

# COUNTY OF PETERBOROUGH



# OFFICIAL PLAN

CONSOLIDATED TO OCTOBER 2016

## CONSOLIDATION INCLUDES:

- OPA #1 .....(Oak Ridges Moraine – Approved October 2004)
- OPA #2 .....(Official Plan Update – Approved March 2006 – Effective 03-28-2006)
- OPA #3 .....(Local Component – Approved October 2008)
- OPA #4 .....(Local - Fitzgerald Fuels– Approved August 2009)
- OPA #5 .....(Local – Steranko – Approved March 2011)
- OPA #6 .....(Local – Peterborough Housing – Approved December 2009)
- OPA #7 .....(Growth Plan Conformity – Approved January 2010)
- OPA #8 .....(Local – Shrama Pit – Approved March 2010)
- OPA #9 .....(Local – Pirie – Approved September 2010)
- OPA #10 .....(Local – Ennismore Homestead Theatre – Approved July 2011)
- OPA #11 .....(Local –Meharg – Approved May 2011)
- OPA #12 .....(Local – Community Improvement Policies – Approved January 2012)
- OPA #13 .....(Local –Welch – Approved June 2012)
- OPA #14 .....(Local - Preston – Approved November 2012)
- OPA #15 .....(Local –Vissers – Approved November 2012)
- OPA #16 .....(Local – Haastown – September 2016)
- OPA #17 .....(Local – Stewart – Approved December 2012)
- OPA #18 .....(Local – Sharp – Approved February 2013)
- OPA #19 .....(Local – Selwyn Public Works Yard – Approved September 2013)
- OPA #20 .....(Local – Ventresca – In Process)
- OPA #21 .....(Local – Durham Building Corp. – Approved June 2016)
- OPA #22 .....(Local – Addition of Douro-Dummer – Approved April 2014)
- OPA #23 .....(Local – Cadorn – Approved April 2014)
- OPA #24 .....(Local – Jenden-Selway – Approved May 2014)
- OPA #25 .....(Local – Douro-Dummer Rural Consent – Approved September 2014)
- OPA #26 .....(Local – Triple T Lakefield – Approved November 2015)
- OPA #27 .....(Local – Havas – Appealed to OMB)
- OPA #28 .....(Local – Eastern Star Temple – Approved February 2015)
- OPA #29 .....(Local – Kingdon Lumber – In Process)
- OPA #30 .....(Local – Young – Approved January 2016)
- OPA #31 .....(Brookfield)
- OPA #32 .....(Source Water Protection – Approved June 2016)
- OPA #33.....(Local – Wood – Approved July 2016)
- OPA #34.....(Local – Irwin – Approved August 2016)
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## **1.0 INTRODUCTION**

### **1.1 PURPOSE AND STRUCTURE OF THE OFFICIAL PLAN**

This Official Plan is prepared by the County of Peterborough to direct and guide the actions of local municipalities and the County in policy planning and physical planning on a very broad basis.

The County of Peterborough Official Plan has two functions.

The County Plan serves as the upper tier Official Plan for the County. It establishes a vision in which planning and stewardship protect and enhance a diverse landscape, lifestyle and sense of community for the County.

This document, hereafter referred to as "this Plan" or "the Plan" implements a strategic approach to land use planning based on a watershed planning process. This Plan sets out the general direction for planning and development in Peterborough County by prescribing strategic goals, objectives and policies.

The County Plan also functions as the lower tier Official Plan for four of the local municipalities, the Township of Selwyn, the Township of Asphodel-Norwood, the Township of Douro-Dummer and the Township of North Kawartha. Those municipalities have chosen to incorporate their local municipal official plans into the County Plan. Section 6 and 7 and associated Schedules contain the detailed land use policies for these four municipalities and are implemented by Official Plan amendment #3 and #22. The other local municipalities in the County (the Township of Cavan Monaghan, the Municipality of Trent Lakes, the Township of Havelock-Belmont-Methuen and the Township of Otonabee-South Monaghan) maintain separate, free-standing planning documents.

The detailed land use policies in Sections 6 and 7 for the four municipalities that have incorporated their plans into the County Plan, and the official plans for the four municipalities that have chosen to retain separate plans, are collectively referred to in this Plan as "local plans" or "local official plans".

It is the intention of this Plan to set the context for planning in the County as a whole and provide direction for County services.

It is not the intention of the Peterborough County Official Plan to interfere with those planning matters which are considered to be the responsibility of the local municipalities. Local municipal official plans complement the Peterborough County Official Plan by providing detailed strategies, policies and land use designations for the planning and development at a local municipal level.

The format of the Official Plan is as follows:

- Section 1, Introduction, contains the purpose of the Plan and the context in which it was prepared;
- Section 2, Implementation, establishes the way in which the policies of the Plan will be achieved through local municipal official plans, development applications and public participation processes;
- Section 3, Watershed-Based Strategic Approach, defines the rationale and administration of the Plan's approach to planning on a watershed basis;
- Section 4, Watershed Strategic Components, describes the conceptual basis and long-term strategy for County policies which have regard for watersheds;
- Section 5, Other Strategic Components, describes the conceptual basis and long-term strategy for County policies on other issues;
- Section 6, Local Plan Policies - Rural and Urban Components, contains the detailed land use policies for guiding planning and development in the Township of Selwyn, the Township of Asphodel-Norwood, the Township of Douro-Dummer and the Township of North Kawartha;

- Section 7, Local Plan Policies - General Development, contains the detailed general development policies for guiding planning and development in the Township of Selwyn, the Township of Asphodel-Norwood, the Township of Douro-Dummer and the Township of North Kawartha;
- Section 8, Interpretation, clarifies special provisions of the text and maps in the Plan; and provides definitions for certain terms that appear in the Plan; and

This Amendment, No. 2 to the Official Plan of the County of Peterborough, consists of Sections 1, 2, 3, 4, 5, and 8, together with the associated Maps ‘A’ and ‘B’. The Local Plan Policies, Sections 6 and 7, together with the associated maps ‘A1’, ‘A1-1’, ‘A1-2’, ‘A2’, ‘A2-1’, ‘A3’, ‘A4-1’, ‘A4-2’, ‘A4-3’, ‘A4-4’, ‘B1’, ‘B1-1’, ‘B1-2’, ‘B2’, ‘B2-1’, ‘B3’, and ‘B4’, are implemented in Official Plan Amendments No. 3 and No. 22. Oak Ridges Moraine policies are implemented through Amendment No. 1. Source Water Protection policies, together with associated maps ‘C1’, are implemented through Amendment No. 32.

Appendices to the Plan provide background information for interpretation and assistance to the implementation of policies, but are not part of the Plan approved by the Provincial Government.

The County of Peterborough supports the intent of the Provincial Policy Statement, and is consistent with the 2014 Provincial Policy Statement in amending and updating this Plan.

Sufficient land shall be made available through intensification and redevelopment, where possible, in settlement areas to accommodate an appropriate range and mix of employment opportunities, housing, and other land uses to meet projected needs for a time horizon of up to 20 years. However, where an alternate time period has been established for specific areas within the County of Peterborough as a result of a provincial planning exercise or a provincial plan, that time frame may be used for municipalities within the area.

## **1.2 COUNTY STRATEGY**

### **1.2.1 - Implications of the County Vision**

The vision for the County of Peterborough establishes a basis for the County's strategy. Each of the vision statements and supporting objectives formulated by County Council during the visionary retreat in August 1991 became components of the goals, objectives and policies for the Peterborough County Official Plan. In essence, the vision, vision statements and visionary objectives provided a foundation in which subsequent policies were derived that were in keeping with the intent of the County's future form.

### **1.2.2 - Components of the Strategy**

A strategy was established in Peterborough County to coordinate the intent and direction of the vision statements and objectives. This strategy, as further described in Section 3 of the Plan, identifies a watershed approach to planning and development which, from the vision statements, serves to:

1. respect and protect the County's traditions of rural lifestyle by ensuring that potential impact from developments of a particular size or sensitivity are considered within the watershed area;
2. maintain and enhance the County's quality of life through managed orderly growth and development while considering the natural environment and watersheds as a basis for the management of future development;
3. protect the integrity of the environment by recognizing all natural resources as important features to be protected, regulated and enhanced by a 'holistic' or ecosystem approach that is based on watershed areas to reflect natural systems rather than political boundaries; and
4. provide an efficient, helpful, cost-effective form of County government in which joint planning and cost-sharing strategies are encouraged between local municipalities in similar watershed areas.

### 1.2.3 - Future Growth

The County's vision and strategic approach to the Official Plan establishes a foundation and process for future planning and development. An identification of future growth puts into perspective the degree and direction to which future planning and development is managed and regulated.

The most recent Census data for the County of Peterborough shows the 2006 population at 58,000 persons. The County of Peterborough will initially plan and manage growth based on a Provincial forecast of 61,000 residents and 18,000 jobs to the year 2031 according to the Growth Plan for the Greater Golden Horseshoe, 2006. The Province has committed to reviewing the forecasts at least every five years in accordance with Growth Plan policy 2.2.1.2. Under the Growth Plan, the County is responsible for allocating growth among the 8 Townships. A percentage distribution has been used as an approach for allocating growth among the Townships. Using present trends and future growth factors in addition to directing growth to settlement areas with full municipal services, growth for the 8 Townships in the County has been allocated as follows:

<b>Township</b>	<b>Population Distribution (% of 2006 Census Data) Census Data)</b>	<b>New Growth (% of Population Growth 2006-2031)</b>
Asphodel-Norwood	7.5%	8.5%
Cavan-Monaghan	15.6	16.6
Douro-Dummer	12.3	11.3
Trent Lakes	9.3	8.3
Havelock-Belmont-Methuen	8.2	9.2
North Kawartha	4.1	3.1
Otonabee-South Monaghan	12.2	11.2
Selwyn	30.7	31.7

Recognizing that growth pressures and market conditions can change over the course of 30 years, it will be important to monitor and reevaluate land supply and undertake monitoring to population projections. Municipalities are encouraged to maintain an ongoing collection of data on growth, development densities, building permits and related



information and evaluate such data at least every five years to assure that there is an adequate supply of buildable land to accommodate projected growth and meet local and county-wide planning policy objectives.

In planning for growth, the County needs to take into account the significant non-permanent population in certain municipalities.

The lower tier municipalities will base their planning for growth and growth related infrastructure/roads/facilities on a 20 year time-frame. However, where significant investment in new infrastructure is anticipated, municipalities may utilize a longer time horizon.

Densities of development should result in the efficient use of land, resources, infrastructure and public service facilities, which are cost effective and minimize land consumption, while avoiding the need for unnecessary and /or uneconomical expansion of infrastructure. Development should also support a range of uses having appropriate infrastructure and take into account the applicable policies related to Resources and Public Health and Safety of the Provincial policy Statement. Opportunities for redevelopment, intensification and revitalization of the area should also be considered.

The allocation of growth to the lower tier municipalities as agreed upon by those municipalities will be used in planning for growth and growth-related infrastructure/facilities at the local level.

Notwithstanding any other provisions of this Official Plan, where Special Study Areas have been designated by local official plans and amendments are recommended to the local official plan as a result of those studies, County Council may consider amendments to this plan, where necessary, to provide for those Special Study Area amendments which comply with the Growth Plan, including the population and employment forecasts, and density and intensification targets as set out in this Plan.

## **2.0 IMPLEMENTATION**

### **2.1 GENERAL**

The Official Plan shall be implemented by means of the powers conferred on Council by the Planning Act, the Municipal Act, 2001, and such other statutes as may be applicable. In particular, this Plan shall be implemented by local municipal official plans and zoning by-laws, plans of subdivision, consents and site specific site plan agreements.

The Plan recognizes that the implementation of any policy herein requires that County Council have the legal jurisdiction to do so. Specifically, this Plan is not intended to in any way infringe, nor is it to be interpreted as in any way infringing, on the statutory rights, powers or prerogatives of any other legal jurisdiction except as the County has the legal authority to do so.

The County Official Plan establishes a framework to guide the County's future growth and development. It is the intent of County Council that the County Official Plan provide general guidelines for the preparation and implementation of detailed planning documents by the local municipalities. The level of detail in the County Official Plan is intended to sufficiently ensure the achievement of the County goals outlined in the Plan.

### **2.2 AMENDMENTS TO THE PLAN**

This Plan has been prepared to accommodate all growth (residential, commercial and industrial) anticipated over the next 20 years. In addition, this Plan reflects and implements the long term vision established by the County. Amendments to the Plan should only be required for significant departures from this Vision.

When submitting an application to amend the County Official Plan, the applicant shall provide supporting documentation to the satisfaction of County Council which adequately addresses the following:

- the benefit to the County including, but not limited to, social and financial benefits

- the impact of the proposal on the natural environment of the watershed within which it is located
- the adequacy of the County transportation network to accommodate the proposal
- the degree to which the proposal conforms to the various Provincial policies and guidelines including but not limited to the Provincial Policy Statement, Minimum Distance Separation I and II as prescribed by the Ministry of Agriculture and Food, and the Oak Ridges Moraine Conservation Plan.

### **2.3 LOCAL OFFICIAL PLANS**

It is the intent, and a requirement of the Planning Act that local official plans shall conform to this Plan and be one of the primary means of implementing the policies herein.

In the event of a conflict between the provisions of a local official plan and the provisions of this Plan, the provisions of this Plan shall prevail to the extent of that conflict except where the local plan is more restrictive.

There are sections of this Plan where the local Official Plan is relied on for policy direction. This is a measure to recognize certain existing special circumstances and related policies at the local level. However, as these local Official Plans are revised and updated, such revisions, where appropriate, will reflect the local situation and explain in detail the particular nature of the local situation. In all other circumstances, local Official Plans will be brought into conformity with the intent and policies of this Plan.

Nothing in this Plan shall prevent the local municipalities from adopting more restrictive policies or standards than those outlined in this Plan.

## **2.4 LOCAL ZONING BY-LAWS**

When this Plan or any part thereof takes effect, every local zoning by-law shall be amended by the local municipalities to conform with this Plan pursuant to the Planning Act. The Amendments to the zoning by-laws should occur after the local Official Plan has been amended to conform to this Plan.

Notwithstanding the above, this Plan is not intended to prevent the continuation, expansion, or enlargement of uses which do not conform to the designations and provisions of this Plan. At their sole discretion, Councils of the local municipalities may zone to permit the continuation, expansion or enlargement of legally existing uses, or variations to similar uses, provided that such uses:

- a) have no adverse effect on present uses of surrounding lands or the implementation of the provisions of this Plan;
- b) have regard for Minimum Distance Separation I and II as prescribed by the Ministry of Agriculture and Food, if applicable;
- c) have regard to the Trent Source Protection Plan;
- d) are subject to any conditions that may be contained in a local official plan.

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

## **2.5 DEVELOPMENT CHARGES**

The County or any of its member municipalities may, from time to time, pass Development Charges By-laws in accordance with the Development Charges Act, 1997.

## 2.5 DEVELOPMENT APPLICATIONS

### **Mandatory Pre-Consultation By-Law**

The County has implemented a Mandatory Pre-Consultation By-Law for certain Planning Act Applications in the County of Peterborough. By-Law 2015-04 applies to applications for Amendments to the County of Peterborough Official Plan and for applications for Plans of Subdivision/Condominium.

### **General Policies**

In accordance with Regulations made under *The Planning Act* for the purpose of deeming a “complete application”, the County and/or the Townships may request additional information that it considers it may need when considering development proposals or Planning Act applications. Such information may include, but is not limited to, any of the following:

    Servicing Options Report

    Hydrogeological studies (in accordance with the MOE Guidelines)

    Engineered Drainage Plan/Storm Water Management

    Market Analysis/Justification Study

    Traffic Study

    Environmental Impact Analysis (see Section 4.1.3.1)

    Archaeological Study

    Planning Study/Analysis

    Natural Resource Analysis (aggregates, mineral non-aggregates, forests, etc.)

    Noise Impact Study

    Agricultural Land Usage Justification

    Impact on Municipal/Other Services

Notice under Section 59(2) of the *Clean Water Act, 2006*, as amended (Section 59 Notice).

For matters under the County's jurisdiction, the County will review these studies and may do so internally or through the use of peer reviewers with the cost of such review at the proponent's expense. Where appropriate, the County may also consult with the Ministry of Municipal Affairs, the Ministry of Natural Resources, Trent Severn Waterways or any other authority having jurisdiction or expertise.

### **2.6.1 - Subdivision Approvals and Agreements**

County Council shall consider for approval only those plans of subdivision which:

- a) comply with the provisions of this Plan and the applicable local official plan, including the criteria outlined in Section 7.13 of this Plan; and
- b) can be supplied with adequate County services, to the satisfaction of County Council or local municipal services to the satisfaction of the local municipal Council; and
- c) optimize existing infrastructure and public service facilities wherever feasible before consideration is given to developing new infrastructure and public service facilities.

Under conditions of approval attached to plans of subdivision pursuant to the Planning Act:

- i) County Council shall require that the applicant(s) enter into appropriate agreements with the local municipality which may be registered against the title of the subject lands and which may include such matters as County services, financial requirements, County road facilities, dedication of land for public uses, exclusive of parks and other requirements, to implement the provisions of this Plan, and the requirements of a Risk Management Plan under Section 58 of the *Clean Water Act, 2006*, as applicable; and

- ii) the Council of the respective local municipality shall require that the applicant(s) enter into appropriate agreements which shall be registered against the title of the subject lands, and may include such matters as, but not limited to, financial requirements, local roads, drainage, grading and landscaping, sidewalks and dedication of land for public uses and those County interests listed above and other requirements to implement the provision of this Plan and the applicable local official plan.

### **2.6.2 - Site Plan Control**

County Council shall encourage the use of site plan control provisions of the Planning Act, to implement the policies and provisions of this Plan where applicable and the local official plans, and to coordinate and enhance the physical development of the local municipality.

Provisions for site plan control shall be detailed in the local official plans.

### **2.6.3 - Division of Land**

#### **2.6.3.1 - General Policies**

The acceptability of severances in Peterborough County shall be determined by applying the relevant policies contained in this Plan, policies contained in local Official Plans, the Trent Source Protection Plan, the 2014 Provincial Policy Statement, and the provisions of the Planning Act. Under no circumstances shall severances be recommended for approval where proposed severances are contrary to this Plan and/or the respective local Official Plan.

A plan of subdivision under the Planning Act is necessary when any of the following occur:

- 1) more than 3 lots (two severed and one retained) from a land holding are being created unless the local Official Plan contains policies regarding the number of

lots required for a plan of subdivision or adequate land use planning justification and rationale are provided to permit otherwise;

- 2) a new public road for the provision of lot access is necessary
- 3) the provision or extension of municipal servicing (water and/or sewers, including communal servicing) is required

A plan of subdivision may not be required under the following circumstances:

- A) notwithstanding Section 1) above, infilling of up to 4 lots (4 new lots plus the retained lot) having frontage on a public road in areas serviced municipally by water and sanitary sewer systems
- B) each of the severed and retained parcels from a land holding which generally represent natural Township lots in most cases being about 40 hectares in area, although they may be smaller due to municipal boundaries, shorelines and other natural features and having public road frontage.

"Land holding" is defined as a parcel of land existing on a specified day. Dates specified in local Official Plans shall be upheld and used for reference purposes when applying policies contained in this plan.

The division of land by severance shall be in compliance with the provisions of any site plan, subdivision or any other development agreement registered against the title of the land holding. Severances shall not be permitted from a plan of subdivision that is under review or has received draft approval only.

In order to protect and maintain the viability of agriculture within Peterborough County, protect the natural environment and protect the investment made by the County and local municipalities in existing infrastructure and services, a consistent, impartial and understandable system of assessing development applications within the County has been created.



In planning for sanitary sewage and water systems to accommodate the division of land, the County shall support a hierarchical approach to the provision of such services in accordance with Section 4.7.3.2 of this Plan.

Four sets of policies governing the division of land have been established. Each set recognizes the inherent differences in land use, quality and characteristics of the land base in Peterborough County. For the purpose of Section 2.6.3, land in Peterborough County has been broadly categorized as Agriculture, Rural, Shoreland and Settlement Area.

An application for consent is classified into one of these categories and the associated severance policies are applied accordingly. One application for consent will create only one severed lot and one retained lot. When reviewing applications for consent, County Council, local Councils and the Land Division Committee will apply the appropriate set of policies.

Policies for each of the four categories are intended to address the common elements of land division in the County. Local Official Plans contain more detailed severance policies and encompass a greater number of land division considerations tailored to local circumstances. Therefore, severance applications will be reviewed on the basis of the policies contained herein, as well as the more detailed policies of local Official Plans.

In certain circumstances severances for building purposes will not be permitted because of the potential for serious risk to life, health or property, or because the safety and efficiency of transportation systems could be seriously jeopardized.

Severances for building purposes will not be permitted where:

- 1) the division of land is located in significant wetland or significant portions of the habitat of endangered or threatened species, and an appropriate building site cannot be provided based on comments from the Ministry of Natural Resources and/or Conservation Authority;

- 2) in accordance with the policies of Section 4.1.3.1, an Environmental Impact Assessment will be also required for lands that are adjacent to natural heritage features unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions;
- 3) the division of land is located in an area that would be rendered inaccessible to people and vehicles during times of flooding hazards, erosion hazards, and/or dynamic beach hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of development and the natural hazard; and a floodway, regardless of whether the area of inundation contains high points of land not subject to flooding;
- 4) a severance for a sensitive land use (ie: residential, institutional, educational, health care, day care centres, etc.) is located closer than:
  - i) 150 metres of any sand or gravel pit, or
  - ii) 500 metres of any quarry operation or area where the processing of sand, gravel or stone occurs.

Notwithstanding the above, a severance for a sensitive land use may be permitted provided it can be demonstrated that:

- i) the resource use would not be feasible; or
  - ii) the proposed land uses or development serves a greater public interest; and
  - iii) issues of public health, public safety and environmental impact are addressed;
  - iv) rehabilitation measures to address and mitigate known or suspected hazards are under-way or have been completed.
- 5) Provincial transportation objectives, standards and policies for safety and access cannot be maintained;

- 6) County Roads entrance and building setback policies cannot be maintained on a County Road;
- 7) The division of land is located within a vulnerable area unless the application is supported or accompanied by a Section 59 Notice.

The following four sections state policies which, as a minimum, must be considered when severance applications are evaluated. Applications for technical severances including easements, severances for lot additions/adjustments, severances for land assembly which facilitate development by plan of subdivision, correction of title, validation of title and rights-of-way are not necessarily subject to the following policies and shall be evaluated based on site specific considerations established in local official plans. Existing lots that inadvertently merged due to common ownership may be separated to reflect the original lot configuration provided the subject property is still in the same ownership as when such merging occurred and it is permissible in local official plans. The above technical severances do not necessarily represent the creation of a new lot when considering the number of new lots that can be created by consent from a land holding.

Within the Oak Ridges Moraine, consents or subdivision will be permitted only where they conform to the Oak Ridges Moraine Conservation Plan and the Township of Cavan Monaghan Official Plan. In the event of a conflict, the more restrictive of the policies shall apply.

#### **2.6.3.2 - Settlement Areas**

The following policies apply to severance applications for land holdings located in Settlement Areas as depicted on Map 'A'.

First consideration for the division of land shall be given to development of land by registered plan of subdivision. Where a plan of subdivision is not necessary for proper

and orderly development and/or clearly does not affect the public interest, a consent to a land severance will not be granted if any of the following conditions exist:

- A) If the proposed lot(s) has been identified by the Health Unit and/or the Ministry of Environment as a proposal where;
  - i) municipal or communal services for water and/or sewer cannot be provided because of capacity problems or physical constraints; or
  - ii) in the absence of municipal or communal water and sewage services, it is determined by the Health Unit and/or the Ministry of Environment that the area for sewage disposal on the proposed lots does not or cannot be made to meet the requirements of current Health Unit or Ministry of the Environment policy.
- B) If it is determined by the local municipality, or the Ministry of the Environment that solid waste disposal cannot be provided.
- C) Proposed lots do not have direct frontage on and access from publicly owned and maintained roads, unless otherwise permitted in local Official Plans.
- D) Severance would create a traffic hazard because of limited sight lines on curves or grades.

### **2.6.3.3 - Shoreland Areas**

The following policies apply to severance applications for land holdings located in Shoreland Areas as described in Section 4.4.

- A) If the proposed lot(s) has been identified by the Health Unit and/or the Ministry of the Environment as a proposal where;
- i) municipal or communal services for water and/or sewer cannot be provided because of capacity problems or physical constraints; or
  - ii) in the absence of municipal or communal water and sewage services, it is determined by the Health Unit and/or the Ministry of the Environment that the area for sewage disposal on the proposed lots does not or cannot be made to meet the requirements of current Health Unit or Ministry of the Environment policy;

an application for severance shall not be granted.

- B) If it is determined by the local municipality, or the Ministry of the Environment that solid waste disposal cannot be provided, severances shall not be permitted.
- C) Lots shall have direct frontage on and access from publicly owned and maintained roads unless otherwise permitted in local Official Plans. Water access for recreational uses may be permitted as specified in local Official Plans.

#### **2.6.3.4 - Agricultural Areas**

The following policies apply to severance applications for land holdings located in prime agricultural lands indicated on Schedules to this plan. Prime agricultural and other agricultural areas shall be designated in local official plans in accordance with Section 4.3.3.2 of this Plan, except in those instances where there exists no local official plan. In such instances all prime agricultural and other agricultural area designations will be found in the County Plan.

Non-agriculturally related residential, commercial and industrial uses can potentially impair the effectiveness of agricultural operations. Land use conflicts may be created when they are introduced into prime agricultural and other agricultural areas.

While the same type of land use conflicts are generally not found in areas with poorer quality soils, there is often a greater possibility of negative environmental impact from scattered residential, commercial and industrial development.

- A) If the proposed lot(s) has been identified by the Health Unit and/or the Ministry of the Environment as a proposal where;
- i) municipal or communal services for water and/or sewer cannot be provided because of capacity problems or physical constraints; or
  - ii) in the absence of municipal or communal water and sewage services, it is determined by the Health Unit and/or the Ministry of the Environment that the area for sewage disposal on the proposed lots does not or cannot be made to meet the requirements of current Health Unit or Ministry of the Environment policy;

an application for severance shall not be granted.

- B) If it is determined by the local municipality, or the Ministry of the Environment that solid waste disposal cannot be provided, severances shall not be permitted.
- C) Lots shall have direct frontage on and access from publicly owned and maintained roads, unless otherwise permitted in local Official Plans.
- D) Applications which would create a traffic hazard because of limited sight lines on curves or grades shall not be granted.
- E) Lot creation in prime agricultural areas is discouraged and may only be permitted for:
  - i) agriculture uses as defined in the Provincial Policy Statement, provided that the lots are of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations.
  - ii) a residence surplus to a farming operation as a result of farm consolidation, provided that the planning authority ensures that new residential dwellings are prohibited on any vacant remnant parcel of farmland created by the severance.
  - iii) infrastructure, where the facility or corridor cannot be accommodated through the use of easements or rights-of-way;
  - iv) lot adjustments for legal or technical reasons.
  - v) agriculturally-related uses, as defined by the Provincial Policy Statement, provided that any new lot will be limited to a minimum size needed to accommodate the use and appropriate water and sewage services.

- F) Notwithstanding subsection (E) above, new farm parcels, for agricultural uses as defined in the Provincial Policy Statement, may be considered when each of the severed and retained parcels is generally equivalent to a natural township lot of about 40 hectares.
- G) Consent applications shall comply with Minimum Distance Separation formula as established by the Province in order to minimize odour conflicts between livestock facilities and development, as amended from time to time.

### **2.6.3.5 - Rural Areas**

The following policies apply to severance applications for land holdings not located in any of the following areas:

- a) Lands located within the boundaries of any Settlement Area identified on Map 'A';
- b) Prime agricultural lands; or
- c) Shoreland Areas as described in Section 4.4 of this Plan.

Reference should also be made to the policies in Section 4.3.3.1.

Residential severances for land holdings located in the Rural Area should be discouraged in favour of development in Settlement Areas as identified on Map 'A' in an effort to promote orderly growth and development. However, severances in the rural area may be considered subject to the following:

- A) If the proposed lot(s) has been identified by the Health Unit and/or the Ministry of the Environment as a proposal where;
  - i) municipal or communal services for water and/or sewer cannot be provided because of capacity problems or physical constraints; or



- ii) in the absence of municipal or communal water and sewage services, it is determined by the Health Unit and/or the Ministry of the Environment that the area for sewage disposal on the proposed lots does not or cannot be made to meet the requirements of current Health Unit or Ministry of the Environment policy;

an application for severance shall not be granted.

- B) If it is determined by the local municipality, or the Ministry of the Environment that solid waste disposal cannot be provided, severances shall not be permitted.
- C) Lots shall have direct frontage on and access from publicly owned and maintained roads, unless otherwise permitted in local Official Plans.
- D) Applications which would create a traffic hazard because of limited sight lines on curves or grades shall not be granted.
- E) A severance from a farm operation may be granted if such is permitted in the local plan.
- F) Applications for severance may be granted when each of the severed and retained parcels is equivalent to a natural township lot (about 40 hectares).
- G) Consent applications shall comply with Minimum Distance Separation formula as established by the Province in order to minimize odour conflicts between livestock facilities and development, as amended from time to time.
- H) Consents in the Rural Area may be permitted in accordance with policies contained in local official plans provided the applicable policies of Sections 2.6.3.1, 2.6.3.5, 4.1.3 and 4.3 are complied with.

- I) Where local municipalities have specific Official Plan policies regarding scattered or strip development, the County will support local municipalities in their effort to control scattered or strip development and support development that is appropriate for the infrastructure which is planned or available and avoid the need for unjustified or uneconomical expansion of this infrastructure.

## **2.7 PUBLIC PARTICIPATION**

Council shall undertake a program of public awareness of planning for the citizens of the County whenever opportunities may arise, with regard to any future amendments to this Plan. Public discussion of such amendments to the Plan shall be encouraged as required by the Planning Act and informed opinions shall be solicited from local citizens prior to the adoption of such amendments.

The importance of public awareness and understanding the proposals contained in this Plan shall be stressed in order to broaden the base of public understanding and participation in Planning, thereby strengthening the possibility of accomplishing lasting benefits for the County as a whole.

It is expected that the County will utilize a number of methods of public participation in its planning program in order to reach as broad a cross-section of residents as is possible. These methods may include, but are not limited to:

- i) public meetings;
- ii) drop-in centres;
- iii) graphic displays in convenient locations such as: community centres, schools, libraries and public offices;
- iv) published brochures and newspaper advertisements; and,
- v) seminars for interested citizens or special interest groups.

### **3.0 WATERSHED STRATEGIC APPROACH**

#### **3.1 RATIONALE FOR APPROACH**

##### **3.1.1 - Water Management Issues/Concerns**

The County of Peterborough has numerous lakes, rivers and streams which, among other resources, facilities and services support the natural environment and the existing built communities. The management, protection and enhancement of waterbodies in the County is shared by a number of agencies and jurisdictions including the Ministry of Natural Resources, the Conservation Authorities, the Ministry of the Environment and, (where waterbodies are within the Trent-Severn Waterway), the Federal Government. Traditionally, and with the exception of the conservation authorities, management of these waterbodies has not been conducted on a watershed basis. Many of the practices associated with the management of these waterbodies have been issue-driven, with responsibility divided between various jurisdictions and agencies, some only concerned with a single resource.

The greatest number of water management concerns and issues within the County arise from various forms of urbanization and human activity. More demands are being placed on water resources by competing users, including residential, industrial, agricultural, commercial and recreational developments. The effects of development have contributed to degraded aquatic communities, the loss of well water supply, aquifer contamination, deteriorating water quality, flooding and erosion.

There have been minimal attempts to effectively interconnect the relationship between urbanization on land and the management and protection of water in a proactive and cooperative manner. However, integrating land use and watershed planning would allow for a healthy environment and sound social and economic development while at the same time, helping to streamline the development approval process.

### **3.1.2 - Land Use Planning and Water Management Linkages**

Significant relationships and inter-connections between the natural and manmade environment can be understood through the concept of "ecosystem" planning. An ecosystem relates to the interactions between the air, the land, the water and living organisms, including humans. Ecosystem planning recognizes that the decisions made in one area affect all other areas and therefore, there should be early guidance and input into decisions affecting existing and potential land uses. With an emphasis on the protection of the form and function of the natural resources by the County, it is no longer acceptable to impair water quality, degrade aquatic/terrestrial habitats, reduce baseflows, lower groundwater tables, or drain and sewer large areas.

An ecosystem approach to land use planning requires that boundaries for land use planning be based on biophysical boundaries as the context for examining the relationships between the natural environment and human activities. The primary boundaries for an ecosystem approach to land use planning are the watershed boundaries.

### **3.1.3 - Reasoning for Watershed Boundaries**

A watershed is comprised of the land drained by a river and its tributaries. The concept of using watersheds for land use planning and resource management recognizes the following:

- water continuously moves through watersheds and influences numerous life cycles and physical processes throughout its cycle; an action or change in one location within a watershed has potential implications for many other natural features and processes that are linked by the interactive movement of surface and ground water; and
- water movement does not stop at political boundaries and may encompass all or part of several municipalities.

Each watershed can be characterized by an ecosystem that interrelates with other watershed ecosystems. The County recognizes that the effective management of human

activities and environmental conditions requires a holistic or "ecosystem" approach, in order to ensure that the interrelation of land use planning and the environment is realized. The utilization of watershed boundaries makes ecosystem based planning considerably simpler.

### **3.2 DESCRIPTION OF WATERSHED AREAS**

As depicted on Map 'A', the County of Peterborough has been organized into approximately fourteen watershed areas. These watershed areas reflect directional drainage patterns of surface waters as identified by the Ministry of Natural Resources and the Conservation Authorities. The watershed boundaries do not coincide with local municipal or County boundaries, however, they do coincide with many of the natural environmental features that future growth and the quality of life in Peterborough County depend upon. The watershed boundaries are estimated and may be defined in detail as required during the implementation of the watershed management approach.

### **3.3 IMPLEMENTATION OF APPROACH**

#### **3.3.1 - Watershed Management Plan**

The County of Peterborough has assumed for its Official Plan a watershed-based strategic approach to land use planning and water management. Watershed planning and land use planning consider the same environmental issues but from different viewpoints and levels of detail. The integration of watershed and land use planning together can be achieved through a watershed management plan.

A watershed management plan is a document developed cooperatively by government agencies and other stakeholders to manage the water, land/water interactions, aquatic life and aquatic resources within a particular watershed. It assumes a broad ecosystem approach to natural resource features that are water-related, provides a comprehensive understanding of ecological form and function within the watershed, provides watershed-wide policy directions, delineates subwatershed planning areas and identifies priorities for further detailed studying.

The results of a watershed management plan may lead to an amendment to the County's Official Plan and the relevant local municipal Official Plans, pending the findings of the study. With the completion of a watershed management plan, an environmental impact analysis, as identified in Section 4.1, for development proposed within the watershed area may not be required, subject to approval by the Conservation Authorities and/or the Ministry of Natural Resources, the County and the relevant local municipalities.

When prepared, a watershed plan will provide information and a framework for future land use decisions. The County and local plans shall, in turn, reflect the broad directions, goals and targets established in the watershed plans.

### **3.3.2 - Subwatershed Management Plan**

Subwatershed management plans would generally be prepared after the preparation of a watershed management plan. Subwatershed plans would reflect the goals of the watershed management plan, but be tailored to tributary needs and local issues providing more detailed guidance for site-specific water resource planning issues. These plans would recommend how water resources and related resource features are protected and enhanced to coincide with existing features and changing land uses.

The results of a subwatershed management plan will in all likelihood result in amendments to the County Official Plan and the relevant local municipal Official Plans. With the completion of a subwatershed management plan, an environmental impact analysis, as identified in Section 4.1, for development proposed within the subwatershed area may not be required subject to approval by the Conservation Authorities and/or the Ministry of Natural Resources, the County and the relevant local municipalities.

## **3.4 COORDINATION OF APPROACH**

The coordination of a watershed strategic approach in the County of Peterborough, may, at Council's discretion be largely conducted by the Conservation Authorities in consultation with the Ministry of Natural Resources, with assistance and cooperation from the County, local municipalities and any special agencies.

The Conservation Authorities Act of 1946 established "Conservation Authorities" with jurisdiction over natural areas based on watersheds. Conservation authorities are the only agencies in Peterborough County, and in fact the Province with administrative borders based on surface water drainage boundaries.

Three conservation authorities have jurisdiction over the majority of land within the County of Peterborough. The northern portion of the County in the Canadian Shield is not governed by a conservation authority, but is within the jurisdiction of the Ministry of Natural Resources who has similar authority.

The County of Peterborough will endeavour to encourage both the preparation of watershed and subwatershed management plans to assist in water resource and land use planning on an ecosystem basis. It is recognized that future development and land use changes proposed in the County will also require other considerations, such as economic and financial factors that may not be addressed in a watershed or subwatershed plan. In adopting a watershed strategic approach for the County Official Plan, the County will by no means preclude the review or consideration of these other factors that are not related to the natural environment when contemplating future growth and development.

## 4.0 WATERSHED STRATEGIC COMPONENTS

Watershed Strategic Components include the Natural Environment, Settlement Areas, Rural and Cultural Landscape, Shoreland Areas and the Waterfront, Recreation and Open Space, Economic Development and Physical Services and Utilities. It is recognized that these components are inter-related and effectively have a role within the context of a watershed.

### 4.1 NATURAL ENVIRONMENT

The County recognizes the important contribution that natural systems, natural heritage features and natural resources make to the social, economic, and environmental health of local municipalities. In this regard, the County has identified the following areas to ensure that the appropriate land use and resource management protection policies are applied to them.

#### Hazard Lands

- Floodplains

#### Natural Heritage Features

- wetlands
- flood plains
- endangered and threatened species habitat
- fish habitat
- wildlife habitat
- woodlands
- valleylands
- areas of natural and scientific interest
- Oak Ridges Moraine

#### Natural Resources

- Mineral and mineral aggregates
- Water Resources

The specific policies for natural heritage features including mineral and mineral aggregates and flood plains and the Oak Ridges Moraine Plan are included in this section of the Plan. The general approach to environmental management contained in these policies may be augmented by more detailed policies and schedules in local Official Plans, where they exist.



#### **4.1.1 - Goal**

- to establish an approach which will protect and enhance natural features and ecological systems, conserve natural resources, reduce pollution and protect people and property from environmental hazards

#### **4.1.2 - Objectives**

- to identify, preserve and enhance natural areas and ecosystems;
- to protect natural heritage features and areas from incompatible development;
- to protect, improve or restore the quality and quantity of ground water and surface water features and their hydrologic functions;
- to encourage local municipalities within the same watershed to participate, coordinate and carry out similar environmental management initiatives and practices to promote conservation, protection, sustainability and enhancement of natural systems, features and resources.

#### **4.1.3 - Policies**

##### **4.1.3.1 - General**

Development and site alterations within provincially significant wetlands and in significant portions of the habitat of endangered and threatened species is not permitted.

However, with the exception of the Oak Ridges Moraine Policy, development or site alteration such as filling, grading and excavating may be permitted within or adjacent to the remaining natural heritage features listed in Section 4.1 of this Plan, provided that it has been demonstrated by an Environmental impact assessment that there will be no negative impacts on the natural features or ecological functions for which the area is identified.

For policies related to the Oak Ridges Moraine see Section 4.1.3.6.

- Environmental impact assessments will be:
  - prepared by professionals, at the applicant's cost unless determined otherwise by the local municipality, and approved by the local municipality;

- circulated to the County for review, and to any other agency the local municipality deems appropriate;
  - subject to independent peer review at the applicant's cost if deemed appropriate by the County;
  - approved by the County as well as the local municipality and the Conservation Authority where one exists. If the study determines that the lands adjacent to a significant natural heritage feature are lesser in extent than the natural heritage screening area as prescribed below, development may proceed;
  - prepared in accordance with watershed or subwatershed plans where they exist;
  - prepared using as a guide the Natural Heritage Reference Manual, June 1999 as amended, and supporting technical manuals produced by the Ministry of Natural Resources;
- Environmental impact assessments will include:
    - a description of the proposal and statement of rationale for the undertaking;
    - a description of the existing land use(s) on site and adjacent lands;
    - the land use designation on site and adjacent lands, as identified by the County and local municipal Official Plans;
    - a description of alternative development proposals for the site as well as the environmental impacts of the alternatives;
    - a comprehensive description of the proposal including its direct and indirect effect on the environment and considering both the advantages and disadvantages of the proposal;
    - an identification of environmental constraint areas;
    - an environmental inventory of the area under development consideration (plant life, land-based and aquatic wildlife, wetlands, natural landforms, surface waters, hydrogeological features);

- a statement of environmental and ecological significance of the area affected by the proposed development;
  - a statement on how the development will establish or facilitate the establishment of linkages between natural areas within the watershed and adjacent watersheds and how these linkages will contribute to the preservation and enhancement of the natural areas;
  - a detailed description of mitigating effects;
  - any additional information requested by the local municipality;
  - an assessment of options for servicing the development with full municipal or communal water and sewage services as well as the environmental impacts of the servicing options;
- An environmental impact assessment for proposed development in or adjacent to a significant natural heritage feature will include as its study area the natural heritage feature as well as the area surrounding that type of feature, as follows:
    - significant wetlands - all lands within 120 metres;
    - significant portions of the habitat of endangered and threatened species - all lands within 50 metres;
    - fish habitat - all lands within 30 metres of the high water mark of all watercourses;
    - significant wildlife habitat - all lands within 50 metres;
    - significant woodlands south of the southern limit of the Canadian Shield - all lands within 50 metres;
    - significant valleylands south of the southern limit of the Canadian Shield - all lands within 50 metres;
    - significant areas of natural and scientific interest - all lands within 50 metres;
  - Where a feature is of more than one type, or the adjacent lands of nearby features overlap, the most restrictive provisions apply;

- A local plan may require that an environmental impact assessment include additional components, with respect to natural resources listed in Section 4.1, or other features identified in the local plan;
- Reforestation of valleylands, banks and steep slopes will be promoted and encouraged to reduce flooding and excessive soil erosion and to improve suitable fish and wildlife habitat.

