agreements or through the use of a Tree Preservation By-law.

2.6.3 Wetlands

Wetlands are designated Environmental Protection on Schedule 'A' of this Plan and are also identified as part of the *Natural Heritage System* on Schedule 'B'. The limits of the *wetlands* are identified by the *Province* and Conservation Authorities. Should any additional *wetlands* be identified in the future, the wetland(s) will be recognized on the Schedules of this Plan and designated for

protection.

Development or site alteration shall not be permitted within any *Provincially significant wetlands*.

Where *development or site alteration* is proposed on lands adjacent to a wetland, an *Environmental Impact Study* may be required.

Wetlands shall be zoned in the Zoning By-law to preclude new *development and site alteration* within such areas. *Development and/or site alteration* shall only be permitted within any non-provincially significant wetland pending the preparation of an *Environmental Impact Study* demonstrating no negative impacts on the natural features or their ecological functions in accordance with [Section 2.6.11](#). An Amendment to this Plan may be required to implement the findings of an *Environmental Impact Study*.

2.6.4 Significant Woodlands

This Plan promotes the maintenance, restoration and enhancement of the woodland areas of Huron-Kinloss. *Significant woodlands* are designated Environmental Protection on Schedule 'A' of this Plan and are also identified as part of the *Natural Heritage System* on Schedule 'B'.

Significant woodlands were identified based on: woodland size; extent of interior woodland habitat; proximity to other *woodlands* and known natural heritage features; strength of existing *linkages*; proximity to a sensitive or threatened *watershed*, valley or sensitive groundwater discharge, recharge or headwater; and proximity to the Lake Huron shoreline.

Woodlands having an area of 4 hectares (10 acres) or greater are considered *significant woodlands*. The interior habitat areas of the *woodlands* are created where there are no edges to the woodland within 100 metres.

Development and site alteration shall not be permitted in these *significant woodlands* unless it has been demonstrated through an *Environmental Impact Study* that there will be no *negative impacts* on the *natural features* or their ecological functions.

Recommendations contained in an *Environmental Impact Study* shall be implemented through appropriate Zoning By-law provisions, *site plan* control or subdivision agreements, and other appropriate land use planning tools.

Where a property is zoned for residential *development* and fragmentation of a *significant woodland* exists, an *Environmental Impact Study* may not be required.

Significant woodlands shall be zoned in the Zoning By-law to preclude new *development* within such areas. Should any additional *Significant Woodlands* be identified in the future, the *Significant Woodlands* shall be recognized on

the Schedules of this Plan and designated for protection.

This Plan encourages the retention of woodlots or portions of woodlots that are not considered *significant* in the context of *development*. It is further encouraged, wherever possible, and appropriate, that trees be replanted to replace trees removed. This Plan encourages the preservation or replanting of *road* side and fence-line shrubs and trees wherever possible.

2.6.5 Significant Habitat of Endangered or Threatened Species

The Endangered Species Act requires the protection of *significant* habitat of endangered or *threatened species*. Portions of the *Township* may be habitat for species at risk. All *development* must ensure that the habitat of endangered species or species at risk is protected.

No *development* or *site alteration* shall be permitted in habitat of *endangered or threatened species* or species at risk except in accordance with provincial and federal requirements.

Detailed mapping showing the habitat of *endangered or threatened species* within the *Settlement Areas* of the *Township* is not included on Schedule 'A' or Schedule 'B' to this Plan. When and if mapping does become available, such areas will be designated for protection in this Plan where appropriate.

Development and *site alteration* may be permitted on adjacent lands to *significant* habitat of endangered or threatened species only if it has been demonstrated through an *Environmental Impact Study* that there will be no *negative impacts* on the *habitat of endangered or threatened species*.

Significant habitat of threatened or endangered species shall be zoned in the Zoning By-law to preclude new *development* within such areas.

2.6.6 Significant Wildlife Habitat

Detailed mapping showing *significant wildlife habitat* within the *Settlement Areas* of the *Township* is not included on Schedule 'A' or Schedule 'B' of this Plan. When and if mapping does become available, such areas will be designated for protection in this Plan where appropriate.

Development or *site alteration* proposed in or adjacent to *significant wildlife habitat* is not permitted unless an *Environmental Impact Study* has been completed demonstrating that there will be no negative impact on the *significant wildlife habitat*.

Significant wildlife habitat shall be zoned in the Zoning By-law to preclude new *development* within such areas.

2.6.7 Fish Habitat

Where *development* is proposed in a water feature or adjacent to a water

feature that has the potential to contain *fish habitat*, an *Environmental Impact Study* shall be required.

Development and *site alteration* shall not be permitted in *fish habitat*, except in accordance with provincial and federal requirements.

2.6.8 Areas of Natural and Scientific Interest

Areas of Natural and Scientific Interest (ANSI) are areas of land and water that represent *significant* geological (earth science) and biological (life science) features. Earth science ANSIs include areas that contain examples of rock, fossil and landform features in Ontario. Life science ANSIs are areas that contain examples of the many natural landscapes, communities, plants and animals.

Development shall not be permitted in a Life Science ANSI. *Development* may be permitted adjacent to a Life Science ANSI and on or adjacent to an Earth Science ANSI subject to the preparation of an *Environmental Impact Study* and confirmation that the proposed *development* will have no *negative impacts* on the *natural features* or their ecological functions.

2.6.9 Natural Heritage System

The *Natural Heritage System* is largely composed of lands that contain *significant* natural heritage features and key hydrologic features. The system also includes other lands that serve as *linkages*, corridors and adjacent lands. The identification of lands as part of the *Natural Heritage System* is intended to identify, protect and where possible, enhance an interconnected system of *significant* features and *linkages*.

The identification of lands as part of the *Natural Heritage System* is shown on Schedule 'B' and is not a direct land use. The policies of the under-laying designation identify the permitted uses of the lands within the *Natural Heritage System*. However, where approvals for *development* are required, the following shall be considered by the approval authority:

- a) There will be no *adverse effects* on *significant* natural heritage features or key hydrologic features;
- b) Connectivity between significant natural heritage features and key hydrologic features is maintained, or where possible, enhanced for the movement of native plants and animals across the landscape;
- c) The removal of other *natural features* not identified as *significant* natural heritage features and key hydrologic features should be avoided. Such features should be incorporated into the planning and design of the proposed use wherever possible.

2.6.10 Adjacent Lands

The majority of the *Natural Heritage System* consists of lands designated Environmental Protection and those that are identified as adjacent lands in accordance with the Provincial Policy Statement and Table 3 of this Plan. Adjacent lands are those lands that are *contiguous* to a feature and are considered integral to the protection and functioning of a feature and *development* or *site alteration* of these lands could have a negative impact on the feature or area.

An application for *development* or *site alteration* within adjacent lands shall be accompanied by an *Environmental Impact Study (EIS)*, which evaluates the ecological function of the adjacent land and demonstrates that there will be no negative impacts on the natural features or on their ecological functions. In addition to mitigation measures identified in the EIS and where development or site alteration is shown to have no negative impact, the study must identify a vegetation protection zone that:

- a) Is of sufficient width to protect the *significant* natural heritage feature or key hydrologic feature and its functions from the impacts of the proposed change and associated activities that may occur before, during, or after construction, and where possible, restore or enhance the feature and/or its function; and
- b) Is established to achieve, and be maintained, as natural self-sustaining vegetation.

Notwithstanding the policies in this section to the contrary, where an application for *development* or *site alteration* is of a minor nature, the appropriate Conservation Authority in consultation with the *Township* and/or the *County*, may waive or scope the requirements for the *Environmental Impact Study*.

Table 3: Development and *Site Alteration*

Natural Heritage Feature	Boundary defined by:	Extent of adjacent land:	Development and site alteration
<i>Provincially Significant Wetlands</i>	Wetland evaluation carried out according to procedures established by MNRF.	120 metres	No <i>development</i> is permitted in this feature. On adjacent land, the EIS demonstrates there will be no <i>negative impacts</i> on the <i>natural features</i> and their sustaining ecological or

Natural Heritage Feature	Boundary defined by:	Extent of adjacent land:	Development and site alteration
			<i>hydrologic functions.</i>
<i>Significant portion of threatened or endangered species habitat</i>	An accredited professional or as defined by provincial or federal authorities	120 metres	No <i>development</i> is permitted in this feature. On adjacent land, the EIS demonstrates there will be no <i>negative impacts</i> on (a) the habitat values upon which the species depends directly and indirectly and (b) any related ecological functions.
<i>Fish habitat</i>	From the highwater edge of an aquatic habitat as defined through the EIS process.	120 metres	EIS indicated there will be no negative impact of <i>fish habitat</i> upon which the fishery depends directly and indirectly; or where an authorization has been obtained under the Fisheries Act.
<i>Significant wildlife habitat</i>	<i>Township</i> in consultation with MNRF	120 meters	EIS demonstrates there will be no <i>negative impacts</i> on wildlife or their habitat.
Regionally and locally <i>significant</i> wetland	Wetland evaluation carried out in accordance to procedures established by MNRF.	60 metres	EIS demonstrates there will be no <i>negative impacts</i> on the <i>natural features</i> and on the ecological or <i>hydrologic functions</i> that sustain them.
<i>Significant Woodlands</i>	All <i>woodlands</i> 4 hectares or greater in area and all <i>woodlands</i> of any size straddling or immediately adjacent to a	120 metres	EIS demonstrates there will be no <i>negative impacts</i> on the <i>woodlands</i> and the ecological functions that sustain them.

Natural Heritage Feature	Boundary defined by:	Extent of adjacent land:	Development and site alteration
	watercourse.		
<i>Significant valleylands</i>	<i>Township</i> based on criteria established by MNRF	120 metres	Engineering report and EIS demonstrates there will be no hazard or <i>negative impacts</i> on the <i>natural features</i> .
<i>Significant areas of natural and scientific interest – life science</i>	<i>Township</i> in consultation with MNRF	120 metres	EIS demonstrates that there will be no <i>negative impacts</i> on the ecological features or functions that sustain them.
<i>Significant areas of natural and scientific interest – earth science</i>	<i>Township</i> in consultation with MNRF	50 metres	EIS demonstrates there will be no <i>negative impacts</i> on the <i>natural features</i> .

2.6.11 Environmental Impact Study

It is a policy of the *Township* to require *development* proposals within the *Natural Heritage System* to be reviewed by *Council* and appropriate government agencies in order to ensure that *development* which has the potential to impair ecological processes and *natural features* by virtue of the type and scale of the proposed land use or the cumulative impacts of it and other land uses in the vicinity is not permitted within the Plan area. The *Environmental Impact Study* shall assist in determining whether the *development* should be permitted, and if so, what environmental safeguards are necessary to mitigate the impact.

Depending on the scale, intensity and type of *development* proposed, a number of environmental studies, as determined by the *Township* or various government agencies, may be required at the proponent's cost prior to the *Township* making a decision on the *development*. An *Environmental Impact Study* shall be required for all *development* proposals within land designated as Environmental Protection and adjacent lands as specifically noted by the policies of this Plan. The requirements for an EIS shall be determined by the *County* and/or *Township* after consulting with the appropriate Conservation Authority.

An Environmental Impact Study shall be approved by the appropriate Conservation Authority in consultation with the *Township* and/or the *County*.

2.6.12 Watershed Planning

The *Township* encourages the preparation of *watershed* and/or subwatershed studies where new *development* or *redevelopment* is proposed which may have a *significant* effect on water resources. The *Township* will work co-operatively with the *County* and the conservation authorities to determine when and where such studies will be required. The results of these studies may result in the adoption of additional policies for specific *watersheds*.

2.6.13 Surface Water Management

In order to control flooding, ponding, erosion and sedimentation, and to provide protection of water resources and natural habitat dependent upon watercourses and other water bodies for their existence, *Council* requires *surface water* management (stormwater) plans be submitted with *development* applications in Settlement Areas. Stormwater management plans shall be required for any *development* where a plan of subdivision is required or for commercial or industrial *developments* with large amounts of impervious area.

Stormwater management plans may also be required for other *developments* as determined by the *County* and/or *Township* in consultation with the Conservation Authority, if the area has existing drainage problems or if runoff could potentially affect adjacent land or water quality. Stormwater management practices vary for each community and are constantly evolving. Thus, new *development* shall be designed to use the prevailing and accepted stormwater management standards at the time a *development* application is made.

2.7 NATURAL HAZARD POLICIES

2.7.1 Introduction

It is a goal of this Plan to direct *development* away from hazardous areas, such as *floodplains*, steep and unstable slopes, organic and unstable soils, erosion susceptible areas, as well as flooding, erosion and dynamic beach hazards associated with Lake Huron. These natural hazards may be severe enough to cause property damage and may pose a risk to public health and/or safety if the lands were to be developed.

Natural Hazards are designated Environmental Protection on Schedule 'A' and identified on Schedule 'B' of this Plan.

2.7.2 General Policies

Conservation Authorities have been delegated by the Province for representing the 'Provincial Interest' in Plan Review regarding natural hazards encompassed by Section 3.1 of the Provincial Policy Statement, as amended. As such, the *Township* will consult with the applicable Conservation Authority

regarding hazard management, delineation and assessment; and to ensure planning documents and Planning Act decisions are: (1) in conformance with Section 3.1 of the PPS; (2) to assess if development is undertaken in accordance with provincial standards for flood proofing, protection works and access; and (3) to assess if proposed development will have an impact on the existing hazard and that new hazards are not created.

Areas of natural hazards identified in the Environmental Protection designation; and other areas such as watercourses, river valleys, and land adjacent to the above features are regulated by Conservation Authorities under the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation made pursuant to the *Conservation Authorities Act, as amended*. The purpose of the Regulation is to ensure *development* and *site alteration* will not impact the control of flooding, erosion, pollution, dynamic beaches or the conservation of land; and to ensure the ecological and hydrological function of watercourses and wetlands are not interfered with. The applicable Conservation Authority must be contacted for *development* and *site alteration* proposed within these areas. A Conservation Authority permit may be required.

Schedule 'A' designates the above noted natural hazard areas as Environmental Protection. The identified hazard areas are approximate. The appropriate Conservation Authority must be contacted for *development* proposed within and adjacent to these areas to confirm the hazard area and regulated lands limit. Minor changes to the boundaries of natural hazard areas may be permitted without amendment to this Plan subject to the approval of the appropriate Conservation Authority.

On all lands that exhibit hazardous characteristics as determined by the *Township* in consultation with the Conservation Authority, *development* and *site alteration* shall be prohibited or restricted.

Development shall not be permitted to locate in *hazardous lands* and *hazardous sites* where the use is:

- a) An institutional use including hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares and schools;
- b) An essential emergency service such as that provided by fire, police and ambulance stations and electrical substations; or
- c) Uses associated with the disposal, manufacture, treatment or storage of hazardous substances.

Where development or site alteration is permitted to be located within natural hazard areas (i.e. public infrastructure, accessory structures to permitted uses, or additions to existing structures) or where there is a two-zone floodplain management policy, development or site alteration may be permitted where

the effects and risk to public safety are minor, could be mitigated in accordance with provincial standards and where all of the following are demonstrated and achieved:

- a) *Development* and *site alteration* is carried out in accordance with *floodproofing* standards, protection works standards, and access standards;
- b) Vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies;
- c) New hazards are not created and existing hazards are not aggravated; and
- d) No adverse environmental impacts will result.

2.7.3 Lands Prone to Watercourse Flooding

Lands prone to watercourse flooding are defined as those lands adjoining a river, channel or stream that are susceptible to flooding during the *Regulatory Flood*. Hazardous lands designated Environmental Protection must conform to the policies of this Plan.

2.7.4 Dynamic Beach Hazard Limit

A dynamic beach hazard has been identified along the Lake Huron shoreline in accordance with the Huron-Kinloss Dynamic Beach Study – Phase II (April 2008) and Phase III (August 2010) prepared by W.F. Baird & Associates Coastal Engineers Ltd. The dynamic beach hazard is determined at the 100-year flood level and with an offshore wave condition with approximately a 20-year return period. The Township will adopt regulations within the Township's Comprehensive Zoning By-law to establish minimum building elevations to habitable space in accordance with the recommendations of the Huron-Kinloss Dynamic Beach Studies – Phases II & III.

2.7.5 Steep and Unstable Slopes and Areas Susceptible to Erosion Hazard

Lands prone to steep and unstable slopes and *erosion hazard* are defined as those lands adjacent to slopes and located within the 100 year erosion rate and/or the stable slope allowance. *Development* should be set back an appropriate distance from the *erosion hazard*, as determined by the Conservation Authority. An increased or reduced setback from the top-of-bank may be considered if a technical study is completed to the satisfaction of the Conservation Authority.

The Zoning By-law may define steep slopes and may establish minimum setback requirements from steep slopes.

2.8 SOURCE WATER PROTECTION

2.8.1 Groundwater

Groundwater needs to be protected to promote public health, and is an essential resource for urban and rural water supplies, agricultural production and the maintenance of the *natural heritage system*. It is the intent of this Plan that all *development* shall be subject to the following policies to ensure water quality and quantity are not adversely affected. Specifically, it is the *Township's* intent that the *development* of public and private uses will not:

- significantly alter groundwater recharge or discharge
- impair groundwater or *surface water* quality
- negatively impact municipal groundwater supply.

Maintaining a sustainable groundwater supply is a priority to meet the needs of current and future residents. The *Township* recognizes a relationship between groundwater and *surface water* in terms of recharge and discharge functions. The policies of this Plan are intended to address both groundwater and *surface water* protection.