#### **4.1.3.2 - Flood Plains**

- Areas which are either:
  - a) rendered inaccessible to people and vehicles during times of flooding hazards, erosion hazards, and/or dynamic beach hazards (unless it has been demonstrated that the area has safe access that is appropriate for the nature of the development and the natural hazard); or
  - b) located in a floodway, regardless of whether the area of inundation contains high points of land not subject to flooding;

will be precluded from new development in local plans, in recognition of potential threats to life and property.

- Where a development proposal contains or abuts a steep slope, watercourse or shoreline in an area where no detailed floodplain mapping exists and where erosion hazard limits have not been defined, development will be subject to the establishment of flooding and erosion hazard limits by the appropriate Conservation Authority or the Ministry of Natural Resources in consultation with the local municipality;
- Construction of buildings or structures, or creation of lots intended for building purposes will not be permitted within an identified flooding or erosion prone area except where a Special Policy Area has been approved or where the development is limited to uses which by their nature must locate within the floodway, including flood and/or erosion control works or minor additions or passive non-structural uses which do not affect flood flows. Those identified uses which are required by the County, local municipality, or other public agency must meet the requirements of the local municipality, the appropriate Conservation Authority, and/or the Ministry of Natural Resources, and federal ministries or agencies.

- Development adjacent to an identified flood or erosion prone area may be subject to a setback from the flood or erosion prone boundary area. The setback will reflect the most restrictive requirements of the local municipality, the appropriate Conservation Authority and/or the Ministry of Natural Resources, and federal ministries or agencies;
- The County, recognizing the need for additional information regarding flood and erosion prone areas across the region will encourage coordination between the local municipalities and the Conservation Authorities and the Ministry of Natural Resources to promote the preparation of new information for flood plain management;
- Flood plain management will remain the responsibility of local municipalities, in partnership with the appropriate Conservation Authority(s) and/or the Ministry of Natural Resources;
- Notwithstanding the one-zone approach that is normally required in floodplains, the County recognizes that there are portions of floodplains which could potentially be safely developed with no adverse impacts. In these floodplain areas, as identified by the Conservation Authority(s), the Ministry of Municipal Affairs and/or the Ministry of Natural Resources, a two-zone approach to floodplain management will be encouraged. A two-zone approach requires the identification of a floodway and flood fringe zone, whereby new development in the floodway zone is prohibited or restricted to structures intended for flood or erosion control, or otherwise required by the County, local municipality or other public agency, and meet the requirements the local municipality and the Conservation Authority, Ministry of Municipal Affairs or the Ministry of Natural Resources; and new development in the flood fringe zone may be permitted subject to requirements for floodproofing to the regulatory flood level;
- The criteria used to consider and evaluate the feasibility of implementing a two-zone concept in particular floodplain areas by local municipalities, the appropriate Conservation Authority and the Ministry of Natural Resources, shall include but not be limited to:
  - flood susceptibility;
  - physical characteristics and environmental features of the floodplain and adjacent lands;
  - local need for development;
  - impact of development in the floodplain and the watershed area;

- feasibility of floodproofing;
  - constraints on the provision of services (ie. watermains, sewers, drainage works, etc.);
  - accessibility;
  - changes in land use; and
  - administrative capability (staff availability and expertise for implementation of two-zone concept);
- A Special Policy Area may be applied within a community that has historically existed in the floodplain and where site specific policies approved in consultation with the Conservation Authority and the Ministry of Municipal Affairs and Housing are intended to address the significant social and economic hardships that would result from strict adherence to provincial policies;
  - Development shall not be permitted to locate in hazardous lands and hazardous sites where the use is:
    - a) an institutional use associated with hospitals, nursing homes, pre-school nurseries, day care and schools, where there is a threat to the safe evacuation of the sick, the elderly, persons with disabilities, or the young during an emergency as a result of flooding, failure of floodproofing measures or protection works or erosion;
    - b) an essential emergency service such as that provided by fire, police, and ambulance stations and electrical substations, which would be impaired during an emergency as a result of flooding, the failure of floodproofing measures or protection works or erosion; and
    - c) uses associated with the disposal, manufacture, treatment or storage of hazardous substances.
  - Human Made Hazards – the following policies shall apply with respect to human made hazards:
    - a) development on, abutting, or adjacent to lands affected by mine hazards, oil gas and salt

hazards, former mineral mining operations, mineral aggregate operations, or petroleum resource operations may be permitted only if rehabilitation measures to address and mitigate known or suspected hazards are underway or have been completed.

- b) contaminated sites shall be remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no adverse effects.

#### **4.1.3.3 - Mineral Aggregate and Non-Aggregate Mineral Resources**

- Mineral aggregate and non-aggregate resources shall be recognized and managed by local Official Plans as limited and non-renewable natural resources to be protected for long-term use;
- Local municipalities, in consultation with the County, the Ministry of Northern Development and Mines and the Ministry of Natural Resources shall review development proposals with respect to mineral aggregate and non-aggregate resources;
- Local municipalities shall identify and protect from incompatible uses and activities that would preclude or hinder their expansion or continued use, or which would be incompatible for reasons of public health, public safety, or environmental impact, all existing mineral aggregate and mineral mining operations and known significant deposits of aggregate and non-aggregate mineral resources.;
- Existing mineral aggregate operations are permitted to continue without the need for any official plan amendment, rezoning, or development permit;
- In areas of significant mineral aggregate and non-aggregate resource potential, as identified by the Ministry of Natural Resources, the Ministry of Northern Development and Mines, private landholders or the development industry in consultation with the local municipalities, uses which do not preclude future access to and extraction of these potential resources may be permitted. All other uses of the land which prohibit future access to and extraction of the resources shall be considered secondary and generally discouraged until such time as the resource is substantially depleted. Alternative land uses may be permitted where:
  - extraction would not be feasible; or

- the proposed use of the land serves a greater long-term interest of the general public;
  - prior to any approval of a change in land use, the proponent shall consult with the County and the Ministry of Natural Resources and will be required to prepare a study indicating the nature of the land use change, detailing the deposit's potential for extraction and demonstrating the compatibility and the need for the alternative land use.
- In an area where:
    - new mineral aggregate operations are proposed or anticipated;
    - there are multiple existing or potential operations; and
    - there are significant concerns about the environmental, social, and transportation impacts of those operations;

the local municipality may undertake an aggregate resource management plan for that area before considering individual applications, provided there is no undue delay in undertaking and completing the plan. If such an area traverses municipal boundaries, two or more local municipalities may agree to undertake an aggregate resource management plan jointly, and the County will also participate. The local municipality or municipalities may request the assistance of existing and potential operations in the plan area for the preparation of the plan;

- A local plan may be amended to incorporate land use policies recommended by an aggregate resource management plan;
- All extraction and processing operations should be located and operated in such a manner as to minimize the impact on the natural, social and built environments. In particular, water resources including both surface and ground, shall be protected from adverse impacts of extraction. Appropriate separation distances for proposed and existing aggregate operations are usually determined on a site specific basis. However, the Ministry of Environment considers the area of influence to be 500 metres for a quarry, 300 metres for a pit below the groundwater table and 150 metres for a pit above the groundwater table. This area is considered to have the greatest impact on sensitive land uses from the pit or quarry operation. Environmental studies should be required to assess the impact if



development occurs within this influence area. This influence area should be applied reciprocally to new sensitive land uses encroaching upon an existing extraction operation or lands committed for future extraction.

- Pit and quarry operators will be required to undertake progressive and final rehabilitation to accommodate subsequent land uses, and to promote land use compatibility, and to recognize the interim nature of extraction. Final rehabilitation will take surrounding land use and approved land use designations into consideration.
- Local plans will permit mineral aggregate extraction as an interim use on prime agricultural land in prime agricultural areas, provided that the licensed area will be rehabilitated so as to restore substantially the same areas and same average soil quality for agriculture. Complete rehabilitation of prime agricultural lands is not required if:
  - there is a substantial quantity of mineral aggregates below the water table warranting extraction; or
  - the depth of planned extraction in a quarry makes restoration of pre-extraction agricultural capability unfeasible; and
  - the applicant has considered alternative sources of supply (on prime agricultural lands where rehabilitation to agriculture is possible, on poorer quality agricultural lands, and on lands identified as designated growth areas) and found them unsuitable. Where no other alternatives are found, prime agricultural lands shall be protected in this order of priority: specialty crop areas, and Canada Land Inventory Classes 1, 2, and 3; and
  - rehabilitation to agriculture is maximized in the remainder of the licensed area;
- Local municipalities will be required to implement controls pursuant to the Planning Act, and comprehensive by-laws pursuant to the provisions of the Municipal Act, 2001, to regulate the operation of pits and quarries. The comprehensive by-laws shall have regard for site development, pit operations, off-site implications, rehabilitation and implementation procedures, among other matters;

- Wayside pits and quarries, temporary asphalt batching plants, and portable concrete plants used by a public road authority or their agent or contractor, shall be permitted throughout the County without amendment to this Plan, except in areas of existing development or particular environmental sensitivity which have been determined to be incompatible with extraction and associated activities. A temporary asphalt batching plant means a facility with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process and which is not a permanent construction, but is designed to be dismantled and moved to another location as required.
- Known mine hazards/former mineral mining operations have been identified on the Land Use Schedules. In considering any proposed development on or within 1000 metres of these sites or other identified mine hazards, the approval authority and the Ministry of Northern Development and Mines (MNDM) must be satisfied that proper verification is provided indicating the proposed development is not affected by past mining activity. This may require that a geotechnical study be prepared by a qualified professional, at the applicant's expense, to the satisfaction of MNDM and the approval authority to confirm that the site can be appropriately mitigated and will be suitable for the proposed use.

#### **4.1.3.4 - Natural Heritage Features**

- The diversity of natural features in an area, and the natural connections between them, and the long-term ecological function and biodiversity of natural heritage systems should be maintained, restored or, where possible, improved, recognizing the linkages between and among natural heritage features and areas, surface water features, and ground water features.
- Local plans will designate on map schedules either in separate categories or as part of an environmental constraint, or similar, designation, significant natural heritage features when information becomes available through the County and/or the Ministry of Natural Resources;

- Local plans will prohibit development and site alterations within the following types of significant natural heritage features:
  - significant wetlands;
  - significant portions of the habitat of endangered and threatened species;
- Local plans may permit development and site alteration in:
  - significant woodlands south and east of the Canadian Shield;
  - significant valleylands south and east of the Canadian Shield;
  - significant wildlife habitat; and;
  - significant areas of natural and scientific interest;

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

Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas listed above unless the ecological function of the adjacent lands has been evaluated in accordance with an environmental impact assessment as described in Section 4.1.3.1 and it has been determined that there will be no new negative impacts on the natural features or on their ecological functions.

- Where a local plan is amended to designate or change the boundaries of significant natural heritage features, in considering approval of the amendment, the County must be satisfied that:
  - resource data available from the Ministry of Natural Resources, conservation authorities, and the Trent-Severn Waterway have been fully considered and are fairly reflected;
  - any variances from the data available from the preceding agencies are justified by other data provided by and to the local municipality, and by the local municipality's interpretation of all the data available to it based on its knowledge of local conditions;

- In their local plans, local municipalities are encouraged to designate on map schedules and protect other natural heritage features and areas, and to otherwise go beyond the policies of Section 4.1.3.4 in seeking to protect natural heritage features and areas from incompatible development;
- Where required, amendments to bring each local plan into conformity with Section 4.1.3.4 will be adopted within three years of the date this Official Plan Amendment is approved. If after three years a local plan has not yet been so amended, any other amendments to that local plan will be considered by the County as if an amendment to bring the local plan into conformity with Section 4.1.3.4 had been adopted and approved;
- No policy in Section 4.1.3.4 is intended to limit the ability of agricultural uses as defined in the Provincial Policy Statement to continue.

#### **4.1.3.5 - Water Resources**

- Local plans will designate on map schedules strategic water resource areas;
- In accordance with the Clean Water Act, 2006, a Source Water Protection Plan has been developed and approved for the County of Peterborough. The applicable land use policies associated with that document are contained within Section 5.7 of this plan.
- Where a local plan is amended to designate or change the boundaries of strategic water resource areas, in considering approval of the amendment, the County must be satisfied that:
  - available resource data have been fully considered and are fairly reflected;
  - any variances from the available data are justified by the local municipality's interpretation of the data based on its knowledge of local conditions;
- The quality and quantity of ground and surface water, and the hydrological functions of strategic water resource areas, will be protected, improved or restored;
- mitigative measures and/or alternative development approaches may be required in order to protect, improve, or restore sensitive surface water features, sensitive ground water features, and their hydrologic functions;

- Local plans will define development incompatible with ground and surface water protection, and prohibit it within strategic water resource areas;
- Local plans may require a Notice under Section 59(2) of the *Clean Water Act, 2006*, as amended (Section 59 Notice), environmental impact assessments or environmental analyses for some or all types of development proposed in some or all strategic water resource areas, to determine whether development is compatible with ground and surface water protection, and what conditions should apply;
- Local zoning by-laws will identify all strategic water resource areas designated in local plans, and require that all development permitted within those areas adopt best management practices for ground and surface water protection;
- Where required, amendments to bring each local plan into conformity with Section 4.1.3.5 will be adopted within three years of the date this Official Plan Amendment is approved. If after three years a local plan has not yet been so amended, any other amendments to that local plan will be considered by the County as if an amendment to bring the local plan into conformity with Section 4.1.3.5 had been adopted and approved.

#### **4.1.3.6 - Oak Ridges Moraine**

Oak Ridges Moraine policies for the County of Peterborough were approved by the Ministry of Municipal Affairs and Housing on October 21, 2004. These policies are implemented through Amendment No. 1 to the County of Peterborough Official Plan.

The Oak Ridges Moraine is one of Ontario's most significant landforms. Located north of and parallel to Lake Ontario, the Moraine in Peterborough County divides the watersheds draining south into Lake Ontario from those draining north-east into Rice Lake. Through the Oak Ridges Moraine Conservation Act, 2001 and the accompanying Oak Ridges Moraine Conservation Plan (ORMCP), the Province has established the direction for protecting, restoring and enhancing the Oak Ridges Moraine's ecological and hydrological features and functions. These features and functions are critical to the area's continuing health.

The ORMCP boundary and area is shown on Map A – Settlement Areas, Watershed Boundaries and Agricultural Land of the County Official Plan. In accordance with the ORMCP and Act, the Township Official Plan and Zoning By-law must conform to the ORMCP. Section 9 of the Oak Ridges Moraine Conservation Act, 2001 allows municipalities to refine ORMCP policies to regional and local circumstances. Further, it also allows municipalities to be more restrictive in its official plan or zoning by-law than the ORMCP except with respect to agricultural uses, mineral aggregate operations, and wayside pits.

The major provisions of the ORMCP relevant at the County level have been incorporated into this section of the County Official Plan, however, these policies must be read in conjunction with the detailed provisions of the Oak Ridges Moraine Conservation Plan and the Township Official Plan and Zoning By-law. The Township Plan will provide a greater level of detail than that which is contained in the County Plan. Consequently, the Township Plan must be referenced as it provides added direction for permitted uses and land use policies.

Applications for development or site alteration within the ORMCP area will only be considered where they comply with the provisions of the ORMCP. Within the ORMCP the following land use designations and permitted uses apply:

**a) Natural Core Areas** are areas with a high concentration of key natural heritage features, hydrologically sensitive features, and/or landform conservation areas and are critical to maintaining and improving the integrity of the Moraine as a whole. New permitted uses are very limited and must be related to conservation and resource management, low intensity recreation, or agriculture as detailed in Section 11 of the ORMCP or otherwise permitted in the Township Plan. Permitted uses include agricultural uses; home businesses; home industries; bed and breakfast establishments; farm vacation homes; uses accessory to these uses and uses of land, buildings or structures accessory to agricultural uses including but not limited to:

- a) roadside sale of produce of the farm operation,
- b) the manufacture of value-added products from produce of the farm operation,

- c) one (1) additional dwelling that is temporary, mobile or a portable unit for farm help accommodation.

**b) Natural Linkage Areas** are areas forming part of a central corridor system that support or have the potential to support movement of plants and animals between the Natural Core Areas, Natural Linkage Areas, river valleys and stream corridors. Limited new uses are permitted consistent with those permitted in the Natural Core Area designation as well as aggregate and wayside pits as detailed in Section 12 of the ORMCP, or otherwise permitted in the Township Plan. Permitted uses include agricultural uses; home businesses; home industries; bed and breakfast establishments; farm vacation homes; uses accessory to these uses and uses of land, buildings or structures accessory to agricultural uses including but not limited to:

- a) roadside sale of produce of the farm operation,
- b) the manufacture of value-added products from produce of the farm operation,
- c) one (1) additional dwelling that is temporary, mobile or a portable unit for farm help accommodation.

**c) Countryside Areas** are areas of existing rural land uses including agriculture, recreation, hamlets, mineral aggregate operations, parks and open space. Small scale industrial, commercial, and institutional uses shall be directed to hamlets. Hamlets are intended to provide opportunities for minor residential infill and small scale industrial, commercial and institutional uses in accordance with the Township Official Plan. The boundary of the hamlets may be further refined in the Township Plan, however, the scale, development and site alteration within hamlets shall conform to Section 13 of the ORMCP. Permitted uses include agricultural uses and agricultural related uses; home businesses; home industries; bed and breakfast establishments; farm vacation homes; uses accessory to these uses and uses of land, buildings or structures accessory to agricultural uses including but not limited to:

- a) roadside sale of produce of the farm operation,
- b) the manufacture of value-added products from produce of the farm operation,

- c) one (1) additional dwelling that is temporary, mobile or a portable unit for farm help accommodation.

**Other Policies:**

Notwithstanding the permitted uses within the Natural Core Areas; Natural Linkage Areas; and the Countryside Areas designations all development will comply with the Minimum Distance Separation formulae established by the Province in order to minimize odour conflicts between livestock facilities and development, as amended from time to time.

Transportation, infrastructure and utilities uses are permitted in all Oak Ridges Moraine Land Use designations, providing all applicable provisions of the ORMCP are met, the need has been demonstrated and there is no reasonable alternative to the undertaking as identified through an Environmental Assessment process under the Environmental Assessment Act.

Protection of our water resources is imperative to ensure the health of our residents and the maintenance of our ecosystem. The ORMCP requires comprehensive watershed planning, the establishment of wellhead protection areas and the potential impact of land uses to the shallow aquifer. Watershed plans are comprehensive management strategies that seek to understand the interconnections between terrestrial and aquatic components of the natural system. In addition to achieving a better understanding of overall ecosystem function, watershed plans support change through and an ecosystem-based approach to land-use planning. These plans assist in the management of land/water interactions and land use planning decisions and recommend how water resources are to be protected and enhanced in relation to changing land uses. As part of the ORMCP, Watershed Plans will have to be undertaken in the specific area of the ORM in the Township in accordance with Sections 24 and 25 of the ORMCP. The Otonabee Region Conservation Authority, with the support of the County's local municipalities, including the Township of Cavan Monaghan, is in the midst of preparing a study that contains components of a watershed plan as described in Section 24. Specifically, the results will include criteria for



evaluating the protection of water quality and quantity, hydrological features and hydrological functions. It will also characterize groundwater flow systems and identify vulnerability. The County will work with the Township of Cavan Monaghan and the Conservation Authority in an effort to complete the required watershed conservation plan within the timeframe as established by the ORMCP.

It is the expectation that the Township Plan will contain policies regarding the Expansion, Reconstruction and Conversion of Existing Buildings, Uses and Structures and policies relating to Accessory Structures in addition to Existing Lots of Record. If applicable, the Township Plan will also contain transitional policies. In addition, the Township Plan will contain a more detailed set of maps that depict ORM Countryside Agricultural Areas (prime agricultural areas) versus ORM Rural Areas, Landform Conservation Areas, Areas of High Aquifer Vulnerability, Key Natural Heritage Features, Hydrologically Sensitive Features and Wellhead Protection Areas. These maps will be accompanied by corresponding policy as guided by policies contained in the ORMCP.”

## **4.2 SETTLEMENT AREAS**

### **4.2.1 - Goal**

- to provide a form of growth that is consistent with the need to conserve energy resources, preserve and enhance the natural environment, encourage an efficient and economic use of infrastructure and space, maintain County unity and retain local community identity.

### **4.2.2 - Objectives**

- to identify settlement areas across the County that can accommodate future growth and to promote serviced settlement areas as the preferred growth areas;
- to encourage a full range of living and employment opportunities by the creation of complete communities;

- to promote the role of settlement areas as the primary employment centres and location for commercial and industrial uses and to plan for related land and infrastructure requirements;
- to promote efficient utilization of existing services and facilities and reduce the need for new infrastructure development, where possible;
- to encourage the achievement of minimum population thresholds in selected settlement areas to attract and sustain a variety of commercial uses;
- to require local municipalities within the same watershed/subwatershed to participate, coordinate and carry out similar land use and environmental management practices.

#### 4.2.3 - Policies

- Lower tier municipalities shall designate a sufficient supply of land for residential, industrial, commercial, recreational/open space and institutional uses in their municipalities to accommodate their projected growth over a minimum 20 year time-frame.
- The County Official Plan identifies growth areas as identified in the local official plans, and further that changes to those areas will require amendments to the local official plan and County Official Plan. These growth areas consist of the Settlement Areas listed below.

<b>Local Municipality</b>	<b>Settlement Area</b>
Trent Lakes	Kinmount, Catchacoma, Buckhorn, Lakehurst, Nogies Creek, Burleigh Falls, Bobcaygeon, Flynn's Corners
North Kawartha	Apsley, Woodview, Mount Julian, Burleigh Falls, Big Cedar, Stonyridge, Glen Alda, Dunfords Road
Havelock-Belmont-Methuen	Havelock, Blairton, Cordova Mines
Douro-Dummer	Warsaw, Hall's Glen, Centre Dummer, Cottesloe, Douro, Young's Point, Donwood
Selwyn	Lakefield, Bridgenorth, Young's Point, Ennismore, Buckhorn
Asphodel-Norwood	Norwood, Westwood

Otonabee-South Monaghan	Keene, Lang, Stewart Hall, Woodview, Indian River, Cold Springs, Assumption, Bailieboro, Fraserville, South Monaghan, Bensfort Bridge
Cavan Monaghan	Millbrook, Cavan, Mount Pleasant, Ida, Springville, Fraserville, South Monaghan, Bailieboro, Five Mile Turn, Cedar Valley

All land areas beyond those settlement areas listed above will be regulated and directed by policies in Section 4.3, Rural and Cultural Landscape or except as defined in Section 4.1 - Natural Environment or Section 4.4 - Shoreland Areas and the Waterfront.

- The establishment of new settlement areas will not be permitted.

The following policies apply to the Settlement Areas:

- New land uses, including the creation of lots, shall comply with the Source Water Protection policies of Section 5.7 where applicable;
- The Council recognizes that in order to efficiently utilize existing and potential services and facilities; achieve minimum population thresholds to support commercial activities; and protect and conserve natural resources and features, future growth should be directed to those settlement areas that currently have servicing systems or can reasonably expect to obtain them in the future. Where the use of public communal services is not feasible, and where site conditions permit, development may be serviced by individual on-site systems. Servicing by individual on-site systems for expansions of settlement area boundaries in local Official Plans or subdivision proposals in Settlement Areas may proceed only after consideration has been given to the potential of the Settlement Area to accommodate further growth. This assessment will address the maximum number of households and other facilities which can be accommodated within the Settlement Area without adversely impairing the hydrogeological regime or long-term viability of suitable drinking water supply. Where possible, the County will assist local municipalities to secure financial support for the operation and/or expansion of servicing systems.
- Applications for plans of subdivision/condominiums within the Settlement Areas that are not serviced by public systems shall include a hydrogeological analysis as per MOE

Guidelines that addresses the suitability of the land to provide adequate potable water and for the proper siting of private sewage systems. Where municipalities are approving individual septic systems they may also wish to consult with the water Quality Impact Risk assessment which is the MOE technical guideline for individual on-site sewage systems.

- The Ministry of the Environment is responsible for the approval of large sewage systems with a design capacity of greater than 10,000 litres per day.
- Limited development will be permitted in areas outside of these settlement areas and will be regulated and directed by policies detailed in Sections 2.6.3, 4.3, and 4.4;
- Where it is not feasible to locate within a settlement area, resource activities, resource-based recreation and other rural land uses may be located outside of settlement areas. Commercial and seasonal residential uses which are resource activities, resource-based recreation and rural land uses which cannot be located in settlement areas may be permitted along waterfront areas designated for such land use and in conformity with relevant land use designation policies. Subdivisions and condominiums outside of settlement areas boundaries for permanent residential use may be permitted in site specific locations designated for such use as of June 16, 2006 and in conformity with the relevant land use designation policies. Expansion into prime agricultural areas are permitted where:
  - a) There are no reasonable alternatives which avoid prime agricultural areas; and
  - b) There are no reasonable alternatives with lower priority agricultural lands in the prime agricultural area.
- Local Official Plans shall recognize their respective settlement areas and identify those which have been selected for future growth and development;
- Land use designations and detailed policies for existing and future growth settlement areas will continue to be the responsibility of local municipalities in their Official Plans;
- Where possible, but especially for development on full services, mixed-use developments, narrowing of streets, reducing parking requirements, incorporation of pedestrian walkways/linkages, open spaces, variations of lot sizes, unit types, and a mix

of storefront retail and residential zoning are encouraged in order to ensure more complete and livable neighborhoods for residents. Smaller driveways, wider sidewalks, curbside parking and narrower streets are also encouraged.

- A range of land uses and facilities shall be encouraged in settlement areas to promote linkages between the population and employment opportunities;
- The County recognizes agreements which have been negotiated between the City of Peterborough and the adjoining municipalities and included in official plans, and that those agreements be taken into consideration if located within the urban fringe control area;
- The County will participate with local municipalities in the designation and delineation of settlement areas;
- A municipal comprehensive review is required in order to expand settlement area boundaries. However, where proposals to change the settlement area boundaries do not result in a net increase of settlement area within a Township, planning justification shall be required for the adjustment at the time of application to ensure targets and forecasts contained in this Plan are achieved.
- To ensure that settlement areas identified for future growth remain in an orderly form that does not result in sprawled development, local municipalities shall prescribe development boundaries around each future growth settlement area and to identify, where practical, a phasing sequence for developments in settlements that are deemed to be a sufficient size to allow phasing to be implemented;
- Settlement Area boundaries have been identified for each of the settlement areas listed in this Plan and represent the area shown on local land use schedules for permitting more concentrated forms of development. Built Boundaries have been identified through consensus among the Province, the County and local Townships. Only the 4 serviced settlement areas of Norwood, Havelock, Millbrook and Lakefield have built boundaries. For the purposes of the Provincial Growth Plan and this Plan, areas within the Built Boundaries shall be considered intensification areas where brownfields, infilling and underutilized properties should be targeted for new development. Also within the Built Boundary, Policy 2.2.3.1 of the Growth Plan requires that by the year 2015 and for each year thereafter, a minimum of 40% of all residential development will be within the built-

up areas however an alternative target may be approved by the Province. The County will recognize the 40% Intensification Target of the Growth Plan, commit to monitor development within the Built Boundary of the 4 Villages and all the unserved settlement areas. The County will also undertake to perform an Intensification Analysis within 2 years of the approval of the Growth Plan OPA to develop a case for an alternative target for approval by the Minister of Energy and Infrastructure. The policies of Section 5.1.3.2 also need to be considered.

- The location of the development boundaries must consider, in addition to other issues:
  - the natural environment, and the intent to preserve, protect and enhance natural resources listed in Section 4.1, Natural Environment;
  - the existing transportation infrastructure and relevant policies as identified in Section 5.3, Transportation;
  - the infrastructure of existing or proposed physical services and utilities;
  - economic development opportunities;
  - agriculture and the need to protect prime agricultural areas and other agricultural areas, as identified in Section 4.3, Rural and Cultural Landscape.
  
- In recognition of potential impacts new growth and development may have on entire watershed systems, the County encourages communication between municipalities within the same watershed area when development proposed within a settlement area is considered to have a potential impact on the quality and function of the watershed.
  
- this consultation process may involve:
  - the identification of areas for subwatershed management plans, carrying capacity studies of waterbodies or any such other studies and testings that would be appropriate to determine the environmental sensitivity of areas and their development potential;
  - funding arrangements among the municipalities in the watershed, and/or the private industry and Provincial Ministry agencies if studies and testings are deemed appropriate and required.

- The County also encourages communication between local municipalities, particularly those within common watersheds, from time to time on a semi-annual or more frequent basis to discuss general land use planning matters and initiatives in order to formulate and establish a cooperative and coordinated approach to overall growth and the sustainability of existing natural and built-up areas.
- Development in Settlement Areas should be as compact as possible based on the type of servicing available. In addition, development should occur in depth rather than in an extended linear form along existing roads.
- The County will participate in urban fringe studies and discussions/negotiations for possible land annexations between local municipalities within the County or between a local municipality and the City of Peterborough and/or other adjacent municipalities.

### **4.3 RURAL AND CULTURAL LANDSCAPE**

The rural and cultural landscape represents all land areas outside of an identified settlement area, that are not:

- shoreland areas as described in Section 4.4;
- significant natural heritage features or other natural resources listed in Section 4.1;
- utilized for transportation purposes, physical services and utilities;
- used for recreation and open space purposes.

#### **4.3.1 - Goal**

- to preserve and enhance the rural character of the County as a cultural resource and ensure the viability of the agricultural industry.

#### **4.3.2 - Objectives**

- to permit an amount and type of development in the rural area consistent with maintaining its rural and cultural landscape;
- to reinforce the historical relationship between settlement areas and the surrounding farm community to which the settlement areas provide basic services;

- to provide for limited rural development and to ensure that such development does not threaten the quality or quantity of ground and surface water;
- to ensure that the agricultural industry remains viable;
- to preserve prime agricultural soils and protect farms, where possible, from activities and land uses which would limit productivity or efficiency;
- to encourage compatible economic diversification including greater flexibility for on-farm activities, home-based businesses and agri-tourism;
- to preserve the farm community as an important social resource;
- to encourage local municipalities within similar watersheds to participate, coordinate and carry out sound land use and environmental management practices.

#### **4.3.3 - Policies**

Notwithstanding the description of the rural and cultural landscape at the beginning of Section 4.3, the policies of Section 4.3.3 apply wherever relevant throughout the County.

##### **4.3.3.1 - General**

- Local municipalities should encourage and, where appropriate require, through the passage of tree cutting by-laws public and private land owners to maintain the forested appearance of the landscape;
- In recognition of potential impacts new growth and development may have on entire watershed systems, the County encourages communication between municipalities within the same watershed area when development proposed within the rural and cultural landscape is considered to have a potential impact on the quality and function of the watershed:
- this consultation process, may involve:
  - the identification of areas for subwatershed management plans, carrying capacity studies of waterbodies or any such other studies and testings that would be appropriate to determine the environmental sensitivity of areas and their development potential;
- funding arrangements among the municipalities in the watershed, and/or the private industry



and Provincial Ministry agencies if studies and testings are deemed appropriate and required.

- Rural areas will generally be the focus of resource activity, resource based recreational activity and other rural land uses. The County, recognizing the need for growth on a limited basis, will permit non-agricultural related uses in the rural community outside prime agricultural areas and other agricultural areas designated in local plans in accordance with Section 4.3.3.2 which reflect the cultural and rural character of the area, promote a variety of living and employment opportunities for the rural community and do not negatively impact on the natural environment that cannot be located in settlement areas;
- Development shall be appropriate to the infrastructure which is planned or available, and shall avoid the need for unjustified and/or uneconomical expansion of this infrastructure;
- New land uses, including the creation of lots, and new or expanding land use facilities, shall comply with the minimum distance separation formulae.
- New land uses, including the creation of lots, shall comply with the Source Water Protection policies of Section 5.7 where applicable;
- Throughout the rural area, home based business uses will be encouraged as permitted in the local plans;
- Research in the fields of soil science and hydrogeology has concluded that fractured bedrock aquifers can be contaminated by micro-organisms originating from untreated septic tank effluent and urban runoff. To minimize the risk of contamination to water resources, it is policy of the County that development permitted by local municipalities be directed to areas where the depth of soil is sufficient to retain and treat micro-organisms, as well as provide a stable anchoring platform for raised (imported material) tile bed systems.

#### **4.3.3.2 - Agriculture**

- Agriculture shall be encouraged and protected as an identifiable industry and cultural resource in Peterborough County;
- Local plans, except those of the Townships of Trent Lakes and North Kawartha, will designate on map schedules prime agricultural areas;

- Where a local plan is amended to designate or change the boundaries of prime agricultural areas, in considering approval of the amendment, the County must be satisfied that:
  - resource data available from the Ministry of Agriculture and Food have been fully considered and are fairly reflected;
  - any variances from the data available from the Ministry are justified by other data provided by and to the local municipality, and by the local municipality's interpretation of all the data available to it based on its knowledge of local conditions;
- Local plans may designate on map schedules other agricultural areas;
- Local plans will designate on map schedules other rural lands separate from any prime agricultural and other agricultural areas identified;
- A local plan may exclude a prime agricultural area from designation, or may be amended to remove a prime agricultural area from being so designated, only in the following circumstances:
  - expansion of or identification of a settlement area in accordance with the Settlement Area policies in Section 4.2;
  - extraction of mineral aggregate resources or non-aggregate mineral resources, in accordance with Section 4.1.3.3;
  - limited non-residential uses, provided that:
    - there is a demonstrated need within the planning horizon for additional lands to be designated to accommodate the proposed use;
    - there are no reasonable alternative locations which avoid prime agricultural areas; and
    - there are no reasonable alternative locations on lower priority agricultural lands in prime agricultural areas;

In such circumstances, the local plan or amendment will ensure that impacts from the new non-agricultural uses on surrounding farm operations and lands will be mitigated;

- Local plans will restrict uses of prime agricultural areas so designated, and may restrict uses of other agricultural areas so designated, as follows:
  - prime agricultural areas shall be protected for long-term use for agriculture;
  - agricultural uses, secondary uses, and agriculture-related uses as defined in the Provincial Policy Statement are permitted in prime agricultural areas and other agricultural areas; all other uses and activities are prohibited in prime agricultural areas and may be prohibited in other agricultural areas;
  - in prime agricultural areas, agricultural uses and normal farm practices will be promoted and protected;
  - any proposed new secondary uses and agriculture-related uses as defined in the Provincial Policy Statement will be compatible with, and will not hinder, surrounding farm operations. These uses shall be limited in scale and the local plans will include criteria for the uses;
- Where required, amendments to bring each local plan into conformity with Section 4.3.3.2 will be adopted within three years of the date this Official Plan Amendment as approved. If after three years a local plan has not yet been so amended, any other amendments to that local plan will be considered by the County as if an amendment to bring the local plan into conformity with Section 4.3.3.2 had been adopted and approved;
- In considering development in prime agricultural areas and other agricultural areas, local municipalities must consider:
  - maintaining the identified agricultural areas and encouraging these areas for future agricultural expansion;
  - maintaining the viability of farm units;
  - the existing character of the agricultural community; and
  - the Trent Source Protection Plan;
- Where a farm operation is adjacent to a waterbody, local municipalities in cooperation with the Conservation Authority shall have regard for the impact of the operation on the water

quality of the adjacent waterbody and provide, where appropriate, a buffer consisting of natural vegetation to act as a nutrient uptake zone;

- New land uses, including the creation of lots, shall comply with the Source Water Protection policies of Section 5.7 where applicable;
- Development shall be directed to identified settlement areas. Strip development is strongly discouraged;
- All development near livestock barns and manure storage must comply with the Minimum Distance Separation Formula as established by the Province in order to minimize odour conflicts between livestock facilities and development, as amended from time to time;
- All development of livestock barns and manure storage must comply with Minimum Distance Separation Formula as established by the Province in order to minimize odour conflicts between livestock facilities and development, as amended from time to time;

#### **4.4 SHORELAND AREAS AND THE WATERFRONT**

Shoreland Areas generally include all lands extending inland 150 metres from the ordinary high water mark of, any lake, river or waterway. Lands and land uses that are more than 150 metres from shore but which physically or functionally relate to the Shoreland Areas are considered to be part of the Shoreland Areas. All lands that are less than 150 metres from shore but which do not physically or functionally relate to the Shoreland Areas are not considered to be part of the Shoreland Areas. The entire areas of islands are normally considered to be part of the Shoreland Areas. The Shoreland Area shall not extend into any Settlement Area identified in this Plan or into prime agricultural and other agricultural areas designated in local plans in accordance with Section 4.3.3.2 of this Plan.

##### **4.4.1 Goal**

- to improve and protect the waterfront areas in Peterborough County as a significant cultural, recreational, economic and natural environment resource and enhance land areas adjacent to the shore.

##### **4.4.2 Objectives**

- To encourage appropriate public accessibility to waterfront areas in the County where accessibility is permitted;
- to permit sustainable shoreland development that allows for limited growth of existing and new tourist developments and innovatively designed residential developments;
- to protect the heritage character of the Trent-Severn Waterway and its associated historic, natural and scenic setting;
- to protect, improve or restore the quality and quantity of water on a watershed basis;
- to recognize and preserve to the greatest extent possible the character of waterbodies and lands adjacent to the shoreline with limited, low density backlot development where such development is permitted;
- to ensure that the built form along the shoreline is not overly concentrated or dominating to the detriment of the natural form;
- to maintain, enhance or restore the majority of the developed and undeveloped shorelines in their natural state by promoting property stewardship;
- to preserve and enhance fish and wildlife habitat areas within and along waterbodies;
- to protect 'at capacity' lakes from further development either in terms of supportive capacity (number of boats) or assimilative capacity (absorption of phosphorus) as determined by the Ministry of the Environment, the Ministry of Natural Resources, the local municipality, or, where appropriate, the Trent Severn Waterway.

#### **4.4.3 Policies**

- The character of Shoreland Areas is linked to the natural and built form associated with the lakes and rivers in the County. For the most part, the natural form includes vegetated shorelines with thin soils over bedrock. The built form includes predominantly residential development interspersed with some commercial developments including resorts and marinas. The Shoreland Areas are generally associated with leisure, recreation, water

supply, support for fisheries and wildlife habitat. As such, development occurring in the Shoreland Areas should enhance and protect, where possible, those qualities that contribute to the area's character.

- Shoreline alterations must be approved by the appropriate agency (Conservation Authority, Ministry of Natural Resources, Trent-Severn Waterway). Local Official Plans may include shoreline alteration policies more restrictive than those of the approval agencies;
- The waterfront is a major recreation resource area that should be made accessible to both public and private users, where appropriate;
- Lands which form the bed of a waterbody should generally be open, free and clear from buildings or structures, except for approved shoreline improvements or like works and the location of approved accessory buildings and structures as identified in local Official Plans;
- The County shall participate with local municipalities in encouraging public responsibility for water quality and visual objectives of shoreline management on a watershed basis;
- The County shall encourage local municipalities to establish an open space buffer between new development and the shoreline in order to promote and secure access to the waterfront. Local Official Plans will establish the development standards to be applied to such buffers. In areas where local municipalities do not want to assume public ownership of the open space buffer, the County will encourage third party ownership of these shoreland areas;
- The development of lots where possible shall be undertaken using a “best management” approach. Biophysical information for the siting of the building, septic system and any buffer area should take into account the soil type, depth and slope of the land when determining the best location for any such buildings.
- The County shall promote the development and management of existing and future open space buffers in a natural state so that they may serve as vegetated protection zones to ensure water quality by controlling erosion and preventing nutrient overloading in waterbodies; and preserve and enhance wildlife habitat areas;
- Tree cover and vegetation is encouraged to be retained along the shoreline to uphold the

visual and environmental integrity of waterfront areas. Where development is proposed along shoreline areas, local official plans should contain policies relating to the incorporation of a natural undisturbed buffer between the water's edge and the development. Any such buffer shall be stipulated as being a specific depth from the water's edge and be represented as a percentage of the water frontage.

- Notwithstanding any other policy of Section 4.4.3, local plans and zoning by-laws will require that all new development and leaching beds be set back at least 30 metres from the ordinary high water marks of all waterbodies. Excepted from this requirement are marina facilities, docks and other water access facilities, pumphouses, and minor accessory buildings and structures as defined in zoning by-laws;
- Where required, amendments to bring each local plan and zoning by-law into conformity with the 30 metre setback requirement will be adopted within three years of the date this Official Plan Amendment is approved. If after three years a local plan has not yet been so amended, any other amendments to that local plan will be considered by the County as if an amendment to bring the local plan into conformity with Section 4.4.3 had been adopted and approved;
- Local municipalities may authorize minor variances from the 30 metre setback requirement, without the variance being considered to be inconsistent with the general intent and purpose of the local plan, in the following situations:
  - on a lot existing on the date this Official Plan Amendment No. 3 comes into effect;
  - the addition to an existing building.
- For any proposed shoreland development that would create 25 or more lots or units or would provide 50 or more tourism accommodation beds, or for any other proposed shoreland development considered necessary by the County to be studied, an environmental impact assessment as described in Section 4.1.3.1 will be required. The County may also deem it appropriate for the assessment to include a boating capacity study;

- A local municipality may require where it deems appropriate an environmental analysis as described in Section 4.1.3.1 for any proposed shoreland development that does not require an environmental impact assessment;
- Local plans shall include policies addressing backlot and/or cluster development. Any such policies must address the following considerations:
  - planning and design standards;
  - shoreland protection (for cluster development only);
  - servicing, including the use of innovative approved technologies as described in Section 4.7.3.2;
  - division of land;
- Backlot development is only permitted by plan of subdivision or, unless a local plan permits otherwise;
- Where cluster development occurs, use of common elements condominiums and vacant land condominiums, in addition to freehold and conventional condominiums, is permitted, subject to any policies in local plans and unless a local plan directs otherwise;
- Where new development is being considered by the local municipality, the County and commenting agencies, significant frontage requirements, building and facility setbacks, as determined by the local municipalities in cooperation with the appropriate authority shall be maintained by the local municipalities to assure long term safety of the structures and minimize further shoreline development;
- New land uses, including the creation of lots, shall comply with the Source Water Protection policies of Section 5.7 where applicable;
- New plans of subdivision or plans of condominium proposed adjacent to any water body shall have an impact assessment completed which addresses issues such as the nature of development, servicing, location of septic systems, setbacks from the high water mark and clearing of trees and vegetation.



- Local municipalities shall ensure that waterfront lots are of sufficient size to accommodate the proposed use and related structural and servicing requirements, as determined by the Ministry of the Environment, Health Unit or County as well as recognize environmental influences such as soil, terrain, water quality and waterbody constraints as determined by the appropriate authority;
- In approving site plans, municipalities shall ensure that lighting fixtures that are not owned, operated or managed by a public agency or entity and designed for exterior illumination shall be designed so as to direct light downward and deflected away from adjacent properties. Private exterior lighting should be located so that it does not interfere with the night vision of those using the waterways, the habitat of nocturnal animals and the privacy of area properties.
- When undertaking a review of development applications, the County or the Township where appropriate will determine the potential of the need for the conservation of archaeological resources. As a result of the review, the County or Township may require the applicant to submit an archaeological assessment carried out by a licensed archaeologist. Generally, studies may be required based on archaeological potential when any of the following occur: 3 or more new lots are being created (3 lots plus the retained lot), development by plan of subdivision or condominium, official plan amendment to County or Township official plan involving non-residential or non-agricultural/open space uses, re-zoning of a property involving non-residential or non-agricultural/open space uses.
- Wherever possible, development shall be located and designed so as to protect the character and prominence of public views and features including such areas as rock cliffs, waterfalls, rapids and landmarks. Where development is proposed in these areas, Townships are encouraged to request the dedication or acquisition of such lands for purposes of conservation, public access, trails, portages or similar passive uses.
- Creation of new lots shall be prohibited on capacity reached lakes as determined by;
  - tests and studies reviewed by the Ministry of the Environment and the Ministry of Natural Resources; or

- a lake capacity assessment prepared by professionals and approved by the local municipality;

and this policy applies to all lands within 300 metres of the ordinary high water marks of capacity reached lakes, whether or not the subject lands are part of the Shoreland Areas;

- The following is a list of highly sensitive and moderately sensitive Lake Trout Lakes within the County:

### **Highly Sensitive or ‘At Capacity’ Lake Trout Lakes**

<b>Local Municipality</b>	<b>Lake</b>
Trent Lakes	Beaver Lake and Pencil Lake, Fortescue Lake, Crystal Lake, Cavendish Lake, Bottle Lake, Concession Lake, Salmon Lake
North Kawartha	Gilmour Bay (Chandos Lake), Cherry Lake, Cox Lake, Eels Lake (West), Long Lake, Loucks Lake, McGee Lake, Stoplog Lake, Triangle Lake (Silver), Little Anstruther Lake, Sucker Lake, Buzzard Lake, Tallon Lake

- Existing lots of record may be issued a building permit since vacant lots have been included as part of the lot inventory used to determine capacity.
- Local plans will implement the policies of Section 4.4.3 regarding ‘at capacity’ lakes by:
  - identifying lakes that have reached development capacity with respect to one or more of boating, absorption of phosphorus, or lake trout habitat;
  - defining "development" for the purpose of ‘at capacity’ lakes, to include those components of "development" as defined in Section 8.2 that are pertinent to lake capacity;
  - restricting new development on ‘at capacity’ lakes. Generally, the creation of new lots within 300 metres of the shoreline of an “at capacity” lake by consent or plan of subdivision will not be considered. Council may

consider the creation of new lots in unique or special circumstances where it can be demonstrated, in consultation with the Ministries of Environment and Natural Resources that one or more of the following conditions exist:

- a) drainage of the proposed lot flows to a separate, non-sensitive watershed as a result of the physical features of the property;
- b) detailed site specific hydrogeological studies show that the drainage of the sewage effluent will effectively result in a circuitous flow path that extends for at least 300 metres before reaching the lake.
- c) that new technologies in sewage disposal systems intended to serve any proposed development have been accepted by the Ministry of the Environment and will result in no adverse affects on lake water quality.
- d) that any conventional sewage disposal system designed to serve a new development will be setback a minimum of 300m (984 ft) from the high water mark.
- e) that a detailed site specific hydrogeological and soil study which assesses phosphorus distribution, migration velocity and long-term soil retention capabilities.

The greatest setback achievable is recommended for existing lots of record on highly sensitive lake trout lakes in order to minimize negative impacts on water quality. At a minimum, a 30 metre setback with maintenance of the vegetative cover should be required.

## Moderately Sensitive Lake Trout Lakes

<b>Local Municipality</b>	<b>Lake</b>
Trent Lakes	Catchacoma Lake, Gold Lake, Mississauga Lake

<b>Classification Pending</b>	<b>Lake</b>
Trent Lakes	
North Kawartha	Anstruther Lake, Rathbun Lake

- A site specific lake impact assessment should be prepared to demonstrate that the lake is capable of supporting the proposed development, based on water quality parameters established by the Ministry of the Environment. In cases where a lake-wide lake capacity assessment has been undertaken, the municipality will use the information to determine whether the lake can support additional development.
- Site specific lake impact assessments shall consist of a “best management” approach to the development of a lot. Biophysical information such as the siting of the cottage, septic system and buffer zone and an evaluation of the soil type, depth and slope of the land should be included in the assessment. The municipality may consult with MOE when requesting these types of assessments.

## 4.5 RECREATION AND OPEN SPACE

### 4.5.1 Goal

- to ensure that the residents and visitors of the County have access to parkland, natural areas and a range of recreational activities;

### 4.5.2 - Objectives

- to increase public awareness and appropriate public access to and opportunities for enjoyment of the Trent-Severn Waterway system;

- to recognize and increase public awareness of Kawartha Highlands Signature Site and the County's other Crown land protected areas, and ensure appropriate public access and opportunities for their enjoyment;
- to establish an integrated system of areas and corridors across the County for recreation and open space functions;
- to recognize and promote linkages between natural areas within a watershed and adjacent watershed areas.

#### **4.5.3 - Policies**

- The County will play a lead role in ensuring that abandoned railway rights-of-way and other transportation corridors remain in the public sector;
- The County encourages local municipalities in establishing open space linkages between local municipalities in similar and adjacent watersheds via parks, trail systems and natural environment areas;
- The County shall establish stronger linkages with the Trent-Severn Waterway system by promoting information exchanges and opportunities for joint recreational facilities and activities, where possible;
- Local municipalities will be encouraged to prepare and implement comprehensive recreation and open space plans;
- The County, in partnership with local municipalities, shall encourage and promote the establishment and maintenance of Federal and Provincial government recreation and leisure programs;
- The County shall participate in interjurisdictional recreation and open space planning involving such areas as the Trent-Severn Waterway;
- Because of Kawartha Highlands Signature Site's size and strategic importance and because it is shared between two municipalities, the County will, in partnership with the local municipalities, seek to establish strong linkages with the Ministry of Natural Resources in the planning of this protected area and in seeking to optimize recreational opportunities consistent with its status.

## **4.6 ECONOMIC DEVELOPMENT**

Economic development is of vital interest to the County of Peterborough. The County will support economic growth through means where possible such as provision of infrastructure, transportation and public facilities and through protection of natural resources vital to the continued success of key sectors including agriculture, aggregates and tourism. The County will direct and guide development in keeping with economic goals as established from time to time and will promote and market economic development accordingly.

### **4.6.1 - Goal**

- to fully develop Peterborough County's economic potential by ensuring the continuing expansion of economic opportunities and diversification of the economic base.
- to support and promote the creation of wealth through a sustained effort of marketing, planning and development accomplished in partnership with local municipalities and businesses, the City of Peterborough, and economic development or tourism agencies among other means.

### **4.6.2 - Objectives**

- to undertake long range planning for infrastructure and other public facilities;
- to encourage appropriate supply of land for long term development;
- to develop and maintain an efficient transportation system;
- to encourage maintenance of downtowns and main streets;
- to optimize the long term viability of agriculture;
- to achieve an appropriate mix of development that protects sensitive land uses and buffers adverse effects arising from mixed land uses;
- to critically assess growth opportunities and aggressively market to investors in all sectors of the economy;
- to ensure facilities and services exist to support four season tourism and growth of events and attractions.

### **4.6.3 - Policies**

#### **4.6.3.1 - General**

- The County, in partnership with the City of Peterborough and the local municipalities shall participate in the collection of economic data, the establishment of economic strategies and the implementation of economic policy programs which will have an impact on both Peterborough County and the City of Peterborough;
- Local municipalities shall consider and review economic development proposals on the basis of their potential impact to the watershed area. Where it is considered, by the local municipality, the Ministry of Natural Resources, the Conservation Authority and/or the Ministry of the Environment that a proposed industrial, commercial or tourism operation would negatively impact or alter the quality and function of the watershed, the local municipality, in consultation with other municipalities in the watershed, the County, the Provincial Ministries, Conservation Authority and the proponent of the development, shall identify and conduct appropriate studies to determine the extent of development permitted to ensure water quality and quantity and the protection of the natural environment.
- The County will endeavour to prepare, adopt and implement an Economic Development Strategy.

#### **4.6.3.2 - Industrial and Commercial Sector**

- The location of industrial and commercial uses will be promoted and directed to the serviced settlement areas, as identified in Section 4.2, or to commercial and industrial areas established and designated in official plans of the local municipalities;
- The County recognizes and supports main streets and downtown areas as the primary local retail and service areas and encourages local municipalities to define main streets and downtown areas and establish policies that will enhance and maintain these vital commercial areas;
- The County encourages local municipalities to direct commercial growth to main streets and downtown areas where possible;

- Consideration of new commercial development proposals for locations other than main streets and downtown areas must meet criteria as set out by the County in order to receive County support. Criteria include:
  - location takes advantage of high profile sites on highways and major roads;
  - proposed development builds upon existing investment in a commercial node;
  - development can be supported by on-site servicing; and
  - development complies with the Source Water Protection policies of Section 5.7, where applicable.

Where necessary proposed developments would be subject to approval by the local municipality through amendment to their Official Plans and Zoning By-laws;

- The County supports the creation of home-based businesses and encourages local municipalities to adopt appropriate policies that allow home-based businesses subject to locally established criteria;
- The County recognizes the contributions of the commercial and industrial sectors to the County economy and will encourage local municipalities to protect existing commercial and industrial areas and encourage the provision of new, high quality development through local official plans and their use of Business Park and Employment Area designations and zoning;
- The County encourages local municipalities to designate business parks and employment zones in settlement areas and to promote development of ‘dry industrial uses’ in these areas;
- To the greatest extent possible, the County will direct industrial growth to designated lands in settlement areas, business parks and employment zones where industry is a permitted use;
- Local municipalities may permit the conversion of lands within employment areas to non-employment uses through a municipal comprehensive review, only where it has been demonstrated that the land is not required for employment purposes over the long term and there is a need for conversion.



- Local municipalities are encouraged to maintain a sufficient supply of appropriately designated land for commercial and industrial uses to meet growth forecasts stated in Section 1.2.3 and to plan for and provide infrastructure appropriate for these uses;
- New development proposals for lands outside of areas designated for commercial and industrial uses, are subject to Official Plan and Zoning By-law amendment by the local municipalities and must address County interests by demonstrating that the proposals make efficient use of existing infrastructure and services and do not adversely affect the environment, surface and ground water resources and municipal drinking water systems;
- The County will work closely with local municipalities to plan for infrastructure, transportation and other public facilities supportive of industrial and commercial activity.
- In order to promote the efficient use of land and minimize parking for employment lands, the County encourages municipalities to identify situations, where feasible, that make use of shared parking areas.

#### **4.6.3.3 - Tourism Sector**

- The County recognizes the contributions of the tourism industry to the economy of Peterborough County and will encourage local municipalities to protect and encourage the provision of high quality tourism resources/land through local official plans and their use of Tourism Commercial zoning;
- The County will participate in initiatives that support four season tourism opportunities;
- The establishment of quality-built tourism developments is necessary to enhance and maintain the tourism potential of Peterborough County. Existing and new tourism facilities should be designed and developed comprehensively to support a year-round tourism market;
- The County will encourage the development of new high quality attractions, facilities, services and events which will enhance and complement the existing tourism base;
- The County will promote linkages with the tourism industry and the Trent-Severn Waterway system;

- The County will encourage and participate in initiatives between local municipalities and the Trent-Severn Waterway to identify, promote and develop areas for transient marina facilities;
- The County encourages local municipalities to designate lands for tourism uses in their Official Plans and to direct new tourism development to areas that will support and complement existing tourist facilities;
- The County will work closely with local municipalities to plan for infrastructure, transportation and other public facilities supportive of tourism activity;
- Where needed, the County will support redevelopment of existing tourism facilities, as identified by local municipalities, to better meet emerging tourist demand;
- The County will encourage high quality developments that are directed at new tourist markets;
- The County encourages consideration of mixed use developments in settlement areas which combine lifestyle residential development with tourism facilities such as golf courses, resorts and marinas by investors and local municipalities;
- The County will work closely with local municipalities to develop public facilities that support events and attractions;
- The County encourages complementary tourism development in downtowns and main streets;
- The County will promote compatible on-farm, agri-tourism activities with criteria similar to those set out in section 4.6.3.4 concerning on-farm diversification;
- The County recognizes the significant contribution of cottage development to the economy and will work closely with local municipalities to plan for the infrastructure and service needs of these developments and their residents;

- The County recognizes the importance of waterfronts and waterbodies as a natural resource and will seek to ensure that they are used and developed in a sustainable manner that balances environmental and economic goals in their use and development;
- The County will work closely with local municipalities, conservation authorities and the Ministry of Natural Resources to promote and advance tourism development opportunities offered by Kawartha Highlands Signature Site as well as the County's provincial parks and major conservation areas;
- The County will work closely with local municipalities and trail associations to promote and advance tourism development opportunities offered by the Trans-Canada Trail and other major recreational trails.
- New land uses, including the creation of lots, shall comply with the Source Water Protection policies of Section 5.7 where applicable

#### **4.6.3.4 - Agricultural Sector**

- The County's rural areas are a valued cultural resource. Agriculture is and will continue to be a significant economic sector in the County. The County will:
  - promote farm practices that maintain and enhance natural resources;
  - protect prime agricultural areas from incompatible activities;
  - promote complementary on-farm activities that contribute to the ongoing financial viability of the farm operation;
  - investigate, promote and where appropriate, administer programs supportive of agriculture;
  - support local municipalities to ensure agricultural activities that may be a significant drinking water threat comply with the Source Water Protection policies of Section 5.7 where applicable;
- In recognition of the rural nature of local municipalities in the County and their need for economic growth, and in recognition of the farming community and its need for diversified on-farm and additional off-farm employment opportunities:

- agricultural oriented industrial and commercial uses will be permitted outside identified settlement areas, subject to their compliance with Section 4.1 - Natural Environment and Section 4.3 - Rural and Cultural Landscape;
- the non-agricultural and non-tourism oriented industrial and commercial uses permitted outside identified settlement areas will be limited to uses which consider and support the cultural and rural character of the area, as identified in Section 4.3 Rural and Cultural Landscape.

## **4.7 PHYSICAL SERVICES AND UTILITIES**

Physical services and utilities include the supply and distribution of water, the collection and disposal of sewage, the disposal of solid waste and electric power and transmission lines.

### **4.7.1 - Goal**

- to ensure the adequate provision of services and utilities consistent with the environmental, cultural and economic goals of the County.

### **4.7.2 - Objectives**

- to encourage the provision of adequate water, sewage and solid waste disposal facilities to achieve and facilitate orderly growth;
- to improve the environment and maintain it at a clean and healthy level based on a watershed approach;
- to promote waste reduction and waste management;
- to encourage techniques for energy conservation;
- to participate in decisions regarding utility corridors in the County;
- to ensure compatibility of land uses with the development of new communication facilities;
- to accommodate growth in a predetermined manner to minimize capital and operating costs of systems and avoid premature development.

### **4.7.3 - Policies**

#### **4.7.3.1 - General**

- The County will assist local municipalities in the operation and expansion of servicing systems where requested, notwithstanding the ability of some local municipalities to assume full responsibility in the operation and expansion of their own servicing systems. The County will assist where possible, local municipalities to secure financial support for the operation and/or expansion of servicing systems;
- New development in Peterborough County will not be encouraged where it would contribute to a demand for utilities or services that are uneconomical to provide, improve or maintain. Development will be directed to settlement areas identified for growth and areas where:
  - utilities and services can be reasonably provided or extended;
  - the development would effectively utilize existing utilities or services;
  - the development complies with the Source Water Protection policies of Section 5.7 where applicable;

#### **4.7.3.2 - Sanitary Sewage and Water**

- The requirements of the Ministry of the Environment, the County, local municipalities and other public agencies authorized to grant approvals respecting sanitary waste disposal facilities must be met by all developments;
- The County encourages development on public sanitary waste disposal systems, where possible, to minimize impacts and protect the natural environment;
- The local municipalities shall establish water and sewer service schedules in local Official Plans and monitor collection and treatment capacities;
- In planning for sanitary sewage and water systems, the County shall support a hierarchical approach to the provision of such services. This approach will recognize that:

- full municipal sewage and water services are the preferred form of servicing for the settlement areas. In areas which are currently fully serviced, lot creation will only be permitted if sufficient reserve water and sewage plant capacity is available to accommodate the development;
  - communal services are the preferred means of servicing multiple lots/units where municipal sanitary sewage and water services are not available, and where site conditions are suitable for this method of servicing over the long-term;
  - individual services may be used for more than 5 lots in areas outside of settlement areas provided the site conditions are suitable for the long-term provision of such services;
  - development on partial services (piped water supply and private individual sewage disposal) will be discouraged except in those situations where it is required to remedy existing services which have failed and within settlement areas, to allow for infilling and rounding out of existing development on partial services provided that:
    - 1) the development is within the reserve sewage system capacity and reserve water system capacity; and
    - 2) site conditions are suitable for the long-term provision of such services.
- For settlement areas, the construction of new, or expansion of existing, municipal or private communal water and wastewater systems should only be considered where the following conditions are met:
    - a) Strategies for water conservation and other water demand management initiatives are being considered for implementation in the existing service area through source protection plans, or,
    - b) In settlement areas having full municipal services, plans for expansion or for new services are to serve growth in a manner that supports achievement of the intensification target and density targets.

- Developments based on communal systems or developments of six lots or more based on individual servicing systems shall be required to prepare an assessment of the viability of all reasonable options in the servicing hierarchy and an assessment of the impact of the proposed method of servicing on groundwater and surface water;
- Condominium development shall be serviced with an adequate level of water and sanitary sewage services and shall satisfy applicable statutory legislation including the Ontario Water Resources Act;
- Planning approvals shall not be given to proposed land uses dependent upon large sewage systems (more than 10,000L/day) such as wastewater treatment plants, communal septic systems and some types of industrial sewage treatment systems where they would be a significant drinking water threat. Exceptions to this policy may be made where the Ministry of Environment and Climate Change has determined that all of the following conditions are met:
  - a) The proposed system is intended to replace an existing sewage system;
  - b) The proposed system would be more protective of drinking water; and
  - c) The Ministry of Environment and Climate Change is satisfied that the system is not a significant drinking water threat.
- The County shall encourage the improvement of water supply systems, in existing settlement areas with substandard water pressure and storage capacities, where financially feasible;
- The County shall encourage the correction of individual sewage disposal systems or encourage the supply of municipal sewers of limited size and/or municipal water where feasible to areas that do not have an adequate supply of potable water and a suitable sewage collection and disposal system where:
  - a) potential health hazards exist; and/or
  - b) environmental degradation is occurring; and/or
  - c) inadequate supplies are causing undue hardship on the residents; and/or

- d) a significant drinking water threat exists.
- The County shall cooperate with and encourage local municipalities and public approval agencies to ensure that approvals for development are based on the long term settlement capability of the terrain;
- Where private communal or individual systems are permitted, the County encourages the use of innovative approved technologies that significantly reduce effluent impacts;
- The County shall encourage local municipalities to investigate and implement suitable and economical methods of reducing urban storm water run-off and improving its quality;
- The County shall require local municipalities to assume responsibility for the long term ownership, operation and maintenance of communal water supply and sewage treatment systems where required by the Ministry of the Environment or other appropriate Provincial commenting agencies for developments except hotels, motels, inns, tourist lodgings, time share condominiums, seasonal trailer parks or other single owner/occupied commercial, mercantile, industrial or other operation.
- Municipal and non-municipal communal water works shall be subject to the requirements of the Safe Drinking Water Act (SDWA) and its associated regulations.
- Ownership/operation and responsibility agreements are no longer required for regulated non-municipal systems serving more than 5 private residences. These systems do not require an approval but must comply with the requirements of the SDWA. Written consent of the municipality is required for non-municipal systems that will serve more than 5 private residences or for an existing system that is extended to serve a major residential development. A municipality may require financial assurances as a condition of development.

#### **4.7.3.3 - Solid Waste Disposal**

- The County will continue to support and promote reduction, re-use and recycling of waste in municipal operations;
- To ensure that new development will not be negatively impacted by the disposed waste prior to the approval of new development, local municipalities shall identify a 500 metre radius



around all operating and closed landfill sites in their local Official Plans. This 500 metre radius will serve as an assessment area to require testings and studies, which deal with such issues as methane gas, leachate, hydrogeology and structural stability by qualified professionals unless exempted by the Ministry of the Environment;

- Future waste disposal sites within the meaning of Part V of the Environmental Protection Act and that require Provincial approval are prohibited where they would be a significant drinking water threat, except a PCB waste destruction unit where that unit will be used for the sole purpose of the on-site destruction of PCB waste that originated on that site.
- A joint County-City landfill site may be situated in the County subject to the completion of the Waste Management Master Plan Study and obtaining the necessary planning and environmental approvals. A County Official Plan Amendment is not required;
- The County will continue to participate in waste management initiatives and the Waste Management Master Plan Study. Upon completion of the study, the County will assume responsibility for the new facility. Local Municipalities remain responsible for their existing local facilities;
- Local municipalities shall protect the supply of natural resources and energy, and minimize the impact of solid waste disposal on the environment by employing resource recovery and recycling techniques. A program to initiate resource recovery facilities, compatible with the financial means of the local municipality and available markets for recovered resources, will be pursued;
- The County will cooperate with the Governments of Ontario and Canada in the development of programs which are aimed at reducing the quantities of solid waste generated at source, and which are to the mutual benefit of all parties.
- Waste management systems need to be provided that are of an appropriate size and type to accommodate present and future requirements, and will be located and designed in accordance with provincial standards and legislation.

#### **4.7.3.4 - Transmission Facilities**

- The County will participate with public utility companies and local municipalities in establishing future routes for power lines, pipelines, etc., in a manner least harmful to the residents and the natural environment of the County;
- The County will permit all existing electrical facilities and all new facilities used directly for the generation and distribution of electric power and permitted under The Environmental Assessment Act in any land use designation, subject to other relevant studies and to the proponents of those facilities taking into account the established planning policies of the local municipality.
- Alternative energy systems and renewable energy systems shall be permitted in the settlement areas, rural areas and prime agricultural areas in accordance with provincial and federal requirements. In rural areas and prime agricultural areas, these systems should be designed and constructed to minimize impacts on agricultural operations.
- The County will promote opportunities for increased energy supply through opportunities for energy facilities and promoting the use of renewable and alternative energy systems.

## **5.0 OTHER STRATEGIC COMPONENTS**

### **5.1 HOUSING**

#### **5.1.1 - Goal**

- to provide opportunities for a range of housing by type and density to be built throughout the County to respond to the varying needs of the permanent population based on demographic, income, market and special needs considerations.

#### **5.1.2 - Objectives**

- to encourage the provision of affordable housing and a variety of housing types on a County-wide basis;
- to ensure opportunities for a range of housing options and support services for seniors and people with special needs throughout Peterborough County;
- to ensure adequate land is designated by local municipalities to accommodate anticipated growth for future residential development over a ten year period;
- to maximize the efficient use of land, buildings and services, consistent with good planning principles.

#### **5.1.3 - Policies**

##### **5.1.3.1 - General**

- The County promotes the orderly development of new housing which makes efficient use of existing transportation, education, recreation, commercial and servicing systems and facilities in accordance with the Settlement Areas policies of Section 4.2 of this Plan;

- In order to provide housing that addresses the County’s demographic and income characteristics, the County shall support the provision of housing that meets the objectives contained in the report “Housing Needs Analysis and Strategies for Peterborough City and County (2003)”;
- The County shall encourage cooperation among various levels of government and the private and non-profit sectors in order to achieve these housing targets;
- Local municipalities shall provide a range and mix of housing in their municipalities to accommodate their projected growth over a 20 year time-frame;
- Local municipalities shall provide opportunities for affordable housing taking into account their share of the County’s households, an analysis of local housing needs as well as infrastructure constraints;
- Local municipalities shall maintain at least a three year supply of lots in draft approved or registered plans of subdivision, and individual lots where servicing and pressures for development permit;
- Local municipalities shall provide a minimum 10-year supply of designated and available land for new residential development and residential intensification to meet forecasted demand, subject to servicing;
- The County shall participate, in partnership with the local municipalities, in Federal and Provincial government programs to provide assisted housing;
- The County shall ensure, in partnership with the local municipalities, that appropriate information and other opportunities are made available for the private, public and non-profit sector to supply a full range of housing types;
- Local municipalities are encouraged to:

- establish annual housing targets based on consideration of housing mix, housing tenure, seniors housing, affordable housing needs and housing for persons with special needs;
  - establish a short-term inventory of serviced land adequate to meet demands for all types of housing;
  - include policies to permit group homes in their local Official Plans and consider policies to regulate their location, such as separation distances and other policies as required by the Ministry of Health and Long-Term Care, Ministry of Community, Family and Children's Services and the Ministry of Public Safety and Security;
- The County shall participate, in partnership with the local municipalities, in the monitoring of housing development across Peterborough County;
  - In view of the aging of the population, the County encourages local municipalities to support developments that meet the need for long-term care facilities and retirement homes located in settlement areas subject to the provision of adequate services;
  - Recognizing that the County has many suitable locations for retirement/lifestyle communities in settlement areas and that this type of development provides an economic stimulus and satisfies a housing need, local municipalities should develop criteria for assessing development proposals in regards to the availability of hard services such as water supply and sanitary sewage disposal, planning and design standards, environmental impact, transportation and accessibility to community services;
  - The County shall encourage local municipalities to adopt and implement community improvement plans and maintenance and occupancy standards by-laws and to take advantage of government programs designed to upgrade and improve established areas and the housing stock;

- In order to create complete communities, make efficient use of infrastructure, promote sustainable alternative modes of transportation, plan walkable communities having a range of housing types, the careful development of greenfield areas is necessary. Greenfield Targets in the County of Peterborough will be realized through developments that include a range of housing including singles, semis and multiple dwellings and condominiums. The Greenfield Target for Peterborough County will be implemented on a phased-in approach with a density target of 35 residents/jobs per hectare being implemented immediately and that this number moves to 40 residents/jobs per hectare with the next 5-year review required by the Planning Act or by 2015, whichever is sooner. The achievement of a Greenfield Target is calculated at the upper tier on an average basis
- The County shall review annually the approval process for residential development to encourage the achievement of the following time guidelines:
  - undisputed official plan amendments: four months from receipt to approval
  - undisputed plans of subdivision: six months from receipt to draft approval

The County shall, where a need for affordable housing has been identified, give a higher priority to reviewing a proposal which provides an affordable housing component.

#### **5.1.3.2 - Residential Intensification**

- The County shall encourage local municipalities to permit residential intensification developments where servicing, the physical potential of the building stock, and the physical potential of the site(s), are deemed appropriate and suitable for intensification;

- Residential intensification development forms include, but may not be limited to conversion, infill, redevelopment, the creation of rooming, boarding and lodging houses, garden suites and the creation of accessory apartments;
- Local Official Plans shall consider site specific criteria relating to the physical character of infill or redevelopment projects which may include building height, lot coverage and parking.
- For the purposes of this section, refer to the 2005 Provincial Policy Statement for the definitions of ‘Residential Intensification’ and ‘Redevelopment’
- The County will support intensification by encouraging municipalities to make infrastructure investments and use available financing tools.

#### **5.1.3.3 - Shoreland Residences**

- Shoreland Areas outside Settlement Areas are recognized to consist of a constantly changing mix of dwellings suitable for seasonal and for year-round use, and of summer, extended seasonal, and permanent residency;
- The right of dwelling owners to reside year-round is recognized, and local plans and by-laws must permit this, subject to the other policies of Section 5.1;
- Notwithstanding the policies in Section 5.1.3.3, a local plan may:
  - include criteria for the conversion to permanent residential of uses that were recognized as seasonal residential on the date this Official Plan Amendment is approved; and
  - prohibit year-round residency on a lot recognized as seasonal residential on the date this Official Plan Amendment is approved unless these criteria are met;
- Where local plans contain such criteria, the criteria must include:

- that a health unit certificate of approval is required for private water and sewage services designed for year-round use;
  - that this health unit approval must be based on the standards and best management practices that would apply to new development on the lot;
  - that best management practices are required for protection and enhancement of natural shoreline and shoreline vegetation;
- Where a local plan is amended to include such criteria, in considering approval of the amendment the County must be satisfied that the criteria are realistically achievable for most affected owners;
  - Where local plans include such criteria, a local municipality may implement its own permit process for the review and approval of conversions.

## **5.2 HERITAGE**

### **5.2.1 - Goal**

- To ensure that heritage resources in the County of Peterborough are managed in a manner which perpetuates their existence and maintains their heritage value and benefit to the municipality.

### **5.2.2 - Objectives**

- to prevent the demolition, destruction, inappropriate alteration or use of heritage resources;
- to encourage development adjacent to heritage resources to be of an appropriate scale and character;
- to encourage and foster public awareness, participation and involvement in the preservation, improvement and utilization of heritage resources;



- to facilitate research into the heritage of the municipality and identify methods for its preservation and enhancement;
- to identify and encourage linkages between tourism opportunities and heritage resources.

### **5.2.3 - Policies**

#### **5.2.3.1 - General**

- The County supports efforts to promote awareness and appreciation of the heritage resources to residents and visitors through efforts to protect, purchase, rehabilitate, maintain, educate and publicize the heritage features of properties designated or listed to be of historic, architectural or archaeological value or interest;
- The County will promote awareness and appreciation of the history and culture of Peterborough County to residents and visitors and will promote tourism oriented to the heritage resources of the County through activities and cooperation with other agencies engaged in heritage resource development and tourism promotion;
- The County will cooperate with local and other agencies to establish archives for the storage, protection and analysis of historic maps, documents, publications and records of significance and value to the County of Peterborough;
- The County will consider heritage resources in all works or projects of the County of Peterborough which are subject to the assessment requirements of the Environmental Assessment Act and protect heritage resources that are affected by such works, where feasible.

#### **5.2.3.2 - Historic Buildings or Sites**

- The County of Peterborough will:

- encourage local Councils to initiate, maintain and support Local Architectural Conservation Advisory Committees and to pass by-laws in accordance with the Ontario Heritage Act to designate buildings, districts and sites of historical, cultural or architectural merit or uniqueness so as to prevent their demolition or destruction through alteration (a Local Architectural Conservation Advisory Committee may be established through the Ontario Heritage Act to advise and assist municipalities on all matters related to heritage resource conservation)
- encourage local municipalities and historical agencies to prepare and maintain lists of all buildings and structures of historical, cultural or architectural merit or uniqueness including facilities and sites identified in provincial and federal historic building and site inventories
- encourage and support local municipalities and landowners to conserve and protect heritage resources designated under the Ontario Heritage Act in the development of land by incorporating such features in open space areas and through the use of zoning by-laws, sign by-laws, site plans and other controls to ensure development within or adjacent to heritage resources is designed, sited or regulated in such a manner so as not to conflict with or destroy such features whenever possible
- Promote, enhance and support the County's Lang Pioneer Village and to acquire, when feasible new buildings and artifacts for displays.
- Development and site alteration may be permitted on adjacent lands to protected heritage properties where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved. Mitigative measures and/or alternative development approaches may be required in order to conserve heritage attributes of the protected heritage property affected by the adjacent development of site alteration.

### 5.2.3.3 - Archaeological Resources

- The County of Peterborough will:
  - encourage the Province to maintain the database of registered archaeological sites throughout the Province
  - encourage protection of archaeological resources as identified by the Ministry of Culture
  - require that where the potential presence of an archaeological resource has been identified by the Ministry of Culture, an archaeological study be undertaken by a licensed archaeological consultant pursuant to the Ontario Heritage Act. Should any significant archaeological remains be discovered an appropriate mitigation strategy will be developed and conducted to the satisfaction of the Ministry of Culture
  - require that lands or sites identified by archaeological studies, containing the remains of human beings, adhere to the provisions of The Cemeteries Act (Revised) and the Ontario Heritage Act as they pertain to archaeological resources.

Development and site alteration may be permitted on lands containing archaeological resources or areas of archaeological potential if significant archaeological resources have been conserved by removal and documentation or preservation on site. Where significant archaeological resources must be preserved on site, only development and site alteration which maintain the heritage integrity of the site will be permitted.

### 5.2.3.4 - Trent-Severn Waterway National Historic Site of Canada

- The County recognizes the national historic significance of the Trent-Severn Waterway;

- Local plans will appropriately designate Trent-Severn Waterway lands;
- Where local plans designate beds of waterbodies, they will appropriately designate Trent-Severn Waterway beds of waterbodies;
- Local municipalities are encouraged to protect the natural and cultural resources of shorelands adjacent to the Trent-Severn Waterway by amending their official plans to reflect the recommendations of the Trent-Severn Waterway Management Plan for the management of adjacent shorelands. For development proposals located within the heritage waterway corridor, as defined under the Trent Severn Waterway Management Plan, consultation with Parks Canada may be required. Any adverse effects to the heritage features and character defining elements of the waterway shall be mitigated.

### **5.3 TRANSPORTATION**

The transportation system within the County of Peterborough includes local municipal roads, County Roads and Provincial Highways as depicted on Map 'B', and all private roads.

#### **5.3.1 - Goal**

- To provide a safe, convenient, efficient transportation system for all persons and goods, consistent with the environmental, cultural and economic goals of the County.

#### **5.3.2 - Objectives**

- to ensure that County roads continue to be effective corridors for the movement of people and goods in and throughout the County of Peterborough and the Province of Ontario;

- to ensure that County roads serve as collector or arterial roads which carry traffic from the local road system to Provincial Highways;
- to ensure that the number of entrances onto the County Road system are kept to a minimum and that only those entrances that comply with standards established by the County of Peterborough are permitted;
- to develop a transportation system that will encourage unity within the County and will satisfy local municipal transportation demands;
- to increase accessibility to areas of employment, education, shopping and recreation;
- to ensure that any part of the transportation system is planned and developed with minimum environmental and community disruption;
- to encourage transportation corridors as multiple-use rights-of-way where practical.

### **5.3.3 - Policies**

#### **5.3.3.1 - General**

- The County will undertake and will encourage local municipalities to undertake a Roads Needs Study for County and local roads respectively to examine existing and future road conditions and expenditures;
- The County will not assume or dedicate any roads which do not meet the minimum acceptable standards of the Ministry of Transportation;
- The County, in conjunction with the local municipalities will promote ride-sharing such as car or van-pooling as a more efficient form of travel for commuters;

- The County will encourage the conversion of abandoned railway rights-of-way to other public uses which may include multi-use recreational trails or utility corridors or roads;
- The County will ensure, where possible, compatible land uses adjacent to railway corridors and rail terminal facilities;
- The County will encourage the development of bicycle path systems and walkway systems that would serve a transportation function;
- The County will encourage provisions for easy access and movement of the physically disabled to and within public buildings and facilities.
- The County, in cooperation with local municipalities, will participate in the designation of scenic drives throughout the region. These routes are to be developed in a manner that emphasizes the cultural, natural and heritage features of the County.
- Transportation systems will be provided which are safe, environmentally sensitive, and energy efficient.
- Corridors and right-of-way for significant transportation and infrastructure will be protected.
- As a means to implement the Growth Plan for the Greater Golden Horseshoe, the County will strive to coordinate transportation planning, transportation infrastructure development/maintenance and land use planning.

### 5.3.3.2 - Provincial Highways

- Development adjacent to or impacting on Provincial Highways requires the issue of permits from the Ministry of Transportation so that the long term function of the highway is maintained. Conditions of development may include but are not limited to:
  - increased building setbacks
  - 0.3 metre reserves
  - closing multiple entrances
  - increased frontages
  - improvements to provincial and other roads
  - reverse frontage lots
- Wherever possible and feasible, road access to a proposed subdivision or development will be from an adequate existing municipal travelled public road, rather than directly from a Provincial Highway;
- Where Provincial Highways pass through settlement areas, local official plans will not be approved without the endorsement of the Ministry of Transportation where specific designations of the plans would require extensive direct access to the Provincial Highway.
- Where it is determined that excessive noise may affect the proposed development, a noise mitigation study or studies may be required in accordance with Provincially established guidelines, prior to a decision being rendered on the development.
- Only those land uses that are compatible with the operation of a patrol yard will be permitted to locate adjacent to the patrol yards located on:

Part Lot 37	Concession 12	Smith Ward
Part Lots 19 & 20	Concession 10	Asphodel Ward

### **5.3.3.3 - County Roads**

- Development adjacent to or impacting on County Roads is subject to the County Roads Policies and entrance standards as set out in Appendix B to this Plan. In addition, setbacks from County Roads, unless stated elsewhere in a County By-law passed under the Municipal Act, will be in accordance with the Ministry of Transportation Corridor Control and Permit Procedures Manual.

### **5.3.3.4 - Local Municipal Roads**

- Development adjacent to local municipal roads is subject to conditions imposed by the local municipality. These conditions may include but not be limited to:
  - building setbacks
  - 0.3 metre reserves
  - closing multiple entrances
  - increased frontages
  - reverse frontage lots
- Local municipalities are encouraged to classify their road system and protect the function of same through appropriate land use and other controls.

### **5.3.3.5 - Private Roads**

- The County recognizes private roads as travelled routes which are not generally maintained by a public authority;



- There is no commitment or requirement by any public authority to assume responsibility for ownership or maintenance of any private road.
- New development is not permitted if it is not accessible by a public road maintained year-round;
- Notwithstanding the policies in Section 5.3.3.5, local plans may include policies permitting new development not accessible by a public road maintained year-round, in some or all of the following situations:
  - in plans of condominium with internal roads to standards acceptable to the municipality;
  - on private roads, subject to criteria in the local plan, provided those criteria are consistent with any criteria for conversion to permanent residential established in the local plan in accordance with Section 5.1.3.3, or with the policies of Section 5.1.3.3 if there are no conversion criteria in the local plan;
  - on lots accessible only by water or by seasonally maintained public road, subject to criteria in the local plan.

## **5.4 COMMUNITY SERVICES**

The County recognizes the importance of community services as a contributor to the quality of community life and as an attractor for economic investment.

### **5.4.1 - Goal**

- to provide community services and facilities to meet the civic, cultural, educational, health care, religious, social and emergency service needs of the residents of Peterborough County in cooperation with the appropriate public and private agencies and other levels of government.

### **5.4.2 - Objectives**

- to assist local municipalities, other levels of government and public and private agencies to provide sufficient locations for community services and facilities;
- to improve and enhance the development of education, health and social services;
- to provide maximum accessibility to emergency services in all parts of the County;

### **5.4.3 - Policies**

#### **5.4.3.1 - General**

- Community services which provide a County as well as a local service should be reviewed jointly by the County, local municipalities and other affected levels of government and located:
  - in proximity to major transportation routes
  - centrally within settlement areas
  - adjacent or in proximity to other community services
  - to accommodate hard and soft servicing requirements, such as sewage, water and parking
- Where areas are poorly served by community services or where resources are unavailable to support programs or facilities, emphasis should be placed upon joint programs and shared use of resources;
- Prior to the approval of new community services, the costs of long-term maintenance and operation shall be evaluated together with other matters of financing;

- The County shall participate in the exchange of planning and resource information, so as to provide for the best use and location of police and fire protection facilities;

#### **5.4.3.2 - Education**

- The County will establish and maintain a formal and continuing liaison with educational institutions operating within the County to assist in demographic and land use planning of significant structural facilities for education;
- The County, local municipalities and the Boards of Education will monitor and provide for the delivery of land use related educational services at an optimal level.

#### **5.4.3.3 - Health and Social Services**

- Proposals for new health care and social service facilities shall be reviewed by the County and relevant human service planning organizations such as the Ministry of Community, Family and Children's Services and the District Health Council;
- The County will encourage major health care and social service facilities to locate in settlement areas, as identified in Section 4.2;
- The County shall require the inclusion of design concepts in building, planning and other approvals that facilitate access by persons with special needs;
- The County will consider requests for funding assistance from private or community agencies in establishing or operating publicly accessible health and social services or facilities;
- The County will encourage the development of a Peterborough County-wide community service information system using local information services;

- The County will support and encourage the extension of adequate health and social services to all regions of the County as need and financial capability dictate.

## **5.5 LAND USE COMPATIBILITY**

### **5.5.1 - Goal**

- to ensure that new land uses and new developments are compatible with existing built form.

### **5.5.2 - Objectives**

- to protect existing sensitive land uses (residential, human care facilities, institutions, places of religious assembly, etc.) from impacts of new industrial, transportation, or utility uses;
- to protect existing industrial, utility, and farming facilities from encroachment by sensitive land uses.