2.8.2 Policy Direction

The *Township* commits to pursuing the following directions relating to water resources:

- a) ensure that land use planning contributes to the protection, maintenance and enhancement of water and related resources and aquatic systems on an integrated *watershed* management basis;
- b) protect surface and groundwater quality and quantity through the use of regulatory and voluntary means of prohibiting, restricting or influencing land uses and activities within *vulnerable* areas, and overlying *vulnerable* aquifers;
- c) ensure that *development* meets provincial water quality objectives;
- d) ensure levels of wastewater treatment that are appropriate for the size, location and scale of *development* anticipated;
- e) ensure *development* does not alter groundwater levels to the detriment of surrounding users and resources;
- f) support policies to protect municipal water sources;
- g) protect *wetlands* and areas that make *significant* contributions to groundwater recharge;

- h) ensure the base flow needed to protect streams, fisheries and *wetlands* are maintained;
- i) support sustainable stormwater management practices that protect or, where feasible, enhance water quality and water quantity control;
- j) promote efficient and sustainable use of water resources that maintain and enhance water quantity and quality through the retention of vegetation or through re-naturalization;
- k) maintain and enhance *fish habitat*;
- l) protect or enhance the function of sensitive groundwater recharge areas, discharge areas, aquifers and headwaters;
- m) ensure land use decisions promote water *conservation* efforts and support the efficient use of water resources;
- n) require impact studies where *development* proposals have the potential to affect water or water related resources;
- o) to amend this Plan where appropriate to implement the policies of those Source Protection Plans applicable to the *Township*.

2.8.3 Source Water Protection

2.8.3.1 Introduction

The Clean Water Act, 2006 is intended to ensure that protection of municipal drinking water supplies by setting out a risk-based process on *watershed* basis to identify *vulnerable* areas and associated *drinking water threats* and issues through the preparation of Assessment Reports; and develop policies and programs to eliminate or reduce the risks posed by identified *drinking water threats* through the preparation of Source Protection Plans. This process is otherwise known as Source Protection Planning.

The science-based Assessment Report is the technical basis upon which a Source Protection Plan is prepared. The Source Protection Plan contains policies to address the *drinking water threats* identified in the Assessment Report. The policies of this Plan are intended to implement and complement the policies of the Source Protection Plans that apply within the *Township* of Huron-Kinloss.

The *Township* is located within two Source Protection Plan Areas – the Maitland Valley Source Protection Plan Area and the Saugeen Valley Source Protection Plan Area. The Maitland Valley and Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Plans contain the policies for the protection of municipal drinking water sources within the *Township*.

The boundaries of these Source Protection Plans as they apply to the

Township of Huron-Kinloss are identified on Schedule 'C' to the Official Plan.

2.8.3.2 Vulnerable Areas

Wellheads within the *Township* act as the source of groundwater for the *Township's* municipal water supply systems. These municipal water supply systems must be protected from contamination associated with certain land uses and activities in order to secure a long-term potable water supply for residents and businesses and for future growth in the *Township*.

Approved Assessment Reports have identified *vulnerable* areas within the *Township* where certain land uses and activities may pose a risk to the quality of municipal water supplies. Identified *vulnerable* areas within the *Township* include Wellhead Protection Areas (WHPAs), Highly Vulnerable Aquifers (HVAs) and Significant Groundwater Recharge Areas (SGRAs).

Assessment Reports have also measured the degree to which *vulnerable* areas are *vulnerable* through the assignment of a 'vulnerability score'. The term "vulnerability" describes how easily a source of water can become contaminated with a hazardous material. The vulnerability score of an area can range from 1 to 10, with 10 being the most *vulnerable*. The vulnerability score is used, together with a table of *drinking water threats* published by the Ministry of Environment and Climate Change to determine whether a *drinking water threat* is either *significant*, moderate, or low.

WHPAs are identified on Schedule 'C' and identify the WHPAs for the wells servicing the *Township* water supplies. The policies of this section only apply to WHPAs. HVAs and SGRAs are identified on Schedule 'D' for information purposes only. When and if policies specific to HVAs and SGRAs are added to the Source Protection Plans then the *Township* will amend the policies of this Plan.

A WHPA is the area around a municipal wellhead where land use activities have the potential to affect the *quality and quantity of water* that flows into the well. The WHPAs that are generally considered to be most *vulnerable* to surface activities are assigned a vulnerability score of 8 to 10, with vulnerability decreasing further away from the well. Generally, the WHPAs are modelled based on two factors: the time related capture zones of each well and the vulnerability of the aquifer. The time related capture zones include the following:

- a) WHPA-A: 100 metre radius surrounding the well
- b) WHPA-B: 2 year travel time for water to enter the well
- c) WHPA-C: 5 year travel time for water to enter the well

Where WHPAs for local municipal wells extend beyond the *Township's* Settlement Area boundaries, land use policies will be governed by the policies

of the *County* Official Plan and the relevant Source Protection Plans.

2.8.3.3 Land Uses in Wellhead Protection Areas

WHPAs identified on Schedule 'C' are special protection areas where certain land uses involving a *significant drinking water threat* activity may be prohibited or regulated in accordance with Section 57 or 58 of the Clean Water Act, 2006, and the Maitland Valley and Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Plans, notwithstanding the uses permitted by the underlying land use designation.

The policies of this subsection are intended to prohibit or restrict *significant drinking water threats* from establishing within WHPAs in accordance with the relevant Source Protection Plan and to ensure that permitted uses can be established with an acceptable level of risk to groundwater quality.

2.8.3.4 Prescribed Drinking Water Threats

Land use activities which may pose a *drinking water threat* to municipal water supplies are defined by the Clean Water Act, 2006 as an activity or condition that adversely affects, or has the potential to adversely affect, the quality and quantity of any water that is or may be used as a source of drinking water. *Drinking water threats* are prescribed by Ontario Regulation 287/07 of the Clean Water Act, 2006, and include the following:

1. Waste disposal sites within the meaning of Part V of the Environmental Protection Act.
2. The establishment, operation or maintenance of a system that collects, stores, transmits, treats or disposes of sewage.
3. The application of agricultural source material to land.
4. The storage of agricultural source material.
5. The management of agricultural source material.
6. The application of non-agricultural source material to land.
7. The handling and storage of non-agricultural source material.
8. The application of commercial fertilizer to land.
9. The handling and storage of commercial fertilizer.
10. The application of pesticide to land.
11. The handling and storage of pesticide.
12. The application of *road* salt.
13. The handling and storage of *road* salt.
14. The storage of snow.
15. The handling and storage of fuel.
16. The handling and storage of a dense non-aqueous phase liquid (DNAPL).
17. The handling and storage of an organic solvent.
18. The management of runoff that contains chemicals used in the de-icing of aircraft.
19. An activity that takes water from an aquifer or surface water body

1. Waste disposal sites within the meaning of Part V of the Environmental Protection Act.
without returning the water to the same aquifer or surface water body.
20. An activity that reduces the recharge of an aquifer.
21. The use of land as livestock grazing or pasturing land, an outdoor confinement area or farm-animal yard.

2.8.3.5 Prohibitions and Regulations – New Uses & Activities

The significance of a prescribed *drinking water threat* listed in [Section 2.8.3.4](#) depends on the characteristics of the activity and where the activity is occurring within a WHPA. The policies of the relevant Source Protection Plan set out whether a *significant drinking water threat* is to be prohibited or regulated within WHPAs.

The *Township's* Risk Management Official shall determine whether a new land use or activity is, or involves, a *significant drinking water threat* in accordance with the Clean Water Act, 2006 and whether the use or activity is prohibited, or regulated through a Risk Management Plan in accordance with relevant Source Protection Plan or a Prescribed Instrument. Therefore, notwithstanding the land uses permitted by the underlying land use designation in this Plan, permitted land uses that involve a *significant drinking water threat* within a WHPA identified in Schedule 'C' to this Plan may be either prohibited or regulated by the applicable Source Protection Plan.

An application for *development, redevelopment, or site alteration* for any land use within a WHPA that may involve a *significant drinking water threat* shall only be deemed complete under the Planning Act if the Risk Management Official has issued a *Section 59 Notice* in accordance with the Clean Water Act, 2006. The Risk Management Official may provide guidance to assist the *Township* in screening applications for *development, redevelopment or site alteration*.

2.8.3.6 Source Protection Plan Specific Land use Policies

Individual Septic Systems

Notwithstanding the policies of the Saugeen Valley Source Protection Plan, the following policies shall apply to all lands within the *Township*:

- a) Where septic systems would be a *significant drinking water threat* within a WHPA with a vulnerability score of 10, new lots created through severance or plan of subdivision will only be permitted where they are serviced by municipal sanitary sewers or where an on-site septic system could be located outside of a WHPA with a vulnerability score of 10.
- b) Where no municipal sanitary sewers exist and where septic systems already exist within a WHPA with a vulnerability score of 10, all future or replacement private septic systems on lots where they would be a

significant drinking water threat shall be located as far as practically possible from the wellhead while remaining in compliance of the Building Code.

Waste Disposal

Notwithstanding the policies of the Maitland Valley Source Protection Plan, the following waste disposal activities shall be prohibited within WHPAs with a vulnerability score of 8 or 10, where they would be considered a *significant drinking water threat*:

- i. Land disposal of petroleum refining waste within the meaning of clause (d) of the definition of “land disposal” in section 1 of Regulation 347 (General – Waste Management) R.R.O. 1990 made under the *Environmental Protection Act*,
- ii. Land disposal of municipal waste, *hazardous waste*, liquid industrial waste, or processed liquid industrial waste, within the meaning of clauses a) and b) of the definition of “land disposal” in section 1 of Regulation 347 (General – Waste Management) R.R.O. 1990 made under the *Environmental Protection Act*, and
- iii. Land disposal of liquid industrial waste, industrial waste, or commercial waste within the meaning of clause (c) of the definition of “land disposal” in section 1 of Regulation 347 (General – Waste Management) R.R.O. 1990 made under the *Environmental Protection Act*.

2.8.4 Implementation

2.8.4.1 Review of Source Protection Plans

Future reviews of approved Source Protection Plans may result in a change in the vulnerability scoring or the geographic extent of an existing WHPA. The establishment of a new municipal water supply source will result in the establishment of a new WHPA. Abandonment of a municipal water supply source will indicate the need to remove the corresponding WHPA associated with the supply source.

Changes to the extent or vulnerability of an existing WHPA, or the establishment of a new WHPA or *vulnerable* area as defined in the Clean Water Act, 2006, as a result of a review and amendment to an approved Source Protection Plan will not require an amendment to this Plan. Changes to any policies in the approved Source Protection Plans, which require municipal implementation will require an amendment to this Plan.

2.8.4.2 Zoning By-laws

Within three years of the effective date of the Source Protection Plans, the *Township* will amend the Zoning By-law and may also adopt other

development controls to protect WHPAs in accordance with the policies of this Plan and the applicable Source Protection Plans. The Zoning By-law will identify the WHPAs as identified in the Source Protection Plans and provide regulations to prohibit or restrict *significant drinking water threats* from establishing within WHPAs in accordance with the Source Protection Plans.

2.8.5 Water Quality and Quantity – Protection Measures

The following policies provide for the establishment of additional protection measures of either a regulatory or voluntary nature by Council.

Council shall encourage the use of alternative protection measures within highly *vulnerable* areas, including but not limited to, land acquisition, *conservation* easements, growth management and landowner partnership programs. Nothing in this subsection shall imply that *County Council* and/or local Councils are required to commit financial compensation for changes in land use or land management practices as a result of the implementation of the policies of this Section or approved Source Protection Plans.

Council will support a program to establish a system of monitoring wells within municipal WHPAs in order to assist in identifying contaminants in the groundwater before they reach the municipal wells in consultation with the Risk Management Official. Priority of monitoring will be given to WHPAs where the pumped aquifer is highly *vulnerable* (i.e. vulnerability of 8 or 10) and where existing water quality indicates changes from background conditions.

Council will encourage the *development* and promotion of Best Management Practices (BMPs) in *vulnerable* areas.

Council shall undertake public education and outreach programs as required by the applicable Source Protection Plan.

Council shall consider the *development* of programs offering financial incentives to protect and maintain groundwater and *surface water* quality.

Council is encouraged to adopt guidelines or regulate the proper maintenance and regular evacuation of septic tanks to assist in the proper maintenance and operation of septic systems.

Council is encouraged to adopt guidelines or regulate the drilling of private wells on lots where municipally operated communal water services are already provided.

Council is encouraged to develop programs to identify and decommission unused water wells and encourage the owners of dug wells to install a drilled well and decommission the dug well.

2.9 PARKLAND AND OPEN SPACE ACQUISITION

The *Township* of Huron-Kinloss may exercise the following powers in order to acquire Parks and Open Space areas:

- a) Land purchase or lease at fair market value.
- b) Negotiating with the owner of any Parks and Open Space with a view to having all or part of the area either preserved by the owner in a natural and undisturbed state or conveyed to the *Township* for preservation as a condition of the approval for *development*.

The *Township* of Huron-Kinloss shall, as a condition of the subdivision or *development* of land for residential and institutional purposes, require that an amount of up to 5 percent of all the land proposed for *development* be conveyed to the *Township* for parkland purposes.

The *Township* of Huron-Kinloss may, in the case of commercial or industrial *development*, require a maximum of 2 percent of the land proposed for subdivision or *development* be conveyed to the *Township* for parkland purposes.

Notwithstanding the policies of this Section, *Council* may require cash-in-lieu of all or part of the required parkland dedication under the following circumstances:

- a) Where the required land dedication fails to provide an area of suitable shape or size for *development* of public parkland. Generally a parcel of land may be considered to be of unsuitable size if its area is less than 0.10 hectare.
- b) Where the required dedication of land would render the remainder of the site unsuitable or impractical for *development*.
- c) Where it is determined that existing park and recreational facilities in the community are adequate.
- d) Where funds are required to upgrade or expand existing parks or recreational facilities in the community to meet the existing and future needs of the residents.

The amount paid for cash-in-lieu of parkland dedication shall be based on fair market value and such money will be placed in a fund to be expended solely for the maintenance and upgrade of parkland or recreational facilities.

In the case of the subdivision of land, the value of the land shall be determined as of the day before the day of the draft plan approval. In the case of the *development* or *redevelopment* of land, the value shall be determined as of the day before the day of issuance of the first necessary building permit.

Lands within the Environmental Protection designation shall not be acceptable as parkland for public park purposes as provided for in the Planning Act. However, notwithstanding the above, the *Township* of Huron-Kinloss may in special circumstances accept woodlots and other natural areas both as means for protection of the natural amenity and for potential use as a passive recreational and educational feature.

Lands conveyed to the *Township* of Huron-Kinloss for parkland and open space shall be required to meet minimum standards in terms of drainage, grading, site condition and access.

2.10 ECONOMIC DEVELOPMENT

The *Township* shall encourage and support all sectors of the economy. Agriculture, tourism and the nuclear industry hold great potential for growth and will be supported. The *development* of different sized enterprises in all sectors of the economy will be supported.

The *Township* supports the establishment, where appropriate, of community hubs, which allows for the co-location of public service facilities to provide convenient, integrated and cost-effective services.

The designation of Industrial and Commercial Areas in this Plan reflects existing uses which have been developed as well as the *Township's* desire to encourage future *development* within appropriately designated areas. Commercial and light industrial *development* opportunities are limited within the Settlement Areas.

This Plan proposes designation of new areas for industrial uses within the Village of Lucknow in accordance with the policies of Section 3.18.3 of this Plan.

The *Township* will consider the acquisition and *development* of land for the purposes of a municipal industrial park as part of its economic *development* strategy.

In order to ensure *sensitive land uses* do not adversely affect the viability of existing and future industrial areas, the *Township* shall attempt to regulate *sensitive land uses* through various means identified in Section 2.4 of this Plan.

The *Township* shall attempt to minimize the impact of industries on the environment by endeavouring to ensure that industrial operations comply with provincial standards in accordance with Section 2.4 of this Plan.

2.11 COMMUNITY IMPROVEMENT

2.11.1 Introduction

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 Plan areas are identified on Schedule 'A' of this Plan. These areas were identified in the Community Improvement Plan for the *Township* of Huron-Kinloss prepared by the County of Bruce and adopted by By-law on May 22, 2013.

2.11.2 Community Improvement Areas

Community Improvement Areas may be established by *Council* and designated by By-law, in accordance with the provisions of the Planning Act.

2.11.3 Goal

To improve facilities and *infrastructure* in the *Township's* two primary urban communities (Lucknow and Ripley) that contributes to community health, environmental, social and economic priorities.

2.11.4 Objectives

- 3) To improve the physical appearance and economic health of the downtown commercial areas.
- 4) To encourage *development* and *redevelopment* by the private and/or public sectors to improve the appearance and functionality of the downtown commercial areas, and recreational areas/facilities of the *Township*.
- 5) To improve and enhance the existing downtown commercial areas by encouraging improvements to street beautification, facade improvements, store front signage and community signage.
- 6) To improve and enhance the recreational facilities/opportunities within the *Township* by creating communities that are attractive, pedestrian-friendly, and distinctive.
- 7) To ensure a built environment that supports and encourages *active transportation* while reducing automobile dependency.
- 8) To encourage joint public and private involvement in projects to improve the appearance, functionality or efficiency of commercial and institutional areas/facilities of the *Township*.
- 9) To involve the public in identifying areas in need of improvement and encourage their participation in the process of improvement and rehabilitation projects.

2.11.5 Criteria Selection of Community Improvement Areas

Areas selected for community improvement shall meet one or more of the following criteria:

- 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 natural resources under both municipal and private jurisdiction such as parks, 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.

2.11.6 Community Improvement Project Areas

The boundaries of the Community Improvement Project Area are to be established through the Community Improvement Plan. It is the intent of this Official Plan 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.