### **5.5.3 - Policies**

#### **5.5.3.1 - General**

- The County promotes the orderly development of new land uses while maintaining compatibility between existing and proposed land uses. Measures including land use separation, buffers, and intervening land uses shall be provided where required between incompatible land uses in accordance with Provincially established guidelines.

#### **5.5.3.2 - Airports**

- To protect airports from incompatible development:
  - new residential development and other sensitive land uses will not be permitted in areas near airports with a Noise Exposure Forecast (NEF) or

Noise Exposure Projection (NEP) level above 30, as set out on maps (as revised from time to time) approved by Transport Canada. This policy shall not preclude local municipalities from incorporating a more restrictive NEF/NEP level in local plans;

- however, redevelopment of existing residential uses and other sensitive land uses or infilling of residential and other sensitive land uses may be considered above 30 NEF/NEP if it has been demonstrated that there will be no negative impacts on the long term function of the airport.

### **5.5.3.3 - Mine Hazards**

- To minimize risk to public safety, development will be permitted within 1000 metres of a mine hazard only if the applicant demonstrates to the local municipality's satisfaction that rehabilitation to address and mitigate known or suspected hazards is under way or has been completed. Local municipalities are encouraged to identify on map schedules any abandoned mine sites.

## **5.6 DEVELOPMENT IN CLOSE PROXIMITY TO THE CITY OF PETERBOROUGH**

### **5.6.1 - Goal**

- to ensure that existing and proposed land uses are compatible with and have regard for the relationship of the separated City of Peterborough with the abutting municipalities.

### **5.6.2 - Objectives**

- to have regard for the urban/rural transition area surrounding the City of Peterborough when considering any and all development proposals in the neighbouring municipalities;

- to have regard for the rural way of life as set out in the County Vision.

### **5.6.3 - Policies**

#### **5.6.3.1 - General**

- At the present time, the County is aware that the future development pressures on those municipalities surrounding the City of Peterborough are increasing and that the careful planning of development in this area will benefit the County, the City, and the municipalities surrounding the City.
- The County will promote inter-municipal communication and co-ordination with respect to development issues in these areas, and will work with the City of Peterborough and the Townships of Otonabee-South Monaghan, Cavan Monaghan, Selwyn and Douro-Dummer to develop a comprehensive approach to the formulation of future land use policies to form part of this and the local Official Plans.

## **5.7 SOURCE WATER PROTECTION**

Source protection planning is the first line of defense in a multi-barrier approach that seeks to prevent the contamination and overuse of surface water and groundwater sources of municipal drinking water. This is achieved by evaluating threats to drinking water sources and establishing policies to prevent, manage, or eliminate the threats.

The County of Peterborough is located within the Trent Conservation Coalition Source Protection Region and is subject to the policies of the Trent Source Protection Plan. As such, the County has been mandated to provide direction through the following land use planning policies to ensure that developments within the County do not negatively impact our municipal drinking water sources.

**5.7.1 – Goal**

- to implement the land use planning component of the Trent Source Protection Plan;
- to identify, protect, improve and restore the quality and quantity of surface water and ground water resources within vulnerable areas as identified within the Trent Source Protection Plan.

**5.7.2 – Objectives**

- to protect existing and future sources of municipal drinking water from incompatible land uses;
- to maintain and wherever feasible, enhance the quantity and quality of ground water and surface water;
- to minimize the potential for contamination including potential contamination from road salt on sources of municipal drinking water;
- to identify water resource systems including ground water features, hydrologic functions, natural heritage features and areas and surface water features including shoreline areas, necessary for the ecological and hydrological integrity of the watershed;
- to promote informed stewardship in vulnerable areas in collaboration with the Province, area Municipalities and local Conservation Authorities.

**5.7.3 – Policies****5.7.3.1 – General**

- Policies in the Trent Source Protection Plan apply vulnerable areas which have been identified on Schedule ‘C1’ to the County Official Plan.

- Local Municipalities will also designate vulnerable areas and establish associated policies within their Official Plans to ensure that development applications are in conformity with the policies of the Trent Source Protection Plan and this Plan.
- Local Municipalities shall include zones and/or mapping and zone provisions within their comprehensive zoning by-laws to identify vulnerable areas and implement the approved Trent Source Protection Plan and this Plan.
- The following land use activities shall be prohibited in vulnerable areas where they would constitute a future significant drinking water threat unless otherwise stated in the Trent Source Protection Plan:
  - a) The application or storage of agricultural source material;
  - b) The management of agricultural source material;
  - c) The application, handling, or storage of non-agricultural source material;
  - d) The application, handling, or storage of commercial fertilizer;
  - e) The application, handling or storage of pesticide;
  - f) The handling or storage of road salt;
  - g) The storage of snow;
  - h) The handling or storage of fuel;
  - i) The handling or storage of dense non aqueous phase liquid;
  - j) The handling or storage of an organic solvent; or
  - k) The use of land as livestock grazing or pasturing land, an outdoor confinement area or a farm-animal yard.
- During pre-consultation and development application review, County Planning, Conservation Authority, Risk Management Official and Local Municipal Staff will provide information related to source water protection to the proponent, to indicate whether the proposed application is within a vulnerable area and that Trent Source Protection Plan policies may apply.



- Development applications within identified vulnerable areas shall be accompanied by a Notice issued by the Risk Management Official under Section 59(2) of the Clean Water Act, 2006, as amended.
- New land uses, including the creation of lots, and new or expanding land use activities, shall not be permitted within vulnerable areas unless it can be demonstrated that they do not pose a significant drinking water threat.
- Existing land uses which support an associated significant drinking water threat activity should be managed pursuant to the Trent Source Protection Plan.
- Persons undertaking land use activities that are, or may be, a significant drinking water threat may be required to comply with a Risk Management Plan.
- Existing septic systems that are a significant drinking water threat shall connect to the municipal sewage collection system where it is feasible to do so, given financial and technical constraints.
- Future septic systems that are a significant drinking water threat shall only be permitted where it is not feasible to connect to the municipal sewage collection system and must comply with applicable Ontario Building Code construction standards.
- The installation of any future municipal wastewater collection system(s) must comply with construction standards that will ensure that the collection system is not a significant drinking water threat.

#### **5.7.3.2 – Road Salt**

- The application of road salt is a significant drinking water threat within Lakefield, as shown on Schedule ‘C1’.

- Road salt application within this area may be required to comply with a Risk Management Plan.
- The construction of roads and other impervious land surfaces such as parking areas, access routes, and pedestrian and cycling paths shall be designed to minimize the amount of impervious surface area.
- Grading, maintenance activities and drainage designs that reduce ponding and direct any run-off outside of vulnerable areas will be encouraged.

#### **5.7.3.3 – Stewardship**

- The County, in collaboration with the Province, the Conservation Authority, and local Municipalities, will promote good stewardship practices for lands and water within vulnerable areas.
- Local Municipalities may consider the use of alternative protection measures within the most vulnerable areas which may include land acquisition, land management and/or entering into conservation easements, agreements and development of stakeholder partnership programs to minimize or eliminate significant drinking water threats.

#### **5.7.3.4 – Transport Pathways**

- If a person applies to a municipality for approval of a proposal to engage in an activity in a vulnerable area that may result in the creation of a new transport pathway or the modification of an existing transport pathway, the municipality shall give the Source Protection Authority and the Trent Conservation Coalition Source Protection Committee notice of the proposal.

- When informing the Source Protection Authority and the Trent Conservation Coalition Source Protection Committee about a new or modified transport pathway, notice must include:
  - A description of the proposal;
  - The contact information of the person responsible for the proposal; and
  - A description of the approvals the person requires to engage in the proposed activity.
- Municipalities may establish a by-law prohibiting the approval of a proposal to engage in an activity that will result in the creation of a new transport pathway within a vulnerable area.
- Transport pathway means a condition of land resulting from human activity that increases the vulnerability of a raw water supply of a drinking water system contained in the Trent Source Protection Plan. Transport pathways may include, but are not limited to, the following:

For groundwater systems:

- Wells or boreholes;
- Unused or abandoned wells;
- Pits and quarries;
- Mines;
- Construction activities involving deep excavations (such as building foundations, basements, parking garages);
- Underground storm sewer, sanitary sewer & water distribution system infrastructure.

For surface water systems:

- Storm drainage infrastructure (e.g. storm sewer lines, culverts, ditches);  
and
- Tile drains.

### **5.7.3.5 – Monitoring**

- Where a Municipality has taken action(s) to acquire lands under Section 7.18 of this Plan, a report shall be prepared by February 1 each year, an annual summary of these actions for the preceding calendar year. This report must be made available to the applicable Source Protection Authority. It is recommended that the contents of the report include, but are not limited to:
  - A summary of any land purchases within a vulnerable area and how significant drinking water threats were eliminated as a result of the purchase.
- Where the County and/or local Municipalities have required a Section 59 Notice as part of a complete application under the Planning Act, a report shall be prepared by February 1 each year describing how this requirement was met for the preceding calendar year. This report must be made available to the applicable Source Protection Authority, and where the approval authority is not the lower or single tier municipality, the report will be copied to all applicable municipalities. It is recommended that the contents of the report include, but are not limited to:
  - The Official Plan policy requiring the Notice;
  - The number of pre-consultation meetings and stakeholders at each meeting;
  - The number and type of application(s);
  - The status of all applications
- Where a Municipality has required by by-law that sewage systems which are a significant drinking water threat be connected to a municipal servicing system, an annual report shall be prepared by February 1 each year, describing the actions it

has taken to meet this requirement during the preceding calendar year. This report must be made available to the applicable Source Protection Authority. It is recommended that the contents of the report include, but are not limited to:

- A summary of how the by-law was implemented;
- A summary of any systems connected to municipal sewage collection
- Where a Municipality has required by by-law that the creation of a new transport pathway within a vulnerable area is prohibited, an annual report shall be prepared by February 1 each year, describing actions it has taken to meet this requirement during the preceding calendar year. This report must be made available to the applicable Source Protection Authority. It is recommended that the contents of the report include, but are not limited to:
  - Any activities that are undertaken as part of an education and outreach program;
  - A summary of the by-law(s) created

## **6.0 LOCAL PLAN POLICIES - LAND USE**

### **6.1 GENERAL**

The County Plan functions as the lower tier Official Plan for the following participating local municipalities:

- Township of Selwyn
- Township of Asphodel-Norwood
- Township of North Kawartha
- Township of Douro-Dummer

The above municipalities have chosen to incorporate their local municipal official plans into the County Plan. The other local municipalities in the County maintain separate, free-standing planning documents.

Local municipal official plans complement the Peterborough County Official Plan by providing detailed strategies, policies and land use designations for planning and development at the local municipal level. Section 6 and Section 7 of the County Plan contain the local municipal planning policies applicable to the above-named Townships and should be read in conjunction with other sections of the Plan.

One set of common land use policies have been developed for the Rural Components of the participating municipalities while existing secondary plans have been retained for the Urban Components. Also where deemed necessary, site and/or area-specific planning policies have been developed to address particular local planning issues.

The land use policies must be read in conjunction with the following schedules which are attached to and form part of this Official Plan:

Schedule A1: Township of Selwyn Land Use Plan (Rural Component)

Schedule A1-1:	Lakefield Land Use Plan
Schedule A1-2:	Bridgenorth Land Use Plan
Schedule A2:	Township of Asphodel-Norwood Land Use Plan (Rural Component)
Schedule A2-1:	Norwood Land Use Plan
Schedule A3:	Township of North Kawartha Land Use Plan
Schedule A4-1:	Douro Ward Land Use Plan
Schedule A4-2:	Dummer Ward Land Use Plan
Schedule A4-3:	Stoney, Clear and Katchewanooka Lakes Land Use Plan
Schedule A4-4:	Donwood, Warsaw and Young's Point Land Use Plan
Schedule B1:	Township of Selwyn Roads Plan (Rural Component)
Schedule B1-1:	Lakefield Roads Plan
Schedule B1-2:	Bridgenorth Roads Plan
Schedule B2:	Township of Asphodel-Norwood Roads Plan (Rural Component)
Schedule B2-1:	Norwood Roads Plan
Schedule B3:	Township of North Kawartha Roads Plan
Schedule B4:	Township of Douro-Dummer Roads Plan
Schedule C1:	Source Water Protection Schedule

### 6.1.1 Defining Date for “Lot”

A lot shall be determined as being a legal parcel of land as it existed in accordance with the following:

- i) Selwyn: January 1, 1978
- ii) North Kawartha: January 1, 1990
- iii) Asphodel-Norwood: August 1, 1983
- iv) Douro-Dummer: A parcel of land will be eligible for consent if it has been recorded as a separate parcel in the Land Registry Office for a minimum of 25 years prior to the date of severance application.

If the boundaries of a lot as they existed on the dates cited above have changed as a result of a lot addition, the lot shall be considered as still being a legal parcel of land as of the date referenced above.

## 6.2 LOCAL PLANNING POLICIES - RURAL COMPONENT

The Rural Component is devoted to economic activities associated with the natural resources in the participating Townships. The Rural Component policies are intended to protect the character of these areas while making provision for economic activities and employment opportunities which depend on the natural resources.

The Rural Component comprises the following areas:

- prime agricultural areas;
- rural areas and secondary agricultural areas;



- highway commercial areas;
- recreational commercial areas;
- rural industrial areas;
- hamlet areas;
- rural settlement areas;
- lakeshore residential areas;
- seasonal residential areas;
- estate residential areas;
- open space areas;
- environmental constraint areas;
- provincially significant wetland areas;
- urban fringe control areas;
- extractive industrial areas;
- waste management sites;
- crown lands.

## **6.2.1 PRIME AGRICULTURE**

### **6.2.1.1 - General Principles**

The Prime Agriculture designation applies to areas where Class 1, 2 and 3 lands under the Canada Land Inventory Soil Capability for Agriculture or specialty crop land

predominate. These areas shall be protected for agricultural uses from incompatible, non-agricultural development. Small scale farm related commercial/industrial uses shall be permitted provided that they are directly related to the farm operation and are in close proximity to the farm operation.

#### **6.2.1.2 - Permitted Uses**

The predominant use of land within the Prime Agriculture designation shall be agriculture, farm related activities, and forestry.

Agricultural uses shall include the use of land, buildings and structures for operations conducted on a farm and without limiting the generality of the foregoing, shall include the growing of crops, including nursery and horticultural crops, raising of livestock, raising of other animals for food, fur or fibre, including poultry and fish, aquaculture, apiaries, agro-forestry, and maple syrup production.

Agricultural-related uses shall include farm related commercial and farm related industrial uses that are small in scale and directly related to the farm operation and required to be located in close proximity to the farm operation such as a grain drying handling and storage facilities.

Secondary uses shall include home occupations, home industries and uses that produce value added agricultural products such as custom meat shops, pick-your-own operations, produce markets, and packing operations from the farm operation on the property.

Sawmills, cattle auctions and farm equipment establishments are not considered to be an agricultural use and therefore shall not be a permitted use.

Non-agricultural uses, including kennels, sawmills, abattoirs, livestock marketing or sales yard, a seed cleaning plant and agricultural produce warehouse or similar agri-business may be permitted provided alternative locations within areas designated other than Prime

Agriculture are not available and there are no reasonable alternative locations in prime agricultural areas with lower priority agricultural lands.

Farm related residential development as defined by the policies in Section 6.2.1.3 shall be permitted.

A temporary trailer may be permitted to accommodate full time farm help who are involved in the day-to-day operation of the farm, except in Asphodel-Norwood and Douro-Dummer where such is not permitted.

### **6.2.1.3 - Prime Agriculture Policies**

a) It shall be a policy of this Plan to discourage the development of non-rural related uses within the Prime Agriculture designation and to prevent uncontrolled and scattered development. This leads to an unnecessary fragmentation of the land base and in particular, farmland. Non-rural growth related uses shall be encouraged to locate within the designated growth centres and hamlet areas identified on the land use schedules.

b) **Minimum Distance Separation**

New livestock operations shall only be established in accordance with the Minimum Distance separation requirements of the Provincial Policy Statement.

New development shall only be established in accordance with the Minimum Distance Separation requirements of the Provincial Policy Statement in order to protect farm operations from encroachment and to allow for the future flexibility and expansion of existing farm operations

c) One single-detached dwelling will generally be permitted on a farm.

d) Home occupation uses, inclusive of Bed and Breakfast overnight accommodation may be permitted in a single detached dwelling within the Prime Agriculture

designation provided that such establishment is operated by one or more permanent residents of the dwelling. Provisions regarding Bed and Breakfast establishments shall be further stipulated in the Zoning By-law.

- e) Lot creation in the Prime Agriculture designation shall generally be discouraged. It shall only be permitted in the following situations:
- i) new lots for agricultural uses may be permitted provided that they are of a size appropriate for the type of agricultural uses common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operation;
  - ii) new lots may be permitted for agriculture-related uses; and
  - iii) new lots for residential uses may be permitted as hereafter set out:

#### **6.2.1.4 - Farm Related Consents**

A farm-related consent may be granted provided that the consent policies in Section 7.12 and the following policies are addressed:

- a) Surplus Farm Residence

Notwithstanding any other provision in 6.2.1, a consent may be granted to dispose of a surplus farm residence provided the following additional criteria are met:

- i) the dwelling is surplus to a farming operation as a result of farm consolidation and provided that new residential dwellings are prohibited on any vacant remnant parcel of farmland created by the severance.;
- ii) the dwelling is surplus to the needs of the farm;
- iii) the residence will not be required by the farm;
- iv) the separated parcel will not include any more land than is required to support the residence;

- v) the lot containing the surplus residence will have a minimum lot frontage of 38 m. and a minimum lot area of 2,320 sq. m.;
- vi) the conveyance complies with the Minimum Distance Separation requirements of the Provincial Policy Statement;
- vii) the existing building is habitable; and

As a condition of severance, the Township may, at its discretion, request that a merger agreement be entered into thereby merging on title the remaining parcel with the main farm operation.

- b) If land is to be added to an abutting existing non-farm use, the land shall not be productive agricultural land. If the conveyance is for convenience or buffering purposes, the size of the lot addition should be kept to a minimum.
- c) Unless otherwise stipulated, in no case shall there be more than one farm-related consent granted on a lot for the purposes of creating a new lot.
- d) Farm-related consents shall only be permitted on roads which are maintained year round by the Township, County or Province.
- e) The Township shall encourage existing lots that are considered too small to be viable agricultural units to be consolidated with adjacent farm properties.
- f) Farm Parcel Size
  - i) New parcels of land for agricultural purposes may be created provided that, both the proposed retained and severed parcels are of a size suitable for the agricultural purpose proposed and both should generally be 40 hectares. The creation of new lots in accordance with this policy does not count for the purposes of determining the total number of lots that can be created from a farm holding.

- ii) Agriculture and farm-related uses which require smaller lots shall be encouraged to locate on existing small lots located throughout the Township.

#### **6.2.1.5 – Farm-related Commercial and Industrial Permitted Uses**

- a) A limited amount of farm related commercial and industrial development shall be permitted in the Prime Agriculture designation.
- b) Permitted farm related commercial and industrial uses shall include such uses that are small in scale and directly related to the farm operation and required to be located in close proximity to the farm operation such as a grain drying, handling and storage facilities.
- c) A proposed Zoning By-law Amendment to permit a farm-related commercial or industrial use shall comply with the policies in Section 7.9 of this Plan.
- d) Farm related commercial and industrial uses shall be subject to site plan control. In addition, the Township may require a preliminary plan as part of the application for a Zoning By-law amendment.
- e) When considered necessary, prior to approving building and site plans, the Township may seek the advice of government agencies or individuals having appropriate specialist knowledge in matters concerning the potential effects of any proposed farm-related commercial or industrial use. The Township may impose building controls in the development or site plan agreement. Issuance of a building permit will depend on submission of a satisfactory site plan.

#### **6.2.1.6 – Consents for Other Purposes**

- a) Consideration may be given to applications for consent that are submitted for technical reasons as per Section 7.12.21.

### 6.2.1.7 – Other Conditions

Other conditions as may be authorized under the provisions of *The Planning Act*, as amended, or any other statute as may be applicable, which may include but not necessarily be limited to the following, may be attached to a consent:

- a) the dedication of land for park purposes, or, as an alternative, the payment of cash-in-lieu of such dedication as may be accepted by the Township;
- b) the payment of a Development Charge;
- c) the submission of a registered reference plan prior to the giving of a certificate that the consent has been given;
- d) rezoning or minor variance for the subject property.

### 6.2.1.8 – Special Policy for Townships

- a) Township of Selwyn
  - i) Restaurant and Bed and Breakfast – Roll 151602000131700

On those lands located on Part of Lot 7 in Concession 3, former Township of Smith as shown on the land use schedule, a restaurant with a maximum of twenty seats shall be permitted in addition to other permitted uses. In addition, site plan control shall apply to this property for restaurant and bed and breakfast establishment development.

- b) Township of Asphodel-Norwood
- c) Township of Douro-Dummer

## **6.2.2 RURAL**

### **6.2.2.1 - General Principles**

The Rural designation applies to areas where Class 4, 5, 6 and 7 and Organic soils under the Canada Land Inventory Soil Capability for Agriculture predominate and areas where previous non-farm development has effectively limited the future of intensive farm activity.

### **6.2.2.2 - Permitted Uses**

The predominant use of land within the Rural designation may include all agricultural uses outlined in Section 6.2.1 of this Plan. Other permitted uses shall include forestry, passive outdoor recreation uses and activities connected with the conservation of soil and wildlife.

Development by consent will be permitted within the Rural designation, although that development shall be limited and will be subject to the following policies. A very limited amount of small-scale commercial uses, or farm-related commercial/industrial uses will also be permitted. Commercial and industrial uses shall be subject to site plan control, and shall require a site specific amendment to the implementing Zoning By-law, as part of the approval process.

Low density residential development as defined by the Policies of Section 6.2.2.3, home occupations and home industries shall be permitted.

### **6.2.2.3 - Rural Policies**

- a) It shall be a policy of this Plan to discourage the development of non-rural related uses within the Rural designation and to prevent uncontrolled and scattered development. This leads to an unnecessary fragmentation of the land base. Non-rural growth related uses shall be encouraged to locate within designated growth centres and hamlet areas as identified on the land use schedules.



- b) A maximum of one single-detached dwelling shall be permitted on a lot.
- c) Home occupation uses, inclusive of Bed and Breakfast overnight accommodation may be permitted in a single detached dwelling within the Rural designation provided that such establishment is operated by one or more permanent residents of the dwelling. Provisions regarding Bed and Breakfast establishments are contained in Section 7.22 and shall be further stipulated in the Zoning By-law.
- d) Minimum Distance Separation

New livestock operations shall only be established in accordance with the Minimum Distance Separation requirements of the Provincial Policy Statement.

New development shall only be established in accordance with the Minimum Distance Separation requirements of the Provincial Policy Statement in order to protect farm operations from encroachment and to allow for the future flexibility and expansion of existing farm operations.

#### **6.2.2.4 – Farm Related Consents**

The policies of Section 6.2.1.4 shall apply for farm-related consents in the Rural designation. Notwithstanding Section 6.2.1.4(f), in the Township of Douro-Dummer new farm parcels may be created provided that both the severed and retained parcels are of a minimum size of 20 hectares each. In Douro-Dummer the creation of such lots will count towards the total number of lots that can be created from a land holding.

#### **6.2.2.5 – Residential Consents**

- a) A consent may be granted within the Rural designation provided that the consent policies in Section 7.12 and the following policies are addressed.

- b) In Selwyn, one consent to create a new lot may be granted on a lot as it existed as per Section 6.1.1 for one of the following purposes:
- i) a residential lot with the retained parcel being a minimum 20 hectares (or less than 20 hectares if the reduction was a result of land being taken or dedicated for public infrastructure purposes), the subject parcel having been owned by the applicant for a period of at least 10 years; and the severed parcel complying with the requirements of the implementing Zoning By-law; or
  - ii) for infilling as defined. “Infilling” shall refer to a situation where one new residence is to be located between two existing lots of record which are separated by a distance of not more than 100 metres (328 feet) on the same side of the road; or where one new residence is to be located between two currently abutting lots where the distance between existing houses is not greater than 150 metres (500 feet).
- c) In Asphodel-Norwood and North Kawartha, two consents to create new lots may be granted on a lot as it existed as per Section 6.1.1 provided that all other relevant policies of this plan are complied with.
- d) In Douro-Dummer, two consents to create new lots may be granted on a lot as it existed as per Section 6.1.1 provided that the following criteria are met and all other relevant policies of this plan are complied with:
- i) The applicant has owned the property for a minimum of 5 years; and
  - ii) The size of a new lot created by severance specifically and exclusively for a residential use shall not exceed 1 hectare in area. The area may exceed 1 hectare if there are other rural uses in addition to, or separate from, the residential use (i.e. hobby farms, recreational uses). The maximum lot area in such instances will be stipulated in the Zoning By-Law.

- e) The lot shall be located so that it does not interfere with the efficient operation of a neighbouring farm unit. Rural residential uses shall be in conformity with the Minimum Distance Separation requirements of the Provincial Policy Statement (PPS).
- f) Rural residential uses shall only be located in areas which are served by roads that are municipally-assumed and maintained, schools, commercial uses and community facilities.

#### **6.2.2.6 - Farm-related Commercial and Industrial Uses**

- a) A limited amount of farm related commercial and industrial development shall also be allowed in the Rural designation. Permitted commercial and industrial development shall include uses such as greenhouses, sawmills, fertilizer plants, feed and seed dealers, cattle auction and sales barns, tile-drainage operations, farm equipment sales and services if two-thirds (2/3) of their operation is related to the processing of agricultural products or the servicing of farms, and that their need to be located in the Rural designation is justified.
- b) An application for a Zoning By-law amendment to permit a farm-related commercial or industrial use shall comply with the policies in Section 7.9 of this Plan.
- c) Farm related commercial and industrial uses shall be subject to site plan control. In addition a preliminary plan may be required as part of the application for a Zoning By-law Amendment.
- d) Prior to approving building and site plans, the Township may seek the advice of the Province, or other government agencies or individuals having appropriate specialist knowledge in matters concerning the potential effects of any proposed farm-related commercial or industrial use. The Township may impose building

controls in the development or site plan agreement. Issuance of a building permit will depend on submission of a satisfactory site plan.

#### **6.2.2.7 – Rural Consents for Other Uses**

- a) Consideration may be given to applications for consent that are submitted for technical reasons as per Section 7.12.21.
- b) A limited amount of small scale non-farm related commercial/industrial development may be permitted in the Rural designation. Permitted uses would include custom workshops and sign making businesses without limiting the generality of the foregoing. Prior to approving a Zoning By-law Amendment application for a small scale commercial or industrial development, the Township shall ensure that the proposal addresses the policies in Section 7.9 of this Plan. Such uses shall be subject to site plan control.

#### **6.2.2.8 - Other Conditions**

Other conditions as may be authorized under the provisions of *The Planning Act*, as amended, or any other statute as may be applicable, which may include but not necessarily be limited to the following, may be attached to a consent:

- a) the dedication of land for park purposes, or, as an alternative, the payment of cash-in-lieu of such dedication as may be accepted by the Township;
- b) the payment of the Township's Development Charge; and
- c) the submission of a registered reference plan prior to the giving of a certificate that the consent has been given.

#### **6.2.2.9 - Proposals for New Estate Residential Developments**

- a) Beyond the lands that are currently designated for estate residential development, it is intended that no new estate residential developments shall be contemplated on lands which are designated Rural.

#### **6.2.2.10 - Forest Resources**

- a) Landowners shall be encouraged to recognize the importance and value of forest resources as a source of wood and non-wood products as well as for their wildlife, recreation, aesthetic, environmental and soil and water conservation capabilities. Landowners shall be encouraged to:
  - i) manage forest resources in accordance with proper forest management practices in consultation with the Peterborough County Stewardship Council;
  - ii) retain existing tree cover as is deemed practical;
  - iii) maintain and establish tree and shrub cover as appropriate, on low agricultural capability soils and in hazardous areas such as steep slopes, major drainage swales and flood prone areas, in order to reduce runoff rates and minimize soil erosion;
  - iv) retain and establish windbreaks to reduce wind erosion and reduce energy consumption in rural buildings;
  - v) reforest non-productive farm land and unproductive cleared rural lands; and
  - vi) efficiently harvest and use trees that must be removed to accommodate the placement of buildings, structures and roads.
- b) The Township in accordance with the Ministry of Natural Resources may by By-law provide for the protection and management of forest resources on privately

owned lands under the provisions of the *Forestry Act* to rectify misuses of forest resources and poor forestry practices.

#### **6.2.2.11 - Site Specific Special Policy Areas**

a) Township of Selwyn

i) Biss Subdivision

Within the Biss subdivision (Part of Lot 7, Concession 3, Smith Ward), further subdivision of existing lots by consent to a land severance will only be considered if both the severed and retained lots have an area of at least 0.5 hectares (1.25 acres) each, which is currently zoned Residential (R) in the Zoning By-law of the Municipality. This lot area requirement is consistent with the approximate area required in new subdivisions to meet current nitrate loading criteria.

ii) McLean Berry Farm

Notwithstanding the provisions of Section 6.2.2.3 b), on those lands located in part Lot 29, Concession 15, Smith Ward, as identified by roll number 1516-020-006-12100, one temporary trailer is permitted to accommodate seasonal farm labour, who are involved in the day-to-day operation of the farm during the growing and harvesting season.

iii) Stewart Homes

Notwithstanding the provisions of Section 6.2.2.3 b), on those lands located in Part Lot 22, Concession 4, geographic area of Smith, as identified by roll number 1516-020-007-42000, an assisted living facility, housing severely handicapped individuals and accommodating no more than 9 persons (exclusive of staff), and an adult education centre may be permitted.

iv) Etherington

Notwithstanding the provisions of Section 6.2.2.3 b), on those lands located in Part Lot 31, Concession 17, geographic area of Smith, as identified by roll number 1516-020-006-2810, one temporary trailer is permitted to accommodate seasonal farm labour, who are involved in the day to day operation of the farm during the growing and harvesting season

v) 2000225 Ontario Inc. (Meharg) OPA #11 (Effective May 3, 2011)

In addition to the permitted uses outlined in Section 6.2.2.2, self-storage rental units, outside storage of boats, trailers, recreational vehicles, all-terrain vehicles and similar uses, a business administration office, and one accessory dwelling unit in the office building shall be permitted on lands located within part of Lots 41 and 42, Concession 14, Geographic Township of Smith.

vi) Ennismore Homestead Theatre OPA #10 (Effective July 20, 2011)

Notwithstanding the provisions of Section 6.2.2.2, on those lands located in Part Lot 7, Concession 6 (Ennismore Ward), as identified by roll number 1516-010-100-07600, a seasonal live theatre may also be permitted in an existing barn facility.

## vii) Notwithstanding the provisions of Section 6.2.2.5(b)(i), on those lands located in Part Lot 5 and Part Lot 6, Concession 4 (Smith Ward), as identified by roll numbers 1516-020-200-16400 and 1516-020-200-16500 consent to create a new residential lot may be considered where the proposed lot is occupied by an existing single detached dwelling.

## viii) Notwithstanding the provisions of Section 6.2.2.2, on those lands located in Part Lot 5, Concession ECR, Smith Ward as shown on Schedule "A1",

known municipally as 1591 Hilliard Street, a small scale business office may also be permitted. Such use shall be utilized in accordance with the Township's Zoning By-Law.

b) Township of Asphodel-Norwood

i) Stewart Outdoor Skating Rink OPA #17 (Effective December 14, 2012)

Notwithstanding the provisions of Section 6.2.2.2, on those lands located at Part of Lot 6, Concession 9, Asphodel Ward, as identified by Roll Number 1501-010-004-19701 and shown on Schedule "A2", the permitted use shall be an outdoor skating rink with roof structure and cement foundation for personal use of the owner. The size of the foundation and roof shall be described in the implementing Zoning By-law. All other relevant provisions of Section 6.2.2 – Rural shall apply and be complied with.

ii) Archer OPA #36, 44 Albine Street, Norwood. (Effective October 27, 2016)

Notwithstanding the provisions of Section 6.2.2.5(c), on those lands located at 44 Albine Street, being Lot 19, Concession 8, Asphodel Ward and identified by roll number 1501-010-003-08210, one consent to create a new lot may be considered as of October 27, 2016. Permitted uses for the severed parcel shall include a two-unit residential dwelling. All other relevant provisions of Section 6.2.2 shall apply and be complied with.

c) Township of North Kawartha

i) Part Lot 25, Concession 9, Chandos Ward

On lands designated as Rural in part of Lot 25, Concession 9, Chandos Ward, a parcel of land that is the remnant parcel from an abutting plan of subdivision and plan of condominium also in Lot 25, Concession 9, may front on and have vehicular access on a privately-owned road.



- d) Township of Douro-Dummer
- i) Notwithstanding any other provision of the "Rural" designation and associated policies as set forth under this Plan to the contrary, on lands designated as Rural in part of Lot 20, Concession 6 of the Douro Ward, as identified on Schedule "A4-1" with the notation "Lands Subject to Subsection 6.2.2.11(d)(i)", and having an area of approximately 10.2 hectares, the following uses shall also be permitted: a driving range, miniature golf course, petting zoo, pony rides, kiddy cars, water bumpers, a pro shop/snack bar/washroom facility, and accessory buildings, structures or uses inclusive of a tourism information facility. It shall further be a policy of this Plan that the lands shall be zoned in a separate classification in the implementing zoning by-law.
  - ii) Notwithstanding any other provision of the "Rural" designation and associated policies as set forth under this Plan to the contrary, on lands designated as Rural in part of Lot 15, Concession 6 of the Douro Ward, as identified on Schedule "A4-1" with the notation "Lands Subject to Subsection 6.2.2.11(d)(ii)", and having an area of approximately 4 hectares, the uses permitted shall include a retail commercial sales establishment for the sale of farm produce, baked goods, confectionary products, crafts, and antiques, a motor vehicle gasoline bar, an eating establishment and accessory entertainment or recreational uses and activities. It shall further be the policy of this Plan that no building, structure or use of the subject property shall be permitted until the owner has entered into a Site Plan agreement with the Township of Douro-Dummer and the lands have been zoned in a separate classification in the implementing Zoning By-law.

- iii) Notwithstanding any other provision of the "Rural" designation and associated policies as set forth under this Plan to the contrary, on lands designated as Rural in part of Lots 19 20 and 21, Concession 7 of the Douro Ward, as identified on Schedule "A4-3" with the notation "Lands Subject to Subsection 6.2.2.11(d)(iii)", the uses permitted shall include a school and associated or related uses and activities. It shall further be a policy of this Plan that no development and/or redevelopment of the subject property shall be permitted except in accordance with a Site Plan Agreement entered into by the Township of Douro-Dummer and the owner and the implementing Zoning By-law.

No sequential use of this property for an alternative form of development such as residential, commercial or industrial shall be permitted without an amendment to this Official Plan.

- iv) Notwithstanding any other provision of the "Rural" designation and associated policies as set forth under this Plan to the contrary, on lands designated as Rural in part of Lot 2, Concession 9 of the Douro Ward, as identified on Schedule "A4-1" with the notation "Lands Subject to Subsection 6.2.2.11(d)(iv)" the uses permitted shall include a farm market store for the sale of locally grown agricultural produce and agricultural products which are unique to this area of the province, home baked goods, jarred goods, woodworking products, crafts and sewing, which are the products of people in the surrounding rural community. It shall further be the policy of this Plan that no building, structure or use of the property shall be permitted until the lands have been zoned in a separate classification in the implementing Zoning By-law.

- v) Notwithstanding any other provision of the "Rural" designation and associated policies as set forth under this Plan to the contrary, on lands designated as Rural in Part of Lots 30 and 31, Concessions 6 and 7 of the Dummer Ward, as identified on Schedule "A4-3" with the notation "Lands Subject to Subsection 6.2.2.11(d)(v)", and having an area of approximately 85 hectares, the uses permitted shall include a golf course, driving range, a golf club house, and a maintenance and golf cart storage facility; together with accessory uses. It shall further be the policy of this Plan that no development and/or redevelopment of the subject property shall be permitted except in accordance with the implementing Zoning By-law; and a Site Plan Agreement entered into by the Township of Douro-Dummer and the owner."
- vi) Notwithstanding Section 7.8 to the contrary, on lands designated as Rural in Part Lot 10, Concession 9, Douro Ward, as identified on Schedule "A4-1" with the notation "Lands Subject to Subsection 6.2.2.11(d)(vi)" and having an area of approximately 0.281 hectares, a permanent single detached dwelling may be constructed on the subject property which fronts onto an unopened/unassumed Municipal road allowance. It shall further be the policy of this Plan that the lands are subject to a Site Plan and Site Plan Agreement to the satisfaction of the Township of Douro-Dummer."

## 6.2.3 HAMLET

### 6.2.3.1 - General Principles

The Hamlet designation refers to existing settlement areas which function as residential and commercial service nodes. They may contain a mix of residential, commercial, small scale industrial, public and institutional facilities.

The participating Townships have designated growth centres and hamlets as identified on the land use schedules and through the use of Secondary Plans. It is intended that the majority of future residential growth in those Townships shall be directed to the growth centres. It is also intended that residential growth in hamlets in those municipalities shall generally be limited to infilling and minor expansion within their existing designated areas.

The following are the recognized Growth Centres that have specific policies as contained in Section 6.3 (Urban Area policies):

Township of Selwyn: Lakefield, Bridgenorth

Township of Asphodel-Norwood: Norwood

The following are the recognized Growth Centres that do not have Secondary Plans and/or other specific policies as contained in Section 6.3 (Urban Area policies):

Township of Selwyn: Hamlet of Ennismore

Township of North Kawartha: Apsley, Woodview

Township of Douro-Dummer: Donwood, Douro, Warsaw

In the Township of North Kawartha, the settlement areas of Apsley and Woodview function as the primary growth and service centres for the surrounding recreational cottage areas. It is intended that residential growth opportunities in North Kawartha be

directed to these communities. In the Township of Douro-Dummer, the settlement areas of Donwood, Douro and Warsaw function as the primary growth and service centres for the Township. It is intended that residential growth opportunities in Douro-Dummer be directed to these communities. In-depth development by plan of subdivision, rather than strip development, shall be the preferred method of development.

The following are the recognized Hamlets:

Selwyn: Ennismore, Young's Point

Asphodel-Norwood: Westwood

North Kawartha: Glen Alda, Burleigh Falls, Big Cedar, Mount Julian,  
Stonyridge, Woodview, Apsley

Douro-Dummer: Donwood, Douro, Halls Glen, Warsaw, Young's Point

Growth in hamlets shall be consistent with environmental, physical and socio-economic conditions. Surrounding land uses, intensity of existing development and potential soil or ground water constraints shall be considered in assessing new development proposals.

#### **6.2.3.2 - Permitted Uses**

The predominant use of land within the Hamlet designation shall be for single detached residential dwellings with some limited provision for multiple unit dwellings. Other uses, which are considered necessary to serve the community or the surrounding rural area may be permitted such as schools, parks, churches, physicians' and dentists' offices and public or municipal facilities. This category may include retail and service commercial uses deemed necessary to serve the surrounding agricultural, rural and/or recreational areas and industrial uses, such as a builders' supply, feed mill, public garage, farm implement dealer which primarily serve the surrounding rural-agricultural community.

### **6.2.3.3 - Hamlet Policies**

- a) The uses permitted in Hamlet areas and regulations for such uses shall be defined in the implementing Zoning By-law. Regard shall be had to the protection of residential uses, especially in cases of adjacent uses which are deemed not compatible. Provision shall be made for adequate setbacks from property lines, for lands to be set aside in certain cases for landscaping and buffering purposes, for off-street parking facilities, prohibition of nuisances, and control over outside storage.
- b) Efforts shall be made to maintain a favourable ratio of residential to commercial and industrial assessment within the Townships. No development in a hamlet shall be approved if it will result in an undue financial burden on the municipality, particularly in the provision of school facilities, public utilities or other necessary public services.
- c) In those areas identified as hamlets, new development shall predominantly occur by plan of subdivision and in accordance with the policies in Section 7.13 of this Plan. Some new development may be permitted by consent in accordance with the policies of Section 7.12 of this Plan.
- d) New development shall primarily be single detached dwellings with some limited provision for multiple unit dwellings.
- e) The applicant shall undertake a servicing options review to determine the feasibility of full municipal or communal services for multi-lot/unit development. When those higher forms of servicing have been shown not to be feasible to the approval authority, every lot in the proposed plan of subdivision shall have a minimum area deemed sufficient for obtaining an adequate supply of potable water and installing suitable facilities for sewage disposal. A hydrogeological study, including a nitrate impact assessment, is required to determine an adequate water supply and for determining the minimum lot size required for sustainable private services.

- f) New commercial and industrial uses shall be permitted only by an amendment to the Zoning By-law. An application for a Zoning By-law amendment shall comply with the policies in Section 7.14 of this Plan.
- g) Infilling and minor expansion/rounding out within existing Hamlet areas shall be permitted. Major expansion of hamlet boundaries shall not be permitted as new growth opportunities are directed to the designated growth centres. Such boundary expansions shall only be undertaken in concert with a municipal comprehensive review of the Official Plan in conformity with the Growth Plan for the Greater Golden Horseshoe. A municipal comprehensive review is required in order to expand settlement area boundaries. However, where proposals to change the settlement area boundaries do not result in a net increase of settlement area within a Township, planning justification shall be required for the adjustment at the time of application to ensure targets and forecasts contained in this Plan are achieved.
- h) Growth shall be encouraged in depth, rather than in strips along main roads. Provision shall be made in approximate locations to permit access from the main road to a second or third tier of lots behind the existing development.
- i) Where a Hamlet designation abuts a major waterbody, the Township shall explore opportunities to increase public waterfront access in keeping with the needs of adjacent residential areas. A minimum 30 metre building setback from the waterbody will be maintained with non-disturbance of the soils and vegetation. For existing lots of record, if a 30 metre setback is not feasible, then the dwelling and in particular the leaching bed will be located as far back from the water body as possible. Development proposals for plans of subdivision or condominium should be accompanied by an assessment of the impact of the development on the quality of the waterbody. The impact assessment should address issues such as the nature of the development, servicing, location of septic systems, stormwater management, minimum 30 metre setback from the high water mark, topography

and the maintenance of trees and vegetation. Access areas may include open space uses and boat launching facilities. Waterfront access may be achieved by:

- i) developing lands dedicated to the Township or other public agency for parks purposes;
- ii) purchasing land and developing parkland using monies dedicated to the Township for park purposes; and
- iii) utilizing existing maintained municipal road allowances.