The boundaries of the Community Improvement Project Area identified on Schedule 'A' of this Plan are not a land use designation. *Council* can modify the boundaries of the Community Improvement Plan on Schedule 'A' without amendment to this Plan.

2.11.7 Implementation Guidelines

In order to carry out the Community Improvement Goals and Objectives of this Plan, the *Township* may:

- 1) Designate by By-law, a Community Improvement Project Area pursuant

to Section 28(2) of the Planning Act;

- 2) 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.
- 3) Participate and co-ordinate with senior levels of government;
- 4) Co-operate with groups and organizations whose objectives include community improvements;
- 5) Utilize public funding available to municipalities from provincial and federal programs to assist in implementing community improvements; and
- 6) Support and encourage the business improvement area organizations in their efforts to maintain a strong and vibrant business area.

2.11.8 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 health, safety, stability and aesthetic quality of the community. 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 Community Improvement Plan.

2.12 BUILT HERITAGE RESOURCES, CULTURAL HERITAGE LANDSCAPES AND ARCHAEOLOGY

2.12.1 Introduction

The *Township* of Huron-Kinloss is known to have *significant* archaeological sites and potentially *significant built heritage resources*. The *Township* recognizes the desirability and value of preserving buildings, structures and sites of historical and/or cultural merit.

It is a goal of this Official Plan and any subsequent implementing documents to identify and *conserve built heritage resources*, heritage properties, heritage attributes, *cultural heritage landscapes* and *archaeological resources*.

2.12.2 Preservation of Heritage Resources

Significant built heritage resources and significant cultural heritage landscapes shall be conserved.

Council is encouraged to work with the Ministry of Culture to identify and maintain a list of possible heritage buildings and sites. This inventory will be the basis for the preservation, restoration, and utilization of heritage resources.

Council may designate and regulate heritage resources under appropriate legislation, including the Ontario Heritage Act, the Planning Act, and the Municipal Act, whenever deemed feasible.

Council may, through the evaluation of *development* applications require a *heritage impact assessment* be completed to identify *significant cultural heritage resources*.

Council may consider the establishment of a heritage advisory committee to advise *Council* on matters of *cultural heritage resources*.

An archaeological assessment may be required at the time of *development* in accordance with the County of Bruce.

SECTION 3 – SETTLEMENT AREA POLICIES

3.1 INTRODUCTION

The *Township of Huron-Kinloss Settlement Areas* consist of the following Primary Urban, Secondary Urban and Hamlet communities:

Primary Urban Community	Secondary Urban Community	Hamlet Community
<ul style="list-style-type: none"> – Lucknow – Ripley 	<ul style="list-style-type: none"> – Lakeshore 	<ul style="list-style-type: none"> – Amberley – Holyrood – Kinloss – Kinlough – Pine River – Whitechurch

The function of the *Settlement Areas* is to accommodate a wide range of land uses that meet the needs of local residents, businesses, surrounding rural residents and visitors.

Primary Urban Communities function as the regional service centres accommodating the largest concentration and widest range of residential, economic and social opportunities, services and facilities in the *Township*. This Plan recognizes the tourism potential of these urban places in the *County* economy.

Secondary Urban Communities typically function as local service centres accommodating a modest range of residential, economic and social opportunities, services and facilities available to the surrounding area. This Plan recognizes the tourism potential of these urban places in the *County* economy.

Hamlet Communities are *settlement areas* providing limited services and facilities and offering an alternative living area.

The land use policies of this Plan have been developed through the use of land use designations as shown on the Land Use Plans forming Schedule 'A' of this Plan. Each land use designation within this section of the Plan is described in terms of its objectives, uses and *development* policies. The applicable policies of the balance of this Plan shall be considered in conjunction with the land use policies under this section.

The Villages of Lucknow and Ripley are the only fully serviced *Settlement Areas* in the *Township of Huron-Kinloss*. The Villages have a diversified housing stock with stable, well-defined and maintained residential neighbourhoods. Throughout the Villages, various locations for low-rise multiple dwellings, seniors/retirement complexes and residential care facilities

provide a healthy mix of housing choice for the community's residents. Both Villages contain a core commercial downtown which offers commercial, cultural and governmental activities for the Village and the surrounding agricultural areas. Industrial and employment uses are directed to the Primary Urban Communities.

The Lakeshore Urban Area has evolved from clusters of distinct seasonal resort areas to a continuous urban area from Amberley Beach to Kincardine between the Lake Huron shoreline and the Algonquin bluff. Over time, the conversion of seasonal residences to permanent residences and subdivision *development* has contributed to a changing land use pattern. The Lake Huron shoreline provides a prime recreational resource for this community. The *development* of a four-season tourist industry and the *development* of land for permanent and seasonal residential use are desired but must be balanced by the need to protect the sensitive coastal environment.

The Hamlets are recognized primarily as residential clusters, which offer individuals who do not wish to live in larger urban places an alternative rural setting. A limited range of land uses are permitted in Hamlets and may include residential, commercial, institutional and industrial uses, which primarily serve the residents of the Hamlet and surrounding farm community. Almost all Hamlets in Huron-Kinloss are on private services except for Whitechurch, which is serviced by municipal water. Growth and *development* in Hamlets will be limited.

3.2 OBJECTIVES

To maintain an appropriate balance and supply of lands for residential, commercial, industrial, institutional, and recreational uses.

To establish a land use pattern that ensures that services and utilities are efficiently utilized.

To encourage new *development* on municipal water and sewage disposal systems.

To direct the majority of new *development* to the Primary Urban Communities of Lucknow and Ripley.

To permit infilling and minor rounding out in the Lakeshore within the existing Settlement Area boundary. The intent of this Plan is not to prohibit new *development*, including plans of subdivision, within the existing Lakeshore Settlement Area boundary.

To permit infilling in the Hamlets.

To ensure that *development* and *redevelopment* is compatible with existing or planned neighbouring land uses.

To encourage infilling and provide opportunities for *development, redevelopment* and *intensification* of the Primary Urban Communities of Lucknow and Ripley, including *brownfield sites*, where appropriate.

To preserve the historic character of the *Settlement Areas* by requiring new *development* to complement the positive elements of the existing built form.

To minimize the negative effects of *development* on natural heritage features, sites of historical, geological or archaeological significance and areas of mineral aggregate or mineral deposit.

To maintain and enhance the core areas of the Primary Urban Communities of Lucknow and Ripley as the economic focus of the community.

To create balance within the commercial structure by providing appropriate locations for new and expanded retail facilities within the Core Commercial designation where practical and compatible. Where the Core Commercial designation is not a viable location in terms of available land or building area, such facilities may be accommodated within other components of the planned commercial structure as appropriate.

To provide opportunities, through the designation of industrial lands for a range of clean, space-extensive industrial and employment uses.

To ensure the provision of educational, institutional, and cultural facilities in suitable locations to adequately serve all interest groups.

To protect natural hazard and natural heritage features from incompatible *development*.

To ensure the adequate provision of passive and active open space and trails to satisfy the recreational needs of local residents active lifestyles and to support tourism.

3.3 CONCEPTS GUIDING FUTURE DEVELOPMENT IN THE SETTLEMENT AREAS

3.3.1 Supply of Serviced Residential Land

The *Township* shall strive toward maintaining a ten-year supply of serviced, draft approved and registered lots and units at all times, in order to accommodate projected housing demand.

The *Township* shall maintain a twenty-year supply of lands designated as residential for new residential *development* to accommodate projected housing demand.

The *Township* shall only permit the expansion of a settlement area boundary where a comprehensive review has been completed in accordance with the requirements of the Provincial Policy Statement.

3.3.2 Servicing

Full municipal water and sewage services are the preferred form of servicing. In areas serviced by full municipal *sewage and water services development* will be permitted only if sufficient reserve water and sewage plant capacity will be available to accommodate the *development*, and other approved *development*.

Communal services are the preferred means of servicing multiple unit/lot *developments* in areas where full municipal *sewage and water services* do not exist and where full municipal services are not feasible (environmentally or economically) and where site conditions are suitable over the long term.

Development may be serviced by individual on-site services where the use of communal systems is not feasible (environmentally), and where site conditions are suitable over the long term with no *negative impacts*. Individual on-site services may only be used for infilling and minor rounding out of existing *development* within the Settlement Area boundaries.

Partial services are generally discouraged, but may be used in the following circumstances:

- a) Where they are necessary to address failed *individual on-site sewage services* and *individual on-site water services* in existing *development*, or
- b) Within *settlement areas*, to allow for infilling and minor rounding out of existing *development on partial services* provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*.

The *Township* of Huron-Kinloss is committed to implementing the Water Supply Master Plan for the Lakeshore Area initiated by the former *Township* of Huron.

The *Township* has also endorsed the Risk Assessment Study for Continued *Development* on Septic Systems in the Lakeshore Area. This analysis concluded that, “existing septic systems appear to function adequately and that the risks associated with continuing *development* on septic systems as acceptable in every sub-area.” The *Township* is continuing with a monitoring program to ensure that any problems are identified and remedial actions undertaken.

An area adjacent to the Municipality of Kincardine is serviced by Kincardine’s municipal water system. Additional *development* adjacent to Kincardine may be serviced by extensions of the Municipality of Kincardine water and sewage systems authorized by a Cross-Border Servicing Agreement.

Council may consider the use of communal waste water treatment facilities

and enter into Responsibility Agreements where the following land use and environmental protection criteria are met and desired for the appropriate *development* of land:

- a) The retention and preservation of *contiguous* woodlots or *wetlands* is assured,
- b) The overall low density character of the community is maintained; and
- c) The communal waste water facility is owned and operated by a condominium corporation.

3.4 RESIDENTIAL DESIGNATIONS

3.4.1 Introduction

The Plan contains two residential land use designations which include: Residential and Lakeshore Residential.

3.5 RESIDENTIAL DESIGNATION

3.5.1 Purpose

The Residential designation applies to lands in the Lucknow and Ripley *Settlement Areas* where the predominant use of land is residential *development* or will be for residential dwelling units.

3.5.2 Objectives

To provide a variety of housing forms and a mix of densities to accommodate all age groups.

To ensure that future *development*, where the development abuts an established residential area, respects the character of established residential areas.

3.5.3 Permitted Uses

The primary use of land in those areas designated Residential shall be residential.

Although low-rise, low density housing forms shall continue to predominate, a full range of dwelling types shall be permitted in Residential Areas in appropriate locations and where designed to be compatible with adjacent uses.

Secondary uses that are necessary to serve the Residential area and are compatible with the residential character shall be permitted in all Residential areas. Such uses may include residential care facilities, parks, *home businesses* and day care facilities.

In order to protect and enhance the viability of the Core Commercial area, commercial uses shall not be permitted in Residential areas.

Institutional uses may be permitted in the Residential designation in accordance with the policies of this Plan.

3.5.4 General Policies

Residential densities shall directly relate to available servicing capacities. It is the intent of this Plan that all subdivisions, condominiums or multi-unit/multi-lot *developments* serviced with municipal sewer or communal services have a minimum density target of 15 dwelling units per *gross developable hectare*. Generally, a maximum density of 43 dwelling units per *gross developable hectare* shall be the maximum residential density permitted within the Villages of Lucknow and Ripley. The *County* may grant approval for *developments* that do not meet this density when justified and appropriate. An applicant/developer requesting a reduced density must provide planning justification at the time of application.

Multiple residential *developments* such as townhouses and apartments shall be allowed in areas designated Residential subject to the requirements of the Zoning By-law and further provided that the following criteria can be met:

- a) Multiple residential *development* shall be on full municipal services and shall not exceed a density of 43 units per *gross developable hectare*.
- b) That the design of the *development* regarding building height, setbacks, landscaping and vehicular circulation ensures that it will be compatible with existing or future *development* on adjacent properties.
- c) That the site shall have a suitable area and configuration to provide:
 - i. Adequate landscaping to screen outdoor amenity areas and to buffer adjacent low-rise residential uses;
 - ii. On-site amenity areas for the enjoyment of the occupants of the residential units; and
 - iii. Adequate off-street parking, direct access to a public *road* which is open and maintained on a year-round basis and appropriate vehicular circulation, particularly for emergency vehicles.
- d) Soil and drainage conditions must be suitable to permit the proper siting of buildings, the supply of water and installation of sewage treatment facilities.
- e) Cluster of innovative design groupings of dwelling types are encouraged in order to achieve minimum change to existing topography and vegetation.

- f) That a separate zone(s) be established in the Comprehensive Zoning By-law to permit multiple residential *development*.

New residential *development* will occur on existing lots through infilling and/or minor rounding out within the settlement area by means of consents (severances) in accordance with [Section 2.3](#). The Zoning By-law shall require duplex and semi-detached dwellings to be included in all zone categories that permit single detached dwelling units.

Larger expansions of residential areas shall take place in a logical and progressive sequence from existing built up neighbourhoods in order to ensure that an efficient and continuous urban settlement and form is maintained. Residential expansion shall primarily be by registered plan of subdivision in accordance with [Section 2.3](#).

Mobile homes shall not be permitted in Residential areas except as permitted by [Section 2.5](#) of this Plan.

A secondary unit, within a primary dwelling, or a garden suite may be permitted subject to the policies of [Section 2.2](#) of this Plan.

The Comprehensive Zoning By-law may also provide for the conversion of existing single-detached dwellings to add two or more dwelling units provided that the following criteria are satisfactorily met:

- a) That the building is structurally capable, the property is designed and of sufficient size to allow the creation of additional units in accordance with the Ontario Building Code;
- b) That the lot is of sufficient size to provide for required off-street parking without detracting from the visual character of the surrounding neighbourhood;
- c) That adequate amenity space is retained on the lot for the enjoyment of the residents of the dwelling;
- d) That water and sewage services are adequate to support the proposed *development* and/or *redevelopment*.

Institutional uses that serve a community, including religious institutions, primary schools and other similar small-scaled institutional uses, shall be permitted in the Residential designation in accordance with the following criteria:

- a) The building design is similar in scale, density and character to surrounding land uses;
- b) Adequate buffering and landscaping transition is provided to protect surrounding existing *development*;

- c) There is sufficient site area for the provision of adequate off-street parking, loading waste management facilities, landscaping and buffering;
- d) They are able to conform to the policies of the Residential designation.

Major institutional uses shall be designated in accordance with [Section 3.13](#) of this Plan.

The *Township* encourages the adaptive re-use of institutional lands and buildings within the residential designation.

3.6 LAKESHORE RESIDENTIAL DESIGNATION

3.6.1 Purpose

The Lakeshore Residential designation applies to the predominantly residential and seasonal residential area along the Lake Huron Shoreline. Some of the lands designated Lakeshore Residential are fully serviced with municipal *sewage and water services*, other area lands are partially serviced. Lands in the Lakeshore Residential designation have historically been recognized primarily as a seasonal area. Many seasonal dwellings within the designation have been converted to year round use. The designation is distinguished from the “Residential” designation for the purposes of the Plan because *development* in the shoreline area may require additional assessments to demonstrate available servicing, compatibility with natural heritage policies and access.

3.6.2 Objectives

To ensure proper *development* of the Lake Huron Shoreline, the prime recreational resource of the *Township*.

To provide seasonal and permanent residential opportunities along the Lake Huron Shoreline.

To preserve and enhance the natural environment of areas in proximity to the shoreline and river environments including *fish and wildlife habitat*.

To provide small-scale local commercial and institutional uses, which contribute to the development of a *complete community*.

3.6.3 Permitted Uses

The primary use of land in the Lakeshore Residential designation shall be for low rise, low density residential use. Multiple residential uses may be permitted in accordance with the policies of this Section.

The predominant form of housing shall be single detached dwellings. Both

seasonal and permanent residences shall be permitted. A home business shall be permitted by the Zoning By-law in the Lakeshore Residential implementing zone.

Small scale local commercial, institutional and secondary uses as well as tourism accommodation shall be encouraged and permitted in appropriate locations within the Lakeshore Residential designation. These uses shall be permitted without amendment to this Plan but shall require a Zoning By-law Amendment to demonstrate compatibility with surrounding land uses. These uses may include bed and breakfast establishments, local institutional uses such as religious institutions, local commercial and personal service uses, public community and recreational uses and parks. Local commercial uses within the Lakeshore Residential designation are intended to be only those uses which primarily serve the convenience needs of the residents of the Lake Huron Shoreline. Such uses shall be developed at a small scale and include businesses such as retail, restaurants/snack shops and local offices.

3.6.4 General Policies

New development shall be required to have water and sewer systems in compliance with the standards and requirements of the Ontario Building Code Act and those of the applicable approval authority. It is the policy of this Plan that *development* within the Lakeshore Residential designation will be serviced by the municipal water system and private individual sewage disposal systems.

Minimum lot sizes for partially serviced lots shall be set out in the *Township's* Comprehensive Zoning By-law and shall be a minimum of 1,850 square metres. A consent, including minor boundary adjustments, that propose a smaller minimum lot size may be approved without amendment to this Plan provided a Study prepared by a qualified professional, as approved by the County, is submitted in support of the consent. The Study shall evaluate the impact of the existing and/or proposed sewage disposal system(s) on groundwater quality by determining the nitrate nitrogen (NO₃-N) concentration in the groundwater at the proposed lot lines for the severed and retained lots. Where the Study determines that the concentration of nitrate nitrogen (NO₃-N) in the groundwater will be 10 milligrams per litre (10 mg/L) or greater at the proposed lot lines for the severed, retained or enlarged lots the consent shall not be permitted.

The predominant form of *development* will be low density single detached residential *development* with adequate lot size to accommodate individual sewage disposal systems. Clustering of residential dwellings may be permitted in limited circumstances where communal waste water facilities or a connection to the Municipality of Kincardine's servicing systems are provided and do not result in a greater gross density that would be permitted through use of single detached residential *development*.

Generally, a density of 5 units per *gross developable hectare* shall be the

standard applying to the Lakeshore Residential designation.

Multiple residential *development* may have net densities higher than the 5 units per gross hectare. Limited multiple residential *developments* such as townhouses may be permitted in areas designated Lakeshore Residential subject to the requirements of the Zoning By-law and the following:

- a) The location of the site and the design of the *development* are compatible with adjacent land uses.
- b) The *development* shall be serviced with communal services owned by a condominium corporation.
- c) The *development* shall have frontage and direct access to a public *road* which is open and maintained on a year-round basis.
- d) Soil and drainage conditions must be suitable to permit the proper siting of buildings, the supply of water and installation of sewage treatment facilities.
- e) Cluster or innovative design groupings of dwelling types are encouraged in order to achieve minimum change to existing topography and vegetation.

Mobile homes shall not be permitted in areas designated Lakeshore Residential except as permitted by [Section 2.2.6](#) Garden Suites.

A garden suite may be permitted in accordance with [Section 2.2.6](#).

Small scale local commercial, institutional, and secondary uses as well as tourism accommodation uses shall be permitted without an amendment to this Plan. Where these uses are proposed, a zone change application will be required and the following criteria shall apply in evaluating the application:

- a) The proposed use is compatible with existing or planned neighbouring land uses and, where necessary, shall be adequately buffered from neighbouring land uses by the provision of adequate setbacks or physical buffers;
- b) The proposed use has direct access to a public *road* meeting the appropriate standards of the *road* authority;
- c) The parcel of land to be created has adequate lot frontage and lot area for the proposed use;
- d) Services including water supply, sanitary sewage disposal and storm drainage are adequate to serve the proposed use and meet the requirements of the approval authority and *Township*; and
- e) Proposed lot areas should be sufficient to ensure that water supply and/or sewage disposal do not interfere with neighbouring properties.

3.7 HAMLET DESIGNATION

3.7.1 Purpose

The Hamlet designation applies to the lands within the *settlement areas* of: Amberley, Holyrood, Kinloss, Kinlough, Pine River and Whitechurch identified on Schedule 'A' of this Plan.

3.7.2 Objectives

To encourage and strengthen the historical role of the hamlets primarily as residential clusters offering a more limited range of land uses, which primarily serve the residents of the Hamlet and surrounding farm community.

To provide for a limited amount of new growth in the hamlets.

To encourage new *development* be in the form of infilling and minor rounding out within the hamlet boundaries.

3.7.3 Permitted Uses

Development in the Hamlet designation will be relatively small-scale given the rural context and level of service available in hamlets. The primary residential uses will be low density dwellings including single detached, semi-detached and duplex dwellings. Small-scale, low density multiple unit *development*, primarily through conversions, may also be permitted to provide greater housing options.

Other uses including community facilities, commercial uses primarily serving the day-to-day needs of the residents of the hamlet community and the surrounding agricultural area; small-scale dry industrial uses; and parks may also be permitted where compatible and where adequate services can be provided.

3.7.4 General Policies

Development within the Hamlet designation shall be restricted to infilling and minor rounding out within the existing Settlement Areas by consent. Severed and retained parcels created by consent shall be sized such that there is sufficient space for a building envelope, septic system and potable water supply.

Municipal sewage and water treatment systems are not anticipated to service the hamlets during the planning period of this Plan. Services are to be provided in accordance with the servicing hierarchy described in Section 3.3.2 of this Plan.

Where new *development* is proposed in the Hamlet designation the following criteria shall apply:

- a) The proposed use is compatible with existing or planned neighbouring land uses and, where necessary, shall be adequately buffered from neighbouring land uses by the provision of adequate setbacks or physical buffers;
- b) The proposed use has direct access to a public *road* meeting the appropriate standards of the *road* authority;
- c) The parcel of land to be created has adequate lot frontage and lot area for the proposed use;
- d) Services including water supply, sanitary sewage disposal and storm drainage are adequate to serve the proposed use and meet the requirements of the approval authority and *Township*; and
- e) Proposed lot areas should be sufficient to ensure that water supply and/or sewage disposal do not interfere with neighbouring properties.

The Zoning By-law may permit any property containing a dwelling unit to be used for the keeping of horses without applying Minimum Distance Separation requirements provided such horses provide the primary means of transportation for the occupants of the dwelling unit and all manure can be appropriately stored away from sensitive land uses and appropriately disposed of. The Zoning By-law will establish the maximum number of horses permitted on the property.

3.8 COMMERCIAL DESIGNATIONS

3.8.1 Introduction

The Plan contains two commercial land use designations which includes the Core Commercial and Highway Commercial designations. The economy of the *Township* is focused to a large extent upon providing services to year round and seasonal residents as well as tourists and the agricultural sector. The Villages of Lucknow and Ripley form the focal points for the service economy.

The *Township* recognizes that to a great degree the social and economic well being of the community is dependent upon a diverse and balanced commercial base, focused on the core commercial areas of Lucknow and Ripley.

3.9 CORE COMMERCIAL DESIGNATION

3.9.1 Purpose

In Lucknow, the Core Commercial designation is the heart of the Village focused in a linear, compact pattern on Campbell Street extending approximately from Victoria Street on the west to Havelock Street in the east. Minor extensions of the Commercial Core Area south on Inglis Street to Willoughby Street are also provided for. On other streets, the boundary of

commercial core generally relates to properties having frontage on Campbell Street.

In Ripley, the Core Commercial designation is in the heart of the village focused on the intersection of Queen Street and Huron Street.

3.9.2 Objectives

To maintain a clearly defined, compact commercial core area.

To enhance the function and appearance of the commercial core as the prime retail commercial and cultural node of the Villages.

3.9.3 Permitted Uses

A full range of commercial, retail, office, institutional, entertainment, recreation and government facilities shall be permitted.

New residential uses shall only be permitted in the form of apartments units above and to the rear of non-residential buildings, or in a situation where a *home business* in a dwelling is highly visible from the street, or as part of a bed and breakfast establishment.

Businesses or industries that are not complementary to the commercial and pedestrian focus of the Commercial Core area including those that may be incompatible due to impacts created by noise, odour, vibration, emissions or outdoor storage, or those uses deemed inappropriate by the Maitland Valley Conservation Authority for properties located in the *floodway*, shall not be permitted.

3.9.4 General Policies

The Comprehensive Zoning By-law shall prohibit specific uses that are deemed inappropriate for location in the Core Commercial Designation.

3.10 HIGHWAY COMMERCIAL DESIGNATION

3.10.1 General Purpose

The predominant use of land within areas designated Highway Commercial shall be for commercial uses servicing the travelling or tourism public or commercial uses not considered appropriate for the Commercial Core Area.

In Lucknow, the Highway Commercial designation is focused along Campbell Street (County Road #86), which runs east-west through the Village. Campbell Street supports considerable volumes of traffic through the Core Commercial Area which often requires goods and services such as motor vehicle service, restaurants and accommodation. Accordingly, the travelling or tourism public can best be served by providing appropriately located highway commercial areas with access and visibility from this major *road*.

In addition, certain commercial uses, due to their nature of operation or sales, require large sites to accommodate their associated building, storage and parking which are either not available or suitable within the Core Commercial area of the Villages. Uses such as building material supply outlets, motor vehicle sales, and garden centres are examples of such needs.

3.10.2 Objectives

To encourage Highway Commercial *developments* that do not adversely affect the commercial activities contained in the Core Commercial designation.

To provide opportunities through the Comprehensive Zoning By-law and other regulations for a range of commercial uses in the Highway Commercial areas that, due to their size and/or nature of the commercial use, cannot reasonably be located in the Core Commercial designation.

To maintain the lands within the Highway Commercial designation for the intended *development* of larger space-extensive uses.

3.10.3 Permitted Uses

The Highway Commercial designation shall permit uses catering to the travelling and tourism public such as motels, hotels, restaurants, bed and breakfast establishments in existing dwellings, motor vehicle sales and service, convenience commercial uses and commercial recreational uses.

Retail uses, because of their function or large space or storage requirements, such as building supply outlets, wholesale outlets, garden centres, furniture stores, flea markets, home furnishing centres and liquor, beer or wine stores may also be permitted.

Light industrial uses may be permitted provided they are located in conjunction with a principle retail use as outlined above and are located to the rear of the principle retail building or structure.

Accessory office uses to a highway commercial use may be permitted.

3.10.4 General Policies

New retail uses must have a gross floor area greater than 185.8 square metres.

3.11 LAKESHORE RECREATION DESIGNATION

3.11.1 General Purpose

The Lakeshore Recreation designation recognizes existing commercial and recreational uses within the Lakeshore area.

3.11.2 Objectives

To take full advantage of the Lake Huron shoreline in the *development* of commercial and recreational uses that supports the needs of the residents and tourists of the Lakeshore.

To ensure the *development* of Lakeshore Recreational uses are compatible with existing and planned uses.

3.11.3 Permitted Uses

Uses permitted within the Lakeshore Recreational designation include all forms of tourist accommodation, trailer parks and commercial campgrounds, marinas, active recreation uses such as golf courses and accessory uses including restaurants, local convenience commercial uses, clubs and day camps.

3.11.4 General Policies

The establishment of new trailer parks and commercial campgrounds shall be considered and reviewed in accordance with the following:

- a) Properties must have frontage on a collector *road* shown on Schedule 'A';
- b) *Development* shall be located outside of areas designated Environmental Protection on Schedule 'A';
- c) Shall be located no closer than 500 metres of an aggregate extraction operation and no closer than 300 metres from an active or abandoned landfill site or sewage lagoon;
- d) The minimum lot area shall be 2.0 hectares with a gross density generally not exceeding 30 sites per hectare;
- e) Adequate buffer planting and setbacks shall be provided relative to any adjacent residential area;
- f) Adequate on-site parking and internal *road* systems shall be provided to ensure suitable access by emergency vehicles and the safe movement of vehicular and pedestrian traffic;
- g) The impact to existing topography and vegetation areas shall be minimized;
- h) Private water supply and private sewage disposal systems shall be designed to the satisfaction of the appropriate approval authority, with studies submitted as required and all necessary permits obtained.

3.12 INDUSTRIAL DESIGNATION

3.12.1 Purpose

The purpose of the Industrial designation is to recognize the location of existing and future industrial lands in order to provide an appropriate supply of employment lands for existing and future businesses.

3.12.2 Objectives

To provide for a range of service related businesses, industrial uses and related activities which are compatible with surrounding uses, and do not utilize *significant* quantities of water or generate *significant* quantities of wastewater within their processes.

To provide an adequate supply of vacant employment land within the *Township* and to encourage the expansion of existing employment uses, and the *development* of additional employment uses, in order to diversify the local employment base.

3.12.3 Permitted Uses

In areas designated Industrial, permitted uses include:

- a) Manufacturing, assembly and process industries;
- b) Service businesses including such uses as small equipment, appliance and business machine sales and service; printing establishments; landscape and garden centres; sales, service and repairs of motor vehicles; sales, service and repairs of recreational and farm equipment;
- c) Offices *accessory* to a principal use;
- d) Contractor's yards;
- e) Warehousing and wholesaling;
- f) Veterinary services;
- g) Transportation depot;
- h) Repair services;
- i) Feed mills;
- j) Farm related service and supply industries;
- k) Laboratories;
- l) Training centres, trade schools; and

m) Public Uses.

Industrial businesses which are characterized by an operation with a commercial component which requires large areas for the storage of goods, such as building material and decorating supply sales shall be permitted in all industrial areas.

Secondary uses such as retail sales *accessory* to manufacturing and warehousing, parking lots, parks and public service and utilities shall also be permitted in the Industrial designation.

Industrial uses considered noxious for reasons of noise, odour, vibration, dust or other emissions shall be prohibited from locating within the *Settlement Areas*.

3.12.4 General Policies

3.12.4.1 General Development

The *Township* will encourage the retention and expansion of industrial *development*, and will only support the conversion of lands within *employment areas* to non-employment uses through a comprehensive review in accordance with the Provincial Policy Statement.

The *Township* has selectively designated lands for future industrial *development*. The *Township* will not support the redesignation of lands to Industrial from another designation except in accordance with [Section 3.12.4.1](#) of this Plan.

All industries shall meet the emission standards of the Ministry of Environment and Climate Change, and where necessary, obtain the approval of the Ministry of Environment and Climate Change with respect to water supply, sewage treatment, waste disposal and emissions including noise, fumes, gas, dust, vibration and odours.

Open storage of goods or materials shall be adequately screened by plantings, berms, fences, or buildings and shall comply with the provisions of the Comprehensive Zoning By-law.

3.13 MAJOR INSTITUTIONAL DESIGNATION

3.13.1 Purpose

The purpose of the Major Institutional designation is to recognize large-scale regional institutional uses including secondary schools, health care facilities, government buildings and other large-scale institutional uses that serve a larger geographic area.

3.13.2 Objectives

To promote the establishment of large-scale educational, medical, and other public facilities within the *Settlement Areas*.

3.13.3 Permitted Uses

In areas designated Major Institutional, permitted uses include large-scale educational facilities, health care facilities, cultural and governmental uses.

3.13.4 General Policies

Large-scale major institutional uses that serve a broader regional community, including educational facilities (i.e. a secondary school), health care facility (i.e. a hospital) and other similar large-scaled institutional uses shall be permitted in the Major Institutional designation in accordance with the following criteria:

1. Building setbacks and other mitigating factors shall be addressed when proposed buildings are significantly different in scale and character to surrounding land uses;
2. Adequate buffering and landscaping transition is provided to protect surrounding existing *development*;
3. There is sufficient site area for the provision of adequate off-street parking, loading waste management facilities, landscaping and buffering;
4. They are able to conform to the policies of this Plan.

3.14 PARKS & OPEN SPACE DESIGNATION

3.14.1 Purpose

Parks and open space contribute to the quality of life in the *Township* by providing opportunities for all ages for active and passive recreation and venues for social, cultural, interpretive and other activities and community events.

3.14.2 Objectives

The objective of the Parks and Open Space designation is to recognize large parcels of land and facilities that provide a variety of recreational opportunities to residents. Other smaller parks and open space areas have not been designated Parks and Open Space in this Plan and are permitted under all other land use categories.

3.14.3 Permitted Uses

In the Parks and Open Space designation, permitted uses include parks, libraries, arenas, marinas, community centres, playing fields, active and

passive recreation and picnic areas.

3.14.4 General Policies

Where lands designated Parks and Open Space are under private ownership, it shall not be construed as implying that such areas are free and open to the public or will be purchased by the *Township* or other public agency.

3.15 ENVIRONMENTAL PROTECTION DESIGNATION

3.15.1 Introduction

The Environmental Protection designation is comprised of three core components, including:

- *Significant* Natural Heritage Features
- Key Hydrologic Features
- *Hazard Lands*

Significant natural heritage features consist of known *significant woodlands*, *significant valleylands*, *wetlands*, life science *Areas of Natural and Scientific Interest (ANSI)*, *significant* habitat of endangered species, *threatened species* and special concern species, *fish habitat* or any other area that has been determined to be environmentally *significant* as a result of a planning approval process.

Key hydrologic features consist of known permanent and *intermittent streams*, seepage areas and *wetlands*.

Hazard lands includes both hazardous land adjacent to watercourses including land subject to flooding hazard, *erosion hazard*, steep slopes and any other physical conditions which precludes *development*.

Natural heritage features identified in the Environmental Protection designation are shown on Schedule 'A' of this plan. The *Natural Heritage System* is identified on Schedule 'B' of this Plan.

3.15.2 Objectives

To protect the population by preventing incompatible *development* in areas of natural and man-made hazards.

To protect, preserve and enhance the natural heritage features in the *Township*.

To monitor and update the information detailing environmental hazards in the *Settlement Areas* as new information is made available.

To ensure the natural heritage features and the natural and open space *linkages* between and among natural heritage features and protected from incompatible uses, and where possible, enhanced.

3.15.3 Permitted Uses

Permitted uses in the Environmental Protection designation include:

- a) Forest, *fish* and wildlife management;
- b) *Conservation*, stewardship, restoration and remediation undertakings;
- c) Flood or erosion control projects, but only if they have been demonstrated to be necessary in the public interest and after all alternatives have been considered;
- d) Retrofits of existing stormwater management works, but not new stormwater management works;
- e) *Infrastructure*, but only if the need for a project has been demonstrated through an *Environmental Assessment* or other similar environmental approval and there is no reasonable alternative;
- f) Existing agricultural uses;
- g) Passive recreational uses such as trails, walkways and bicycle paths;
- h) An existing single detached dwelling and *accessory* uses, and *accessory* buildings and structures thereto, subject to the policies of this Plan;
- i) Home business in an existing single detached dwelling.

3.15.4 General Development Policies

The *significant* natural heritage features, key hydrological features and natural hazards that form the basis of the Environmental Protection designation are based on available information and data as of the date of the adoption of this Plan. *Significant* natural heritage features and natural hazards are identified on Schedule 'B'.

The boundaries and extent of the Environmental Protection designation shown on Schedule 'A' and the features and hazards identified on Schedule 'B' are approximate. Minor refinements to the boundaries of these features and hazards, except for Provincially Significant Wetlands, may occur through an *Environmental Impact Study* that demonstrates the appropriateness of the refinements to the satisfaction of the *Township*, in consultation with the appropriate Conservation Authority. A boundary modification for a Provincially Significant Wetland can only be authorized by the Ministry of Natural

Resources and Forestry through an Ontario Wetland Evaluation System report prepared to the satisfaction of the appropriate Conservation Authority in consultation with the *County* and *Township*. Such minor refinements will not require an amendment to this Plan or zoning by-law. Where the boundary to the Environmental Protection designation is refined, the abutting land use designation or designations shall apply.