#### **6.2.3.4 - Site Specific Special Policy Areas**

- a) Township of Selwyn
- b) Township of Asphodel-Norwood
- c) Township of North Kawartha

##### Hamlet of Woodview

For those lands designated Hamlet in Woodview the following additional policies shall apply:

- i) Lake Capacity Review - Julian Lake

The Township shall require any proponent of a development or redevelopment proposal to review the implications of the proposed development or redevelopment on Julian Lake with respect to water quality, fish habitat and water oriented activity. For significant development requiring a plan of subdivision or a change in zoning for a non-residential use, the Township shall require a review and update by qualified consultant of the most recent lake capacity study, which shall include water quality and fish habitat and shall have regard for water oriented activity to reflect both the current lake situation and improvements in lake capacity study



techniques. All sampling of water quality shall be provided to the Township and shall be maintained as a historic record of the status of the lake.

ii) Site Plan Control

Lands designated Hamlet in Woodview shall be designated as an area of site plan control, excluding only:

- minor additions to existing structures which would result in aggregate gross floor area less than 185. 8 sq. m. (2,000 sq. ft.);
- new structures of less than 50 sq. m. (538 sq. ft.) of gross floor area; and
- significant development requiring a plan of subdivision.

iii) Public Waterfront access to Julian Lake

Section 6.2.3.3 i) shall not apply to Julian Lake.

d) Township of Douro-Dummer

- i) Notwithstanding any other provisions of the "Hamlet" designation and associated policies as set forth under the Plan, on those lands specifically identified on Schedule "A4-4" to this amendment in Part of Lots 11, Concessions 1, Dummer Ward, with the notation "Lands Subject to Subsection 6.2.3.4(d)(i)" the uses permitted shall include: a golf course, driving range, golf club house, and maintenance and storage facility shall be the only permitted uses. Uses considered accessory and subordinate to the principle uses shall also be permitted.

Development shall only be permitted in accordance with the implementing Zoning By-law, and a Site Plan Agreement entered into by the Township of Douro-Dummer and the owner.

## **6.2.4 RURAL SETTLEMENT**

### **6.2.4.1 - General Principles**

The Rural Settlement designation refers to existing rural residential areas that have developed on the basis of private water supply and sanitary sewage disposal services and on relatively small lots. These areas are generally removed from the shoreline areas and in some cases were developed prior to the application of subdivision control.

It is the intent of this Plan is to recognize the existing rural residential settlement areas and to promote the maintenance of the residential function. Within the Rural Settlement designation future development shall generally be discouraged except for some minor infilling and/or limited extension of existing development within the existing designated area.

The following are identified as Rural Settlement Areas:

Township of Selwyn: Buckhorn, Youngstown, Selwyn

Township of Douro-Dummer: Centre Dummer, Cottesloe

### **6.2.4.2 - Permitted Uses**

The predominant use of land within the Rural Settlement designation shall be for single detached dwellings. In addition, uses which are compatible with and serve the residential area such as parkland, open space and limited non-residential uses shall be permitted. Secondary suites or secondary dwelling units shall be permitted subject to meeting criteria as established in the Zoning By-law and applicable Health Unit standards.

### **6.2.4.3 - Rural Settlement Policies**

- a) It shall be the policy of this Plan to provide for very limited growth in the Rural Settlement areas in the form of infilling on vacant lots of record or as minor extensions by means of consents to areas of existing development which are within the designated Rural Settlement areas, provided the policies in Section 7.12 of this Plan are addressed. The infilling of development shall only be permitted on the basis of private water supply and sanitary sewage disposal services that meet the requirements of the Ministry of the Environment and the Health Unit.
- b) The Township shall not consider an amendment to this Plan if it has the effect of extending the boundaries of the Rural Settlement designation unless accompanied by a municipal comprehensive review and part of a secondary plan that has been prepared to address future land use patterns, the extent and density of development, road patterns and the form/method of providing water supply, sanitary sewage disposal services and stormwater management. Applications for Official Plan Amendment shall address the policies in Section 7.9 of this Plan.
- c) The minimum lot area, frontage and other zone provisions for new residential and new non-residential development on lots created by consent shall be defined in the implementing Zoning By-law.
- d) Adequate off-street parking shall be provided for all permitted uses.
- e) The uses permitted within the Rural Settlement areas and the regulations for those uses shall be defined in the implementing Zoning By-law. An application for a Zoning By-law Amendment shall address the policies in Section 7.9 of this Plan.

#### **6.2.4.4 - Site Specific Special Policy Areas**

- a) Township of Selwyn
- b) Township of Douro-Dummer

## **6.2.5 SEASONAL RESIDENTIAL**

### **6.2.5.1 - General Principles**

Tourism and recreational activities are prevalent in the Townships due to the presence of the Kawartha Lakes/Trent-Severn Waterway.

Small areas of the Township are accessed only by means of private right-of-ways which are not maintained during the winter months or by water access only. This designation and policies are designed to recognize those seasonal land uses and govern their development. For the purposes of this plan, the terms “cottage” and “seasonal residence” are used interchangeably.

### **6.2.5.2 - Permitted Uses**

The predominant use of land within the Seasonal Residential designation shall be for seasonal cottages. This category may include retail and service commercial uses of limited extent which provide primarily for the day-to-day commercial needs of cottage residents.

### **6.2.5.3 - Seasonal Residential Policies**

- a) The uses permitted in Seasonal Residential areas and regulations for such uses shall be defined in the implementing Zoning By-law. Regard shall be had to the protection of cottages from incompatible uses. Provision will be made for adequate setbacks from property lines, for lands to be set aside in certain cases for landscaping and buffering purposes, for off-street parking facilities, prohibition of nuisances and control over outside storage.

- b) Certain areas designated Seasonal Residential may be zoned in a rural or holding category until required for their ultimate development.
- c) Cottage development within the Seasonal Residential designation shall be in the form of infilling or minor expansion. A limited number of cottage lots created by consent or plan of subdivision/condominium shall be permitted provided the policies in Sections 7.12 or 7.13 respectively are addressed. In addition, for multi-lot development, the policies of Section 6.2.6.3 k) shall apply.
- d) Seasonal Residential areas shall be developed in groupings in order to avoid, where possible, ribbon or strip development along the lake frontage. Such groupings will be designed to improve accessibility to the lake and water-oriented activities for a greater number of cottage users and tourists by providing desirable open space areas. Approval of the appropriate jurisdiction shall be required for any in water works such as dredging or common mooring facilities associated with lakeshore development and may require an environmental impact study.
- e) The Township shall not be required to upgrade the level of services being provided to Seasonal Residential areas including providing public road access. The Township shall neither assume private roads nor assume any liability for the lack of public road access.
- f) Within areas designated Seasonal Residential the conversion of seasonal dwellings to permanent residences shall be discouraged. However, should the Township permit conversions, a Zoning By-law Amendment may be required together with fulfilling the requirements of Section 6.2.6.3 b). Additional requirements for seasonal residences on private roads in the Township of North Kawartha are contained in Section 6.2.5.4 c)ii).
- g) The Township may undertake or request more detailed studies to assess the capacity of a lake or waterway system to support cottage development and

water-oriented activities. Where appropriate, the results and recommendations of those studies shall be included in this Plan by a future amendment. The Township also encourages the creation of Lake Plans as per Section 7.29.

h) General

The preservation of naturally-vegetated shoreline is encouraged in order to minimize destruction to the shoreline and wetbeach habitat, minimize visual impact on the waterbody, maintain wildlife habitats and corridors and improve water quality.

In this regard, structures permitted in the Seasonal Residential designation, including leaching beds of septic systems, on lots created by consent or plan of subdivision after the date Official Plan Amendment No.3 comes into effect, shall be set back a minimum of 30 metres from the shoreline of any lake or major watercourse (i.e. Trent River, Eels Creek, Otonabee River, Rice Lake, Crowe River) in order to ensure adequate protection from changes in water level and flooding and to ensure maintenance of water quality and the protection of fish and wildlife habitats. Applications to create lots within the Seasonal Residential designation, either by consent or plan of subdivision, shall demonstrate that this 30 metre setback requirement can be met on the proposed lot(s).

Permitted Exceptions

Notwithstanding anything in this section to the contrary, structures such as pump houses, boat houses, docks, open decks and stairs shall be a permitted use and may encroach into the 30 metre setback without a minor variance provided that the property owner can demonstrate to the Township's satisfaction and, if appropriate, the authority having jurisdiction over the waterway, that it does not negatively affect the waterfront environment. If addressed in the Zoning By-law, applicable standards must be met (i.e. deck width, area, etc.).

Structures legally existing as of the date Official Plan Amendment No.3 comes into effect (October 22, 2008) that do not comply with the required setback provision that require replacement due to structural defects or destruction by fire or other natural causes or by permission of the Township will be permitted to be replaced on the same footprint and may only be enlarged in accordance with the provisions of the Zoning By-law, and where the enlargement does not further encroach into the 30 metre setback.

Sewage system leaching beds requiring replacement due to structural damage or malfunction should be set back a minimum of 30 metres from the high water mark if possible or to the greatest setback that is achievable to the satisfaction of the Peterborough County-City Health Unit. Due to their importance to ensuring public health and/or safety, a minor variance will not be required in the case where the replacement leaching beds must be located within the 30 metre water setback.

Vacant Lots of Record as of the date Official Plan Amendment No.3 comes into Effect (October 22, 2008)

Vacant lots of record shall attempt to have structures and septic systems set back a minimum of 30 metres from the high water mark. Where it is not possible to achieve the 30 metre setback, then new buildings and structures shall be set back as far as possible from the high water mark. In this regard, a Minor Variance or Zoning by-law Amendment for a reduced setback for existing vacant lots of record may be permitted provided that the relief sought:

- i) maintains the intent of the zoning by-law;
- ii) is minor in nature;
- iii) maintains the intent of the Official Plan regarding environmental objectives;  
and
- iv) is desirable and appropriate for the area.

### Existing Structures

Minor variances or zoning changes to accommodate proposed expansions of a structurally- permanent nature to existing structures and/or septic systems that further reduce any applicable minimum water setback shall not be permitted unless it is a matter of public health and/or safety.

- i) A limited number of small scale commercial uses serving the residents of Seasonal Residential areas or related to the tourist industry will be permitted subject to the following policies:
  - i) Commercial uses shall be encouraged to locate in groups and preferably where adequate access to a major road is assured.
  - ii) Commercial uses shall be sited as to minimize their effect on adjacent Residential uses.
  - iii) The buildings containing commercial uses shall be designed and any lighting or signs arranged as to blend in with the character of the adjacent residential uses.
  - iv) The implementing Zoning By-law shall contain a Commercial zoning category which shall contain provisions for commercial uses permitted in Seasonal Residential areas.
- j) Lots shall have sufficient area so that a private well for water supply can be located without danger of contamination by the sewage system, and so that a serious drawdown of groundwater levels beyond the boundaries of the lot can be avoided. Where considered appropriate by the Township, a certificate shall be required to be provided by a suitably qualified professional engineer to indicate that sufficient groundwater supplies are available in the area to meet the needs of the proposed development and that suitable conditions exist for the disposal of domestic wastes.



- k) On lands designated Seasonal Residential and located on islands or mainland not accessible by automobile, new lots, where permitted, shall make provision for parking and boat docking on the mainland.
- l) The Township of Asphodel-Norwood does not intend to designate lands as “Seasonal Residential”.
- m) Lakes that are managed for lake trout by the Ministry of Natural Resources are protected by the MOE from a water quality perspective. The level of protection for lake trout lakes is based on the lake’s sensitivity to additional development.

Highly Sensitive Lake Trout Lakes are lakes, which have been determined to be at capacity for development, i.e. they cannot accommodate additional development. Chandos Lake –Gilmour Bay, Tallan Lake, and Eels Lake, all located in the Township of North Kawartha, have been identified as highly sensitive lake trout lakes.

Any application that involves the creation of a new lot, residential units, or any non-residential development of the shorelines of lakes which have been identified as being At Capacity or Highly Sensitive shall not be considered except under one or more of the policies listed in Section 4.4.3 a) to e) appearing as policies for Highly Sensitive Lake Trout Lakes.

Moderately Sensitive Lake Trout Lakes can usually accommodate additional development within 300 metres of a lake, with a minimum setback of 30 metres and non-disturbance of the vegetation and soils. Although there will be some impact on water quality, a moderately sensitive lake can assimilate some additional nutrient loadings while still maintaining water quality at a level where lake trout can survive. Anstruther Lake and Rathbun Lake, located in the Township of North Kawartha, are moderately sensitive lake trout lakes. Significant development proposals on a moderately sensitive lake trout lake

should be accompanied with an assessment of the impact of the development on the water quality of the lake. The impact assessment should address issues such as the nature of development, servicing, location of septic systems, setbacks from the high water mark (minimum of 30 metres) and the maintenance of trees and vegetation. Policies for Moderately Sensitive Lake Trout Lake appear at the end of Section 4.4.3.

#### **6.2.5.4 – Site Specific Special Policy Areas**

a) Township of Selwyn

Notwithstanding Section 7.12.2, or any other policy to the contrary in Section 6.2.5, the creation of lots on private roads or islands will not be permitted.

b) Township of Asphodel-Norwood

c) Township of North Kawartha

i) Lasswade Lake

Lasswade Lake already has a significant amount of shoreline residential development. The water quality study carried out for the lake indicated that those areas are sensitive to additional shoreline development. Further measurement of a lake's sensitivity to additional development has resulted in policies for lakes that are managed for lake trout by the Ministry of Natural Resources and have water quality protected by the Ministry of the Environment. A subsequent section in this Official Plan addresses highly sensitive lake trout lakes.

Infilling of and/or minor extensions to existing developed areas around Lasswade Lake by way of consent shall be permitted without an amendment to this Plan but will require a water quality impact assessment.

Applications for approval of new development outside of existing developed areas on Lasswade Lake shall require an Official Plan amendment and plan of subdivision or condominium application. In addition to the requirements in Sections 7.12 and 7.13 of this Plan, the applications must be supported by a lake capacity study that demonstrates that the water quality of the adjacent lake has sufficiently improved to accommodate the proposed development and an environmental impact study. The environmental impact study shall include a description of the environment affected, an analysis of the effects of the development, a description of the actions necessary to prevent or mitigate the effects upon the environment and an evaluation the advantages and disadvantages of the development proposal in terms of the environment.

ii) Conversions of Seasonal Cottages on Private Roads

The conversion of a seasonal cottage to permanent a residence may be permitted for a cottage with frontage on a private road or with direct access to a private road along a private driveway in accordance with the following:

- a) recognition of the conversion on a private road in the implementing Zoning By-law;
- b) the Township is satisfied, through information submitted by the applicant, that road access, as provided for by the applicant, will provide the applicant and emergency vehicles with ready access to the property year round, particularly in the winter months;
- c) the Township is satisfied that the conversion will not require the extension of a public road to the site; and
- d) the policies in Section 6.2.6.3(b) are addressed, notwithstanding 6.2.6.3(b)(i).

Where the Township is concerned that access may not be adequate or that other problems may arise, they may choose to apply a temporary zone to a property permitting a conversion for a limited period only.

iii) Part Lots 3 & 4, Concession 8, Burleigh Ward (South)

Notwithstanding the infilling and limited extension policies of Section 6.2.5.3 (c) to the contrary, an additional property may be created by consent together with right-of-way access for the lands located on Part Lots 3 and 4, Concession 8, Burleigh Ward having property roll number 1536-020-001-83020.

iv) Part Lot 3, Concession 8, Burleigh Ward (South)

Notwithstanding the provisions of Section 6.2.5.3(h), an application for a Zoning By-Law Amendment shall be permitted to address the location of an existing porch enclosure with an area of 50.1 square metres on the ground level, and a proposed deck enclosure on the upper level not having a maximum floor area of more than 22 square metres, for lands located in Part Lot 3, Concession 8, Burleigh Ward and having property roll numbers 1536-020-001-77400 & 1536-020-001-77500.

v) Part Lot 19, Concession 7, Chandos Ward

Notwithstanding the provisions of Section 6.2.5.3(h), an application for a Zoning By-Law Amendment shall be permitted to allow the location of an existing elevated porch enclosure with an area of 33 square metres, and an attached open deck not having a total maximum floor area of more than 126.5 square metres, for lands located in Part Lot 19, Concession 7, Chandos Ward and having property roll number 1536-010-202-11022.

vi) Part Lot 11, Concession 2, Burleigh Ward

Notwithstanding the provisions of Section 6.2.5.3(h), on lands located in Part of Lot 11, Concession 2, Burleigh Ward and having property roll number 1536-020-001-17603, an application for a Zoning by-law Amendment shall be permitted to recognize building additions/expansions made to the existing dwelling that further reduce the minimum water yard setback.

vii) Part Lot 3, Concession 11, Burleigh Ward

Notwithstanding the provision of Section 6.2.5.3(h), on lands located in Part of Lot 3, Concession 11, Burleigh Ward and having property roll number 1536-020-003-07600, an application for a Zoning by-law Amendment shall be permitted to recognize building alterations made to the existing secondary dwelling that further reduce the minimum water yard setback.

viii) Part Lot 25, Concession 9, Chandos Ward

On lands designated as Seasonal Residential in part of Lot 25, Concession 9, Chandos Ward residential lots and common elements blocks may be created by plan of subdivision and plan of condominium that abut and have vehicular access on a privately-owned road under the ownership and maintenance of a common elements condominium corporation established under the provisions of the Condominium Act. The private road shall be designed and maintained to a standard acceptable to the Township of North Kawartha.

## d) Township of Douro-Dummer

## 6.2.6 LAKESHORE RESIDENTIAL

### 6.2.6.1 - General Principles

Permanent single-detached dwellings and cottages in shoreline areas along publicly maintained roads are the predominant use of land within the Lakeshore Residential

designation. However in the Township of Douro-Dummer, permanent single-detached dwellings and seasonal cottages may also be permitted on private roads and deeded right-of-ways subject to the provisions of the Township's Zoning By-Law. This designation provides for the conversion of seasonal cottages to permanent dwellings by amendment to the Zoning By-law, where necessary. For the purposes of this plan, the terms "cottage" and "seasonal residence" are used interchangeably.

#### **6.2.6.2 - Permitted Uses**

The predominant use of land within the Lakeshore Residential designation shall be for permanent single-detached dwellings and seasonal cottages on public roads. This category may include retail and service commercial uses of limited extent which provide primarily for the day-to-day commercial needs of the lakeshore residents. Home occupations and Bed and Breakfasts may be permitted subject to an amendment to the implementing Zoning By-law to recognize same. Subdivisions and condominiums outside of settlement area boundaries for permanent residential use may only be permitted in site specific locations designated for such use as of June 16, 2006.

#### **6.2.6.3 - Lakeshore Residential Policies**

- a) The intent of this category is to make provision for permanent single detached dwellings and seasonal cottages based on public road access. This designation also provides policies to guide the conversion of seasonal cottages to permanent dwellings by amendment to the Zoning By-law, where necessary.
- b) The Township shall have regard to the following when considering an amendment to the Zoning By-law to permit a conversion:
  - i) The lot shall be adequately served by a year-round publicly-maintained road. No conversions shall be permitted on private roads unless otherwise permitted in this plan.

- ii) The lot shall have adequate frontage and area as set out in the implementing Zoning By-law.
  - iii) The cottage has an adequate source of potable water supply whose year round use will not impair the supply of other nearby buildings and land uses and will satisfy the requirements of the Health Unit and/or the Ministry of the Environment.
  - iv) The cottage is suitable for conversion and can be brought up to the standard of the Ontario Building Code for a permanent home.
  - v) The cottage has a sanitary sewage disposal system suitable for year round operation and will satisfy the requirements of the Health Unit and/or the Ministry of the Environment.
  - vi) The conversion will not contribute singly or with associated uses to a demand for services which are not feasible or economic to provide and will place a financial burden on the Township.
  - vii) The use of holding tanks shall be discouraged.
  - viii) The township shall review reports from those agencies deemed appropriate and shall include the Building Inspector, Roads Engineer and School Board.
  - ix) The cottage shall not be located in a flood hazard area as determined by the Conservation Authority or appropriate agencies in consultation with the Township.
- c) General
- The preservation of naturally-vegetated shoreline is encouraged in order to minimize destruction to the shoreline and wetbeach habitat, minimize visual impact on the waterbody, maintain wildlife habitats and corridors and improve water quality.

In this regard, structures permitted in the Lakeshore Residential designation, including leaching beds of septic systems, on lots created by consent or plan of subdivision after the date Official Plan Amendment No.3 comes into effect, shall be set back a minimum of 30 metres from the shoreline of any lake or major watercourse (i.e. Trent River, Eels Creek, Otonabee River, Rice Lake, Crowe River, Indian River, White Lake) in order to ensure adequate protection from changes in water level and flooding and to ensure maintenance of water quality and the protection of fish and wildlife habitats. Applications to create lots within the Lakeshore Residential designation, either by consent or plan of subdivision, shall demonstrate that this 30 metre setback requirement can be met on the proposed lot(s).

#### Permitted Exceptions

Notwithstanding anything in this section to the contrary, structures such as pump houses, boat houses, docks, open decks and stairs shall be a permitted use and may encroach into the 30 metre setback without a minor variance provided that the property owner can demonstrate to the Township's satisfaction and, if appropriate, the authority having jurisdiction over the waterway, that it does not negatively affect the waterfront environment. If addressed in the Zoning By-law, applicable standards must be met (i.e. deck width, area, etc.).

Structures legally existing as of the date Official Plan Amendment No.3 comes into effect (October 22, 2008) that do not comply with the required water setback provision that require replacement due to structural defects or destruction by fire or other natural causes or by permission of the Township will be permitted to be replaced on the same footprint and may only be enlarged in accordance with the provisions of the Zoning By-law, and where the enlargement does not further encroach into the 30 metre water setback.



Sewage system leaching beds requiring replacement due to structural damage or malfunction should be set back a minimum of 30 metres from the high water mark if possible or to the greatest setback that is achievable to the satisfaction of the Peterborough County-City Health Unit. Due to their importance to ensuring public health and/or safety, a minor variance will not be required in the case where the replacement leaching beds must be located within the 30 metre water setback.

Vacant Lots of Record as of the date Official Plan Amendment No.3 comes into Effect (October 22, 2008)

Vacant lots of record shall attempt to have structures and septic systems set back a minimum of 30 metres from the high water mark. Where it is not possible to achieve the 30 metre setback, then new buildings and structures shall be set back as far as possible from the high water mark. In this regard, a Minor Variance or Zoning By-law Amendment for a reduced setback for existing vacant lots of record may be permitted provided that the relief sought:

- maintains the intent of the zoning by-law;
- is minor in nature;
- maintains the intent of the Official Plan regarding environmental objectives;  
and
- is desirable and appropriate for the area.

Existing Structures

Minor variances or zoning changes to accommodate proposed expansions of a structurally-permanent nature to existing structures and/or septic systems that further reduce any applicable minimum water setback shall not be permitted unless it is a matter of public health and/or safety.

- d) Any lot proposed for Lakeshore Residential development must be served by a year-round publicly maintained road. However in the Township of Douro-Dummer, permanent single-detached dwellings and seasonal cottages may also be permitted on private roads and deeded right-of-ways subject to the provisions of the Township's Zoning By-Law.
- e) Development based on a registered plan of subdivision or condominium shall be encouraged in accordance with the policies in Section 7.13. A limited number of cottage or single-detached residential lots created by consent may be permitted in accordance with the policies in Section 7.12.
- f) Consents for new residences and cottages shall meet the requirements of the implementing Zoning By-law and the Health Unit. New lots shall be well-proportioned and of regular shape and dimension. Long, narrow lots shall not be permitted.
- g) Lots for new development shall have sufficient area so that a private well for water supply can be located without danger of contamination by the sewage system and so that a drawdown of groundwater levels beyond the boundaries of the lot itself can be avoided. A hydrogeological report and soils analysis may be required.
- h) Lakeshore Residential areas shall be zoned in part for permanent use and in part for seasonal use. All new dwellings and cottages shall conform to the minimum standards of the Ontario Building Code.
- i) Certain areas designated in a Lakeshore Residential category may be zoned in a special rural or holding category until required for their ultimate development. In considering an application to change the zoning category in a Lakeshore Residential category, the Township shall have regard to the criteria set out in Section 7.9 of this Plan.

- j) Lakeshore Residential areas will be developed in groupings in order to avoid, where possible, ribbon development. Such groupings shall be designed to improve accessibility to the lake and water-oriented activities for a greater number of lakeshore users and tourists by providing desirable open space areas. Approval of the appropriate jurisdiction shall be required for any in water works such as dredging or common mooring facilities associated with lakeshore development and may require an environmental impact study.
- k) The Township may require the submission of environmental impact studies in support of applications for approval of multi-lot residential development projects as per section 4.1.3.1. The Township may require the submission of preliminary landscape plans to support approvals of draft plans of subdivision or condominium.
- l) Commercial land uses in the Lakeshore Residential designation shall have regard to the following policies:
  - i) Commercial uses shall be encouraged to locate in groups and preferably where adequate access to a Township owned and maintained road is assured.
  - ii) Commercial uses shall be sited to minimize their effect on adjacent residential uses.
  - iii) The buildings containing commercial uses shall be designed and any lighting or signs arranged to blend in with the character of the adjacent residential uses.
  - iv) The implementing Zoning By-law shall contain provisions and regulations for commercial uses permitted in Lakeshore Residential areas.
  - v) Lots shall have sufficient area so that a private well for water supply can be located without danger of contamination by the sewage system, and so that a

serious drawdown of groundwater levels beyond the boundaries of the lot itself can be avoided. Where considered appropriate by the Township, a certificate shall be required to be provided by a suitably qualified professional engineer to indicate that sufficient groundwater supplies are available in the area to meet the needs of the proposed development and that suitable conditions exist for the disposal of domestic wastes.

- m) The Township may undertake or request more detailed studies to assess the capacity of a lake or waterway system to support cottage development and water-oriented activities. Where appropriate, the results and recommendations of those studies shall be included in this Plan by a future amendment. The Township also encourages the creation of Lake Plans as per Section 7.29.
- n) In the Township of Douro-Dummer, new residential dwelling area development shall be permitted on private roads provided:
  - i) the length of the existing private road is not extended; and,
  - ii) new development shall take place in the form of infilling between existing lots of record, subject to the provisions of the zoning by-law.

#### **6.2.6.4 - Site Specific Special Policy Areas**

- a) Township of Selwyn
  - i) Part Lot 2, Concession 8 – Ennismore Ward

Notwithstanding any other provision to the contrary, on lands designated as Lakeshore Residential in Part Lot 2, Concession 8, identified as Part 1 of Registered Plan 45R-12440, a maximum of three (3) new residential lots may be created by plan of subdivision, plus one retained lot containing the existing dwelling. Shoreline access shall be provided by existing shoreline access sites.

ii) Part Lots 25 and 26, Concessions 17 and 18, Smith Ward

Notwithstanding any other provision of this Plan to the contrary, on lands designated as Lakeshore Residential and Rural in part of Lots 25 and 26, Concession 17 and part of Lots 25 and 26, Concession 18, as identified on Schedule “A1”, residential units (“lots”) for permanent single detached dwellings and/or seasonal dwellings, and common elements blocks, may be created by play of vacant lands condominium and have vehicular access by a privately-owned road under the ownership and maintenance of a vacant lands condominium corporation established under the provisions of the Condominium Act. The private road shall be designed and maintained to a standard acceptable to the Township of Selwyn and be adequate for the provision of emergency vehicle access. Under no circumstances shall the Township of Selwyn assume or maintain a road under the ownership of a vacant land condominium corporation.

b) Township of Asphodel-Norwood

c) Township of North Kawartha

i) Donna Lake

The waterbody known as Donna Lake located in the geographical Township of Chandos does not permit motorized boats as set out in the Plan of Subdivision for Chandos Estates.

d) Township of Douro-Dummer

### **6.2.7 INNOVATION CLUSTER PROJECT SPECIAL POLICY AREA**

The Township of Douro-Dummer recognizes and supports the Innovation Cluster Project and the importance of this unique form of development to the region.

The Township of Douro-Dummer also anticipates that the development project may ultimately involve lands within the Municipality in primarily a peripheral capacity as illustrated on Schedule “A4-1”.

Uses contemplated as being associated with the Innovation Cluster Project may include residential, commercial, institutional and recreational forms of development.

Until such time as lands within the Special Policy Area are required for the Innovation Cluster Project underlying land use designations and policies corresponding to those designations will continue to apply.

The preparation of a secondary plan in accordance with the provisions of Section 7.10 of this Plan, shall be completed for the “Innovation Cluster Project Special Policy Area” prior to development of those lands proceeding.

## **6.2.8 ESTATE RESIDENTIAL**

### **6.2.8.1 - General Principles**

A limited number of low density estate residential subdivisions have been permitted in the Rural Area by site-specific amendments redesignating the subject lands to an Estate Residential designation in the Official Plan. No new estate residential development areas will be permitted.

### **6.2.8.2 - Permitted Uses**

The predominant use of land within the Estate Residential designation shall be single-detached dwellings on large lots. This category may include other uses which are considered necessary to serve the surrounding Estate Residential area such as schools, parks, churches and public utility uses. Outdoor recreational uses and small-scale

commercial uses, related to and serving the surrounding Estate Residential area, may also be permitted.

In addition to the above, home occupations may be permitted on a limited scale by means of a site-specific Zoning By-law amendment.

### **6.2.8.3 - Estate Residential Policies**

- a) No new lands shall be designated as Estate Residential as it is the intention of this plan to direct residential development through subdivision to settlement areas, growth centres or shoreline areas.
- b) Development shall be in accordance with a registered plan of subdivision.
- c) Lots within Estate Residential areas shall be well-proportioned, of a regular shape and dimension, and shall contain a lot area of at least 0.60 hectares (1.5 acres). Long, narrow lots shall not be permitted.
- d) Access to individual lots, wherever possible, shall be from internal secondary public roads and not from existing or future concession roads, County Roads or Provincial Highways.
- e) Lots shall have sufficient area so that a private well for water supply can be located without danger or contamination by the sewage system and so that a serious drawdown of groundwater levels beyond the boundaries of the lot can be avoided.
- f) A hydrogeological evaluation of lands proposed to be developed for Estate Residential purposes shall be required prior to draft plan approval. A preliminary evaluation by a suitably qualified professional engineer to indicate that sufficient

groundwater supplies are available in the area to meet the proposed needs shall also be required.

- g) The future development of other lands in the immediate vicinity shall not be prejudiced by individual applications especially as they may affect the proposed road patterns.
- h) The existing topography or vegetation shall provide sufficient screening so that a minimum number of dwellings can be viewed directly from arterial or collector roads and the visible landscape remains unimpaired.
- i) Estate residential development shall have regard for the Minimum Distance Separation requirements in the Provincial Policy Statement. The location of an estate residential development shall not restrict the agricultural use of surrounding properties.
- j) Lands designated for Estate Residential purposes shall require a rezoning in the implementing Zoning By-law as a condition of draft approval of the proposed plan of subdivision.

#### **6.2.8.4 - Site Specific Special Policy Areas**

- a) Township of Selwyn
- b) Asphodel-Norwood
- c) North Kawartha
- d) Township of Douro-Dummer

### **6.2.9 TRAILER PARK**

#### **6.2.9.1 - General Principles**



The Trailer Park designation applies to trailer parks existing at the time of adoption of this Plan. The establishment of new trailer parks is not contemplated during the life of this Plan. Nothing in this Plan should prohibit the expansion of a legally recognized Trailer Park.

#### **6.2.9.2 - Permitted Uses**

The predominant use of land within the Trailer Park designation shall be for trailers of a temporary and seasonal nature only. This category may include other uses such as open space, recreational and public uses which are considered necessary to serve the Trailer Park.

#### **6.2.9.3 - Trailer Park Policies**

- a) The uses permitted in Trailer Park areas and regulations for such uses shall be set out in the implementing Zoning By-law and in By-laws passed pursuant to the provisions of *The Municipal Act* which permit the municipality to control and licence trailer and trailer camps. Provision shall be made for adequate setbacks from property lines, for lands to be set aside in certain cases for landscaping and buffering purposes, for off-street parking facilities, prohibition of nuisances and control over outside storage.
- b) The application for amendment to the Zoning By-law shall include a site plan of any proposed expansion or alteration to a Trailer Park. The By-law and site plan shall include regulations and provisions concerning the following matters:
  - i) the shape, topography, contours, dimensions, acreage and location of property to be developed;
  - ii) the location, height, dimensions and use of all buildings or structures existing or proposed to be erected on the property;
  - iii) existing and anticipated final grades shown by contours where necessary;

- iv) drainage provisions;
  - v) all entrances and exits;
  - vi) the layout of the internal vehicular and pedestrian circulation system and the location and layout of proposed trailer sites; and;
  - vii) the location and scale of sewage and servicing facilities.
- c) It shall be a policy of this Plan that an applicant who wishes to expand/enlarge a Trailer Park must enter into a development agreement with the Township. This agreement shall be entered into prior to Council's enactment of the implementing Zoning By-law referred to in Section 6.2.9.3 (b).
- d) This agreement shall include:
- i) A guarantee that the operation of the park or camp will continue to be conducted in accordance with the latest and highest standards of the Canadian Mobile Home and Travel Trailer Association of Ontario, the Canadian Standards Association, *The Tourist Establishment Act*, and any other governing or regulating agency concerned with the establishment or conduct of seasonal trailer parks.
  - ii) The provision for the posting of a performance bond to assure that development takes place in accordance with the approved development plan.
- e) In considering applications for an expansion to a legally existing Trailer Park, the Council shall in addition to the factors set out in Section 7.9 of this Plan, give consideration to the following:
- i) the type of facility proposed and what uses or facilities in addition to trailers are proposed or are already in existence (camping, picnicking, swimming,

etc.). It is intended that designated Trailer Parks will be used on a temporary basis in accordance with *The Department of Tourism and Information Act*;

- ii) the location of the proposed site relative to the land use and development policies stated in this Plan;
- iii) the appropriateness of the topography, soils and vegetation cover of the site relative to the proposed uses;
- iv) appropriate setbacks from sensitive features and water bodies in accordance with Ministry of Natural Resources regulations and Conservation Authority requirements; and
- v) a hydrological assessment which assesses the impact of the septic system effluent on the groundwater. A hydrogeological study is also required to determine if there is an adequate and acceptable supply of potable water to service the expanded trailer park. This assessment, if required, shall be carried out to the satisfaction of the appropriate approval authority.

#### **6.2.9.4 - Site Specific Special Policy Areas**

- a) Township of Selwyn
- b) Township of Asphodel-Norwood
  - i) This Section applies only to existing Trailer Parks as of the adoption of the Plan. The Township will not permit the establishment of new trailer parks.
- c) Township of Douro-Dummer

### **6.2.10 HIGHWAY COMMERCIAL**

#### **6.2.10.1 - General Principles**

The Highway Commercial designation is primarily intended for commercial uses that cater to and need to be highly visible to the traveling public and therefore require locations along major roads and highways.

#### **6.2.10.2 - Permitted Uses**

The predominant use of land within the Highway Commercial designation shall be for retail stores, service shops, automobile service stations, automobile sales, repair garages, sit-down and drive-in/takeout restaurants, hotels, motels, theatres, clubs or halls, places of amusement, recreation theme parks, auction barns and farm implement sales and service uses, marine sales and service uses, recreational vehicle and trailer sales and service uses, building supply outlets, garden nursery sales outlets and commercial greenhouses. This category shall also include shopping centres owned and operated as a unit as well as government uses, institutional uses and public utilities. Residential uses are permitted provided that they are necessary and incidental to a permitted commercial use.

#### **6.2.10.3 - Highway Commercial Policies**

- a) Highway Commercial uses should have direct access to an arterial or collector road with approval from the appropriate road authority and should be sited in such a manner as to facilitate easy access by motor vehicles.
- b) Adequate off-street parking facilities shall be provided and the access points to such parking facilities shall be limited in number and designed to minimize the danger to vehicular traffic.
- c) All commercial uses located adjacent to residential land uses shall provide adequate buffering such as fencing, planting of trees and shrubs. Lighting shall be directed away from existing residential uses.
- d) All highway commercial development shall be adequately regulated by suitable provisions in the Zoning By-law, including adequate setbacks from property lines,

appropriate off-street parking requirements, landscaped area or buffering requirements to protect adjacent residential areas, prohibition of nuisances, control over outside storage, and control of lighting for parking areas in certain cases.

- e) The implementing Zoning By-law shall contain a number of commercial categories which will be used to establish more detailed permitted uses, regulations and controls which will apply to the uses permitted within each zone.
- f) New Highway Commercial areas shall be established by site-specific amendment to this Plan and in addition to the policies in Section 7.9, address the following considerations:
  - i) a retail market study which evaluates the need for another shopping centre with respect to existing and proposed commercial areas in the Township as well as the region;
  - ii) buffering and screening provisions between the proposed area and neighbouring uses;
  - iii) building setbacks such that the parking of automobiles shall be clear of any road allowance;
  - iv) parking facility provisions, such that a minimum of 6 parking spaces per 100 square metres of leasable floor area in the buildings exclusive of any theatre or auditorium shall be provided. Such parking should be designed in such a manner that minimizes the land area used to provide such parking;
  - v) the existing use of and the location and use of all buildings and structures surrounding the proposed site; and,
  - vi) the servicing of the proposed development and its impact on the natural environment.
- g) At its discretion, the Township may require that an application for the development of a highway commercial use which requires an amendment to this Plan or the implementing Zoning By-law be supported by a detailed hydrogeological report regarding the adequacy of ground water and the ability of the soils to sustain

development on the basis of private sanitary sewage disposal services. All private water supply and sewage disposal systems shall satisfy the requirements of the Health Unit and the Ministry of the Environment.

- h) An application for the development of a highway commercial use which requires an amendment to this Plan or the implementing Zoning By-law shall be supported by a site plan.
- i) Highway Commercial areas shall be appropriately zoned based on site-specific applications for commercial development and in accordance with the policies in Section 7.11 of this Plan.
- j) The development of new Highway Commercial areas shall comply with the Minimum Distance Separation requirements of the Provincial Policy Statement.
- k) Highway Commercial uses shall be encouraged to group together along major highways in a planned development, rather than forming a continuous strip development which is inconvenient and hazardous to vehicular traffic.

#### **6.2.10.4 - Site Specific Special Policy Areas**

- a) Township of Selwyn
  - i) Property Roll 1516-020-003-01110 – Smith Ward

On those lands located in Part Lot 23, Concession 5, Smith Ward, any commercial uses conducted on the property shall be limited to uses of a low-impact commercial nature, in order to blend in with the surrounding rural area, and not to impose any added significant impact on local traffic routes. Any additional amendments to the Zoning By-law for the inclusion of additional uses on the site may require further studies to be undertaken to indicate that the site is capable of handling the impacts of new uses. Such

studies may include, but are not limited to, hydrogeological studies and traffic impact studies.

ii) Property Roll Number 1516 020 001 47702 – Smith Ward

In addition to the permitted uses outlined in Section 6.2.10.2, bulk fuel storage tanks for furnace oil, and a related business and sales office and garage/shop shall be permitted on lands located within part of Lot 6, Concession West of Communication Road.

iii) On those lands located in Part Lot 8, Concession 4, Ennismore Ward as shown on Schedule “A1”, known municipally as 640 Robinson Road, and notwithstanding any other policy of this Plan to the contrary, a maximum of three severed lots may be created by consent. The permitted uses on those severed parcels shall be limited to the following small scale rural commercial and rural industrial uses:

- All-terrain vehicle service and sales establishment;
- Building supply outlet including outside storage and display of goods and materials;
- Business, professional or administrative offices, provided such use is accessory and incidental to a permitted non-residential use on the same lot;
- Craft shop;
- Custom copy centre;
- Custom workshop;
- Dry cleaners distribution station;
- Equipment sales and rentals, light;
- Farm produce retail outlet;
- Farm implement and equipment sales and service establishment;
- Flea market;

- Garden centre;
- General contractor's/tradesman's yard;
- Marine sales and service establishment;
- Motor vehicle body shop, motor vehicle dealership, or motor vehicle repair garage, in accordance with the provisions of the Townships Zoning By-law;
- Outside storage of goods and materials where such use is accessory and incidental to a permitted non-residential use otherwise specified hereunder;
- Public use or utility in accordance with the provisions of the Townships Zoning By-law;
- Retail commercial establishment where such use is accessory and incidental to a permitted non-residential use otherwise specified hereunder;
- Self-storage facility;
- Service shop;
- Vocational training facility;
- Warehouse (related to the rural/agricultural economy, either as a stand-alone use or a secondary component of a use permitted on the property);
- Welding shop;
- Workshop

b) Township of North Kawartha

c) Township of Douro-Dummer

- i) Regarding the commercial designation located in part of Lot 1, Concession 10, Douro Ward the total gross leasable floor area of all commercial development shall be limited to 4,500 square metres, and single uses shall be limited to 1,500 square metres of gross leasable floor area.



## **6.2.11 RECREATION COMMERCIAL**

### **6.2.11.1 - General Principles**

The shorelines of lakes provide a recreational resource base which is capable of sustaining a moderate level of activities in terms of lodging, boating, fishing and other similar outdoor recreational activities. It is the intent of this Plan to provide for the continuation of existing tourist establishments and recreational uses and to promote further development of this component of the local economic base.