Any new wetland, seepage areas and springs, *fish habitat*, permanent and *intermittent streams* and *significant woodlands* determined through an Environmental Impact Study, shall provide a minimum vegetation protection zone of 30 metres wide, or another setback as determined by the EIS, measured from the outside boundary of the *significant* natural heritage feature or key hydrologic feature and implemented through the zoning by-law.

Where, through an application for *development* or *site alteration*, a buffer or vegetation protection zone is required to be established as a result of the application of the policies in this Plan, the buffer or vegetation protection zone shall be composed of native, non-cultivar, non-invasive species, and maintained as natural self-sustaining vegetation.

Development or *site alteration* shall not be permitted within *wetlands* and the habitat of endangered species, *threatened species*, and species of special concern. Existing uses shall be permitted to continue, however, *significant* alteration or a change in use shall be brought into closer conformity with this Plan.

Notwithstanding the policies in this Plan to the contrary, where an application for *development* or *site alteration* is of a minor nature, the *County* in consultation with the appropriate Conservation Authority, may waive the requirement to conduct an *Environmental Impact Study* or scope the study requirements.

Where lands designated Environmental Protection are under private ownership, it shall not be construed as implying that such areas are free and open to the public or will be purchased by the municipality or other public agency.

Lands within the Environmental Protection designation shall not be acceptable as parkland for public park purposes as provided for in the Planning Act.

The removal, modification or destruction of the *natural features*, functions or *linkages* shall not provide the rationale for removal of these lands from the Environmental Protection designation.

3.15.5 Lucknow Special Policy

3.15.5.1 Introduction

Within the Village of Lucknow, floodplains shall be managed according to the

“two-zone” concept. Two-zone policies divide the *floodplain* into two distinct zones: the *floodway*, which is designated Environmental Protection on Schedule ‘A’ and no *development* is permitted; and land located between the *floodway* and the *flood fringe* (the ‘*development* constraint area’), where a limited amount of *development* may be permitted subject to appropriate *floodproofing and flood damage reduction measures* and permits, where required, from the Maitland Valley Conservation Authority. Lands located between the areas designated ‘Environmental Protection’ and the *flood fringe* as shown on Schedule ‘A’ are considered a “*Development Constraint Area*”.

3.15.5.2 Permitted Uses

Notwithstanding the permitted uses in Section 3.15.3 of this Plan, the only uses permitted within the Environmental Protection designation in Lucknow are parks, open space uses, public works of approved hydraulic design, horticulture, outdoor recreation and agriculture excluding any livestock facilities.

3.15.5.3 Development Constraint Area

The *Development* Constraint Area is recognized as the area between the floodfringe line and the Environmental Protection designation. This is known as the floodfringe and is not intended to be a land use designation. Within this area, the standard for floodproofing will be at the *Regulatory Flood* Elevation.

Development in the *Development* Constraint Area will be restricted to infilling, *redevelopment* or replacement of existing buildings or structures and major additions or alterations to existing buildings. Permitted uses shall be in accordance with the underlying land use designation provided that approval is obtained from the Maitland Valley Conservation Authority.

Conversion of non-residential buildings to residential use may be permitted provided that the requirements of [Section 3.15.5.4](#) are satisfied.

3.15.5.4 General Policies

The municipality and the Conservation Authority will encourage owners of existing buildings to undertake measures to reduce damages to buildings and their contents in the event of flooding.

Minor expansion and renovation of existing *development* within the Environmental Protection designation may be permitted provided no new dwelling units are created subject to the approval of *Council* and the Maitland Valley Conservation Authority, and may require flood damage reduction measures to their satisfaction. In particular, it is the intent of this Plan that the expansion and/or renovation of the Treleaven’s Lucknow Mill Limited and Anderson Flax Products Limited mill sites on Campbell and Canning Streets may be permitted subject to the approval of the *Township* and the Maitland

Valley Conservation Authority.

The restoration of any building damaged or destroyed by fire or an act of nature may be permitted subject to approval of *Council* and the Maitland Valley Conservation Authority and may require flood damage reduction measures to their satisfaction.

Public and private works, which must locate in the *floodplain* by nature of their use and *roads* that appropriate planning studies have determined must be located in the *floodplain* shall be permitted in both the floodfringe and *floodway*.

Land severances will be permitted on lots located partially within the Environmental Protection designation provided that the proposed *development* can be sited on the portion of the subject property located outside the Environmental Protection designation.

Notwithstanding the Environmental Protection designation, for those existing buildings situated over the Campbell Street conduit, the existing openings between these buildings shall be kept open so as not to obstruct relief water flow over Campbell Street and no additions, fences or any other appurtenances will be allowed.

Where permitted, the open storage of materials and equipment will be restricted to:

- i. Items that are or can be made to be immovable under flood conditions;
- ii. Items that can be removed within the limited time available after a flood warning;
- iii. Items that will not pose a pollution problem if flooded.

New *development* may be permitted within the Development Constraint Area or *floodfringe* provided that the following conditions are met:

- a) A permit is issued by the Maitland Valley Conservation Authority under Ontario Regulation 164/06 on the basis that no *adverse effects* on the hydraulic characteristics of flood flows will occur;
- b) All new structures are suitably flood-proofed to the *Regulatory Flood* level as determined by and to the satisfaction of the Maitland Valley Conservation Authority and the *Township* of Huron-Kinloss;
- c) All habitable floor space shall be constructed at or above the *Regulatory Flood* elevation and all essential building services (i.e. electrical, telephone, heating, etc.) be constructed at or above or protected to the *Regulatory Flood* elevation;

- d) The creation of any uninhabitable floor space below the *Regulatory Flood* elevation where there is the possibility of conversion to habitable floor space will not be permitted; and
- e) Ingress/egress for all new habitable buildings located in the *flood fringe* shall be such that emergency vehicular and pedestrian movement is not prevented during times of flooding in order that safe access/evacuation is ensured. The determination of safe access shall be made by the Maitland Valley Conservation Authority based on the depth and velocity factors as they affect individual sites.

Private sewage disposal systems shall not be permitted within the *floodway* portion of the *floodplain*. Where private sewage disposal systems are proposed within the flood fringe, an assessment of the site in consultation with the Maitland Valley Conservation Authority will be undertaken to ensure that the system will not be adversely affected by incidental flooding.

3.15.5.5 Implementation

All *floodway* land designated Environmental Protection or land located between the Environmental Protection and the floodfringe shown on Schedule 'A', shall be identified in the Zoning By-law in order to reflect their condition of flood susceptibility and to allow for the implementation of the Two-Zone Floodplain Policy.

No *site plan* shall be approved or building permit issued unless it is in conformity with the policies of this Plan and appropriate consent is given by the Maitland Valley Conservation Authority through the issuance of a permit under Ontario Regulation 164/06.

The lands identified by this Plan as being within the *floodplain* shall be designated and zoned as follows:

- a) All vacant or otherwise undeveloped lands in the *floodway* portion of the floodplain at the time of adoption of this Plan shall be designated Environmental Protection and zoned Environmental Protection (EP) Zone.
- b) All lands where *development* exists in the *floodway* portion of the floodplain at the time of adoption of this Plan shall be designated Environmental Protection, however zoning to recognize the existing use shall be permitted.
- c) Such zoning category shall recognize legally existing *development* and allow for minor expansions and alterations provided no *adverse effects* will be had on the hydraulics or storage capacity of the *floodway* and subject

to the issuance of a permit under Ontario Regulation 164/06 and the implementation of flood-proofing measures as deemed necessary by the Maitland Valley Conservation Authority. Any application for expansion or alteration to an existing building will evoke a review of all existing outdoor storage areas; and

- d) All lands located within the *flood fringe* portion of the floodplain shall be designated in accordance with the land use designation set out in this Plan and shall be zoned accordingly. The suffix “F” shall be applied to the zoning category and shall serve as notice that properties so zoned shall be constrained beyond the regulations of the Zoning By-law. In this circumstance, new *development*, expansions or alterations shall be subject to implementation of flood-proofing measures as deemed necessary by the Maitland Valley Conservation Authority and the issuance of a permit under Ontario Regulation 164/06.

On lands zoned to recognize an existing use, a change in use may be permitted through a zone change provided that the subsequent use is compatible with surrounding land use designations, no new dwelling units are created, the use presents less a risk to life and property in the event of flooding, the new use is permitted by this Plan and approval is received from the Maitland Valley Conservation Authority. A change in use will evoke a review of all existing outside storage areas. A permitted use within the Commercial Core Area may change to any other permitted use within the same class of land use except to residential, a gas bar or automobile service station, without a zone change being required.

For the purpose of determining boundaries within the Zoning By-law, the following guidelines shall apply:

- i. Zone lines that are intended to indicate the *floodway* shall follow actual floodline contours and limits of encroachment as provided by the Maitland Valley Conservation Authority;
- ii. On lands within the *flood fringe* portion of the *floodplain*, where only a portion of the lot is below the 100 Year Flood elevation and no part of the potential building envelope is within this elevation, the entire lot shall be considered to be outside the floodplain; and
- iii. On lands within the *flood fringe* portion of the floodplain where a portion of the lot and any part of the potential building envelope is below the 100 Year Flood elevation, the entire lot shall for the purposes of zoning be considered to be within the *flood fringe* and shall receive the zoning suffix “F”.

Notwithstanding the policies contained in this Plan, where it has been determined by the Maitland Valley Conservation Authority that *development* in any part of the floodplain would pose an unacceptable threat to life and/or property, such *development* will not be permitted.

3.15.6 Lake Huron Shoreline Natural Hazards Special Policy

3.15.6.1 Introduction

This Plan recognizes that some land designated Environmental Protection should preclude *development* due to natural hazards (where there may be an unacceptable risk to public health or safety or property damage).

Hazards shall be confirmed by the appropriate Conservation Authority.

3.15.6.2 General Policies

It is the intent of this Plan to protect, enhance and restore the natural dune feature that exists in some form along the shoreline. It is recognized that the vast majority of residential *development* has been built in this sensitive dune area.

Development and *site alteration* are not permitted within the defined portion of the dynamic beach. No *site alteration* will be permitted that would have the effect of removing any portion of the first dune feature and associated vegetation.

No new lot creation shall be permitted on lands which exhibit hazardous characteristics in accordance with the Provincial Policy Statement.

All new private sewage disposal systems will not be permitted on the lake side of the dwelling.

The boundaries of the hazard area will be defined in the *Township's* Comprehensive Zoning By-law. Where the dynamic beach hazard limit intercepts existing dwellings the *Township* may establish the limit immediately around the lakeshore perimeter of the existing dwellings.

The *Township* will adopt regulations within the *Township's* Comprehensive Zoning By-law to establish minimum building elevations to habitable space.

Within the dynamic beach hazard, the retention and regeneration of the natural heritage features (dunes) is desired. The *Township* shall work with the Conservation Authority to protect the ecological value and functions of sand dune features from being altered or removed and promote the regeneration of native vegetation and encourage additional dune *development*.

3.15.7 Conservation Authority Regulations

Development, including *site alteration* that is proposed within the regulated

area of the Saugeen Valley or Maitland Valley Conservation Authorities shall be reviewed and considered by the appropriate Conservation Authority.

3.16 AGGREGATE EXTRACTION

3.16.1 Introduction

The purpose of this designation is to recognize existing aggregate extraction operations within the *Township's Settlement Areas*.

3.16.2 Objectives

To encourage the rehabilitation of existing licensed aggregate operations that are nearing or have reached expiry.

3.16.3 Permitted Uses

Existing licensed mineral aggregate operations will be recognized as a legal use of land and will be permitted to continue without the need for an Official Plan Amendment.

3.16.4 General Policies

It is the intent of this Plan that existing aggregate operations will surrender their license when the extractive operations have reached expiry and the lands will be redesignated to an appropriate land use designation.

No new aggregate operations or expansions will be permitted within the *Settlement Areas* of this Plan.

3.17 FUTURE DEVELOPMENT DESIGNATION

3.17.1 Introduction

There are certain areas within the *Settlement Areas* where it is not possible to predesignate for the future intended uses. Such lands may not be required over the planning period for *development* purposes or the specific nature of the intended use is not known at this time.

3.17.2 Objectives

To provide for the orderly future *development* of the unbuilt areas of the *Settlement Areas*.

To limit *development* of such lands until an Official Plan Amendment including proper *site plan* or concept plan for future uses has been submitted and approved.

To prohibit any major *development* of these lands until the necessary municipal services can be made available to such areas.

3.17.3 Permitted Uses

The permitted uses within areas designated Future *Development* as illustrated on Schedule 'A' of this Plan shall be limited to existing uses and non-intensive agricultural operations.

3.17.4 General Policies

Lands designated Future Development shall retain a non-intensive agricultural zoning, under the Zoning By-law, until *Council* deems development of the lands appropriate. An Official Plan Amendment shall be required for the *development* of the lands.

3.18 SPECIAL POLICY AREA DESIGNATIONS

3.18.1 Bruce Beach

For the purpose of this section Bruce Beach will be defined as the shoreline community within Lots 31 to 39, Concession A, Township of Huron as shown as 'SPA 3.18.1' on 'Schedule A-3 Land Use Plan – Lakeshore'.

This Plan recognizes the seasonal nature of the Bruce Beach community as compared to a much higher predominance of permanent residency and public *roads* in other Lakeshore areas.

This Bruce Beach area has been developed, for the most part, with private *roads* which are designed below minimum standards relative to public rights-of-way. Accordingly it is the policy of this Plan and the intent of the *Township* that the municipality shall not provide *road* maintenance and services within this Special Policy Area.

3.18.2 Inverlyn Lake Estates

'SPA 3.18.2' will be a land lease, residential community with a natural open space focus. This community will be located within a setting of open space, which includes a community centre, tennis courts, swimming pool and recreational trails; and natural open space comprised of a lake/pond.

A 'Land Lease Community' will be permitted on those lands designated as 'SPA 3.18.2' on 'Schedule A-3 Land Use Plan – Lakeshore'.

Inverlyn Lake Estates shall be limited to a maximum of 150 'Land Lease Community Homes'.

Inverlyn Lake Estates shall be no less than 22.3 hectares in total lot area.

A 'Land Lease Community' shall mean a parcel of land containing two or more 'Land Lease Community Lots' and which is under single management or ownership. Inverlyn Lake Estates 'Land Lease Community' may be converted to another form/model of ownership without an amendment to this Official Plan

provided all of the policies of [Section 3.18.2](#) are adhered to.

A 'Land Lease Community Lot' shall mean a parcel of land within a 'Land Lease Community' fronting on a private street that is intended for occupancy by a 'Land Lease Community Home'.

A 'Land Lease Community Home' means any single detached dwelling that is a permanent structure where the owner of the dwelling leases the land used or intended for use as the site for the dwelling, but shall not include a park model trailer, mobile home, camping trailers or a trailer house.

Limited 'commercial recreational' uses (e.g. Club house / community centre / fitness centre, swimming pool, etc) *home businesses* / occupations and passive recreation uses shall also be permitted.

'Land Lease Community Homes' shall only be permitted provided the following requirements are met:

- a) Each 'Land Lease Community Home', community centre, fitness centre etc. within the 'Land Lease Community' shall be connected to a municipal water supply, municipal sewer system and storm water drainage system. All services shall be approved by the appropriate authority.
- b) Electrical, telephone, gas and other services shall be provided. Easements as required shall be granted to all service providers. All services shall be approved by the appropriate authority.
- c) Each 'Land Lease Community Lot' shall have frontage on a private internal paved access *road* with width and construction of which have been approved by the Township of Huron-Kinloss.
- d) Each 'Land Lease Community Lot' shall be provided with at least one off-street parking space on the said lot;
- e) For the purposes of all standards and policies of this Plan, concerning services and community facilities, Inverlyn Lake Estates shall be considered on the same basis as a plan of subdivision and shall be subject to corresponding requirements.

Development of Inverlyn Lake Estates shall proceed in phases with the second and subsequent phases only proceeding once the preceding phase is substantially developed to the satisfaction of the Township of Huron-Kinloss.

Inverlyn Lake Estates shall be subject to a Site Specific Zoning By-law. The Site Specific Zoning By-law shall regulate the following:

- a) The minimum lot size, lot coverage, frontage, yards, height, parking and storage for each type of building or structure to be erected i.e., 'Land Lease Community Home', community centre, etc;

- b) The location of suitable buffer strips and/or fencing as required;
- c) The location, size and number of *accessory* structures;
- d) Provision of adequate resident and visitor parking;
- e) Provision of a minimum of 5% of the area intended for Inverlyn Lake Estates to be dedicated for passive or active recreational purposes;
- f) Such other matters as may be considered necessary by Council.

The owner of the 'Land Lease Community' shall enter into a *Site Plan* Agreement and a Development Agreement with the Township of Huron-Kinloss which:

- a) Establishes financial or other guarantees for the on-going operation and maintenance of the water and sewage systems;
- b) Requires the on-going cooperation of a recycling and solid waste collection program for the community, which will be established and operated by the owner;
- c) Requires detailed stormwater management and construction mitigation plans be prepared for each phase of residential development, prior to *site alteration* or development of that component of the community.
- d) Requires the owner to be responsible for the operation and maintenance of all stormwater management and roadway *infrastructure* on the lands. At the discretion of the Township of Huron-Kinloss, the owner may also be responsible for the operation and maintenance of the sewer and water *infrastructure* on the lands;
- e) Requires the roadway to be constructed in the locations and to the widths indicated in the *Site Plan*;
- f) Requires the installation of water supply and sewage disposal facilities to the satisfaction of the Ministry of Environment and Climate Change and in accordance with the *Site Plan*;
- g) Requires any landscaping prescribed to be undertaken in accordance with the approved *Site Plan*;
- h) Requires the development to take place in accordance with the approved *Site Plan*;
- i) Requires the installation of adequate street lighting to the Satisfaction of the Township of Huron-Kinloss; and
- j) Such other matters as may be considered necessary by Council.

3.18.3 Lucknow Industrial Area

Within the lands identified as 'SPA 3.18.3' as shown on 'Schedule A-1 Land

Use Plan – Lucknow’, the following policies shall apply to new development:

- a) The Lucknow Industrial Area is recognized as a primary industrial growth area for the *Township* in its capacity to accommodate full municipally serviced industrial *development* in accordance with the policies of Industrial land use designation contained in [Section 3.12](#) of this Plan.
- b) Prior to consideration of new *development* of this area for industrial uses a Land Use Study shall be undertaken to the satisfaction of the *Township*. The Study shall examine the compatibility of the proposed *development* with existing residential *development*, potential buffering options, traffic and access considerations as well as assess servicing requirements. The Study shall also include an overall *development* concept for the Special Policy Area.
- c) New *development* will be encouraged to connect to full municipal services. New *development* shall proceed in accordance with the servicing hierarchy identified in [Section 3.3.2](#), subject to *Council* approval. The intent of this Plan is for all lots to connect to full municipal services at such time as services are available.
- d) Industrial uses that are not considered compatible with residential land uses by means of emission, noise, hazard or vibration, may be restricted in the Zoning By-law.
- e) It is generally the intent of this Plan that industrial *development* proceed by means of Draft Plan of Subdivision. Land division by consent may be permitted provided the consent conforms with the Land Use Study and does not preclude the future *development* of the Special Policy Area as a whole. The lands shall retain a restricted Agricultural zoning, under the Zoning By-law, until *Council* deems *development* of the lands appropriate.

3.18.4 McLelland/Poirier

The lands identified as Site Specific Policy Area 3.18.4 on Schedule ‘A-1 Land Use Plan – Lucknow’ may be created in four parcels with two lot addition parcels to be severed to a maximum total lot area of 0.12 hectares (0.3 acres), one parcel to be severed to a maximum total lot area of 0.61 hectares (1.5 acres) while the retained parcel shall be 0.73 hectares (1.8 acres) located at Plan 101 Lots 33 to 38 and Lots 57 to 64, Township of Huron-Kinloss (geographic Township of Kinloss).

Section 3.18.5 and 3.18.6 -Lucknow Kinsmen Graceland are deleted and replaced in their entirety – HKOPA #2-17.11

3.18.5 — Lucknow Kinsmen Graceland

~~In addition to the Parks and Open Space permitted uses, ‘Camping’ for a period not exceeding ninety six consecutive and cumulative hours in any calendar year shall be permitted on those lands identified as Site Specific Policy Area 3.18.5 on Schedule ‘A-1 Land Use Plan – Lucknow’.~~

~~The implementing Comprehensive Zoning By-law shall:~~

- ~~a) Limit the total number of motor homes, travel trailers, tent trailers, tents or campsites to no more than 564 or a smaller number at the sole discretion of the Township of Huron-Kinloss;~~
- ~~b) Establish provisions and policies for the layout, setbacks and/or operation of ‘camping’ or the erection of buildings and structures.~~

~~The lands shall not be used for a sound stage, music performance area, or similar; food vending; or alcohol sales without amendment to this Official Plan.~~

~~For the purposes of this subsection, ‘Camping’ shall mean a lot or lands used for the parking and use of motor homes, travel trailers, tent-trailers, tents or similar transportable accommodation. ‘Camping’ may include temporary food vendors/sales, temporary active recreation areas, permanent administrative building and accessory buildings. Off-season storage of travel trailers, tent trailers, motor homes or similar transportable accommodations shall not be permitted.~~

~~The lands may be subject to Site Plan Control.~~

3.18.6 — Lucknow Kinsmen Graceland

~~In addition to the Parks and Open Space permitted uses, ‘Camping’ for a period not exceeding ninety six (96) consecutive and cumulative hours in any calendar year shall be permitted on those lands identified as Site Specific Policy Area 3.18.6 on Schedule ‘A-1 Land Use Plan – Lucknow’.~~

~~The implementing Comprehensive Zoning By-law shall:~~

- ~~a) Limit the total number of motor homes, travel trailers, tent trailers, tents, or campsites to no more than 649 or a small number at the sole discretion of the Township of Huron-Kinloss;~~
- ~~b) Establish provisions and policies for the layout, setbacks and/or operation of ‘camping’ or the erection of buildings and structures.~~

~~The lands shall not be used for a sound stage, music performance area, or~~

~~similar; food vending; or alcohol sales without an amendment to this Official Plan.~~

~~For the purposes of this subsection, 'Camping' shall mean a lot or lands used for the parking and use of motor homes, travel trailers, tent trailers, tents or similar transportable accommodation. 'Camping' may include temporary food vendors/sales, temporary active recreation areas, permanent administrative building and accessory buildings. Off-season storage of travel trailers, tent trailers, motor homes or similar transportable accommodations shall not be permitted.~~

~~The lands may be subject to Site Plan Control~~

3.18.5 Lucknow Kinsmen Graceland

Within the lands identified as 'SPA 3.18.5' as shown on 'Schedule A-1 Land Use Plan – Lucknow', the following policies shall apply:

3.18.5.1 General

Special Policy Area 3.18.5 is a land use designation that permits a 'Special Event' on the lands once per calendar year for no more than four consecutive days. 'Special Event' is to be broadly defined and includes: Agricultural fair, market, festival or shop; Antique, craft or hobby show; Automotive flea market or show, Boat or vehicle show; Contemporary music and camping festival; Contemporary music concern; Cultural festival or event; Rodeos; and, similar.

3.18.5.2 Permitted Uses

Permitted Uses shall be restricted to the following:

- *'Special Event' as defined below*
- *'Camping'*
- *'Private Club'*
- *'Banquet Hall'*
- *'Outdoor Recreation' but not including a 'Golf Course'*
- *Community events*
- *Buildings and structures accessory to a permitted use.*

***'Special Event'** means an outdoor activity, festival, concert, event, show, exhibition or function of any nature or kind, including those done outside but under a tent or other non-permanent building or structure, held one time per calendar year for a period not exceeding ninety-six (96) consecutive and cumulative hours at which more than 200 people are anticipated to be, or are in, attendance.*

A ‘Special Event’ may include camping/campsites for motor homes, travel trailers, tent-trailers, tents or similar transportable accommodation.

A ‘Special Event’ may include ancillary uses such as food and craft vendors and alcohol sales.

3.18.5.3

Development Policies

- a) *The Implementing Comprehensive By-law **shall** establish provisions and policies:*
- *Restricting the months during which a ‘Special Event’ may be held;*
 - *Restricting the total number of campsites during a ‘Special Event’;*
 - *Restricting the total number of campsites during periods outside of a ‘Special Event’;*
 - *Restricting the location of permanent Buildings and structures; and,*
 - *Restricting the number of permanent Buildings and structures.*
- b) *The Implementing Comprehensive Zoning By-law **may** establish provisions and policies regulating:*
- *The location of stage areas for concerts/musical performances and the location of any other temporary facilities;*
 - *The location of ‘Special Event’ vendors, alcohol serving area(s);*
 - *The location of campsites; and,*
 - *Any other aspect of a Permitted Land use.*
- c) *The lands may be subject to Site Plan Control.*

3.18.6 Lucknow Kinsmen Graceland (Camping & Outdoor Recreation Only)

Within the lands identified as ‘SPA 3.18.6’ as shown on ‘Schedule A-1 Land use Plan – Lucknow’, the following policies shall apply:

3.18.6.1

General

Special Policy Area 3.18.6 is a land use designation that permits only Outdoor Recreation and Camping. The Camping component is permitted

only when a 'Special Event' is held on the adjacent lands designated as Special Policy Area 3.18.5.

3.18.6.2 Permitted Uses

Permitted Uses shall be restricted to the following:

- *'Camping' only during a 'Special Event' as permitted in Special Policy Area 3.18.5;*
- *'Outdoor Recreation' but not including a 'Golf Course.'*

3.18.6.3 Development Policies

a) *The implement Comprehensive Zoning By-Law may establish provisions and policies:*

Regulating the location and number of campsites;

Regulating any other aspect of a Permitted Land use.

b) *The lands may be subject to Site Plan Control.*

SECTION 4 – INFRASTRUCTURE

4.1 INTRODUCTION

The *Township* is committed to managing, maintaining and establishing an efficient, cost effective and multifaceted transportation network capable of serving the local community and visitors. The objectives and policies of this Section form the basis for the local transportation network.

4.2 OBJECTIVES

To promote an improved system of arterial, collector and local *roads* which provide for the safe and efficient movement of local and through traffic.

To ensure that new *development* does not create traffic hazards.

To promote and guide the establishment of bicycle and pedestrian routes between parks facilities, the core area, the waterfront, the rail-trail, community facilities and residential and *employment areas* and to require, wherever possible for new *developments*, pathways, trails and access points that reduce car traffic and promote pedestrian and bicycle travel.

To promote the *development* of a street and sidewalk network that is accessible.

4.3 TRANSPORTATION NETWORK

4.3.1 Roadway Classification System

Roads are classified according to the function they serve. This Official Plan classifies *roads* as follows:

- Provincial Highways
- *County Arterial Roads*
- *County Collector Roads*
- *Local Roads*
- *Private Roads*

Schedule 'A' to this Plan identifies Provincial Highways, *County Arterial Roads* and *County Collector Roads* within the *Settlement Areas*. *Roads* not identified on Schedule 'A' to this plan are to be classified as Local or Private Roads, in consultation with the *Township*.

4.3.2 Provincial Highways

Provincial Highways are within the jurisdiction of the Provincial Ministry of

Transportation (MTO). There are two Provincial Highways serving the Township of Huron-Kinloss: Highway 9 and Highway 21. The primary function of Provincial Highways is to move relatively large volumes of traffic at relatively high speeds through and within the *Township*.

Development along Provincial Highways that would detract from their primary traffic function will be discouraged. *Development* within the MTO's permit control areas, as defined under the Public Transportation and Highway Improvement Act, shall be subject to the approval of the MTO.

Permits for access, buildings, signs and utility encroachments may be required from the MTO.

Where a *development* is likely to generate *significant* traffic volumes within the permit control area of a provincial highway, the applicant may be required to prepare a traffic impact study to demonstrate how the transportation impacts of a proposed *development* or *redevelopment* can be mitigated and addressed in a manner consistent with the objectives of the MTO.

The MTO will determine the *road* allowance widths for the Provincial Highways within their jurisdiction.

4.3.3 County Arterial Roads

County arterial roads are within the jurisdiction of the County of Bruce. There are three *County Arterial Roads* serving the Township of Huron-Kinloss: *County Road's* 1, 7 and 86. The primary function of *County Arterial Roads* is to move relatively large volumes of traffic at relatively high speeds through and within the *Township*.

Access onto a *County* arterial road shall be restricted and only permitted where no traffic hazards exist or will be created. No more than two (2) lots including the retained, with access proposed to be gained directly from the *County* arterial road, may be created from the original Crown surveyed lot. All other policies of this Plan shall apply. The restriction on the number of lots what may be created with direct access may be waived only for development proposed within a Primary or Secondary Urban Community at the sole discretion of the County of Bruce Planning Department and the County of Bruce Highways Department. For the purposes of this clause, any original Crown surveyed lot severed for the purposes of a school or church prior to 1995, road widening or similar public purpose, or minor lot line adjustments shall be deemed to be an original Crown surveyed lot.

Development along *County Arterial Roads* that would detract from their primary traffic function will be discouraged. The County of Bruce is the approval for entrances/access on to a *County Arterial Road* and may grant or refuse access.

Where a *development* is likely to generate *significant* traffic volumes on a

County Arterial Road, the applicant may be required to prepare a traffic impact study to demonstrate how the transportation impacts of a proposed *development or redevelopment* can be mitigated and addressed in a manner consistent with the objectives of the *County*.

The County of Bruce will determine the *road* allowance widths for the *County roads* within their jurisdiction. Roads identified as 'Rural' on Schedule 'A' shall have a minimum right-of-way of 30 metres whereas roads identified as 'Urban' shall have a minimum right-of-way of 20 metres.

4.3.4 County Collector Roads

County Collector Roads are within the jurisdiction of the *County* and are intended to provide service for moderate traffic volumes between local *roads* and the *County Arterial Roads*, which at the same time providing access to individual properties.

Access onto *County Collector Roads* shall be restricted and only permitted where no traffic hazards exist or will be created and where the volume of traffic from the proposed new use will not impede the expeditious flow of traffic.

The *County* will determine the *road* allowance widths for the *County roads* within their jurisdiction. Roads identified as 'Rural' on Schedule 'A' shall have a minimum right-of-way of 30 metres whereas roads identified as 'Urban' shall have a minimum right-of-way of 20 metres.

4.3.5 Local Roads

Local Roads are within the jurisdiction of the *Township*. The primary function of *Local Roads* is to provide direct access to abutting properties and to minimize through traffic.

All *Local Roads* shall generally have a right-of-way of 20 metres unless otherwise identified to be widened.

The existing and future pattern of *Local Roads* shall be in harmony with the existing and future *road* pattern of adjoining municipalities, the *County Arterial Road* system and the Provincial Highway systems. *Local Roads* will be maintained and upgraded as necessary to meet the changing needs of the *Township*.

Access to *Local Roads* shall be evaluated on the following basis:

- a) The number of vehicles expected to use the proposed access shall not seriously jeopardize the traffic movements of the *road*;
- b) The number of accesses will be reduced or minimized by joint accesses, a local access *road*, or by backlotting onto *roads* carrying higher traffic volumes;

- c) Accesses shall have safe site distances for all turning movements; and,
- d) Safe distances between accesses and intersections shall be maintained.

4.3.6 Private Roads

Private *roads* are private rights-of-way over private property which provide access to abutting lots/units and are not maintained by a public authority. New private roads will be permitted for internal roads for recreational trailer parks and land lease developments. New private *roads* registered under the Condominium Act will also be permitted for condominium developments.

4.4 GENERAL TRANSPORTATION POLICIES

4.4.1 Traffic Impact Study

Where deemed appropriate, The *Province, County* and/or *Township* may require a traffic impact study for new *development* and *redevelopment* to assess current and future travel patterns and potential impacts to the transportation systems and travellers in the area.

4.4.2 Recreational Trails

The Township of Huron-Kinloss prepared a Parks & Trails Master Plan in 2010. The Master Plan provides an overview of potential trail and park *development* in the *Township*. Existing and potential trails are identified on Schedule 'B' of this Plan. The *Township* will continue to implement the recommendations and priorities identified in the Master Plan.

The *Township* will consider recreational trails as a public use and permit them in all designations. New trail *development* may be restricted by type of use (i.e. motorized vehicles) and adjacent land use (i.e. sensitive environmental or urban uses).

The *Township* encourages the *development* of recreational trails including hiking trails, canoe routes, biking, skiing and snowmobile trails. In this regard, *Council* encourages landowners to consider the provision of trail *linkages* as part of a new *development* to facilitate the *development* of a comprehensive trail system throughout the *Township*.

Where a new recreational trail development is proposed within a Conservation Authority's regulated area, permission from the appropriate Conservation Authority may be required.

4.4.3 Road Widening

Land required to widen the existing *road* allowance may be acquired through purchase, expropriation or dedication as a condition of draft plan of subdivision, severance, part lot control or *site plan* approval, in accordance

with the Planning Act.

In cases where the widening of a *road* allowance is required, the amount of land to be obtained for the widening shall be taken in equal amounts from both sides of the *road*, measured from the *road* centreline, except where geological, topographical, utility lines or other conditions obstruct the widening.

4.5 MUNICIPAL SERVICES AND UTILITIES

Water lines, sanitary and storm sewers, gas lines, telephone lines, cell towers, including related facilities (such as pumping stations, and compressor stations) shall be permitted in all areas subject to the criteria listed below. Prior to undertaking or authorizing the undertaking of any of these utilities or related facilities in or affecting the *Township*, it is expected that the proponents will consult with the *Township* and will have due regard to the following criteria:

- a) Environmental Protection areas are avoided wherever possible;
- b) Designated Hamlet, Lakeshore and Village areas are avoided where such transmission system or related facilities would have *significant* visual impact;
- c) Facilities and structures are designed and maintained in general harmony with the character of the area in which they are located;
- d) Site landscaping and buffering is undertaken and maintained where deemed appropriate;
- e) Compliance with all relevant provisions of the Zoning By-law.

The above mentioned criteria shall also apply to proposed undertakings of Hydro One, other than its buildings or lands used for executive, administrative or retail purposes, or held under lease or license from Hydro One.

Development applications within 200 metres of a utility corridor shall be circulated to the appropriate utility for comment. In reviewing such applications, the *Township* will have regard for the 'Guidelines for *Development* in the Vicinity of Oil and Gas Pipelines Facilities' produced by the Technical Standards and Safety Authority. The Zoning By-law will adopt minimum setbacks for *development* adjacent to the utilities.

4.6 WASTE WATER TREATMENT PLANTS

Waste water treatment plants are identified on Schedule 'A' of this Plan.

No *sensitive land uses* such as residential uses, nursing homes, schools and other institutional uses will be permitted within 100 metres of the limits of these sites in accordance with Provincial guidelines. Lesser setbacks for *development* may be considered as part of a *development* review process and in consultation with the *County* in accordance with [Section 2.4](#) of this Plan.