### **6.2.11.2 - Permitted Uses**

The predominant use of land within the Recreational Commercial designation shall be tourist establishments, resorts and other similar accommodation uses, marinas, amusement parks and other similar recreational uses. Ancillary uses such as indoor and outdoor recreational facilities, convenience and retail commercial uses, restaurants and eating establishments shall also be permitted.

A single detached dwelling or residence in a portion of a non-residential building shall also be permitted for the accommodation of the owner or caretaker.

### **6.2.11.3 - Recreational Commercial Policies**

- a) The layout and design of the recreational commercial use shall ensure that the parking area provides for the adequate movement of vehicular traffic. Access points to public roads shall be limited in number and designed to minimize the danger to both vehicles and pedestrians.
- b) Only buildings, structures and uses requiring proximity to the water such as docks, boat houses, marina service facilities and water pumping equipment shall be located

within 30 metres of the high water mark. Disturbance of the soils and vegetation within the 30 metre setback area will be kept to a minimum.

- c) Recreational commercial uses shall set aside a minimum of five percent of the gross area of the use for lands which have been graded, leveled, sodded or seeded and enhanced to provide suitable recreational areas and facilities for the use and enjoyment of visitors or patrons.
- d) At its discretion, the Township may require that an application for the development of a recreational commercial use which requires an amendment to this Plan or the implementing Zoning By-law be supported by a detailed hydrogeological report regarding the adequacy of ground water and the ability of the soils to sustain development on the basis of private sanitary sewage disposal services. All private water supply and sewage disposal systems shall satisfy the requirements of the Health Unit and the Ministry of the Environment.
- e) An application for Official Plan Amendment shall be in accordance with the policies in Section 7.9 of this Plan.
- f) Recreational Commercial shall be appropriately zoned based on site-specific applications for commercial development and in accordance with the policies in Section 7.14 of this Plan.
- g) In addition, site-specific amendments for new Recreational Commercial areas shall consider the following:
  - i) the physical suitability of the site;
  - ii) the provision of adequate setbacks, buffer planting and landscaped open space;
  - iii) the design and location of off-street parking facilities and access points; and

- iv) the location of signs and outdoor lighting to provide for reasonable compatibility with adjacent land uses.
- h) The development of new Recreational Commercial areas may comply with the Minimum Distance Separation requirements of the Provincial Policy Statement.
- i) An application for an amendment to this Plan or the implementing Zoning By-law to permit the development of a Recreational Commercial use shall be supported by a site plan.
- j) The implementing Zoning By-law may contain a number of commercial categories which shall be used to establish more detailed permitted uses, regulations and controls which apply to the uses permitted within each zone.

#### **6.2.11.4 - Site Specific Special Policy Areas**

- a) Township of Selwyn
- b) Township of North Kawartha
  - i) The Landing Condominiums

Resort uses permitted to locate on lands comprising Part Lot 13, Concessions 2 and 3, Anstruther and having Property Roll No. 1536-020-202-07600 may consist of freehold condominium ownership units designed for year-round occupancy; and such units may also be made available as guest accommodations on a rental basis.

- c) Township of Douro-Dummer
  - i) In addition to the policies of Section 6.2.11.2, a second accessory permanent residence in the form of an apartment unit shall be permitted in Part Lot 29, Concession 6, Roll No. 1522-020-005-24100, Dummer Ward provided:

- the property is the subject of an amendment to the Zoning By-law;
- there is an adequate source of potable water for year-round use;
- a sanitary waste disposal system suitable for year-round use is approved by the Health Unit; and
- the conversion of existing or new rental cabins or cottages for permanent occupancy or the construction of a single detached dwelling are not permitted as the second accessory permanent residence.

## **6.2.12 RURAL INDUSTRIAL**

### **6.2.12.1 - General Principles**

Lands within the Rural Industrial designation are intended for dry industrial development including light manufacturing industries and service related industrial firms. Designated areas have been selected to provide a range of opportunities for prospective firms in terms of major transportation routes.

### **6.2.12.2 - Permitted Uses**

The predominant use of land within the Rural Industrial designation shall be for dry industries based on private water supply and sewage disposal services. Permitted uses include light manufacturing, assembly, processing, fabrication, warehousing and storage of goods and materials. Also included in this category are building contractors' yards, lumber yards, printing establishments, transport terminals, and automotive uses such as service stations and repair garages.

This designation includes compatible public and institutional uses, commercial or other uses that are incidental or accessory to industrial operations or deemed suitable in an industrial area such as offices, cafeterias, factory retail sales outlets, and residences for

caretakers or essential workers required for an industrial use on the same site. Except for dwellings for essential workers as set out above, this designation excludes new dwellings.

### **6.2.12.3 - Rural Industrial Policies**

- a) Rural Industrial areas are designated in this Plan to increase employment opportunities and to strengthen the Township's tax base. The Township shall exercise discretion in the zoning of such industrial areas in order that the demand for industrial sites within the Township may be monitored and industrial uses that are more appropriately served by being connected to piped water supply and/or sewage disposal are directed to that municipality's growth centre.
- b) Rural Industrial areas should be developed to provide a wide variety of lot sizes to allow for flexibility in attracting new industries.
- c) Only non-effluent producing dry industries, which require water primarily for the use of on-site employees, shall be permitted within Rural Industrial areas. It is intended that industries which require water as a component of an industrial process be encouraged to locate in nearby urban centres where adequate municipal piped services are available.
- d) Rural Industrial sites shall be developed to minimize potential conflicts with surrounding land uses. Circulation shall be designed to minimize penetration of industrial traffic into or through residential areas. Industrial development located near residential uses shall be limited to light manufacturing activity and service related industries, with high performance standards, to minimize incompatibility with residential uses. Rural Industrial uses should have an approved direct access to a Provincial Highway or Collector Road and should be sited in such a manner as to facilitate easy access by motorized vehicles.

- e) No uses shall be permitted which, from the nature of the processes or materials used, is declared by the local Health Unit to be noxious under the *Health Protection and Promotion Act* as amended.
- f) Permitted Rural Industrial uses shall minimize smoke emissions, noise, odours or other forms of pollution. Guideline D6: Compatibility Between Industrial Facilities and Sensitive Land Uses of the Ministry of the Environment shall be adhered to and shall be the minimum acceptable standard.
- g) Sufficient off-street parking shall be provided to accommodate employees, visitors and customers. Access points to parking facilities shall be limited in number and designed in a manner that will minimize the danger to vehicular and pedestrian traffic.
- h) Off-street loading facilities shall be provided to minimize traffic congestion in industrial areas.
- i) Adequate land area shall be preserved to permit a buffer strip between Rural Industrial areas and any adjacent residential areas. The buffer strip should consist of plantings, solid fences, a landscaped berm or any combination of these.
- j) Outdoor storage shall be confined to areas removed from residential, commercial and open space uses. In all cases, where outdoor storage is permitted, it shall be screened from public view by plantings, fences, buildings or landscaped berms, and should wherever possible be located in the rear yard.
- k) All Rural Industrial development shall be adequately regulated by suitable provisions in the Zoning By-law including adequate setbacks from property lines, appropriate off-street parking and loading requirements, landscaped area or buffering requirements in certain cases, prohibition of nuisances, and control over outside storage.

- l) An area designated Rural Industrial in this Plan need not be zoned Rural Industrial in its entirety; a portion of the area may be zoned in a rural or holding category pending its rezoning. It is intended that the Township shall consider applications for rezoning for rural industrial uses and will rezone those areas in a progressive and orderly manner. In considering those applications for rezoning, the Township shall have regard to the following:
  - i) A review of servicing options for the development. First consideration shall be given to higher forms of servicing including communal services or the extension of full municipal services. Where communal or full municipal services are not feasible/available, consideration will be given to the use of private water and sewage disposal facilities. The adequacy of such facilities must be addressed in a hydrogeology report to the satisfaction of the Township and the Health Unit and meets the requirements of the Ministry of the Environment. The report shall confirm that sufficient water is available to meet the domestic needs of employees as well as provide assurance that sufficient water will be available for fire protection purposes. In addition, the report shall indicate whether soil conditions are favourable for the installation and operation of private sewage disposal facilities.
  - ii) The compatibility of the proposed uses with uses in adjoining areas and the effect of those uses on the surrounding area.
- m) In order to avoid detracting from the area for industrial development and to prevent haphazard commercial uses within the Rural Industrial areas, the implementing Zoning By-law shall establish commercial zones separate from industrial zones. It is intended, however, that retail sales of finished products produced on the premises of rural industrial uses may be permitted without an amendment to the Zoning By-law.

- n) Applications to amend the Official Plan to designate additional Rural Industrial areas shall have regard to Sections 7.9 and 7.14 of this Plan.
- o) Development applications for Rural Industrial lands shall be accompanied by a hydrogeology report that addresses servicing options and meets the requirements of the Ministry of the Environment and the Health Unit.
- p) The Rural Industrial designation shall be subject to site plan control as outlined in Section 7.17. The Township may require a preliminary site plan as support to an application for a Zoning By-law Amendment. This site plan shall be reviewed by the Township, and all relevant agencies to determine suitability of access, compatibility with surrounding land uses, and the impact that the proposal may have on surrounding septic systems, groundwater or natural habitat.
- q) Lands designated as Rural Industrial may be converted to non-industrial uses only through a *municipal* comprehensive review where it has been demonstrated that:
  - i) there is a need for the conversion;
  - ii) The Township will meet the employment forecasts allocated to it by the County of Peterborough pursuant to the Growth Plan for the Greater Golden Horseshoe;
  - iii) The conversion will not adversely affect the overall viability of the industrial area, and achievement of the intensification target, density targets, and other policies of the Growth Plan for the Greater Golden Horseshoe;
  - iv) There is existing or planned infrastructure to accommodate the proposed conversion; the lands are not require over the long term for the industrial purposes for which they are designated; and
  - v) Cross-jurisdictional issues have been considered



#### 6.2.12.4 - Site Specific Special Policy Areas

a) Township of Selwyn

i) Property Roll 1516-020-001-32900 – Smith – Central Smith Creamery

The uses permitted are limited to existing uses and the expansion of existing uses, being the Central Smith Creamery and related accessory uses and activities.

b) Township of North Kawartha

c) Township of Douro-Dummer

i) On lands designated as Rural Industrial in part of Lot 2, Concession 11 of the Douro Ward, as identified on Schedule “A4-4” with the notation "Lands Subject to Subsection 6.2.12.4(c)(i)", the use of property shall be limited to a manufacturing operation restricted to the wood production of building truss and floor components.

ii) On lands designated as Rural Industrial in Part Lots 4 and 5, Concession 7, and Part Lot 6, Concession 6 of the Douro Ward, as identified on Schedule “A4-1” with the notation "Lands Subject to Subsection 6.2.12.4(c)(ii)", a range of employment and related uses shall be permitted subject to the following servicing requirements. In the absence of municipal piped supply system, only those commercial and industrial establishments which do not require piped water will be permitted provided that a satisfactory engineering report is obtained to this effect. Industrial and commercial development will be limited to those defined as “Dry Industrial and Commercial” in this Plan unless full municipal servicing is available or approval of the Ministry of Environment for the specific effluent disposal needs is obtained. Lands designated for Industrial or Commercial use shall not be redesignated for residential use without a municipal comprehensive review.

Uses permitted may include industrial, office and business facilities, research and development, public uses, conference and hotel accommodations, education and training; highway commercial and building supply uses.

Retail and service uses associated with an industrial use, shall be restricted to products produced and/or assembled on the premises and which may be retailed from the premises; and shall remain accessory to the principle use.

Support services such as restaurants and fitness facilities shall also be permitted.

Lands within this Special Policy area may be zoned with a holding provision.

## **6.2.13 EXTRACTIVE INDUSTRIAL**

### **6.2.13.1 - General Principles**

The participating Townships contain areas with high quality mineral aggregate reserves. It is the intent of this Plan to recognize legally existing pits and high potential aggregate resource areas and to protect them from incompatible land uses.

### **6.2.13.2 - Permitted Uses**

The predominant use of land within the Extractive Industrial designation shall be sand, gravel and quarry operations.

Aggregate extraction operations shall be developed with minimal impacts on surrounding natural and cultural resources. All expended aggregate pits and quarries shall be rehabilitated.

Extractive industries may refine and further process the raw materials extracted from the site in order to produce semi-finished or finished goods provided that the majority of the raw materials used in the final product comes from that site. Asphalt plants and concrete batching plants shall only be permitted within the Extractive Industrial designation provided the use is compatible with surrounding land uses and is recognized in the implementing Zoning By-law. Applicable policy for portable asphalt plants/concrete batching plants and wayside pits or quarries used by a public authority or its agent/contractor appear at the end of Section 4.1.3.3.

Rural uses, excluding residential, will generally be permitted in the Extractive Industrial designation, provided it can be shown that aggregate extraction is not feasible, or the proposed land use serves a greater public interest, or the rural use would not preclude aggregate extraction in the future.

An Official Plan Amendment and Zoning By-law Amendment application will be required for all new operations, or proposals for expansion beyond the licensed boundaries of existing, aggregate extraction operations. Any Official Plan Amendment will be considered within the context of all objectives and policies of the Official Plan. "Aggregate Resource Areas" have been identified on the land use schedules as an overlay to identify areas having potential for mineral and aggregate extraction operations and may be amended as information becomes available.

All proposed non-aggregate uses within 300 m of Aggregate Resource Areas and established Extraction operations shall be evaluated by the Township for potential land use conflicts and prohibited where such conflicts would preclude or hinder the establishment of a new operation.

In addition, any proposed Extractive Industrial operation shall be evaluated in order to protect existing sensitive land uses.

### **6.2.13.3 - Extractive Industrial Policies**

- a) The general policy shall be to protect these valuable aggregate reserves for extractive purposes and to prevent any development that is in conflict with aggregate extraction, whether at the present time or at some point in the future. Rural uses that do not preclude future aggregate extraction will be permitted.
- b) The boundaries of the areas designated as “Extractive Industrial” as shown on Schedules A1, A2 and A3 are intended to correspond precisely to the respective areas licensed under the Aggregate Resources Act. Where there is a discrepancy in the boundary, the boundary shown on the license will prevail.
- c) Generally, only licensed pit and quarry operations shall be zoned for extraction in the implementing Zoning By-law. The area zoned should correspond precisely to the area licensed under the *Aggregate Resources Act*. Potential aggregate resource areas which are not licensed shall be zoned in a holding or Rural Zone until such time as the lands are licensed, thereby protecting the lands from incompatible development.
- d) In Prime Agricultural Areas, the policies of Section 4.1.3.3 bullet 10 shall apply.
- e) For separation distance policies and areas of influence, the policies of Section 4.1.3.3 bullet 8 shall apply.
- f) In order to preserve the scenic beauty and amenity of the area, extractive operations shall be screened from public view wherever possible. Screening may be provided by planting, fences and/or landscaped berms.
- g) In areas designated under the *Aggregate Resources Act*, setbacks will be dictated by that legislation in consultation with the municipality.

- h) All pit and quarry operations must be licenced by the Ministry of Natural Resources and must meet the requirements of the *Aggregate Resources Act*.
- i) Lands designated as Extractive Industrial may be converted to non-industrial uses only through a *municipal* comprehensive review where it has been demonstrated that:
  - i) There is a need for the conversion;
  - ii) The Township will meet the employment forecasts allocated to it by the County of Peterborough pursuant to the Growth Plan for the Greater Golden Horseshoe;
  - iii) The conversion will not adversely affect the overall viability of the industrial area, and achievement of the intensification target, density targets, and other polices of the Growth Plan for the Greater Golden Horseshoe;
  - iv) There is existing or planned infrastructure to accommodate the proposed conversion; the lands are not require over the long term for the industrial purposes for which they are designated; and
  - v) Cross-jurisdictional issues have been considered
- j) In circumstances where the aggregate resource in an Extractive Industrial designation has been depleted and the license has been surrendered, an official plan amendment may be approved to redesignate the lands to Rural or Agriculture or other suitable designation without the requirement of a municipal comprehensive review.

## **6.2.14 RECREATIONAL - OPEN SPACE**

### **6.2.14.1 - General Principles**

It is the intent of this Plan to provide a range of open space and low intensity recreational opportunities for both the residents of the Township and the travelling public including cottagers and tourists.

#### **6.2.14.2 - Permitted Uses**

The predominant use of land within the Recreational - Open Space designation shall include but not be limited to public parks, playfields, public access areas for hiking, picnicking, camping, hunting, cross-country skiing, boating, angling, swimming, conservation areas, private parks, golf courses, driving ranges, amusement parks, fairgrounds and other outdoor recreational activities.

#### **6.2.14.3 - Recreational - Open Space Policies**

- a) Where lands designated Recreational - Open Space are under private ownership, it is not the intention of this Plan that those lands will necessarily remain as open space indefinitely, nor is it implied that Recreational - Open Space areas are free and open to the general public or that they will be purchased by the Township. If proposals are made to develop privately owned lands that are designated Recreational - Open Space and the Township or other public agency declines to purchase those lands in order to maintain them as an open space area, then an application for the redesignation for other land uses will be given due consideration by the Township.
- b) Recreational and conservation developments intended for the use of the general public or private members shall be regulated by suitable provisions in the Zoning By-law, including setbacks from property lines and appropriate off-street parking requirements.
- c) Only those buildings and structures accessory to the permitted uses defined in Section 6.2.14.2 shall be allowed in areas designated Recreational - Open Space.

An accessory residence for occupation by the owner or caretaker shall be permitted in conjunction with the principle uses permitted by this designation.

- d) Where recreation or conservation projects are designed for either public or private use, adequate automobile parking areas shall be established and access points to those recreational areas and associated parking areas shall be designed in such a manner that the road pattern provides for the safe movement of vehicular and pedestrian traffic.
- e) Regard shall be had for the compatibility of recreation and open space uses with adjacent land uses and, where necessary, those facilities shall be designed to provide adequate spatial separation, buffer planting, landscaping and fencing to ensure that any adverse effects associated with those uses are minimized.
- f) Where a recreation open space use involves the erection of a permanent building or structure adjacent to existing livestock operations, specific consideration shall be given to the Minimum Distance Separation requirements of the Provincial Policy Statement.
- g) The Township in cooperation with other relevant public agencies may develop a programme to examine future locations for the development of conservation and public recreation open space areas and may further establish a land acquisition program. The Township shall encourage the clustering of community facilities and public uses such as schools and churches.

#### **6.2.14.4 - Site Specific Special Policy Areas**

- a) Township of Selwyn
- b) Township of Asphodel-Norwood

- c) Township of North Kawartha
- d) Township of Douro-Dummer

## **6.2.15 ENVIRONMENTAL CONSTRAINT**

### **6.2.15.1 - General Principles**

The Environmental Constraint Area designation includes those lands having inherent environmental hazards such as flood or erosion susceptibility, poor drainage, organic soils, instability or any other similar physical characteristic or limitation and includes other non-provincially-significant wetlands which, if developed upon, could result in the deterioration or degradation of the environment and cause property damage or loss of life. Where flood line mapping is available from the Otonabee Region Conservation Authority, it has been used to delineate the boundaries of Environmental Constraint Areas that are at risk of flooding within Selwyn, Douro-Dummer and Asphodel-Norwood.

In the case of the Otonabee River the basis for the delineation of the boundaries of the flood susceptible area is the Timmins Storm event. The flooding associated with a Regional Storm, known as the Timmins Storm, represents the basis for the delineation of the Environmental Constraint Areas adjacent Ray's Creek in Lakefield and other watercourses in the Community.

The Township shall, wherever possible, endeavour to retain those lands designated as Environmental Constraint Areas in their natural state. The use of those lands shall respect the physical constraints and limitations in order to protect life and property, to minimize the alteration of the natural environment and, where appropriate, maintain the hydraulic capacity of the water courses and their related flood plains.

### **6.2.15.2 - Permitted Uses**



The predominant use of land within the Environmental Constraint designation is the preservation and conservation of the natural environment. Uses such as outdoor recreation, forestry, conservation of soil or wildlife and passive agriculture outside of settlement areas shall be permitted where they do not aggravate an existing hazard or adversely affect the natural environment. Public or private parks shall also be permitted provided that they do not aggravate an existing hazard, require major land alteration, or adversely affect the natural environment.

### **6.2.15.3 - Environmental Constraint Policies**

- a) The erection of buildings and structures or the placing or removal of fill of any kind whether originating on the site or elsewhere, shall be prohibited except where buildings or structures are intended for flood or erosion control, landscape stabilization or essential utilities. Those works shall be in accordance with the regulations and the approval of the Otonabee Region Conservation Authority or the Ministry of Natural Resources. Where no Conservation Authority regulations exist, the Township may seek the technical assistance of the Conservation Authority or respective Provincial Ministry when assessing applications for development involving Environmental Constraint Areas.
- b) The boundaries of the Environmental Constraint Areas designation are conceptually delineated. The extent and exact location of the boundaries of the Environmental Constraint Areas shall be delineated in the implementing Zoning By-law in accordance with detailed floodline mapping in consultation with the Otonabee Region Conservation Authority and the Ministry of Natural Resources. In the absence of detailed mapping, the Township shall seek the technical assistance of the Conservation Authority or the Ministry of Natural Resources and shall use the boundaries of the Environmental Constraint Areas designation delineated on the Land Use Schedules as a general guideline in the preparation of the Zoning By-law and in the assessment of development proposals.

Minor alterations to the boundaries of the Environmental Constraint Areas designation resulting from more detailed mapping, which are implemented in the Zoning By-law, shall not require an amendment to this Plan provided the general intent of the Plan is maintained

- c) It is not the intention of this Plan that Environmental Constraint areas will necessarily remain undeveloped indefinitely, are free and open to the general public or will be purchased by the Township. An application to redesignate Environmental Constraint areas for other purposes shall require an Environmental Impact Assessment, prepared by a qualified professional for consideration by the Township in accordance with Section 4.1.3.1. Where the lands are adjacent to or encompass Federal interest along the shores of the Kawartha Lakes, the Trent-Severn Waterway shall be consulted.

There is no public obligation, however, either to redesignate or to purchase any land if there is an existing or potential hazard that would be difficult or costly to overcome.

- d) Where new development is proposed on a site, part of which has physical or environmental hazards, then the Environmental Constraint lands shall not necessarily be acceptable as part of the five percent dedication for parkland under *The Planning Act* as amended. All lands dedicated to the Township shall be conveyed in a physical condition satisfactory to the Township. Where an open watercourse is involved, adequate space shall be provided for maintenance and operations.
- e) Whenever any flood control or other similar works are undertaken which result in significant changes to the boundaries of an Environmental Constraint Area designation, those changes shall be incorporated on the Land Use Schedule by amendment to this Plan.

- f) Where recreation or conservation projects are designed for public or private use, adequate parking areas shall be established, and, access points to those parking areas shall be designed to minimize the danger to pedestrian and vehicular traffic.
- g) It shall be the policy of this Plan that Environmental Constraint Areas shall be zoned in a separate category in the implementing Zoning By-law
- h) In the implementing Zoning By-law, existing uses, together with an amount of land sufficient for the siting of those uses at their present location, shall be recognized as conforming uses despite the subsequent designation as Environmental Constraint. The Township shall discourage the expansion of any existing use beyond the limits recognized in the Zoning By-law.
- i) In the case of a natural catastrophe where an existing building is destroyed in an Environmental Constraint area, permission may be granted by the Township to permit the building to be rebuilt on the site, subject to the regulations of the Conservation Authority and/or in consultation with the Ministry of Natural Resources.
- j) The conservation of soil, water, flora and fauna shall be encouraged in all Environmental Constraint areas.
- k) When areas designated Environmental Constraint are deemed not hazardous or environmentally sensitive by the Conservation Authority and/or the authority having jurisdiction, development may be permitted consistent with the adjacent land use designation, subject to an amendment to the Zoning By-law.

#### 6.2.15.4 - Site Specific Special Policy Areas

a) Township of Selwyn

i) Notwithstanding the policies of Section 6.2.15.3(d), where appropriate the Township may request that creek and stream corridors in the Lakefield South Development Area that are designated "Environmental Constraint" on the Land Use Schedule be dedicated into public ownership. The intent of this policy is to ensure the long term protection and stewardship of those lands. Those lands are not intended to satisfy the Township's requirements for parkland and shall not constitute a parkland dedication to Selwyn under the *Planning Act*.

ii) Lakefield South Development Area

A) General Principles

The Environmental Constraint Areas identifies features of provincial interest or areas identified by the Township as important for their environmental and social values as a legacy of the natural landscapes within the community. The identified areas include significant features such as wetlands, fish habitat, significant habitat of endangered or threatened species and significant wildlife habitat.

The diversity of the natural features in the identified areas and the natural connections between them will be maintained and improved where possible. Areas identified as sensitive groundwater recharge and discharge area, aquifers and headwaters areas shall be protected or enhanced. These policies apply to the following Environmental Constraint Areas:

- Ray's Creek Linkage Wetland

· Lakefield South -South Tributary Wetland

B) Ray's Creek Linkage Wetland

The Lakefield South Development Area Opportunities and Constraints Study, dated November 2002, prepared by Otonabee Region Conservation Authority, identified a linkage wetland along Ray's Creek connecting the Provincially Significant Lakefield Marsh to the north and the Provincially Significant Lakefield South Wetland Complex to the south west. Lands within 120 metres of the Ray's Creek Linkage Wetland have been designated as Site Specific Special Policy Area (Lakefield). The policies of Section 6.3.3.7 apply herein.

C) Lakefield South – South Tributary Wetland

The Lakefield South Development Area Opportunities and Constraints Study, dated November 2002, prepared by Otonabee Region Conservation Authority, identified a wetland at the mouth of the unnamed south tributary at the confluence of the Otonabee River. The policies of Section 6.2.15 shall apply.

- iii) Development applications within identified vulnerable areas shall be accompanied by a Notice under Section 59(2) of the Clean Water Act, 2006, as amended, and the policies of Section 5.7 shall apply.

b) Township of Asphodel-Norwood

NORWOOD

Floodplain Management

It is a provincial directive to properly manage floodplain lands in order to prevent loss of life and property damage from flood events. It is the policy of the province

to prohibit or restrict new development in the floodplain. The Province also recognizes that some communities may require flexibility in order to ensure community viability.

Historically development in the community has occurred adjacent to the Ouse River. The Ouse River is a tributary of the Trent River and has an upstream drainage area of greater than 125 ha. According to the original floodplain mapping, a significant portion of the community is located within the regulatory floodplain. Based on the floodplain characteristics of the Ouse River and on the Provincial Policy Statement, the Conservation Authority and the Township agreed that a two-zone approach to floodplain management is feasible within the community.

The purpose of implementing the two-zone approach is to facilitate land use planning and floodplain management within the community. In order to implement this approach the Conservation Authority and the Township have undertaken a study of the flood characteristics and floodplain of the Ouse River. The results of the study indicated that a two zone approach to floodplain management could be applied. The floodplain could be divided into two zones, the floodway and flood fringe.

- i) Environmental Constraint – Floodway
  - a) General Principles

The Environmental Constraint - Floodway classification is to recognize the floodway of the Ouse River. The floodway is the channel of the watercourse and the inner portion of the floodplain where flood depths and velocities are generally higher than those experienced in the flood fringe. The floodway represents that area required for the safe passage of flood flow or that area where flow depths or velocities are considered to pose a potential threat to life and property. The floodway must be preserved to pass flood waters. The

floodway is identified on Schedule "A2-1", Norwood Land Use Plan, as the Environmental Constraint - Floodway designation.

b) Permitted Uses

The permitted uses shall be limited to conservation, passive public parks, low intensity outdoor recreation activities, fish and wildlife management, flood control works, existing sewage treatment facilities and municipal and public uses and utilities.

c) Floodway Policies

- i) Buildings and structures shall be prohibited, except for structures for flood or erosion control purposes. The placing or removal of fill of any kind, whether originating on the site or elsewhere, shall be prohibited unless written approval of the Otonabee Region Conservation Authority has been obtained.
- ii) Redevelopment of uses that existed at the time of adoption of these policies which are considered non-conforming uses within the Environmental Constraint - Floodway, shall be discouraged. In cases where redevelopment is considered the only viable option, the following criteria shall be met:
  - The development shall not obstruct the passage of floodwaters, ice or debris.
  - Flood-proofing to the regulatory flood elevation as determined by the Conservation Authority shall be undertaken, subject to the approval of the Township and the Conservation Authority.

- The expansion of existing legal non-conforming uses shall be prohibited.
  - The applicant shall enter into a site plan agreement with the Township regarding matters such as the siting and the flood-proofing of all buildings and structures, access and drainage.
- iii) Where any land designated Environmental Constraint - Floodway is under private ownership, it shall not be construed that the lands are free and open to the general public nor that they will be purchased by the Township or any other public agency. There is no public obligation to re-designate or to purchase any land if there is an existing or potential hazard that would be difficult or costly to overcome, or not be in the public interest.
- iv) Whenever flood control or other remedial works are undertaken which result in significant changes in any area designated Environmental Constraint - Floodway, those changes shall be incorporated on Schedule "A2-1", Norwood Land Use Plan by amendment to this Plan.
- v) Where new development is proposed on a site, part of which is designated Environmental Constraint - Floodway, those lands shall not necessarily be acceptable as part of the conveyance for park purposes under the *Planning Act*. Where a conveyance would augment and/or provide further public access to the banks of the Ouse River or the ponds, those lands may be accepted in part or whole as the required dedication.
- vi) Building setbacks shall be imposed from edges of the Environmental Constraint - Floodway area and shall be set out in the implementing Zoning By-law.



- vii) Lands designated Environmental Constraint - Floodway shall be managed to complement adjacent land uses and protect them from any physical hazards or their effects. Landowners shall be encouraged to consult with the Otonabee Region Conservation Authority to ensure the proper use of this valuable natural resource.
  - viii) Environmental Constraint - Floodway areas shall be zoned in a separate category in the implementing Zoning By-law.
- ii) Environmental Constraint - Flood Fringe

a) General Principles

The Environmental Constraint - Flood Fringe classification is to recognize the flood fringe portion of the Ouse River. The flood fringe is the outer portion of the floodplain, between the floodway and the limit of regulatory flood. Flood depths and velocities are generally less severe in the flood fringe than those experienced in the floodway. Generally, new development should be located outside of the regulatory floodplain. However, development may be permitted in the flood fringe subject to the policies in this subsection. The flood fringe is identified on Schedule "A2-1", Norwood Land Use Plan, as the Environmental Constraint - Flood Fringe overlay designation.

b) Permitted Uses

Generally development may occur within the flood fringe as provided for in the underlying designation as shown on Schedule "A2-1", Norwood Land Use Plan, subject to the following policies.

c) Environmental Constraint - Flood Fringe Policies

- i) Essential emergency services and the disposal, manufacture, treatment or storage of hazardous substances shall not be located within the flood fringe.
- ii) The following criteria shall be addressed for all development proposals within the flood fringe:
  - Uses permitted within the flood fringe shall be flood-proofed to the regulatory flood standard.
  - Uses permitted within the flood fringe shall be approved by the Township in consultation with the Conservation Authority.
  - Upstream and downstream lands shall not be adversely affected by development within the flood fringe.
  - Any development requiring an amendment to the Official Plan or Zoning By-law or a proposal for draft plan of subdivision, condominium or any major development requiring site plan approval shall require an analysis of the cumulative impact that the development will have on the hydraulics of the Ouse River floodplain. It shall be the responsibility of the developer to provide the analysis which will be reviewed by the Township in consultation with the Conservation Authority. The Township in consultation with the Conservation Authority may determine that an analysis is not required for minor development proposals. Minor development shall include the development of a single detached dwelling or duplex on a lot, the conversion of an existing single detached dwelling into two dwelling units and the expansion of an existing building or structure by up to

approximately 25% of the size of the original building or structure.

New development shall possess safe ingress/egress such that vehicular and pedestrian movement is not prevented during flood events.

iii) Lands subject to the flood fringe policies shall be zoned in the implementing Zoning By-law. The details of those requirements shall be set out in the implementing Zoning By-law

c) Township of North Kawartha

d) Township of Douro-Dummer

## **6.2.16 PROVINCIALY SIGNIFICANT WETLANDS**

### **6.2.16.1 - General Principles**

Wetlands are essential ecosystems and parts of ecosystems. Wetlands are defined as 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 or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs, or fens. Periodically soaked or wetlands being used for agricultural purposes which no longer exhibit wetland characteristics are not considered to be wetlands.

Wetlands provide continuous, sustainable environmental, economic and social benefits that contribute to the high quality of life in Ontario. Wetland functions include groundwater recharge and discharge, flood damage reduction, shoreline stabilization,

sediment trapping, nutrient retention and removal, food chain support, habitat for fish and wildlife and attendant social and economic benefits.

The Provincially Significant Wetland designation applies to all provincially significant wetlands as identified by the Ministry of Natural Resources.

#### **6.2.16.2 - Permitted Uses**

Development and site alteration shall not be permitted within Provincially Significant Wetlands. For the purposes of this designation, development shall be defined to include the creation of a new lot, a change in land use, or the construction, erection and placing of a building or structure, requiring approval under the *Planning Act*. Development does not include works subject to the *Drainage Act* or activities that create or maintain infrastructure authorized under an environmental assessment process. Site alteration means activities such as site grading, excavation, removal of topsoil or peat and the placing or dumping of fill that would change the landform and natural vegetative characteristics of a site.

The predominant land use within the Provincially Significant Wetland designation are educational, recreational and interpretive uses provided that there are no negative impacts on wetland features or the ecological function. In particular, sustainable activities such as hunting, trapping, fishing, cranberry and wild rice harvesting and such structures and boardwalks, duck blinds and fish huts may be permitted, upon consultation with the Township and the Ministry of Natural Resources. The Trent Severn Waterway shall be consulted where such activities are proposed for federally owned wetlands.

On lands adjacent to a Provincially Significant Wetland (within 120 metres) the uses permitted shall include all uses permitted within a wetland and established agricultural activities as defined in the Provincial Policy Statement. The introduction of any other

uses or forms of development or site alteration shall require the completion of an Environmental Impact Assessment as described in Section 6.2.16.3.

### **6.2.16.3 - Provincially Significant Wetland Policies**

- a) No development or site alteration as defined in this designation shall be permitted within a Provincially Significant Wetland.
- b) The boundaries of the Provincially Significant Wetlands as shown on Schedule "A" are approximate only and shall be used as general guidelines in the review of development proposals and in the preparation of the Zoning By-law. The Township shall rely upon the Ministry of Natural Resources to determine the exact boundaries at the time of a development application.
- c) Minor alterations to the boundaries of Provincially Significant Wetland areas resulting from more detailed mapping, which are implemented in the Zoning By-law, shall not require an amendment to this Plan provided that the general intent of the Plan is maintained.
- d) If any development or site alteration is to be considered on lands adjacent to a Provincially Significant Wetland (within 120 metres), an Environmental Impact Assessment shall be required to evaluate the ecological function of the adjacent lands and to determine if there will be negative impact on the wetland or its ecological functions, and recommend measures to mitigate such impacts.
- e) If the Environmental Impact Assessment concludes that the proposed development or site alteration will have no adverse impact on the Provincially Significant Wetland, the development may proceed based upon the abutting land use designation. An amendment shall be required to the Zoning By-law. The Zoning By-law amendment shall implement any mitigation measures outlined in the Environmental Impact Study.

- f) The Environmental Impact Assessment must address to the satisfaction of the Township and/or the County as appropriate that the development or site alteration shall not result in a loss of wetland functions, not create a subsequent demand for future development which will negatively impact on existing wetland functions, not conflict with existing site-specific wetland management practices, and, not result in a loss of contiguous Wetland area.

The Environmental Impact Assessment shall be undertaken in accordance with Section 4.1.3.1.

- g) The proponent of a development or site alteration shall carry out a site specific Environmental Impact Assessment for a development which is adjacent to (within 120 metres of) a Provincially Significant Wetland. The purpose of a site specific Environmental Impact Assessment is to show that provisions for development or site alteration may be met without negatively impacting the wetland. Where draft plan of subdivision approval is required, the study shall be carried out prior to consideration of draft plan. The Township shall rely principally upon the County or the Conservation Authority for the review of these studies or through the use of peer reviewers. Where appropriate, the County may consult with the Ministry of Natural Resources and Trent Severn Waterways or any other authority having jurisdiction.
- h) Where a development or site alteration is proposed on a site which is in part designated as Provincially Significant Wetland or Wetland adjacent lands, that area may not necessarily be accepted as part of the conveyance of land for park purposes as outlined in *The Planning Act*.
- i) In the implementing Zoning By-law, existing uses, buildings and structures together with an amount of land sufficient for the siting of those uses at their present location, shall be recognized as conforming uses despite their subsequent designation as Provincially Significant Wetland. An Environmental Impact

Assessment shall be required to address Section 6.2.16.3 f) prior to any expansion of those uses, buildings and structures.

#### **6.2.16.4 - Site Specific Special Policy Areas**

- a) Township of Selwyn
- b) Township of Asphodel
- c) Township of North Kawartha
- d) Township of Douro-Dummer

### **6.2.17 URBAN FRINGE CONTROL**

#### **6.2.17.1 - General Principles**

Development within the Urban Fringe Area of the City of Peterborough should be consistent with the urban growth of that municipality and the Provincial Policy Statement. The Urban Fringe Control area has been designated to offer a protective mechanism and secondary review of all proposals for development within this area. Development shall only proceed by amendment to this Plan and where the subject land is designated Prime Agriculture, it shall also be subject to the justification requirements outlined in the Provincial Policy Statement.

#### **6.2.17.2 - Permitted Uses**

The predominant use of land within the Urban Fringe Control designation shall be the same uses as permitted in the Rural or Prime Agriculture designation except for those uses that are likely to hinder future urban development. Development consistent with the anticipated urban growth of Peterborough may be permitted by amendment to this Plan. Any amendment proposal must be supported by the planning justification required by the Provincial Policy Statement.

### **6.2.17.3 - Urban Fringe Control Policies**

- a) Those uses that are incompatible with future urban development such as intensive livestock operations, mushroom farms or farm-related industrial or commercial uses shall not be permitted within the Urban Fringe Control designation. Those uses must locate within the Prime Agriculture or Rural designations where their long-term compatibility is more assured.
- b) All uses of land within this designation and regulations for those uses shall be set out in separate zoning categories in the Zoning By-law, shall comply with the Growth plan for the Greater Golden Horseshoe 2006 and shall be consistent with the Provincial Policy Statement.
- c) The Township shall request comments from the City of Peterborough in assessing applications for highway commercial, rural industrial or rural residential development that is deemed desirable by the Township.

### **6.2.17.4 - Site Specific Special Policy Areas**

- a) Township of Selwyn
  - i) On those lands located in Part Lot 20, Concession 3, Smith Ward as shown on Schedule "A1", residential development by registered plan of subdivision or condominium may be permitted subject to the water and sanitary sewage treatment facilities being removed from the site and the property being decommissioned in accordance with Ministry of Environment requirements. Development of the site shall proceed on full municipal water and sanitary sewage disposal systems subject to further negotiations and an amended servicing agreement between the City of Peterborough, the Township and the developer.



- ii) On those lands located in Part Lots 11 & 12, Concession 2, Smith Ward as shown on Schedule “A1”, the permitted use shall be for a single detached dwelling with accessory structures. All other relevant provisions of Section 6.2.2 – Rural shall apply and be complied with.
  - iii) On those lands located in Part Lots 11, Concession 2, Smith Ward as shown on Schedule “A1”, the permitted use shall be for a single detached dwelling with accessory structures. All other relevant provisions of Section 6.2.2 – Rural shall apply and be complied with.
  - iv) On those lands located in Part Lot 17, Concession 3, Smith Ward as shown on Schedule “A1”, the permitted use shall be for a single detached dwelling with accessory structures. All other relevant provisions of Section 6.2.2 – Rural shall apply and be complied with.
  - v) Notwithstanding the policies of Section 6.2.16 and 6.2.17, on lands located in Part Lot 9, Concession 1, Smith Ward as shown on Schedule ‘A1’, land assembly facilitated by a lot addition to a property within the City of Peterborough is permitted provided that the remnant parcel is of a size and shape appropriate for the existing residential use. All other relevant provisions of this Plan shall apply and be complied with.
  - vi) On those lands located in Part Lot 9, Concession 1, Smith Ward as shown on Schedule ‘A1’, the permitted uses shall include a stormwater management pond, sanitary sewer trunk (infrastructure corridor) and recreational trail. All other relevant provisions of this Plan shall apply and be complied with.
- b) Township of Asphodel-Norwood
  - c) Township of North Kawartha
  - d) Township of Douro-Dummer

## **6.2.18 WASTE MANAGEMENT AREA**

### **6.2.18.1 - General Principles**

Waste Management Areas include the land where landfilling or dumping has occurred as well as the surrounding waste management assessment area. Waste management assessment areas consist of lands within 500 metres of waste management footprints. Waste Management Areas shown on Schedule "A" identify areas which are known active or closed solid waste disposal sites.

### **6.2.18.2 - Permitted Uses**

The predominant use of land within the Waste Management Area designation shall be solid waste disposal sites including composting activities.

### **6.2.18.3 - Waste Management Area Policies**

- a) Under no circumstances shall residences be permitted on the specific area of land that was used for waste disposal.
- b) Under no circumstances shall residences be permitted on areas identified through studies required under Section 6.2.18.3 c) as containing organic or chemical wastes.
- c) Within Waste Management Areas, as designated on Schedule "A", the construction of buildings, structures and hard surface paving shall only be permitted subject to the following policies and in accordance with the underlying land use designation.
  - i) studies to investigate, among other things, gas leachate and hydrogeology have been carried out to the satisfaction of the Township and the Ministry of the Environment and those studies shall indicate that development can safely take place;
  - ii) the Township shall be satisfied with the required studies with respect to any matter regarding structural stability, safety and the integrity of any structure.