SECTION 5 – IMPLEMENTATION AND PLAN ADMINISTRATION

5.1 INTRODUCTION

This Section identifies how the policies of the plan will be implemented. In this respect, it should not be considered to be all encompassing nor limiting as to municipal authority. These policies should be read in conjunction with the policies contained in other parts of the Plan.

This Section also acts as a guide to those who wish to participate in the planning process or who propose *developments* within the *Township*. To this extent, efforts have been made to clearly explain the various planning tools available to the *Township*, when they may be used, and the type of issues they can address.

5.2 INTERPRETATION

This Plan shall be implemented by means of the powers conferred upon the *Township* by the Planning Act, the Municipal Act, and other such statutes as may be applicable. In particular, the Plan shall be implemented by Zoning By-laws, property standards and occupancy by-laws, legislation pursuant to the Municipal Act, *site plan* control and the undertaking of public works.

Where any Act or portion of an Act is referred to in the Plan, such references shall be interpreted to refer to any subsequent renumbering of the sections in the Act and/or changes in the date of the Act.

The boundaries between land use designations on the Land Use Schedules are approximate except where they coincide with property lines, *roads*, railways, rivers or similar geographic barriers. Where such features do not exist, the exact determination of boundaries shall be the responsibility of Council. *Council* may permit, without amendment to this Plan, minor departures from these boundaries where it is satisfied that the intent of the Plan is maintained.

Minor or major enlargements to all *settlement areas* shall be by amendment to this Plan. A comprehensive review shall be provided outlining the justification for the enlargement, in accordance with the requirements of the Provincial Policy Statement.

5.3 OFFICIAL PLAN AMENDMENTS

An amendment to this Plan is required to permit the establishment of uses other than those provided for in the applicable designations of this Plan. Individuals may request changes to this Plan and an appropriate application process will be established to provide fair and timely consideration of such request. *Council* shall evaluate amendments to this Plan based on the following criteria:

- a) The desirability and appropriateness of changing this Official Plan to accommodate the proposed use in light of the goals and policies of this Plan and its conformity to the Planning Act, Provincial Policy Statement and the *County* Official Plan;
- b) The compatibility of the proposed use with surrounding land uses and the natural environment. *Council* may require an Environmental Impact Study if the land is within or adjacent to *significant natural features* as defined in [Section 2.6](#);
- c) The suitability of the site for the proposed use in relation to the physical features of the property including topography, soils, vegetation and drainage;
- d) The adequacy of the existing *road* network to service the proposed use and the provision of safe access to the site considering the speed limit, volume of traffic and sight lines. *Council* may require a traffic impact study with any proposal for a change in land use that it determines may affect the adequacy of the existing *road* network;
- e) The adequacy of the potable water supply, sewage disposal facilities, solid waste disposal, and other municipal services, as required, including whether logical extensions to services could be provided; and
- f) The availability of appropriate facilities for education, recreation, public services, or the cost of the *Township* to provide these services for the proposed use.

The *Township* will require adequate information and studies to demonstrate the impacts of proposed changes and to indicate how various policies in this Plan are met.

The *Township* will ensure the amendments to this Plan are only considered after appropriate public notice and consultation takes place and that adequate information is made available to allow the public to understand proposed changes.

The *Township* will also consult with appropriate public agencies to receive their advice on proposed changes in which they have an interest.

5.4 ZONING BY-LAW

The Zoning By-law for the Township of Huron-Kinloss shall be reviewed following the approval of this Plan by the *County* of Bruce to ensure that it properly implements the policies of this Plan.

The Zoning By-law for the Township of Huron-Kinloss shall zone land in accordance with the land use designations and policies contained within this Plan and will establish regulations to control the use of the land and location

of buildings and structures.

No application to amend the Zoning By-law may be approved or by-law passed that does not conform to this Plan, save and except a by-law or variance approved pursuant to the Planning Act.

5.5 HOLDING PROVISIONS

The *Township* may apply a Holding 'H' provision to any zone in the Zoning By-law in accordance with the Planning Act. Holding provisions allow the *Township* to identify the uses ultimately intended for specific properties but delay their actual *development* until certain conditions are met to the satisfaction of the *Township*.

Holding provisions shall not be removed until such time as *Council* is satisfied that one or more of the following conditions have been met:

- a) A specific proposal has been submitted to the *Township*;
- b) Water of sufficient quality and quantity is available to service the proposed *development* as approved by the appropriate authority;
- c) Public or private sanitary services can be constructed or are available with the design being approved by the appropriate authority and satisfactory financial arrangements secured;
- d) *Road* facilities have been completed to ensure adequate and appropriate access;
- e) The relevant policies of [Section 3](#) of this Plan are satisfied with respect to the use being proposed;
- f) A plan of subdivision, where deemed necessary, has been submitted and has received draft plan approval; and
- g) A satisfactory agreement, where deemed necessary, has been entered into by the *Township* and the property owner.

The Zoning By-law will identify specific areas where Holding provisions have been place and will set out the condition for their removal, as set out in the Planning Act. In the interim, new buildings or structures or extensions to buildings or structures may be restricted.

5.6 TEMPORARY USE BY-LAW

The *Township* may utilize the temporary use by-law provisions of Section 39 of the Planning Act to allow the temporary use of land for a purpose that is otherwise prohibited by the Zoning By-law.

Temporary Use By-laws may allow a use otherwise prohibited by the Zoning

By-law for a period of no more than 3 years, subject to further renewal. In the case of a Garden Suite, as defined by Section 39 of the Planning Act, the initial period of approval can be a maximum of ten years.

In considering a temporary use by-law, regard shall be had for the following:

1. The compatibility of the proposed temporary use with surrounding land uses.
2. The availability of appropriate access to the proposed use.
3. The proposed design and layout of the proposed temporary use.
4. The ability of the proposed use to cease when the By-law expires.
5. The availability of water and sewer services, if necessary, for the proposed use.
6. The need for an impact assessment.
7. General conformity with the policies of this Plan.

Council may pass a By-law as provided for under Section 39 of the *Planning Act* to allow temporary camping facilities associated with a Council endorsed special event which does not comply with the land use designations in this Plan provided that:

1. The temporary use by-law complies with the policies of this Section; and,
2. The temporary use by-law shall only permit camping for the duration of the Council endorsed special event.

5.7 INTERIM CONTROL BY-LAW

The *Township* may pass Interim Control By-laws, pursuant to Section 38 of the Planning Act. Interim Control By-laws allow the municipality to control *development* in areas where it wishes to review the existing land use and *development* policies, or where new policies will be developed.

An interim control by-law may be in effect for a period of one year. This may be extended provided the by-law does not go beyond two years of its original date of passage.

An interim control by-law shall only be enacted where *Council* has, by by-law or resolution, directed that a review or study be undertaken in respect of planning policies in the *Township* or any defined area or areas thereof.

Prior to passing an interim control by-law, *Council* will ensure that the planning

rationale behind the interim control by-law is substantiated and will proceed with the authorized review of planning policies fairly and expeditiously.

5.8 CONDITIONAL ZONING

Conditional Zoning is a tool that may be utilized to impose conditions on the use of lands or the erection of buildings or structures. Conditional Zoning is intended to allow a more flexible zoning process and provides the *Township* with the authority to secure conditions in agreements that may be registered on title and enforced against both current and future owners of the lands.

When regulations have been enacted by the *Province* to authorize the use of Conditional Zoning By-laws in accordance with the Planning Act, the *Township* may, in a Zoning By-law, permit the use of land or the erection, location or use of buildings or structures subject to one or more prescribed conditions on the use, erection or location.

Prior to the enactment of a Zoning By-law under the Conditional Zoning Policies of this Plan, the *Township* may require the owner to enter into one or more legal agreements to be registered on title against the lands to which it applies, dealing with the said conditions and matters related to implementation.

5.9 COMMITTEE OF ADJUSTMENT

Council has appointed a Committee of Adjustment and delegated its authority to:

1. Grant minor variances from the provisions of any by-law passed pursuant to Section 34 or 38 of the Planning Act, R.S.O. 1990;
2. Permit the enlargement or extension of a legal non-conforming use;
3. Permit a use similar to an existing legal non-conforming use, or more compatible with the uses permitted by the by-law;
4. Permit a use that conforms with the uses permitted in the by-law, where the uses permitted in the by-law are defined in general terms.

In consideration of minor variance applications, the Committee of Adjustment shall be satisfied the application satisfies the following mandatory tests:

1. The variance should be minor in nature.
2. The variance should be desirable for the appropriate *development* or use of the land, building or structure.
3. The variance should maintain the general intent and purpose of the zoning by-law.

4. The variance should maintain the general intent and purpose of this Official Plan.
5. Any appropriate conditions that should be attached to approval of the variance.

In addition to the above tests, the Committee may, by by-law, establish additional criteria as set out in Section 45 of the Planning Act.

5.10 NON-CONFORMING USES

It is intended that a use which does not conform to the policies of this Plan will ultimately be replaced with a use which does conform to this Plan.

Where a legal use predating this Plan is not in conformity with the policies of this Plan, *Council* may consider recognizing the use on a site specific basis in the Zoning By-law where it is satisfied that:

- a) The use does not constitute a danger or a nuisance to neighbouring uses by virtue of the activity it is engaged in or the traffic which it generates or attracts; and
- b) The use will not detract from the future intended land uses for the property or area.
- c) The use is not located in a *floodway* or a *flood fringe* area

Where an application is made to expand or extend a legal non-conforming use the application may be dealt with as a zone change or a minor variance. *Council* may consider approval of the expansion of the legal non-conforming use under the following conditions:

- a) The proposed expansion or extension shall not unduly aggravate the situation created by the existence of the use;
- b) The proposed expansion or extension shall be reasonable relative to the same size of the existing use as it existed on the date of passing of the Zoning By-law;
- c) Neighbouring conforming uses will be protected by appropriate *site plan* control measures;
- d) Traffic and parking conditions in the vicinity of the non-conforming use will not be adversely affected by the expansion or extension;
- e) That water, sanitary and storm drainage services and *roads* are adequate or will be made adequate; and,
- f) The proposed expansion or extension does not extend beyond the original parcel of land, as it existed on the date of the passing of the

Zoning By-law.

5.11 URBAN DESIGN AND SITE PLAN CONTROL

Council has designated by by-law all the land within the *Township* as the Site Plan Control Area, as provided in the Planning Act. All *development* and *redevelopment* within the *Settlement Areas* shall be subject to *site plan* control with the exception of the following:

- a) Single detached, semi-detached or duplex dwellings;
- b) Buildings or structures for flood control or *conservation* purposes.

Within the proposed *site plan* control area the *Township* and/or *County of Bruce (within areas of the County's jurisdiction)* may require, as a condition of *development*, the provision and maintenance of facilities related to vehicular access, landscaping, parking and loading areas, grading, servicing, external lighting and other site features as required by Section 41 of the Planning Act. *Council* may determine the *site plan* submission requirements needed to evaluate the proposed *development* or *redevelopment*.

Where *development* is proposed adjacent to a *County Road*, the *Township* will circulate the *site plan* to the *County of Bruce* for its review and comment. Where *development* is proposed within a regulated area or requires a permit from a Conservation Authority, the appropriate Conservation Authority shall be circulated for review and comment.

In circumstances where a *site plan* is required, approval must be obtained prior to the issuance of building permits.

Site plan agreements may be required by *Council* and/or the *County of Bruce* (within areas of the *County's jurisdiction*) and registered on title.

5.12 PROPERTY MAINTENANCE AND OCCUPANCY STANDARDS

Council may establish minimum standards of property maintenance and occupancy in order to improve, maintain and protect existing and future *development* within the *Township*. Section 15.1 of the Building Code Act permits *Council* to adopt and enforce a Property Maintenance By-law. The by-law may be applicable to all properties in the *Township* and may contain, among other matters, standards with respect to:

- a) Maintaining properties free from refuse and abandoned or derelict vehicles, trailers, boats, machinery and equipment;
- b) Maintaining buildings, yards, lands, parking, fences and storage areas;
- c) Structural condition of buildings;

- d) Services to buildings (e.g. plumbing, heating and electricity); and,
- e) Occupancy.

Upon adoption of a Property Maintenance By-law, the *Township* will appoint a Property Standards Officer who will be responsible for administering and enforcing the provisions of the by-law. The *Township* will also appoint a Property Standards Committee in accordance with the provisions of the Building Code Act, for the purpose of hearing appeals against orders of the Property Standards Officer.

5.13 PERIODIC REVIEW

Change is inevitable and this Plan may be amended to reflect new community directions, needs or standards. The Official Plan should be reviewed and amended periodically to reflect changing circumstances. It is the responsibility of *Council* to monitor the Official Plan to ensure that it remains relevant and is responsive to the changing needs of the community.

Once this Official Plan takes effect, *Council* shall hold a special public meeting, at least once every five years, for the purpose of determining the need for a revision to the Official Plan. In considering the need for a revision, *Council* shall have regard for the following:

1. Population, land use, economic and *development* trends;
2. Housing conditions;
3. The supply and demand for land for various purposes;
4. The adequacy and availability of municipal services;
5. Transportation needs;
6. Changes to the *County* of Bruce Official Plan or Provincial Policy Statements; and
7. Other matters determined by Council.

5.14 REVIEW AND UPDATING OF BY-LAWS

Where necessary or otherwise considered desirable, the *Township* will amend its existing by-laws or pass new by-laws as may be required to ensure activities are properly regulated and controlled in conformity with the land use designations and policies of this Plan.

5.15 PUBLIC CONSULTATION

It is a policy of the *Township* to encourage public involvement in all land use

decisions affected by this Plan. The *Township* will endeavour to provide information to the general public on all planning matters and proposals in a manner that is informative, understandable, timely and cost effective:

- a) The *Township* will endeavour to make decisions on planning applications as efficiently as possible and in accordance with the general guidelines set out in the Planning Act.
- b) Those submitting applications for *development* approval are encouraged to engage in pre-consultation with *Township*, *County* and Conservation Authority staff prior to submitting an application. The pre-consultation will determine which impact assessments, if any, will be required. Applicants are encouraged to submit their impact assessments with their planning application. *Council* may defer making a decision on any planning application until such time as it is satisfied that it has been provided with adequate information upon which to make a decision.
- c) Where a planning or related matter under consideration by the *Township* has a statutory requirement for public notice and input, the *Township* may extend the minimum municipal requirements under the Planning Act and provide additional opportunities for public participation where such matters are considered to be complex, have *significant* or potentially *significant* adverse impacts, or where *significant* public interest is generated.
- d) While the Planning Act requires at least one public meeting prior to any amendment to the Official Plan or zoning by-law, *Council* may consider holding as many information meetings or additional public meetings as it deems appropriate so as to provide the public with a full opportunity to express their views and concerns.
- e) The *Township* may establish and maintain a register of individuals, interest groups and organizations and businesses, and agencies who have indicated an interest in being kept informed on a regular basis of planning matters and proposals, studies and activities in the *Township* and will distribute such information to these persons or bodies as it becomes available.
- f) Where a planning or related matter is under consideration by the *Township* and there is no statutory requirement for public participation under the Planning Act, the *Township* may provide opportunities for public input prior to making a decision on the matter.

- g) In the preparation of a secondary plan, community improvement plan, heritage conservation district plan, special study, five-year Official Plan review or similar initiative, the *Township* may appoint an advisory committee or task force of interested citizens and stakeholders as a means of providing proactive, sustained and substantive input.

5.16 OTHER INFORMATION TO BE SUBMITTED IN SUPPORT OF A PLANNING APPLICATION

As per the requirements of the Planning Act, a person, public body or applicant shall provide together with an amendment or application, in addition to the information prescribed by the Planning Act, or Regulations thereto, any or all of the following assessments, evaluations, reports, statements, studies or plans as requested by the *Province, County, Township*, or any agency at the sole discretion of the *Township*:

- i. Adjacent Land Compatibility Study
- ii. Air Quality/Dust/Odour Study
- iii. Arborist Report
- iv. Archaeology Assessment
- v. Completed Application Form
- vi. Daylight, Sunlight and Overshadowing Report
- vii. Endangered Species Assessment
- viii. *Environmental Impact Study*
- ix. Environmental Site Assessment (Phase 1 and Phase 2, Record of Site Condition)
- x. Erosion and Sedimentation Control Plan
- xi. Fisheries Impact Assessment
- xii. *Floodplain and Erosion Hazard Study*
- xiii. Groundwater Impact Study/Well Interference Study
- xiv. Heritage Impact Study
- xv. Housing Affordability/Issues report
- xvi. Hydrogeological Study/Hydrology Study
- xvii. Landscape Character Assessment
- xviii. Landscape Plan
- xix. Lot Grading and/or Drainage Plan
- xx. Market Impact Assessment/Retail Impact Study
- xxi. Master Drainage Plan
- xxii. Master Road Network Plan
- xxiii. Minimum Distance Separation I or II Calculations
- xxiv. Natural Heritage Study
- xxv. Nitrate Study
- xxvi. Ornithological Impact Assessment/Avian/Bird/Study
- xxvii. Parking and/or Loading Study
- xxviii. Planning Justification Report
- xxix. Sanitary and/or Storm Sewer Study

- xxx. Septic System Impact Assessment
- xxxi. Servicing Capacity Report
- xxxii. Servicing Options Statement
- xxxiii. *Significant Woodlands* Study
- xxxiv. *Site Plan* Application
- xxxv. Soils/Geotechnical Assessment (Slope Stability Study)
- xxxvi. Stormwater Management (Quality and Quantity) Report
- xxxvii. Structural Engineering Analysis (Existing Buildings and Structures)
- xxxviii. *Surface Water* Impact Assessment
- xxxix. Terrestrial Wildlife Environment Assessment
- xl. Tree Preservation/Retention Plan
- xli. Traffic Impact Study
- xlii. Urban Design Study
- xliii. Vibration and/or Noise Impact Report
- xliv. Wetland Evaluation

The specific submission requirements for any given application will be determined depending on the phase and/or scale of the proposal, its location, its location in relation to other land uses, and whether the proposal implements other planning approvals that may have been previously obtained, prior to consideration of the specific application.

All assessments, evaluations, reports, statements, studies or plans shall be prepared/conducted by an individual(s) who is competent by virtue of training and experience to engage in practices that would also constitute professional practice. Such qualifications may be submitted with the assessments, evaluations, reports, statements, studies or plans.

The Terms of Reference for an assessment, evaluation, report, statement, study or plan shall:

- i. Be determined through consultation and direction from the *Township* and/or the *County* of Bruce and/or any relevant agency including the appropriate Conservation Authority and/or the *Province*; and,
- ii. Be prepared in accordance with industry standards, norms, practices and/or government guidelines/regulations.

Peer reviews of an assessment, evaluation, report, statement, study or plan or any other study required to support a *development* application or proposal may be required by the *Township* and/or the *County* of Bruce, at the cost of the proponent.

Notwithstanding the required studies and assessments listed above, *Council* may ask for any additional information that is considered reasonable and necessary in order to make a decision on a planning application.

5.17 TECHNICAL AMENDMENTS TO THE PLAN

Council shall not issue public notification under the Planning Act for changes to the Official Plan which facilitate the following:

- a) Changes made based on the policies of [Section 5.2](#) – Interpretation.
- b) Change the numbers of sections or the order of sections in the Plan, but does not add or delete sections;
- c) Consolidate previously approved Official Plan Amendments in a new document without altering any approved policies or maps;
- d) Correct grammatical or typographical errors in the Plan which do not affect the intent or affect the policies or maps; and,
- e) Translate measurements to different units of measure; or change reference to legislation; or changes to legislation where that legislation has changed.

In all other instances, notification to the residents of the *Township* of public meetings held by *Council* shall be given in accordance with the requirements of the Planning Act.

GLOSSARY

Active transportation: means human-powered travel, including but not limited to, walking, cycling, inline skating and travel with the use of mobility aids, including motorized wheelchairs and other power-assisted devices moving at a comparable speed.

Adverse Effects: As defined in the Environmental Protection Act, means one or more of:

- a) Impairment of the quality of the natural environment for any use that can be made of it;
- b) Injury or damage to property or plant or animal life;
- c) Harm or material discomfort to any person;
- d) An adverse effect on the health of any person;
- e) Impairment of the safety of any person;
- f) Rendering any property or plant or animal life unfit for human use;
- g) Loss of enjoyment of normal use of property; and,
- h) Interference with normal conduct of business.

Affordable: means

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

For the purposes of this definition, low and moderate income means, (i) in the case of ownership housing, households with incomes in the lowest 60% of the income distribution for the regional market area; (ii) in the case of rental housing, households with incomes in the lowest 60% of the income distribution for renter households for the regional market area.

Accessory: A land use that is supportive of and secondary to the primary use assigned to a given designated property.

Archaeological resources: includes artifacts, archaeological sites, marine archaeological sites, as defined under the Ontario Heritage Act. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the Ontario Heritage Act.

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

Bed and Breakfast Establishment: A single-detached residential dwelling, not containing a secondary unit or garden suite, with no greater than four guest rooms which provide short-stay overnight accommodation for the travelling or vacationing public. A *bed and breakfast establishment* does not include a hotel, motel, group home, lodging house, or restaurant.

Brownfield site: An undeveloped or previously developed parcel or site that may be contaminated. Brownfields are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant.

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

Community Infrastructure: Lands, buildings, and structures that support the quality of life for people and communities by providing public services for health, education, recreation, socio-cultural activities, security and safety, and *affordable* housing.

Complete Community: A community that meets people's needs for daily living throughout an entire lifetime by providing convenient access to an appropriate mix of employment, local services, a full range of housing and *community infrastructure* including *affordable* housing, schools, recreation and open space for their residents. Convenient access to public transportation and options for safe, non-motorized travel is also desired.

Conserve/Conservation: In regard to *cultural heritage resources*, the identification, protection, use and/or management in such a way that their heritage values, attributes and integrity are retained. This may be addressed through a *conservation plan* or *Heritage Impact Assessment*.

Contiguous: Lands that are situated in sufficiently close proximity such that *development* or *site alteration* could reasonably be expected to produce one or more of the following impacts: alterations to existing hydrological or hydrogeological regimes; clearing of existing vegetation; erosion and sedimentation; or producing a substantial disruption of existing natural *linkages* or the habitat of a *significant* species.

Council: shall mean the *Council* of the Township of Huron-Kinloss, unless otherwise specified.

County: shall mean the County of Bruce.

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

Cultural Heritage Resources: *Built Heritage Resources, Cultural Heritage Landscapes, and Archaeological Resources* or Areas of Archaeological Potential, which include but are not limited to:

- Buildings;
- Structures;
- Monuments;
- Cemeteries;
- Scenic *roads*;
- Vistas/viewsheds;
- Culturally *significant natural features*;
- Movable objects; and,
- Cultural traditions.

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

- a) activities that create or maintain *infrastructure* authorized under an *environmental assessment* process;
- b) works subject to the Drainage Act.

Drinking water threat: means an activity or condition that adversely affects or has the potential to adversely affect the quality or quantity of any water that is or may be used as a source of drinking water, and includes an activity or condition that is prescribed by regulation as a *drinking water threat*.

Ecological Function: The natural processes, products or services that living and non-living environments provide or perform within or among species, ecosystems and

landscapes, including *hydrologic functions* and biological, physical, chemical and socio-economic interactions.

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

Endangered or Threatened Species: A species listed or categorized as an “Endangered Species” or “Threatened Species” on the Ministry of Natural Resources and Forestry official Species at Risk list, as updated and amended from time to time.

Environmental Assessment: A process for the authorization of an undertaking under legislation such as the Environmental Assessment Act, and the Ontario Energy Board Act.

Environmental Impact Study: A study prepared in accordance with established procedures to identify and/or refine the boundaries of elements of the Natural System, identify the potential impacts of proposed *development* or *site alteration* on such elements, and recommend a means of preventing or minimizing these impacts through avoidance or mitigation and a means to enhance or restore the Natural System.

Environmentally Significant Discharge Areas: Lands where groundwater discharges to the surface of the soil or to *surface water* bodies to sustain *wetlands*, fisheries, or other specialized natural habitats.

Environmentally Significant Recharge Areas: Lands where water infiltrates into the ground to replenish an aquifer that sustains, in full or in part, *natural features*.

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

Fish: means *fish*, which as defined in the Fisheries Act, includes *fish*, shellfish, crustaceans, and marine animals, at all stages of their life cycles.

Fish habitat: as defined in the Fisheries Act, means spawning grounds and any other areas, including nursery, rearing, food supply, and migration areas on which *fish* depend directly or indirectly in order to carry out their life processes.

Flood Fringe: For watercourses and small inland lake systems, the outer portion of the *floodplain* between the *floodway* and the limit of the flooding hazard. Depths and velocities of flooding are generally less severe in the *flood fringe* than those experienced in the *floodway*.

Floodplain: For watercourses and small inland lake systems, the area, usually low lands adjoining a watercourse, which has been or may be subject to flooding hazards.

Flooding Hazard: The inundation of areas adjacent to watercourses and small inland lake systems not ordinarily covered by water. The *flooding hazard* limit is the greater of: (a) the flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954) or the Timmins storm (1961), transposed over a specific *watershed* and combined with the local conditions, where evidence suggests that the storm event could have potentially occurred over *watersheds* in the general area; (b) the 100 year flood; and (c) a flood which is greater than (a) or (b) which was actually experienced in a particular *watershed* or portion thereof as a result of ice jams and which has been approved as the standard for that specific area by the *Province*; except where the use of the 100 year flood or the actually experienced event has been approved by the *Province* as the standard for a specific *watershed* (where the past history of flooding supports the lowering of the standard).

Floodproofing and Flood Damage Reduction Measures: Refers to a combination of structural changes and/or adjustments incorporated into the design and/or construction of buildings, structures or properties for the purpose of reducing flood damages.

Floodway: For watercourses and small inland lake systems, the portion of the *floodplain* where *development* and *site alteration* would cause a danger to public health and safety or property damage. Where the One Zone concept is applied, the *floodway* is the entire *contiguous floodplain*. Where the Two Zone concept is applied, the *floodway* is the *contiguous* inner portion of the *floodplain*, representing that area required for the safe passage of flood flow and/or that area where flood depths and/or velocities are considered to be such that they pose a potential threat to life and/or property damage. Where the Two Zone concept applies, the outer portion of the *floodplain* is the flood fringe. In all cases, the *floodway* includes areas of inundation that contain high points of land not subject to flooding.

Groundwater feature: means water-related features in the earth's subsurface, including recharge/discharge areas, water tables, aquifers and unsaturated zones that can be defined by surface and subsurface hydrogeologic investigations.

Gross developable hectare: Shall mean the total area of the proposed *development* minus the area of any lands designated or zoned Environmental Protection, Hazard, Natural Environment, Natural Hazard, or similar constraint in the County of Bruce Official Plan, Huron-Kinloss Official Plan or Comprehensive Zoning By-law. When considering proposals with more than one land use, the uses may be separated for determining applicable density.

Habitat of endangered species and threatened species: means

- a) with respect to a species listed on the Species at Risk in Ontario List as an *endangered or threatened species* for which a regulation made under clause 55(1)(a) of the Endangered Species Act, 2007 is in force, the area prescribed by that regulation as the habitat of the species; or
- b) with respect to any other species listed on the Species at Risk in Ontario List as an endangered or threatened species, an area on which the species depends, directly or indirectly, to carry on its life processes, including life processes such as reproduction, rearing, hibernation, migration or feeding, as approved by the Ontario Ministry of Natural Resources and Forestry; and

places in the areas described in clause (a) or (b), whichever is applicable, that are used by members of the species as dens, nests, hibernacula or other residences.

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

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

Hazardous Waste: Waste that requires special precautions in its storage, handling, collection, transportation, treatment or disposal, to prevent damage to persons, property or the environment and includes explosives, flammable, volatile, radioactive, toxic, and pathological waste.

Heritage Impact Assessment: A study to determine if *cultural heritage resources* will be negatively impacted by a proposed *development* and/or *site alteration*. It can also demonstrate how the *cultural heritage resource* will be conserved in the context of *development* or *site alteration*. Mitigative or avoidance measures or alternative *development* approaches may also be recommended.

Home Business: Means the use of a part of a dwelling unit for a service or profession by at least one of the permanent residents of such dwelling unit and which is clearly secondary to the main use of the dwelling unit.

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

Individual on-site sewage services: means sewage systems, as defined in O. Reg. 332/12 under the Building Code Act, 1992, that are owned, operated and managed by the owner of the property upon which the system is located.

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

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

Intensification: means the *development* of a property, site or area at a higher density than currently exists through:

- a) *redevelopment*, including the reuse of *brownfield sites*;
- b) the *development* of vacant and/or underutilized lots within previously developed areas;
- c) *infill development*; and
- d) the expansion or conversion of existing buildings.

Intermittent Stream: A stream that is dry at times of the year but generally flows during wet seasons.

Linkages: Areas that connect *natural features* along which plants and animals can propagate, genetic interchange can occur, populations can move in response to environmental changes and life-cycle requirements, and species can be replenished from other *natural features*. Linkages can also include those areas currently performing, or with the potential to perform, through restoration, linkage functions. Although linkages help to maintain and improve *natural features*, they can also serve as important *natural features* in their own right.

Municipal sewage services: means a sewage works within the meaning of section 1 of the Ontario Water Resources Act that is owned or operated by the *Township*.

Municipal water services: means a municipal drinking-water system within the meaning of section 2 of the Safe Drinking Water Act, 2002.

Natural Features: Features of the natural environment, including:

- a) *Significant Habitat of Endangered or Threatened Species;*
- b) *Fish habitat;*
- c) *Wetlands;*
- d) *Woodlands;*
- e) *Environmentally Significant Valley Features;*
- f) *Significant Wildlife Habitat;*
- g) *Areas of Natural and Scientific Interest;*
- h) *Sand barrens, savannas and tallgrass prairies;*
- i) *Alvars;*
- j) *Perennial Watercourses and Intermittent Watercourses;*
- k) *Lakes (and their littoral zones);*
- l) *Environmentally Significant Discharge Areas and Environmentally Significant Recharge Areas;*
- m) *Environmentally Sensitive Landscapes;*
- n) *Significant Valleys; and,*
- o) *Regional Recharge Areas.*

Natural heritage features and areas: means features and areas, including significant *wetlands*, significant coastal *wetlands*, other coastal *wetlands* in Ecoregions 5E, 6E and 7E, *fish habitat*, *significant woodlands* and *significant valleylands* in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River), *habitat of endangered species and threatened species*, *significant wildlife habitat*, and *significant areas of natural and scientific interest*, which are important for their environmental and social values as a legacy of the natural landscapes of an area.

Natural heritage system: means a system made up of *natural heritage features and areas*, and *linkages* intended to provide connectivity (at the regional or site level) and support natural processes which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species, and ecosystems. These systems can include *natural heritage features and areas*, federal and provincial parks and *conservation reserves*, other natural heritage features, lands that have been restored or have the potential to be restored to a natural state, areas that support *hydrologic functions*, and working landscapes that enable ecological functions to continue. The *Province* has a recommended approach for identifying natural heritage systems, but municipal approaches that achieve or exceed the same objective may also be used.

Negative impacts: means

- a) degradation to the *quality and quantity of water*, sensitive *surface water* features and sensitive ground water features, and their related *hydrologic functions*, due to single, multiple or successive *development or site alteration* activities;

- b) in regard to *fish habitat*, any permanent alteration to, or destruction of *fish habitat*, except where, in conjunction with the appropriate authorities, it has been authorized under the Fisheries Act; and
- c) in regard to other *natural heritage features and areas*, degradation that threatens the health and integrity of the *natural features* or ecological functions for which an area is identified due to single, multiple or successive *development* or *site alteration* activities.

Partial services: means

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

Perennial Watercourse: A watercourse that continually flows in an average year.

Private communal sewage services: means a sewage works within the meaning of section 1 of the Ontario Water Resources Act that serves six or more lots or private residences and is not owned by the *Township*.

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

Province: The Province of Ontario or one or more of its ministries or other agencies that exercise delegated authority on behalf of one or more ministries.

Provincially Significant Wetlands: Wetlands identified by the *Province* as being of provincial significance as determined through the Ontario Wetland Evaluation System.

Quality and Quantity of Water: Measured by indicators such as minimum base flow, depth to water table, aquifer pressure, oxygen levels, suspended sediments, temperature, bacteria, nutrients and hazardous contaminants and hydrological regime.

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

Regional Recharge Area: A large natural feature where considerable deposits of sand and gravel allow for the infiltration of large quantities of rainfall and snowmelt deep into the ground. *Regional Recharge Areas* serve two important functions. From an environmental perspective, groundwater discharge from the shallow aquifers located within *Regional Recharge Areas* sustains a wide range of aquatic habitats and ecosystems. This groundwater discharge also provides a high percentage of the baseflow to surrounding rivers and cold-water streams and therefore is critical to maintaining the health the Region and downstream communities. The second function of *Regional*

Recharge Areas is to replenish deep underground aquifers that serve as a source for a *significant* share of the municipal drinking-water supply.

Regulatory Flood: The inundation under a flood resulting from the rainfall experienced during the Hurricane Hazel storm (1954) or the 100-year flood, wherever it is greater, the limits of which define the flooding hazard.

Road: A highway as defined by the Municipal Act.

Section 59 Notice: refers to the requirements under Section 59 of the Clean Water Act, which requires issuance of a notice from the *Township's* Risk Management Official before permitting an activity that is considered a restricted land use as identified in the Source Protection Plans.

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

Settlement Areas: means urban areas and rural settlement areas within the Township of Huron-Kinloss, which includes Lucknow, Ripley, Lakeshore, Amberley, Holyrood, Kinloss, Kinlough, Pine River and Whitechurch.

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

Significant:

- a) In regard to *wetlands*, coastal *wetlands* and areas of natural and scientific interest, an area identified as provincially significant by the Ontario Ministry of Natural Resources and Forestry using evaluation procedures established by the *Province*, as amended from time to time;
- b) In regard to *woodlands*, an area which is ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to the site quality, species composition, or past management history. These are to be identified using criteria established by the Ontario Ministry of Natural Resources and Forestry;
- c) In regard to other natural heritage features, ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or *natural heritage system*;

- d) In regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, an event or a people.

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

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

Significant drinking water threat: means a *drinking water threat* that, according to a risk assessment, poses or has the potential to pose a *significant* risk (Source: Clean Water Act)

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

Site Plan: A plan prepared under Section 41 of the Planning Act, which details building location and design as well as other site specific considerations such as walkways, landscaping, lighting and storage areas.

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

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

Township: shall mean the Township of Huron-Kinloss.

Vulnerable: means surface and/or ground water that can be easily changed or impacted.

Wellhead Protection Area (WHPA): means an area that is related to a wellhead and within which it is desirable to regulate or monitor *drinking water threats*.

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

Wetlands: Lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens. Periodically soaked or wet lands being

used for agricultural purposes which no longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition.

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

Woodlands: Treed areas that provide environmental and economic benefits to both the private landowner and the general public, such as erosion prevention, hydrological and nutrient cycling, provision of clean air and the long-term storage of carbon, provision of *wildlife habitat*, outdoor recreational opportunities, and the sustainable harvest of a wide range of woodland products. Woodlands include treed areas, woodlots or forested areas.