- iii) written approval has been received from the Township;
  - iv) the studies shall be carried out by a qualified engineer.
- d) These areas shall be shown in a separate zone in the Township's Zoning Bylaw.
  - e) Within 500 metres of waste management footprints, only land uses compatible with the potential impacts or their engineered controls shall be permitted and may have to be determined by Official Plan amendment as a result of studies under Section 6.2.18.3 c). MOE recommends that the 500 metre assessment area be used as a study area to determine the impact of the landfill on land use proposals in accordance with MOE Guideline D-4: Land Use on or Near Landfills and Dumps.

#### **6.2.18.4 - Site Specific Special Policy Areas**

- a) Township of Selwyn
- b) Township of Asphodel-Norwood
  - i) On the former Asphodel Landfill Site, on parcels of land known as Roll #'s 1501-010-002-09500 and 1501-010-002-07300, the following shall be permitted subject to the appropriate approvals: Organic Waste Processing, Finished Organic Product Manufacturing, and Organics Transfer and Processing relating to composting operations.
- c) Township of North Kawartha
- d) Township of Douro-Dummer

### **6.2.19 CROWN LAND**

#### **6.2.19.1 - General Principles**

Crown Land, being land that is owned by the Provincial or Federal Governments, has not specifically been designated in this plan and is generally shown as Rural or an

environmental land use category. The Ministry of Natural Resources has a primary responsibility for the management of natural resources associated with those lands, in particular renewable resources such as fish, wildlife and timber, the provision of outdoor recreational opportunities and for non-renewable resources such as mineral aggregates. The Ministry of Northern Development and Mines is responsible for the administration and management of non-aggregate mining on Crown owned lands.

It is the intent of this Plan that lands owned by the Crown allow the appropriate agency to exercise its responsibility to control uses and activities for which it has developed management and program strategies and plans.

#### **6.2.19.2 - Permitted Uses**

The predominant use of land within the jurisdiction of the Crown shall be uses and activities under the authority of the Province including the Ministry of Natural Resources and the Ministry of Northern Development and Mines. Those uses and activities include forestry, mining, mineral aggregate extraction, fish and wildlife management, Provincial and Candidate Parks management, management of areas of natural and scientific interest, outdoor recreation and general management of Crown land and water resources.

#### **6.2.19.3 - Crown Land Policies**

- a) It is the intent of this Plan that all Crown Land shall be subject to the policies and regulations of the Ministry of Natural Resources and the Ministry of Northern Development and Mines and any other applicable Ministry.

## 6.3 LOCAL PLAN POLICIES - URBAN COMPONENT

### 6.3.1 PLANNING CONTEXT

The Urban Component comprises the growth centres in the participating municipalities which are expected to accommodate the majority of growth in those municipalities over the planning period. The growth centres are identified on the land use schedules.

The majority of new residential development along with the growth in commercial and industrial shall be directed to their designated growth centres and in particular to those areas with piped municipal services.

The Urban Component policies provide for major urban growth while at the same protecting the quality and historic character of those designated growth centres.

The growth centres shall provide a complete range of land uses including low and medium density housing, commercial, industrial, institutional and parks/open space uses.

Where full municipal services exist new development shall be required to connect to the municipal water and sanitary sewerage systems. In other identified growth centres new development will continue to be serviced by private individual water supply and sanitary sewage disposal systems based on the results of the hierarchy of services analysis submitted in support of development applications.

Expansion of the current designated Urban Area boundaries of the serviced growth centres to accommodate new growth shall be based on the provision of full municipal water supply and waste water services. A municipal comprehensive review shall be required to satisfy the requirements of the Provincial Policy Statement regarding the justification for the urban boundary expansion and the taking of agricultural land out of potential production.

In Selwyn, Lakefield is serviced with full municipal water supply and waste water systems. The Township anticipates that Lakefield will function as a major growth centre

in Peterborough County, attracting investment opportunities from both within and beyond the County due to the immediate availability of full municipally serviced lands for development. While *Bridgenorth* and *the Hamlet of Ennismore* do not have piped municipal services, they are recognized as growth centres because of the prominent role they play as major service centres for residents and cottagers from the surrounding areas as well as for the travelling public. The Township will direct the majority of its urban growth opportunities to Lakefield with Bridgenorth and the hamlet of Ennismore accommodating the remainder within their existing designated urban boundaries. Section 6.2.3 contains policy for the hamlet of Ennismore.

*Norwood* is the dominant urban centre in the Township of Asphodel-Norwood, servicing both the residents of the Township as well as the traveling public on Highway No. 7 which is the major transportation link between Peterborough and Highway 115 and the Ottawa area to the northeast. With its municipal piped water supply and waste water systems, the Township intends to direct its growth opportunities to Norwood.

It is noted that the Township of North Kawartha does not contain a designated growth centre. The Township intends that the majority of its future residential growth will be accommodated in either the Hamlets of *Apsley* and *Woodview* (see Section 6.2.3) or as all-season housing in its designated recreational areas adjacent to its lakes.

### **6.3.2 – Policies Applicable to Lakefield, Bridgenorth and Norwood**

The urban growth centres of Lakefield, Bridgenorth and Norwood have certain similarities pertaining to land use goals, objectives and policies. As such the following sections apply to all 3 urban areas with specific policies being referenced to address a particular circumstance. Following these land use policy sections, other policy sections appear and are organized on an individual urban centre basis. For land use categories that appear on the land use schedules but do not have corresponding policy appearing in this section then the policies of 6.2 shall apply.

a) General Principles – Lakefield

Lakefield is strategically located in the central part of the Township of Selwyn only 10 kilometres northeast of the City of Peterborough. It has a resident population of 2,300 persons (2000) and a compact Central Business District that provides a range of retail and service commercial uses to local residents and cottagers from the surrounding area as well as the traveling public who are passing through Lakefield, a gateway location to the Kawarthas, Haliburton and the Trent-Severn Waterway System.

The Township of Selwyn has designated the Lakefield as the primary growth centre for the municipality. The Township has worked with and continues to work with the private sector to advance the planning status of lands in Lakefield South and Lakefield East to make them “development ready” for residential development. It is also making capital improvements to Lakefield’s water supply and sanitary sewerage services to increase their capacity to accommodate new residential, commercial and/or industrial development. The Township has completed its Economic Development Strategy and is working with the Greater Peterborough Area Economic Development Corporation to market Lakefield’s serviced land and make outside investors aware that Selwyn is open for business.

b) General Principles – Bridgenorth

The Bridgenorth is undergoing pressure for growth. Due to the intensity of development in this area and the mixture of existing land uses a Secondary Plan is necessary to guide the future growth and development in the Community.

Growth within the Bridgenorth community shall be encouraged through the development of existing Residential designated lands in the area. Growth of the local business sector is a priority for the Bridgenorth community. The designation of specific strategic locations for commercial and industrial activity shall contribute to the continued growth of the business sector. The provision of policies for assuring the long-term viability of

the local business sector shall assist in continued economic growth of the community. Since tourism is an important facet of the local economy it is critical to ensure the maintenance of an amicable attitude in respect to tourism. By providing public access to Chemong Lake and encouraging the maintenance and development of tourist related facilities, Bridgenorth will be able to provide an appealing environment for tourism.

It is of great importance that an adequate local employment base be provided within the community. Local employment opportunities could be provided through the encouragement of business. The value of a healthy natural environment is priceless and each community must prevent the degradation of this resource. Protection of the natural environment must be addressed in Bridgenorth by minimizing the pollution of Chemong Lake, Snelgrove Brook and the water table, and by only permitting growth in harmony with the natural amenities of the area.

Bridgenorth has a single collector road and the existing commercial core is congested at peak times. This traffic flow can be alleviated through the construction of a by-pass route by the County of Peterborough.

c) General Principles – Norwood

Norwood, with a population of 1400 persons, is located at the junction of Highway No. 7 and Highway No. 45, approximately 30 km. east of the City of Peterborough. The community functions as the local service centre for the surrounding rural population, local cottagers from the Kawarthas as well as the travelling public using Highway No. 7, a major transportation route to Ottawa. Norwood is serviced by full municipal water supply and waste water services. The servicing system has capacity to accommodate some additional growth.

It is intended that the Community shall maintain its role as the local service centre for the area and that opportunities for residential growth in the Township of Asphodel-Norwood will be directed to Norwood.



### **6.3.2.1 - Land Use Plan**

- a) Schedules A1-1, A1-2 and A2-1 of the Land Use Plan form part of this policy section and set out the general distribution of the major land use categories. It is intended that lands in Lakefield, Bridgenorth and Norwood shall be developed in accordance with these land use schedules. Certain lands in Lakefield and Norwood are within vulnerable areas, as identified on Schedule C1. Lands within vulnerable areas are subject to the Source Water Protection Policies of Section 5.7.

### **6.3.2.2 - General Policies**

- a) The General Development policies contained in Section 7 as well as the other relevant policies of this Plan shall apply.
- b) No public work shall be undertaken and no by-law shall be passed for any purpose that does not conform to this Plan, except as specifically provided in *The Planning Act*.
- c) Consideration shall be given to appropriate buffering between existing farm operations and development on the urban periphery. The specific details of that buffered area will be dealt with when a development application is brought before the Township and shall be implemented through the implementing Zoning By-law. All new development shall have due regard to Minimum Distance Separation requirements of the Provincial Policy Statement.
- d) In an effort to control township expenditures and investments in hard infrastructure, development should generally occur as a logical extension of existing development. The Township may identify a development phasing position either through an amendment of this plan, through a secondary plan exercise or through a resolution of Council.

- e) For new development on lands outside of the built up areas in Lakefield and Norwood, the greenfield policies of Section 5.1.3.1 shall apply.
- f) For the intensification of development within the built up areas of Lakefield and Norwood, the intensification policies of Section 4.2.3 shall apply.

### **6.3.2.3 - Residential**

#### a) General Principles

Separate Residential Policies for Lakefield appear in Section 6.3.3. These Residential policies and designation shall be for low, medium and higher density Residential uses in Bridgenorth and Norwood. In addition, uses that are compatible, complimentary to and serve the basic residential uses together with special care homes and converted dwellings shall also be permitted, provided that the residential amenities of the area are protected.

#### b) Permitted Uses

The predominant use of land within the Residential designation shall be detached single-detached dwellings, semi-detached dwellings, multiple dwellings such as triplexes, fourplexes, row-houses and walk-up apartments and a converted dwelling. Other permitted uses include schools, public parks, senior citizen homes, nursing homes, group homes, bed and breakfast establishments, private home day care facilities, extended home based businesses (Norwood only), home occupation uses and public uses.

#### c) Residential Policies

- i) Since the real property tax remains the major source of revenue, the Township shall attempt to maintain a favourable ratio of residential to commercial and industrial assessment within the Community. No residential development shall be recommended for approval if will result in an undue

financial burden on the Township, particularly in the provision of school facilities, public utilities or other necessary public services.

- ii) New development requiring subdivision of land shall be in accordance with the policies of Section 7.11 of this Plan as applicable. Subdivision design must take into consideration the requirements of the Ministry of the Environment and the Health Unit. For Bridgenorth, the actual density of development shall be determined by hydrogeologic and soil analysis. For Norwood, the average greenfield residential density shall be 35 persons/ha. The following residential densities shall generally apply the following different types of residential development:
  - a) approximately 12 dwellings per gross hectare for single detached dwellings;
  - b) approximately 21 dwelling units per gross hectare for semi-detached dwellings. The design shall include parkland, a comprehensive walkway system and school sites as required;
  - c) approximately 30 dwelling units per gross hectare for plexes and row housing. Row housing complexes should be limited to about 6-8 dwelling units in any single grouping;
  - d) approximately 45 dwelling units per gross hectare for walk-up apartments. The building height should not exceed approximately three (3) floors.
- iii) The following policies shall apply to multiple dwellings within Residential areas:
  - a) Multiple dwellings shall be located adjacent to an arterial or a collector road or on a local road that connects directly to an arterial or collector

road, provided that the local road does not pass through an established residential neighbourhood.

- b) A variety of multiple dwelling types shall be dispersed through the neighbourhood to prevent a concentration of any single type of dwelling within a given area.
  - c) That care shall be taken to ensure that there is a gradual transition in densities between adjacent housing areas and that development will not over shadow or interfere with the view sheds of adjacent areas.
  - d) Buffer planting for spatial separation shall be provided between groupings of multiple dwelling areas and single-detached areas.
- iv) The low, medium and higher density residential uses may be zoned in separate categories in the implementing Zoning By-law.
- v) The following policies shall apply to converted dwellings within Residential areas:
- a) An existing single detached dwelling may be converted into a two-family dwelling house in accordance with the provisions of the Zoning By-law.

#### **6.3.2.4 - Commercial**

##### a) General Principles

Separate Commercial Policies for Lakefield appear in Section 6.3.3. These Commercial policies and designation shall be for the buying and selling goods and personal services, which primarily serve residents of the Township as well as catering to the traveling public.

b) Permitted Uses

The predominant use of land within the Commercial designation shall be general commercial uses such as, but not limited to, retail commercial establishments, recreation uses, medical clinics, hotels, motels, tourist homes, vehicle sales and service establishments, business and professional offices, eating establishments, nursery schools, place of entertainment, marinas, churches, funeral homes, car washes and service shops. Other uses include assembly halls, fraternal organizations, boarding and lodging homes, bed and breakfast establishments, group homes, apartments above stores, extended home based businesses (Norwood only), home occupation uses, public parks and public uses.

c) Commercial Policies

- i) The commercial uses shall be primarily restricted to the existing core business area in order to serve pedestrians most effectively by providing a compact form of development. New development should be planned as an extension of the existing business area or as in-filling to the existing business area and it should not be allowed to infiltrate unnecessarily into adjoining residential areas.
- ii) The existing business core shall be the prime commercial focal point for the Community and surrounding area.
- iii) All reasonable effort shall be made to create a high quality of development and an attractive appearance. The rehabilitation/redevelopment of historically significant buildings shall be encouraged.
- iv) The development and expansion of the business core shall be in accordance with good urban design principles and regard shall be had to the following:

- Design concepts which shall include architectural treatment, common internal traffic circulation and the integration of the location and design of structures, parking areas and access points with adjacent land uses.
  - Creation and maintenance of sufficient off-street parking in accordance with acceptable design principles. Access points to those parking areas shall be limited in number and designed to minimize the danger to both vehicular and pedestrian traffic.
- v) Existing dwellings may be converted to commercial uses; the activities, nature and function of the uses must be conducive to retaining the appearance of the house.
- vi) To provide a variety and choice in living accommodation and locations and to provide for “after-hour” vitality within the business core, dwelling units in the form of upper storey rental accommodation shall be encouraged as an integral component of commercial development.
- vii) Adequate off-street parking facilities shall be provided for all permitted uses and access points shall be limited in number. The Township and the private sector shall work together to reduce parking constraints within the business core. The Township shall assess need for public off-street parking facilities. Where appropriate, shared parking facilities among uses or buildings will be encouraged.
- viii) Adequate buffer planting shall be provided between commercial uses and any adjacent residential areas.
- ix) No open storage of goods or materials shall be permitted.
- x) The Commercial area shall be zoned in a separate category in the implementing Zoning By-law.

d) Site Specific Special Policy Areas

i) Bridgenorth:

Any new commercial or small scale industrial use on private water supply and sewage disposal system shall only be permitted if it can be shown that the proposed use can exist without serious drawdown of water and cross-contamination. A hydrogeological study shall be required to identify maximum density of development and appropriate commercial uses.

ii) Norwood:

Sufficient land has been designated to encourage and facilitate economic growth within the Community to respond to anticipated changes in the marketplace. Those lands in part, contain residential dwellings especially towards the western sector of the business core. In order to provide for infilling development to move outwards progressively from the centre of the business core, lands may be zoned to reflect their current uses or placed in a Holding classification in the interim until they are ready for development.

a) 4251 Highway #7 – Roll Number 1501-020-001-10700

Notwithstanding Sections 6.3.2.4(b) and (c)(vi), the permitted uses shall include an accessory single detached dwelling house.

**6.3.2.5 - Industrial**

a) General Principles

It is the intent of this Plan to provide for the maintenance and reinforcement of the industrial base through the retention and expansion of existing industry and to encourage the diversification and expansion of the industrial base through the development of new industries and related ancillary service type facilities. This

Plan designates lands as Industrial where industry presently exists, where the development of industry is considered to be in an appropriate location or where it represents a logical extension of existing industrial development and provides for the orderly growth of the Community. In planning for industry, regard shall be had for the potential for expansion of industrial opportunities and the absence of land use conflicts, the physical characteristics of the land, compatibility with adjacent land uses, the existing and proposed municipal infrastructure serving the area, and the ability to provide for intensification of industrial uses through the rationalization of the land use pattern. This Plan provides for the development and expansion of industrial uses as well as a supply of serviced Industrial lands to accommodate new employment opportunities.

b) Permitted Uses

The predominant use of land within the Industrial designation shall be for light and general industrial uses and activities. The types of industrial uses permitted in each location shall minimize the creation of adverse effects on adjacent land uses.

Light industrial uses shall be those industries which are substantially enclosed in buildings and exhibit reasonably high performance standards. Their operations are not considered offensive because of heat, smoke, noise, dust, odours and truck transport facilities usually associated with general industrial. Light industrial uses shall include, but not necessarily be limited to, warehousing, light manufacturing and assembly, laboratory and research facilities, communication facilities, printing and publishing establishments, building supply yards or other similar uses.

General industrial uses shall be those industries whose operations may be offensive by virtue of heat, smoke, noise, odour, dust and truck transport requirements and shall include large scale operations not enclosed within buildings. Those uses may include, but not necessarily be limited to, the manufacture and processing of primary metal products, wood and paper products, rubber, plastic and adhesive



products, chemical products, food processing plants, bulk storage, contractor yards, maintenance yards, vehicle depots, utility functions and public works depots or other similar industrial uses and activities.

The uses permitted within the Industrial designation shall also include ancillary service uses and office, wholesale and retail functions directly related to the host industry. Public uses such as community and recreational facilities, a police station or fire hall, emergency services training facilities, clubs and fraternal organizations or other similar uses may be permitted provided the use is compatible with the industrial uses in the area and will not contribute to the detracting of the area for industrial development.

c) Industrial Policies

- i) The Township shall encourage the development of an industrial area of sufficient size to realize long term economies of scale in terms of the provision of municipal services, transportation facilities and other infrastructure required to service industry.
- ii) Industrial development shall be encouraged in those areas which are easily accessible from existing and proposed arterial and collector roads. Industrial areas shall be designed to discourage the penetration of traffic generated by industry onto local roads and through Residential areas.
- iii) Industrial areas shall be planned and developed so that light, non-noxious industries are located at the interface of the industrial area with other land uses.
- iv) New industrial development or the redevelopment of existing industrial sites in close proximity to Residential areas, shall generally be restricted to light industrial uses and related activities which exhibit reasonably high performance standards to provide for land use compatibility between the

residential area and industrial uses. In considering the development or redevelopment of an industrial site, the Township shall have regard for noise, heat, smoke, vibration, odours, fire and explosive hazards, electromagnetic interference or any other inherent characteristic with potential adverse effects for adjacent land uses. For uses that are not considered to light in nature, Guideline D6: Compatibility Between Industrial Facilities and Sensitive Land Uses of the Ministry of the Environment shall be adhered to and shall be the acceptable minimum standard.

- v) The degree to which industrial uses are to be separated from adjacent land uses and the requirements for buffer planting, screening and fencing shall be relative to the type and nature of the adjacent use. Regard shall be had for the height, bulk, layout and design of the buildings and the nature of any site improvements being proposed. Buffer planting may include the provision of grass strips, the appropriate planting of trees and shrubs, and berms or screen fencing.
- vi) The Township shall, wherever feasible, encourage the relocation of non-conforming industrial uses to areas designated for industrial purposes having regard for the relevant policies of this Plan.
- vii) No industrial use shall be permitted which from its nature of operation or materials used is declared to be obnoxious under the provisions of the *Health Protection and Promotion Act* as amended.
- viii) Industrial development shall be fully serviced by the municipal water supply and sewage systems. Where full municipal services have not yet been extended to an Industrial area, the Township may consider permitting an industrial development based on private services, conditional upon that industry agreeing to connect to the municipal system when it becomes available and the industrial use being of a “dry” nature. Industries of a dry

nature shall be those where water is not necessary in the manufacturing, processing and/or fabrication of goods and materials and which industries have no demands for water supply and sewage disposal beyond those requirements normally associated with the needs of employees.

- ix) The Township shall require the submission of an engineering hydrogeological report addressing the adequacy of ground water supplies and the ability of the soils to sustain development on the basis of private services. All private water supply and effluent treatment systems shall be installed in accordance with standards and regulations of the Ministry of the Environment and the Health Unit.
  - x) Adequate off-street parking and loading facilities shall be provided, inclusive of parking for visitors and employees, to serve development or redevelopment within the Industrial areas. Access points to those areas shall be limited in number and designed to minimize the danger to both vehicular and pedestrian traffic.
  - xi) Uses permitted in the Industrial designation shall be zoned in separate zoning categories in the implementing Zoning By-law. Regard shall be had for setbacks from property lines, appropriate off-street parking and loading area requirements, landscaped open space and buffer planting, and, control over the outside storage of goods and materials.
  - xii) Industrial areas shall be zoned in separate categories in the implementing Zoning By-law.
- d) Site Specific Special Policy Areas
- i) Lakefield:

- a) Notwithstanding any other provision in this Plan, on those lands designated Industrial to the north of D'Eyncourt Street and to the east of Clementi Street, the permitted uses shall be limited to a builder's supply outlet and related ancillary uses.
- ii) Norwood:
  - a) The sewage treatment facility for the Community is designated industrial. The Ministry of the Environment requires that a buffer or setback be maintained between the facility and any proposed residential development. The required separation distance is generally 150 m. New residential development and other sensitive uses shall not be permitted within 150 m. of the sewage treatment facility.

#### **6.3.2.6 - Recreational Open Space**

##### a) General Principles

It is the intent of this Plan to ensure that adequate public parks, open space and recreational facilities are available to provide for a range of leisure opportunities for all age groups. Lands designated Recreational Open Space are primarily intended for both public and private parks and open space conservation uses. In developing Recreational Open Space areas regard shall be had for the attributes and characteristics of the natural landscape to provide for both active and passive recreational pursuits.

It shall be recognized that while it is the long term intent of this Plan to provide sufficient parks and open space areas to meet the needs of the community as a whole, there are certain areas, particularly in the older established areas of the communities, where deficiencies exist. It is the intent of this Plan to provide sufficient parkland and open space areas for new development as well as increase,

wherever feasible, the Recreational Open Space areas within the older developed areas of the community.

b) Permitted Uses

The predominant use of land within the Recreational Open Space designation shall be for active and passive recreational and conservation uses. The uses permitted shall include public parks, pedestrian walkways and bicycle pathways, public access areas for such activities as cross-country skiing, angling and swimming and other similar public or private open space recreational uses. In addition, facilities such as arenas, swimming pools or other similar public recreational facilities shall also be permitted.

c) Recreational Open Space Policies

- i) Where recreational or conservation projects are designed for either public or private use, adequate parking areas shall be established and the access points to those recreational areas and associated parking areas shall be designed to make provision for the safe movement of vehicular and pedestrian traffic.
- ii) Regard shall be had for the compatibility of recreational and open space uses with adjacent land uses and, where necessary, those facilities shall be designed to provide adequate spatial separation, buffer planting, landscaping and fencing to ensure that any adverse effects associated with those uses are minimized.
- iii) Where lands designated Recreational Open Space are held under private ownership, it is not intended that those lands are free and open to the public nor is there unrestricted public access to the area. Control of access is at the discretion of the owners and only where the land is acquired by a public authority shall general access be permitted.

- iv) Lands designated Recreational Open Space shall not necessarily be acquired by the Township or other public authority. Where a proposal is made to develop lands held under private ownership for an alternative use not permitted by this designation, and the Township or other public agency do not wish to purchase those lands to retain them for recreational purposes, an application to redesignate the lands shall be given due consideration by the Township taking into consideration the intent and policies of this Plan.
- v) The Township in co-operation with the Otonabee Region Conservation Authority, the Trent-Severn Waterways Authority and the Ministry of Natural Resources, shall consider a programme of land acquisition along the shoreline of the Otonabee River where the lands are designated Recreational Open Space and where it is considered desirable that the land be brought under public ownership. The criteria to be considered in the future development and use of lands in the vicinity of the waterfront are as follows:
- to increase public accessibility;
  - to provide for a range of recreational and leisure opportunities which focus on this natural recreational resource;
  - to increase the visual attractiveness of the waterfront, particularly in the core area of the Community; and,
  - to provide for the overall development of the waterfront area in a manner which is complementary to and compatible with adjacent land uses.
- vi) The establishment of future parkland areas shall, wherever feasible and practicable, be coordinated with the School Board serving the Community to achieve integration of facilities.

- vii) When reviewing an application for an amendment to this Plan or the implementing Zoning By-law or in approving or commenting on plans of subdivision, the Township shall give consideration to the acquisition of lands for public open space purposes.
- viii) Only those buildings and structures incidental to the principal permitted recreational open space uses defined in this Plan shall be allowed in areas designated as Recreational Open Space. An accessory residence for occupation by the owner or caretaker may be permitted in conjunction with a private open space use permitted by this designation.
- ix) The provision of community and neighbourhood parkland areas shall be planned in accordance with the following standards:

Community Parks	2.5 ha per 1,000 persons
Neighbourhood Parks	1.5 ha per 1,000 persons
Total Parkland Requirements	4.0 ha per 1,000 persons.

It is recognized that within the older developed areas of the Community it may not be possible to attain those standards. The standards are intended as a guide and the Township shall, wherever possible, attempt to provide additional parkland in the form of neighbourhood parks where deficiencies exist. The Township may require land dedication for public parkland purposes as a condition of approval for a proposed development or redevelopment project or may consider direct acquisition to provide additional parkland in areas of the Community that are considered deficient. One or more neighbourhood parks shall be planned within each neighbourhood. They shall provide for a range of recreational facilities,

including passive outdoor areas, for all age groups. Neighbourhood parkland areas shall generally vary in size from 1.6 to 3.2 hectares and, where possible, shall be centrally located within the neighbourhood depending on the population density of each area.

Wherever possible and practicable, community parkland areas shall be located adjacent elementary school playgrounds to maximize the recreational opportunities and the utilization of those facilities.

- x) Community parkland shall be planned as multi-purpose recreational areas which include recreational facilities such as athletic fields, for individual and team sports, together with relatively large areas available for passive open space purposes. Community parkland areas will generally vary in size from 3.2 to 6.4 hectares depending on the needs of the community as a whole.

Wherever feasible and practicable, neighbourhood parks shall be located adjacent to secondary school facilities or major indoor sports facilities to maximize the recreational opportunities available and the utilization of the parkland facilities.

- xi) Where a neighbourhood or community parkland area is integrated with an educational or major indoor recreational facility, the following criteria shall apply:
- no physical barriers will be introduced to separate those facilities which fulfill a joint function;
  - a separate identity will be maintained for the park and school components by means of signage and landscaping;
  - the facilities will be designed to be complementary; and,



- the standards for the provision of parkland shall not be reduced.
  - xii) Recreational Open Space areas may be zoned in a separate category in the implementing By-law where suitable regulations and provisions will be established to govern the use and development of those lands.
- d) Site Specific Special Policy Areas
- i) Lakefield:
- a) It is the intent of this Plan to promote the redevelopment and use of those lands between the Trent Canal and the Otonabee River, south of Bridge Street for recreational open space purposes in accordance with the relevant policies of this Plan. Regard shall be had for public access and safety and the provision of adequate off-street parking facilities. Good urban design shall be encouraged to reinforce the function of this area for recreational open space purposes.

Notwithstanding any other provision of this Plan, a limited commercial component of development shall be permitted until such time as the lands are acquired by a public authority. The permitted commercial uses shall be restricted to a general store, furniture exchange, antique sales and business and professional offices; and, a natural health care clinic and a shop for the fabrication and assembly of chiropractic equipment and related mechanical equipment and accessories. It shall further be the policy of this Plan that the permitted uses be zoned in a separate category in the implementing Zoning By-law. The Zoning By-law shall contain appropriate provisions to regulate the location and massing of buildings and structures in conformity with the intent of the Recreational Open Space designation and other relevant policies of this Plan.

- b) Notwithstanding any other provisions of this Plan, on those lands designated Recreational Open Space to the north of D'Eyncourt Street, described as Block "U" Registered Plan 15, the uses shall be restricted to that of park land with associated conservation and recreation uses. Activities shall be limited to passive, non-consumptive uses which protect and/or enhance the natural environment. In addition, a small not-for-profit operation may be permitted as an accessory use where revenue from that operation is used for the development, maintenance and up-keep of the park.
- c) Notwithstanding any other provision to the contrary, on those lands designated Recreational Open Space located adjacent to the westerly shoreline of the Otonabee River, south of Katchawanooka Lake and north of Hague Boulevard, the permitted uses shall include a campground owned and operated by the Township of Selwyn, or its delegate.
- d) Notwithstanding any other provision of this Plan to the contrary, on those lands located adjacent to the westerly shore of the Otonabee River, immediately north of Smith Street, the uses permitted shall include a works depot operated by Parks Canada.
- e) The Township shall make an effort through the development approvals process and other mechanisms to develop a linked parks/open space system in the Lakefield South Development Area comprising the proposed central neighbourhood park, a linear open space system associated with Ray's Creek, the Otonabee River, the small tributary watercourses and other open space areas.
- f) It shall be the policy of this Plan that a neighbourhood park will be provided in the Lakefield South Development Area to serve the needs

of neighbourhood residents for local level active and passive outdoor recreational space. Neighbourhood park facilities shall be provided in the Development Area in accordance with the parkland standards and policies of the Township of Selwyn contained in this section as updated by the Township Parks and Recreation Master Plan. It is the intention of the Municipality to locate a neighbourhood park in the centre of the Lakefield South Development Area. The neighbourhood park shall be located either adjacent to or in close proximity to the Lakefield Fairgrounds and the proposed speed skating complex. The actual location, size and shape of the neighbourhood park shall be defined through the plan of subdivision approval process for developing lands in Lakefield South. The land for the neighbourhood park shall be acquired by the Township at the time of plan of subdivision review and approval of the properties located in the centre of the Development Area. The Township shall use a combination of the 5% parkland dedication and cash-in-lieu provisions of the *Planning Act* as well as other mechanisms available to the Municipality to secure through the subdivision approval process the necessary lands from those properties for the neighbourhood park. The Township shall ensure that the neighbourhood park has adequate street frontage to make it visible to potential users and that walkways are provided to facilitate access to the park by neighbourhood residents.

- g) In addition to the permitted uses outlined in Section 6.3.2.6 b), a privately-owned and operated speed-skating oval and related buildings and facilities, including a main multi-purpose community-use building, shall be permitted.

- ii) Norwood:

- a) In addition to all of the permitted uses in Section 6.3.2.6 b), within the Recreational Open Space designation in Part of Lot 19, Concession IX, wayside pits for aggregate extraction shall also be permitted. Applicable policy appearing at the end of Section 4.1.3.3 shall apply. Development applications within this area shall be accompanied by a Notice under Section 59(2) of the *Clean Water Act, 2006*, as amended, and the policies of Section 5.7 shall apply.

### **6.3.2.7 - Institutional**

- a) General Principles

It is the intent of this Plan to ensure that adequate lands are available for institutional, educational and cultural facilities for all interest groups. Institutional and community facility uses shall include health, welfare and educational establishments, government offices and similar uses and activities.

This Plan shall provide general policy direction to the Township, local boards and public and private agencies in the consideration of proposals for the development of new community facility and institutional land uses, the major expansion of present facilities, and, the assessment and identification of potential sites for the development of new facilities.

- b) Permitted Uses

The predominant use of land within the Institutional designation shall be for health, welfare and educational uses such as hospitals and schools, public libraries, places of worship, daycare facilities, fraternal association halls and other similar places of assembly; governmental offices; police stations or fire halls; and, related uses and activities.

In addition, community facility uses such as fairgrounds, arenas, municipal campgrounds, tennis courts, canteens, bandshells, clubhouses and other similar public recreational facilities shall also be permitted. Where deemed appropriate or necessary, a residential use that is accessory to a permitted use may also be

c) Institutional Policies

- i) In considering the establishment of new institutional or community facility uses, the Township shall consider the following when assessing the appropriateness of the location:
  - that the proposal is of a scale which may be integrated with the established character of the area and that the use is compatible with adjacent existing and/or planned land uses; and,
  - that the proposed site is adjacent an arterial or collector road and that an adequate level of access is available.
- ii) Wherever possible, new institutional or community facility uses shall be encouraged to locate where they will function as a focal point for the neighbourhood or community and on sites adjacent to other institutional or community facility uses.
- iii) The development of new institutional uses shall not be located adjacent to industrial areas or areas with excessive noise and odour levels.
- iv) The Township in conjunction with the Public and Separate School Boards shall select the location of schools based on the relative needs of the area.
- v) Adequate buffer planting, screening and/or fencing shall be provided between institutional and/or community facility uses and adjacent residential uses.

- vi) Adequate parking and loading areas shall be provided in accordance with the specific needs of the institutional or community facility. Access points to those areas shall be limited in number and designed to minimize the danger to vehicular and pedestrian traffic.
  - vii) Institutional and/or community facility uses shall be zoned in a separate category in the implementing Zoning By-law.
- d) Site Specific Special Policy Areas
- i) Lakefield:

Institutional uses, except schools, may be permitted to locate in the Main Central Area of the Community where there is a demonstrated need and where the location and integration of the proposed use will not have a negative impact on either established or proposed commercial development. Regard shall be had for those policies set out in Section 6.3.2.10.

### **6.3.3 LAKEFIELD - Specific Policies**

This Section contains policies for Lakefield's residential and commercial components. Due to its different level of development activity compared to Bridgenorth and Norwood, separate residential and commercial policies appear in this section. All other relevant policies of this Plan shall also apply.

#### **6.3.3.1 – Residential - General**

- a) General Principles

It is the intent of this Plan to provide areas for residential development or redevelopment as part of an orderly and desirable land use pattern which ensures that residential uses are suitably located in areas where the residential use is compatible with adjacent land uses. Sufficient land shall be designated for residential purposes to accommodate the anticipated population growth and to provide for a choice of life-styles consistent with changing demands.

b) Permitted Uses

The predominant use of land within the Residential Category shall be low and medium density residential uses. In addition, uses which are compatible with and serve the basic residential function, such as recreational, public and institutional uses, and home occupation uses shall also be permitted. Public and institutional uses permitted within the Low and Medium Density Residential designations shall be limited to day care centres, group homes, public uses, and, local parks having an area of less than 0.4 hectares.

For the purposes of this Secondary Plan, group homes are defined as a single housekeeping unit in a residential dwelling in which three to six persons, excluding supervisory staff or the receiving family, live as a family under responsible supervision consistent with the particular requirements of its residents. The home is licensed and/or approved for funding under provincial statutes and is in compliance with municipal by-laws.

c) General Policies Applicable to All Residential Designations

- i) The Township shall endeavour to maintain and/or improve the quality of existing residential development in those areas which are designated for residential use.

- ii) Priority shall be given to the infilling of residential areas. All new residential development shall be fully serviced by municipal water supply and sanitary sewerage systems.
- iii) A variety of low and medium density housing types, styles and densities shall be made available in the residential areas of the Community. Medium density housing shall not be intermixed indiscriminately with low density housing. Through careful site planning provision shall be made to ensure that higher density developments are compatible with adjacent lower density housing.
- iv) Wherever possible sidewalks and separate pedestrian walkways shall be encouraged to facilitate access to elementary schools and parks and provide for the physical separation of pedestrian and vehicular traffic.
- v) The average population density of the Lakefield shall not exceed 75 persons per gross hectare of land designated for residential purposes on Schedule “A1-1” of this Plan.
- vi) In reviewing plans for residential redevelopment, infilling or intensification within existing residential areas, the Township shall ensure that the residential character of the area will be maintained or enhanced and that the redevelopment will not burden existing facilities and services.
- vii) Where a home occupation is a permitted use it shall be the intent of this Plan that it will be carried on within the dwelling unit by the owner of the dwelling, that only members of the immediate family who occupy the dwelling will be employed, that the home occupation use occupy less than 25 per cent of floor area of the dwelling, that it does not involve the retail sale of merchandise directly from the property, and, that the home occupation use shall not detract from the residential character of the area.



- viii) Undue concentration of group homes shall be avoided within the Residential areas of the Community to minimize the impact on any one area. Standards requiring a minimum distance between such facilities shall be incorporated in the implementing zoning By-law.
- ix) Adequate off-street parking shall be provided for all permitted uses within the Residential designations.

### **6.3.3.2 - Low Density Residential Areas**

The general principles to be considered in the development and use of lands designated Low Density Residential are as follows:

- a) The predominant use of land within the Low Density Residential Area designation shall be for low density residential development. Permitted uses shall include single-detached and single attached dwellings, semi-detached and duplex dwellings, home occupation uses, Bed and Breakfasts, and, public and institutional uses which are complementary to and compatible with the basic residential function of the area.
- b) Within the Low Density Residential designation the average density of residential development shall generally be 15 units per gross hectare.
- c) Access to individual lots within a plan of subdivision shall generally be from internal subdivision roads. The construction of internal roads shall be in accordance with the standards of the Township and be the responsibility of the developer. Those roads shall be maintained by the developer for a period specified in the subdivision agreement and subsequently assumed by the Township at no cost.
- d) The road pattern providing access to and within a plan of subdivision shall be designed to minimize the danger to pedestrian and vehicular traffic.
- e) The conversion of a single-detached dwelling to create a dwelling house containing two units will be subject to the provisions contained in the Zoning By-Law and Ontario Building Code. The conversion of a single-detached dwelling to create a dwelling house containing more than two dwelling units shall require an amendment to the implementing Zoning By-law. To ensure that the character of the residential area is not adversely affected, the Township shall have regard for the following in assessing an application for an amendment to the Zoning By-law to permit the conversion:

- i) the nature of any exterior renovations to the structure with specific regard for the extent and design of those renovations and the relationship of the building to adjacent lands, buildings and streets;
  - ii) the provision of adequate off-street parking facilities and access driveways;
  - iii) the need for landscaping, inclusive of buffer planting and screening, to provide for a reasonable degree of compatibility with adjacent low density residential uses; and,
  - iv) the need to alter the lot grading of the property and the effects of those alterations on adjacent lands.
- f) Single attached and single detached dwellings, semi detached dwellings, and public and institutional uses shall be zoned in separate zoning categories in the implementing Zoning By-law.
- g) Notwithstanding the above, the permitted residential uses on lands within the Lakefield South Development Area that are designated "Low Density Residential" on the Land Use Schedule shall include single detached dwellings as well as single attached, duplex and semi-detached dwellings, street townhouses and quattroplexes.

### **6.3.3.3 - Medium Density Residential Areas**

The general principles to be considered in the development and use of lands designated Medium Density Residential are as follows:

- a) The predominant use of land within the Medium Density Residential Area designation shall be medium density residential uses. Permitted uses shall include row or cluster housing, quadraplexes, low rise apartments, street townhouses or other similar multiple-density housing, home occupation uses and public and institutional uses which are complementary to and compatible with the basic residential function of the area.

- b) The average density of development within a Medium Density Residential Area shall generally be 30 units per gross hectare.
- c) Notwithstanding the provisions of Section 6.3.3.3 b), the maximum height and density of a low rise apartment permitted within the Medium Density Residential designation shall be three storeys and 50 dwelling units per net hectare respectively, provided that, where adjoining lands are designated Medium Density Residential, the overall density of development within the Medium Density Residential Area as a whole does not exceed 37 units per gross hectare.
- d) The development of new multiple density dwelling units within the Medium Density Residential designation shall be designed and sited to minimize their effect on adjacent land uses, particularly low density residential uses.
- e) Adequate buffer planting and screening shall be provided between Medium Density Residential and Low Density Residential areas to provide for a reasonable degree of compatibility and spatial separation.
- f) The Township in considering an application for an amendment to this Plan to designate additional lands Medium Density Residential, shall have regard to the policies in Section 7.9 as well as the following:
  - i) the location of the subject lands relative to existing and proposed arterial and collector roads;
  - ii) the availability and adequacy of municipal services, public and parkland and schools;
  - iii) the nature of adjoining land uses and the potential impact on adjacent residential areas, particularly low density areas; and
  - iv) the availability of lands for development or redevelopment of medium density residential and the need to designate additional lands.

- g) Medium density residential uses shall be zoned in separate zoning categories in the implementing zoning By-law. New development of medium density residential shall require an amendment to the implementing Zoning By-law and shall address the policies in Section 7.9 of this Plan.
- h) Notwithstanding any other provision of this Plan, on those lands designated Medium Density Residential, located adjacent to the southerly limits of Albert Street, to the west of Concession Street, having one area of approximately 2.1 ha. and generally described as forming Parts 11 and 14 of Plan 45R-4432 and the more easterly portion of the unopened road allowance known as Division Street, the lands shall be developed by means of a plan of condominium pursuant to the *Planning Act* as amended for the purposes of an apartment dwelling house containing a maximum of 34 dwelling units and having a height not greater than four storeys and 42 townhouses.
- i) Notwithstanding the provisions of sections 6.3.3.3(b) and (c) of this Plan, the property identified municipally as 40, 46 and 50 Rabbit Street shall have a maximum density of 43 units per hectare.
- j) Notwithstanding the provisions of Section 6.3.3.3(c), on those lands located in Part of Blocks J, K and M, as identified by Registered Plan No. 15, the maximum density permitted within the Medium Density Residential designation shall be 60 dwelling units per net hectare.

#### **6.3.3.4 - Main Central Area**

- a) General Principles

It is the intent of this Plan to maintain the Main Central Area as the focal point of activity and as the principle retail centre within the Community. The Main Central Area shall provide for a wide range of goods and services. Institutional and community facility uses and recreational open space areas may also be permitted to

promote the multi-use function of this area and to create an attractive environment in which to live, work, conduct business, shop or visit.

b) Permitted Uses

The predominant use of land within the Main Central Area designation shall be for a wide range of retail, office, financial, personal service, institutional, cultural and recreational open space facilities. Commercial uses shall include, but not be limited to retail department stores, food, specialty and general merchandising establishments and business and professional offices. Other permitted uses shall include civic administration facilities, inclusive of a public library, police station and firehall, hotels and places of entertainment, provincial and federal government buildings and eating establishments.

Automotive sales and service establishments and service stations shall not be permitted within the Main Central Area.

Residential uses shall also be permitted in the form of apartments forming part of a commercial building within the Main Central Area subject to the policies in Section 6.3.3.4(c).

c) Main Central Area Policies

- i) The Main Central Area shall be maintained and strengthened as the primary commercial area within the Community.
- ii) The in-depth expansion of the Main Central Area shall be encouraged rather than providing for linear extensions which are not conducive to the development of a compact central business district. New commercial development should be planned as an extension to the existing central

business district and should not be allowed to intrude unnecessarily into the adjacent residential areas.

- iii) The maximum height of any new building or structure developed within the Main Central Area shall not exceed three storeys. The design of new buildings and structures within the Main Central Area shall be in keeping with the nature of the area and provide for the integration of the building in a manner which is sensitive to the scale and character of adjacent structures.
- iv) The redevelopment of the lands in the vicinity of the Otonabee River and Water, Bridge and Queen Streets shall be encouraged to anchor the Main Central Area. The redevelopment of the lands adjacent to the river shall apply urban design measures that will help promote the economic viability of the area as a whole.
- v) The Township shall promote and co-operate with individual property owners within the Main Central Area who undertake facade improvements. In addition, the Township shall encourage the rationalization of those areas and uses to the rear of commercial buildings to provide increased off-street parking and loading facilities which are conveniently located and readily accessible by pedestrian and vehicular traffic.
- vi) Innovative building design and layout and the rehabilitation and preservation of buildings and areas of historic and/or architectural value shall be encouraged.
- vii) The Township in conjunction with the owners and/or operators of businesses within the Main Central Area shall endeavour to improve the streetscape of the Main Central Area by undertaking improvements to the lighting of pedestrian walkways and other public areas, the provision of street furniture and rest areas, the identification of pedestrian crossings, the provision of open

space amenity areas including the planting of trees, and the regulation of signage.

- viii) The Township shall in conjunction with the owners/ operators of business within the Main Central Area, undertake measures to ensure the provision of suitable and conveniently located public parking facilities. The Township shall review the usage of parking facilities and shall implement measures as may be necessary to ensure that those facilities are effectively serving the needs of the Main Central Area.
- ix) In accordance with the provisions of the *Planning Act*, the Township may enter into an agreement with the owner or operator of a building within the Main Central Area to exempt the owner and/or occupant, to the extent specified in the agreement, from the requirement of providing and/or maintaining parking facilities. All monies received by the Township under that agreement shall be paid into a special account and may be used by the Township to acquire lands for and/or to develop off-street parking facilities.
- x) In considering an application for the development or redevelopment of buildings or structures within the Main Central Area, the Township shall ensure that adequate buffer planting, screening and/or fencing is provided, particularly with respect to parking and service areas, to make provision for a reasonable degree of compatibility with and to minimize any adverse effects on adjacent residential areas.
- xi) The commercial floor space index for new development or the redevelopment of existing buildings within the Main Central Area shall not exceed one. The floor space index shall mean the ratio of total floor area above ground, as measured from the exterior walls of the building to the total lot area.



- xii) Where residential uses are developed in conjunction with the permitted commercial uses within the Main Central Area, regard shall be had for the location, scale and design of the residential component to ensure that the function of the Main Central Area is maintained and reinforced. Residential uses and related accessory facilities shall preferably be located above the commercial use and shall be designed to ensure a functional separation from areas associated with the commercial component.
- xiii) Adequate off-street parking, loading and service areas shall be provided for all uses within the Main Central Area. Access points to those areas shall be limited in number and designed to minimize the danger to and interference with vehicular and pedestrian traffic.
- xiv) Permitted uses within the Main Central Area shall be zoned in separate zoning categories in the implementing Zoning By-law.

#### **6.3.3.5 - District Commercial**

##### **a) General Principles**

It is the intent of this Plan that commercial development outside the Main Central Area shall occur in an orderly manner, consistent with the needs of the Community as a whole. Development within areas designated District Commercial shall not undermine the viability of the Main Central Area, but rather reinforce and complement the primary economic function of the Main Central Area as the focal point and principal centre of commerce.

The District Commercial designation shall be primarily oriented to those commercial areas and uses which rely heavily upon vehicular traffic for their economic existence and which require direct access and exposure offered by locations adjacent to major arterial and collector roads. District Commercial areas

should be physically separated from the Main Central Area rather than forming a linear extension to the central business district and associated uses.

b) Permitted Uses

The predominant use of land within the District Commercial designation shall be commercial uses which rely heavily upon vehicular traffic for their economic existence and may include but not necessarily be limited to motels, motor hotels, eating establishments inclusive of drive-in and take-out restaurants, motor vehicle service stations and car washes, automotive dealerships, specialized automotive repair and sales and recreational vehicle sales and service establishments.

Limited specialized retail commercial establishments, such as major furniture and appliance sales, warehouse outlets, building supply outlets or other similar retail uses requiring large enclosed areas or whose special nature or requirements in terms of size, site and/or buildings are not conducive to a location within the Main Central Area shall also be permitted within the District Commercial designation.

In addition to the non-residential uses permitted, limited residential development may also be permitted where those uses are secondary to the main permitted commercial uses. They shall be in the form of apartments above the non-residential component. The residential uses shall be designed to not interfere with or detract from the development and use of the lands for District Commercial purposes.

c) District Commercial Policies

i) District Commercial uses shall be encouraged to consolidate in nodes in accordance with good urban design principles. Development within the District Commercial areas shall primarily occur in the form of infilling and through the relocation and redevelopment of non-conforming uses and activities. The consolidation of District Commercial uses shall be encouraged

to avoid the indiscriminate development and/or extension of those uses into adjacent non-commercial areas.

- ii) All outdoor storage areas shall be fenced or suitably screened from adjacent residential areas. The Township may permit the temporary storage of materials without screening for display or promotional purposes only, provided vehicular movement is not affected and that all parking requirements can be met.
- iii) Specialized retail commercial uses shall be encouraged to locate within areas of similar District Commercial uses wherever possible.
- iv) Adequate off-street parking facilities shall be provided for all permitted uses and access points from those parking areas shall be limited in number and designed to minimize the danger to both vehicular and pedestrian traffic.
- v) The provision and maintenance of off-street parking, service and loading areas shall be the responsibility of the owners/developers and occupants within the District Commercial Areas. The Township shall not, except in extraordinary situations, consider the provision of municipal parking facilities within the District Commercial Areas.
- vi) Adequate buffer planting shall be provided between the commercial use and any adjacent residential areas. Buffer planting may include provision for grass strips and appropriate planting of trees and shrubs.
- vii) The Township shall endeavour to maintain or improve the visual amenity and general attractiveness of the District Commercial areas. The Township will:
  - encourage the restoration, repair and rehabilitation of existing store fronts and facades to complement the scale, design and character of other commercial development in the area;

- encourage the relocation of non-commercial uses which interrupt the continuity of the commercial frontage; and,
  - regulate building setbacks to maintain continuity and, where necessary, provide additional setbacks to permit wider sidewalks, landscaped open space and street furniture.
- viii) In considering applications for the development or redevelopment of commercial uses which involve the outside storage of goods and materials, the township shall have regard to the following:
- the location and nature of the outside storage facility and the effect on adjacent properties; and,
  - the location and number of off-street parking spaces and their location relative to the areas proposed for outside storage.
- ix) District Commercial uses shall be included in a separate zoning category in the implementing Zoning By-law.

### **6.3.3.6 - Neighbourhood Commercial**

#### a) General Principles

It is the intent of this Plan to provide for a limited component of Neighbourhood Commercial development which is integrated within the Community structure and represents good urban design. The Neighbourhood Commercial Areas shall complement the function of higher order commercial areas.

This designation shall apply to either individual or groups of retail commercial and personal service uses serving the daily needs of residents within the immediate neighbourhood. A Neighbourhood Commercial area may consist of one or more

but not greater than six retail commercial or service establishments developed on a site generally having an area of not greater than 0.6 hectares.

b) Permitted Uses

The predominant use of land within the Neighbourhood Commercial designation shall be those retail and personal service establishments of a convenience nature which serve the daily needs of the local residential area. The outside storage of goods and materials shall not be permitted.

In addition to the non-residential uses permitted, limited residential development shall also be permitted where those uses are secondary to the main permitted commercial uses. They shall be in the form of apartments above the commercial component. The residential uses shall be designed to not interfere with or detract from the development and use of the lands for Neighbourhood Commercial.

c) Neighbourhood Commercial Policies

- i) The maximum size of any one retail commercial or personal service establishment within a Neighbourhood Commercial area shall not exceed 235 square metres.
- ii) The siting and design of buildings and ancillary structures, inclusive of the proposed lighting and signs, shall minimize any adverse effects on adjacent residential properties.
- iii) The development of new Neighbourhood Commercial uses shall only be permitted on collector roads, preferably in close proximity to the intersection of two collector roads or the intersection of an arterial road with a collector road. Those uses shall be encouraged to consolidate in nodes with provision for common access points and parking areas to avoid the indiscriminate scattering of neighbourhood commercial uses.

- iv) Adequate buffer planting and screening shall be provided between a Neighbourhood Commercial area and any adjacent residential areas. Buffer planting may include provision for grass strips and the appropriate planting of trees and shrubs to provide spatial separation.
  - v) Adequate off-street parking and loading areas shall be provided and access to those areas shall be designed to minimize the danger to vehicular and pedestrian traffic.
  - vi) In considering an application for the development of a new Neighbourhood Commercial Area, the Township shall have regard for the location of the site relative to the existing and proposed pedestrian and bicycle pathways.
  - vii) Neighbourhood Commercial areas shall be zoned in a separate category in the implementing Zoning By-law.
- d) Notwithstanding the policies of this section, a 1 hectare site has been designated "Neighbourhood Commercial" on Schedule "A" Land Use Plan in the Lakefield South Development Area to permit the development of a neighbourhood commercial centre to serve the daily needs of the Lakefield South neighbourhood. The neighbourhood commercial centre shall be developed in a plaza format in accordance with a comprehensive site plan approved by the Township. It shall have a maximum gross floor area of 2300 sq. m. The maximum size of an individual retail or personal service establishment shall be 235 sq. m. of gross leasable floor area. Permitted uses shall include retail stores, banks and financial institutions, business and professional offices, personal services and restaurants.

#### **6.3.3.7 - Site Specific Special Policy Area for Lakefield South Development Area**

- a) In response to pressures for development the Township of Selwyn in conjunction with the Otonabee Region Conservation Authority and/or affected/benefiting landowners may prepare a subwatershed study prior to extensive development

occurring in the area. The study shall produce a subwatershed plan which comprises a program of management strategies, measures and actions designed to protect and enhance the subwatershed's natural features and ecological functions, restore those features and functions that have been degraded and guide future development in that subwatershed to ensure the long-term health of the environment is maintained and/or enhanced as those lands are developed.

- b) The subwatershed plan shall identify three categories of lands:

Category 1: Lands Where No Development Shall Be Permitted - where no development shall be permitted due to the existence of significant natural heritage features and functions ie. provincially significant wetlands, habitat of endangered and threatened species, and/or natural hazards to human life and property ie. land subject to flooding, steep slopes or unstable soils;

Category 2: Lands Requiring Further Study - where development may be permitted subject to a development proponent carrying out a site-specific environmental impact study to identify which lands are suitable for development and which lands should be protected from development through the introduction of a protective zoning category in the implementing zoning by-law;

Category 3: Lands Available for Development - where development may be permitted subject to the required planning approvals, but does not require a site-specific environmental impact study.

- c) The site-specific environmental impact studies shall be prepared to the satisfaction of the Township, the Conservation Authority, the Ministry of Natural Resources if applicable and the County in the absence of subwatershed study. The Township in conjunction with the Conservation Authority shall approve the terms of reference for those studies.
- d) Where a subwatershed study has identified Category 2 lands (Lands Requiring Further Study), the area shall be designated as "Site Specific Policy Area - (*area identifier*)", on Schedule "A" to the Official Plan. For a development application that proposes to encroach into Category 2 lands, a site specific Environmental

Impact Study will be required to determine which portion of the lands can be made available for development and which portion is environmentally sensitive and will require protection. The "Site Specific Special Policy Area - (*area identifier*)" shall recognize the extension of uses permitted within the adjacent land use designation into the Site Specific Special Policy Area, where development is permitted. The delineation of development and no-development lands, as determined by the site specific Environmental Impact Study, will be implemented through the implementing Zoning By-law for the municipality.

- e) The Township shall require that the lands identified through the site-specific Environmental Impact Study as being environmentally sensitive and requiring protection shall be zoned in the implementing Zoning By-law in a Conservation/Open Space type zone. Where the lands remain in private ownership, site provisions shall be applied to restrict the placement of main and accessory buildings, pools, fencing and landscaping in that zone. Where required for park/open space purposes, the Township shall request that the buffer lands be dedicated into public ownership as part of the parkland dedication under the *Planning Act*. Lands dedicated for stormwater management facilities shall not constitute a parkland dedication under that act.
  
- f) The extension of uses permitted within the adjacent land use designation to the Site Specific Special Policy Area, shall be permitted where an Environmental Impact Study has determined that there will be no negative impact on the natural heritage features or on the ecological function for which the area is identified, to the satisfaction of the Township, the Conservation Authority, the Ministry of Natural Resources if applicable and the County. The delineation of development and no development lands, as determined by the Environmental Impact Study, shall be implemented through the Zoning By-law for the Municipality.



- g) Development applications within identified vulnerable areas shall be accompanied by a Notice under Section 59(2) of the *Clean Water Act, 2006*, as amended, and the policies of Section 5.7 shall apply.

## **7.0 LOCAL PLAN POLICIES - GENERAL DEVELOPMENT**

### **7.1 GENERAL PRINCIPLES**

The General Development Policies in this Plan include policies which apply to all designations, and more specific policies which apply to certain land uses which may occur in a variety of designations. The General Development Policies must be read in conjunction with the specific policies set out in Section 6 of this Plan.

### **7.2 GENERAL POLICIES**

**7.2.1** The provision of services and roads to all new developments shall be the responsibility of the land developer through agreements with the host Township. In those cases where services will benefit only a few residents or those residents directly involved, the Township may provide the services under the Local Improvement Act.

**7.2.2** The Townships shall endeavour to provide sufficient areas of public parks and open space areas in designated Growth Centres as well as the designated Hamlet, Rural Settlement and lakeshore areas. A portion of the required park lands may be obtained from the 5% dedication of public lands as set out in Section 50(5) of the Planning Act. A Township may request cash in lieu of the 5% parkland dedication where the area to be subdivided is not of a sufficient area to provide a suitable tract of parkland or where it feels that the collection of cash in lieu is more appropriate, given that such monies shall be used for purchasing or improving suitable park sites or public recreation uses elsewhere. The remainder of the required park lands must be obtained by purchase and the Township should set aside the funds necessary to acquire and maintain the parks.

**7.2.3** All new development shall comply with the Minimum Distance Separation requirements of the Provincial Policy Statement.

**7.2.4** In order to minimize the financial burden placed upon the municipality resulting from the provision of additional roads, lands and services, the Township shall discourage

strip development by encouraging permitted residential, industrial and commercial uses to locate in the designated growth centres.

**7.2.5** For lands within 500 metres of Waste Management Areas, the policies of Section 6.2.18 shall apply.

**7.2.6** Development applications within identified vulnerable areas shall be accompanied by a Notice under Section 59(2) of the *Clean Water Act, 2006*, as amended; and the policies of Section 5.7 shall apply.

**7.2.7** The Township and/or the approval authority may request additional information that it considers it may need when considering development proposals or Planning Act applications. The applicant will be required to pay for the peer review of such studies where applicable. Such information may include, but is not limited to, any of the following:

Servicing Options Report

Hydrogeological studies (see Section 7.4.6)

Engineered Drainage Plan/Storm Water Management

Market Analysis/Justification Study

Traffic Study

Environmental Impact Analysis (see Section 4.1.3.1)

Archaeological Study

Planning Study/Analysis

Natural Resource Analysis (aggregates, mineral non-aggregates, forests, etc.)

Noise Impact Study

Agricultural Land Usage Justification

Impact on Municipal/Other Services

Notice under Section 59(2) of the *Clean Water Act, 2006*, as amended (Section 59 Notice) (see Section 5.7)

### **7.3 MINES AND MINERAL EXPLORATION ACTIVITIES**

- a) Where any mines and mineral exploration activities are to be established, they shall conform to the standards and regulations of the Ministry of Northern Development and Mines and the Ministry of the Environment, and:
  - i) they shall be effectively screened and located as far as possible from direct public view;
  - ii) they shall be set back an adequate distance as set out in the Zoning By-law from any road allowance, from any permanent or seasonal residential property, and from any shoreline;
  - iii) when located in close proximity to hamlets and permanent or seasonal residences, they shall take precautions acceptable to the Township to avoid land use conflicts and to ensure adequate protection of the surrounding natural environment and ground water resources;
  - iv) when depleted or no longer needed, they shall be rehabilitated to reasonable aesthetic, environmental and safety standards acceptable to the Township and the relevant Provincial Ministries.
- b) Mining and mineral exploration activities resulting in building construction, excavation or processing shall be zoned in a separate category in the implementing Zoning By-law.

## **7.4 WATER SUPPLY AND SANITARY SEWAGE DISPOSAL**

- 7.4.1** It is the primary objective of this plan to safeguard environmental protection and to provide an adequate supply of potable water through ensuring that appropriate servicing is promoted and encouraged for new development or redevelopment within the Townships. First consideration shall be given to higher forms of servicing including full municipal or communal servicing for all development. Where not feasible, consideration will be given to private well and septic systems.

It is expected that the Ministry of the Environment will release guidelines in 2008 with regard to sufficient treatment capacity for hauled sewage from private communal sewage services and individual on-site sewage services. Once these guidelines are released it shall be the intent of the County to consider amendments to the Official Plan to be consistent with the Sewage and Water policies of the Provincial Policy Statement.

- 7.4.2** Where appropriate, an investigation of servicing options shall accompany all subdivision and Official Plan amendment proposals to ascertain the most appropriate form of servicing to foster environmental protection. The servicing options investigation shall consider the assimilative capacity of the ground water for surface water to absorb effluent without adversely impacting the natural environment.

Where development is being proposed on full municipal services, the Township shall ensure that there is sufficient uncommitted reserve capacity in its water and sewage facility to service new development on municipal services prior to draft approval of a plan of subdivision or condominium.

- 7.4.3** Where full municipal servicing is appropriate, the host township shall own and operate the water and sewage facilities. Where communal servicing is appropriate for multi-lot single detached permanent residential development and where the servicing is separate from or not connected to an existing municipal water and sewage system, the host township shall own and operate the water and sewage facilities. Where communal

servicing is appropriate for condominium or mobile park development of a permanent nature, a responsibility agreement is required between the township and the developer requiring that the township to assume responsibility for the water and sewage systems in the event of default. Where development is not for permanent residential, permanent condominium or permanent mobile parks, the developer/owner may own, operate and manage the servicing system(s) without a responsibility agreement.

- 7.4.4** Unless on full municipal piped services or approved communal services, industrial and commercial uses should be restricted to those of a dry nature only with water being only necessary for the domestic use of employees. Those uses not requiring the use of waste water, washing, processing, heating or cooling water for operational purposes will be permitted on private services. Industrial and commercial uses requiring water other than for domestic purposes for employees shall only be permitted if it can be shown that such proposed use can exist without seriously affecting the water supply (quality and quantity) of water users in the area. In this regard, a hydrogeological study undertaken in accordance with MOE Guidelines will be required to determine the acceptability of the proposed use.
- 7.4.5** Prior to approving a subdivision, condominium or any development requiring a large communal septic system, the Township or County shall require a detailed hydrogeological study to determine on-site soil and groundwater conditions; to determine if soils can suitably accommodate a septic system; and to determine if the proposed septic system and wells will have any negative impacts on surrounding uses.
- 7.4.6** Where a detailed hydrogeological study is required, it shall be undertaken in accordance with the MOE Guidelines by a qualified professional and shall consist of a detailed description of the nature, topography, stratigraphy and drainage characteristics of the surface materials based on an analysis of grain size and test pit information, and of chemical and bacteriological water quality tests. Particular emphasis shall be placed on

distinguishing poorly drained soils from well drained soils and of identifying areas subject to periodic flooding.

- 7.4.7** Where the proposed development is a single detached residence on a lot created by consent, the Township may accept, in lieu of a detailed hydrogeological study, a certificate of approval for the septic system or official report regarding site suitability from the local Health Unit, and when deemed necessary, such information shall be accompanied by a well driller's report.
- 7.4.8** Proposals requiring large communal septic systems shall be assessed according to the Ministry of the Environment's "Reasonable Use Concept" which determines the suitability of a proposal by comparing projected rates of water use to the availability of groundwater and the ability of the soil to accommodate septic effluent. Proposals on unsuitable sites, or proposals which may impact negatively on surrounding uses will not be permitted.
- 7.4.9** Communal systems serving more than one use may be permitted in residential condominium and apartment developments and trailer parks, provided that they conform to the Ministry of the Environment standards and are subject to a development agreement setting out the basis for the system operation and maintenance.
- 7.4.10** The local Health Unit, under the Health Protection and Promotion Act, and the Building Code Act, as amended, may require property owners to upgrade or replace existing sewage disposal systems which do not meet Ministry of Housing and Health Unit standards where system is unsafe.
- 7.4.11** Planning approvals shall not be given to proposed land uses dependent upon large sewage systems (more than 10,000 L/day) such as wastewater treatment plants, communal septic systems and some types of industrial sewage treatment systems where they would constitute a significant threat. Exceptions to this policy may be made where all of the following conditions are met:

- a) The proposed system is intended to replace an existing sewage system;
- b) The proposed system would be more protective of drinking water; and
- c) The Ministry of Environment and Climate Change is satisfied that the system is not a significant drinking water threat.

#### **7.4.14 Partial Services**

Partial services shall only be permitted where necessary to address:

- a) failed individual on-site sewage services and individual on-site water services in existing development; and
- b) within settlement areas, to allow infilling and rounding out of existing development on partial services provided that:
  - i) the development is within the reserve sewage system capacity and reserve water capacity; and
  - ii) site conditions are suitable for the long term provision of such services.

#### **7.4.15 Special Servicing Policies for Bridgenorth**

- a) Servicing policies outlined in Section 7.4 of this Plan shall also apply in Bridgenorth. Where communal servicing is not feasible, a detailed hydrogeological study, undertaken by a qualified professional engineer shall determine the minimum lot size.
- b) Water Supply

Where contamination of individual wells is a problem and remedial measures are not satisfactory, the Township shall initiate studies to alleviate the problem. If required, the provision of a municipal water supply system shall not require an amendment to this Plan.



c) Sewage Disposal

All sewage disposal within the Community shall be in accordance with the requirements of the Ministry of the Environment and shall require a certificate of approval from the Health Unit.

d) Stormwater Management

The provisions in Section 7.5 of this Plan shall apply to all developments within Bridgenorth.

e) The Township shall enter into agreements with developers as a condition of approval of a plan of subdivision to ensure that the required internal and external services are provided by the developer to the standard of the Township.

## **7.5 STORMWATER MANAGEMENT**

**7.5.1** Prior to approving any development proposal the Township, in consultation with the appropriate authority, shall be satisfied that adequate storm drainage to a suitable outlet is provided.

**7.5.2** For any major development proposals within the Township, including plans of subdivision, runoff from the development shall be minimized and the impact of any proposed development on local and area-wide drainage patterns shall be identified. In addition, stormwater management plans are required by the Ministry of Transportation for all development that abuts or impacts upon a provincial highway prior to any development and/or grading being undertaken on the site. A suitable method of handling surface runoff shall be developed and implemented as a condition of approval according to the following policies:

a) Preference shall be given to those developments which incorporate methods of reducing or eliminating surface runoff.

- b) The retention of existing tree cover or natural vegetation and the provision of significant grassed and natural areas shall be encouraged to facilitate absorption of surface water into the ground.
- c) Developments which could have a significant impact on surface drainage shall provide comprehensive drainage plans showing methods of surface water disposal and any impacts on adjacent or affected properties.
- d) No Official Plan or Zoning By-law Amendment shall be approved if the proposed development would have a significant adverse impact on surface drainage, flooding, water quality or erosion of soils.
- e) Prior to approving an Official Plan Amendment, Zoning By-law Amendment or entering into a site plan agreement, the Township shall ensure that the proposal has been reviewed by the appropriate authority, to determine the degree to which the proposal meets the above policies. In reviewing the proposal, the authority may recommend additional specific requirements on a case by case basis.

**7.5.3** The Township shall encourage the establishment of reasonable criteria for storm water management to assist in the review of all development plans. For designated growth centres the Townships may require the development of master drainage plans. A master drainage plan is a comprehensive plan for handling storm water run-off for the whole or part of the watershed. The master drainage plan will provide policies for the management of storm water quality and quantity in order to control flooding, erosion, sedimentation, and pollution; and will ensure that a coordinated approach is adopted for the planning and approval of new development in accordance with sound storm water management principles. The following policies shall apply in developing and implementing a master drainage plan:

- a) A master drainage plan may be required by the Township prior to approval of a large scale development proposal.

- b) The Township shall consult with the Ministry of Environment, the Ministry of Natural Resources, the Conservation Authority, and the Trent Severn Waterway, if a proposal is adjacent to any waterbody where these agencies have jurisdiction and have particular regard to the proportion of the affected watershed that has already been developed, or is under draft plan approval or subdivision registration, in determining whether a master drainage plan is required for a particular area. Generally, the master drainage plan will apply to designated growth areas where little or no development currently exists.
- c) Prior to the preparation of a master drainage plan, the terms of reference shall be reviewed by the Township in consultation with the appropriate authorities, (ie: Conservation Authority, Ministry of the Environment, the Ministry of Natural Resources and the Trent Severn Waterway), if required.
- d) Master drainage plans shall, when completed, be reviewed by all relevant agencies.
- e) Once a master drainage plan has been approved by the Township and adopted for a watershed, proposals for plans of subdivision, and new industrial and commercial development shall include a storm water design plan, showing layout of ditches, drainage channels, and retention ponds, in conformity to the requirements of the master drainage plan. In the case of plans of subdivision, this information will form part of the package required for final approval.
- f) Storm water design plans shall be reviewed by the agencies listed in subsection c), prior to issuing final approval of the subdivision.
- g) In cases of new industrial and commercial development, the storm water design plan shall form part of the information submitted for site plan review.
- h) The extent and type of information required in the storm water design plan shall be set out in the master drainage plan.

**7.5.4** For development proposals located within a vulnerable area, and which require the construction of roads, other impervious land surfaces used for vehicular traffic and parking, and including impervious pedestrian paths, consideration shall be given to design strategies and alternative surfacing which minimizes the amount of impervious surface area.

Parking area design that minimizes the amount of impervious surface area to which road salt may be applied is encouraged.

Grading, maintenance activities and drainage designs that reduce ponding and direct any run-off outside of vulnerable areas, where possible, are encouraged.

## **7.6 SITE RE USE - ASSESSMENT**

**7.6.1** Sites which may be contaminated should be identified in advance of development proposals. Where sites have been identified as being potentially contaminated, a site analysis (Record of Site Condition) shall be prepared by a qualified engineering firm on behalf of the developer prior to accepting an application for development or redevelopment to determine the nature and extent of contamination.

**7.6.2** All sites identified which may be contaminated must be investigated thoroughly and a clean-up plan prepared in accordance with Ministry of the Environment policies and guidelines prior to approval in principle being granted. A legally binding commitment to implement the clean-up plan will also be required.

**7.6.3** Mandatory filing of a Record of Site Condition in the Registry is required for the change of use of a property from industrial or commercial to residential or parkland. Phase I Environmental Site Assessments (ESAs) should be carried out at sites which may be contaminated and Phase 2 ESAs should be completed, both by a qualified person, if

required. Clean-up of contaminated sites should be done in accordance with the Record of Site Condition Regulations (O. Reg 153/04) and with MOE guidelines “Record of Site Condition – A Guide on Site Assessment, the Clean-up of Brownfield Sites and the Filing of Records of Site Condition” dated October 2004 or associated guidelines. Council may also request the filing of a record of site condition when reviewing planning applications for redevelopment that may be contaminated but do not require mandatory filing.

- 7.6.4** Existing building stock and brownfield sites shall be identified and promoted for intensification and redevelopment. Availability of suitable existing and planned infrastructure and public service facilities required to accommodate projected needs should also be considered.

## **7.7 LAND USE COMPATIBILITY**

- 7.7.1** It shall be a policy of this Plan to maintain compatibility between sensitive land uses and facilities such as active waste disposal sites, industry, commercial, sewage treatment plants, and aggregate activities. Measures including land uses separation shall be provided between incompatible land uses in accordance with the guidelines of the Ministry of the Environment. Distances will vary depending on the nature of the facility and the intervening land uses. Separation distances are recommended as an adequate means to reduce the adverse impacts of offensive odours, noise, and dust. The greater the scale and intensity of the facility, the greater will be the distance required. The plan also recognizes that land use separations should be applied reciprocally to new sensitive land use encroaching on existing facilities.
- 7.7.2** Future waste disposal sites within the meaning of Part V of the Environmental Protection Act that require Ministerial approval are prohibited where they would be a significant drinking water threat, except a PCB waste destruction unit where that unit will be used for the sole purpose of the on-site destruction of PCB waste that originated on that site.

## **7.8 DEVELOPMENT ON EXISTING LOTS OF RECORD**

**7.8.1** In the case of existing lots of record which do not meet the minimum lot area and/or frontage requirement of the Zoning By-law, and subject to the discretion of the Township, development may be permitted provided:

- a) the lot meets the sewage disposal requirements of the Health Unit, and
- b) the lot is to be used in accordance with the relevant land use category of the Official Plan,
- c) the lot satisfies the requirements of the Conservation Authority or relevant authority with respect to floodplain management practices
- d) the lot meets the other lot provisions of the Zoning By-law, or if not, a minor variance or rezoning is successfully obtained for such deficiency
- e) the use complies with the Source Water Protection policies of Section 5.7

## **7.9 CRITERIA FOR ASSESSING OFFICIAL PLAN AMENDMENT APPLICATIONS**

Amendments to Land Use Schedules are required to permit the establishment of areas for uses other than those identified on the schedules. Amendments to policies for specific situation may also need to be considered. In considering an Amendment, the Township shall have regard to the following criteria:

**7.9.1** The need for the proposed use.

**7.9.2** The extent to which the existing designated areas in the proposed categories are developed, and the nature and adequacy of such existing development.

**7.9.3** The physical suitability of the land for such proposed use, and in the case of lands exhibiting a potential hazard (i.e. Environmental Areas), consideration shall be given to:

- a) the existing environmental and/or physical hazards and opportunities;
- b) the potential impacts of these hazards; and,
- c) the proposed methods by which impacts deemed to be significant may be overcome in a manner consistent with accepted engineering techniques and resource management practices in consultation with the Conservation Authority, where appropriate;
- d) the anticipated impacts of the proposed use on the natural environment.

**7.9.4** The location of the area under consideration with respect to:

- a) the adequacy of the existing and proposed highway system and municipally owned and maintained roads in relation to the development of such proposed areas;
- b) the convenience and accessibility of the site for vehicular and pedestrian traffic and the traffic safety in relation thereto;
- c) the adequacy of the potable water supply, sewage disposal facilities, and other municipal services in view of the policies contained in Section 7.3 of this Plan and in accordance with technical reports or recommendations which the Township shall request from any appropriate authority such as the Ministry of the Environment and the Peterborough Health Unit deemed advisable; and
- d) opportunities for the protection and enhancement of the natural environment.

**7.9.5** The compatibility of the proposed use with uses in adjoining areas.

**7.9.6** The effect of such proposed use on the surrounding area regarding possible depreciation of adjacent properties.

**7.9.7** The potential effect of the proposed use on the financial position of the Township.

**7.9.8** Consideration of the soil capability for agriculture and the potential impacts on surrounding agricultural uses and operations.

**7.9.9** Where the proposal involves taking prime agricultural land out of production the planning justification requirements of the Provincial Policy Statement shall be addressed.

Limited non-residential uses may be permitted subject to demonstrating:

- 1) the land does not comprise a specialty crop area;
- 2) there is a demonstrated need within the planning horizon provided for in policy 1.1.2 of the Provincial Policy Statement for additional land to be designated to accommodate the proposed use;
- 3) there are no reasonable alternative locations which avoid prime agricultural areas; and
- 4) there are no reasonable alternative locations in prime agricultural areas with lower priority agricultural lands.

Where the proposal involves a settlement area expansion into prime agricultural areas, a municipal comprehensive review shall also be required.

**7.9.10** The Minimum Distance Separation requirements of the Provincial Policy Statement shall be met for new uses being proposed in proximity to existing livestock facilities.

**7.9.11** Demonstration of how the proposal conforms to the Provincial Growth Plan.

**7.9.12** In the case of lands within identified vulnerable areas, demonstration of how the proposal conforms to the policies of Section 5.7 where applicable.

## **7.10 SECONDARY PLANS**

Where expansions to designated urban areas are proposed in order to facilitate development, Secondary Plans shall be prepared in accordance with the policies of this Plan in addition to a municipal comprehensive review. The Secondary Plan shall indicate



the future land use pattern including the location and extent of community facilities, community and neighbourhood parkland and open space areas, the location and extent of areas to be developed for neighbourhood commercial purposes, the distribution and mix of housing types, the overall density of development and the location of collector roads. In addition, the Secondary Plan shall indicate the method, extent and staging of municipal services and storm water management.

Secondary Plans shall be adopted as an Amendment to this Plan in accordance with the provisions of Sections 21 and 17 of The Planning Act, S.O., 1983, as amended. The Secondary Plan shall be sufficiently flexible to permit minor deviations and adjustments in land use boundaries, road alignments and density, provided the general intent of the Plan is maintained.

## **7.11 ZONING BY-LAWS**

### **7.11.1 Conformity with the Official Plan**

The Townships shall amend their Zoning By-laws to establish development standards and control growth in their municipalities in conformity with the policies of this Plan. Until such time that the Zoning By-laws can be amended to bring them into conformity with this Plan or be repealed to allow a new By-law to be enacted, the existing Zoning By-laws shall remain in effect.

### **7.11.2 Existing Non-Conforming Uses**

Any land use existing at the date of approval of this Plan that does not conform with the land use designations as shown on the Land Use Schedules or the policies related thereto, as a general rule, should cease to exist in the long term. Notwithstanding any provision of this Plan to the contrary, this Plan is not intended to prevent the continuation, expansion or enlargement of existing uses which do not conform with the designations or provisions of this Plan. It shall be the policy of this Plan that where an existing land use is not designated in this Official Plan, the Township may recognize the use of that land,

building or structure for the purpose for which it was legally used at the date of adoption of this Plan and thereby provide for the continuation, expansion or enlargement of that existing use in accordance with the following:

- a) the continuation, expansion or enlargement of any land, building or structure does not result in any adverse effects on the use of adjacent lands or the implementation of the provisions of this Plan.
- b) In considering an application for an amendment to the implementing Zoning By-law, the Township shall consider within the context of this Plan the feasibility and desirability of the municipality acquiring the lands and holding, selling, leasing or redeveloping the property in accordance with the provisions of this Plan. Consideration should also be given to the possible relocation of the legal non-conforming use to a designated or zoned location where it would be allowed to continue, expand and enlarge adjacent similar and compatible uses in accordance with the intent of this Plan.
- c) It shall be the policy of this Plan that where an application for an amendment to the implementing Zoning By-law is made in accordance with the provisions of The Planning Act to allow for the continuation, expansion or enlargement of any land, building or structure for a purpose which legally existed as of the date of adoption of this Plan, but which is not recognized in this Plan or the implementing By-law, the Township shall have regard to the following matters prior to the adoption of the By-law:
  - i) the proposed extension or enlargement of the established use will not adversely affect the implementation of the policies of this Plan and that the general intent and purpose of the Plan are maintained;
  - ii) the proposed extension or enlargement is in proportion to the size of the use as it existed at the date of enactment of the implementing By-law;

- iii) the proposed extension or enlargement is compatible with surrounding uses in terms of noise, vibration, fumes, heat radiation, smoke, dust, odours, or other similar offensive characteristics;
  - iv) site planning and design will minimize the effect of the proposed extension or enlargement on adjacent conforming uses, and, where necessary, adequate spatial separation, buffer planting, screening and fencing are provided to afford adjacent conforming uses a degree of protection from any offensive characteristics; and
  - v) the use will not result in increased traffic volumes through residential areas, that adequate off-street parking and loading facilities are available and that ingress and egress points to and from the site are designed to minimize the danger to both vehicular traffic and pedestrian movements.
- d) It shall be the policy of this Plan that the Township notify all property owners within the affected area in accordance with The Planning Act, to solicit their views on the extension or enlargement of such existing uses.
- e) The Township shall not pass an amendment to the implementing Zoning By-law to permit the extension or enlargement of any land, building or structure used for any purposes prohibited by the By-law pursuant to the provisions of The Planning Act until it is satisfied that the extension or enlargement will not have any adverse effects on adjacent land uses nor the implementation of this Plan.

### **7.11.3 Holding Provisions**

The Township may incorporate Holding Provisions in the Zoning By-law pursuant to the provisions of The Planning Act.

A holding zone may be applied under any or all of the following circumstances:

- a) when development or redevelopment is anticipated in accordance with the provisions of this Plan, but where the details of that development have not been determined;
- b) when municipal services ie. water treatment and/or distribution, sanitary sewage treatment and/or collection, road access, etc. is not adequate to support the ultimate use but those services are to be provided at a later date in accordance with this Plan;
- c) when the Plan provides for phasing of development or redevelopment;
- d) when lands are affected by adverse environmental effects or other constraints on development which can be resolved to the Township's satisfaction; and
- e) when the development of land requires a development agreement, the Holding Provisions may be used until such time as the appropriate agreement is completed and registered on title.

Lands contained within the Holding Zone category shall be indicated on the Zoning By-law Schedule by the utilization of the letter (H) immediately after the specific zone symbol. The Holding Symbol "(H)" may be removed by the passing of an amending by-law by the Township. The Township shall be guided by the following criteria when considering the removal of a holding symbol:

- a) the lands have been or will be provided with adequate services to service the proposed development of the lands;
- b) all necessary financial and servicing requirements have been met;
- c) all necessary subdivision or development agreements have been entered into and that conditions of those agreements have been or will be met;
- d) the development is consistent with the other provisions of this Plan.

No development of lands affected by a holding provision shall be permitted and the Township shall not remove the Holding Symbol until the proposal has been approved by all relevant County and Provincial agencies and the necessary agreement(s) have been registered on title. In the interim period until the Holding Provision is removed, the uses permitted shall be restricted to those existing as of the date of adoption of this Plan and public uses and utilities.

#### **7.11.4 Temporary Use By-laws**

The Township may pursuant to the provisions of The Planning Act pass by-laws to permit the temporary use of lands, buildings or structures provided that the following requirements are complied with:

- a) the proposed use generally conforms with the intent of this Official Plan;
- b) the proposed use fulfils reasonable planning standards;
- c) the proposed use is compatible with surrounding land uses and activities;
- d) the size of the parcel of land or building to be used is appropriate for the proposed use;
- e) services such as water supply, sewage disposal and road access are sufficient; and
- f) the temporary uses or activities do not result in a hazardous condition for either vehicular or pedestrian traffic and that the relevant parking area requirements are met.

The Township may pass subsequent by-laws to a temporary use by-law granting extensions of up to three years. However, once the subsequent by-law has lapsed, the use permitted by the by-law must cease and if the use continues it will be viewed as an illegal use in regard to the implementing Zoning By-law.

### **7.11.5 Height and Density Bonus Provisions**

Pursuant to provisions of the Planning Act, the Township may, in a Zoning By-law, authorize increases in the height and density of medium density residential development, otherwise permitted by the by-law, that will be permitted in return for the provision of facilities, services or other matters that are set out in the zoning by-law. The Township's objectives in authorizing increases in height or density are:

- a) to encourage the provision of rental housing;
- b) to encourage the preservation and conservation of buildings or structures of historical, contextual or architectural merit;
- c) to encourage the protection of natural features;
- d) to encourage the provision of parkland above and beyond that required through the provisions of this Plan;
- e) to encourage the provision of unique urban design features above and beyond the requirements of this Plan; and
- f) to encourage the provision of day care and other public or quasi-public facilities.

A site-specific Zoning By-law will establish detailed development standards that would apply when a bonus is awarded and the relationship between those standards and the conditions which must be met, if the bonus standards are to apply.

In granting the height and density bonus, the Township may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services or other matters to be provided.

The maximum residential density and height permitted through the bonus provisions may exceed that which is permitted in the Official Plan. However, no residential development may be granted bonus density in excess of 20 percent beyond the maximum density

permitted in the Zoning By-law nor may a bonus in height be granted in excess of 1 storey.

#### **7.11.6 Interim Control By-laws**

The Township may pass Interim Control By-laws in accordance with the provisions of The Planning Act to control the use of lands and buildings within designated areas of the Township until such time as studies required by the municipality to assess planning and engineering issues are prepared and approved. The By-law may specify a time period (which shall not exceed one year) prohibiting the use of land, buildings and structures, except for those purposes as set out in the By-law.

In the event that the review or study related to an Interim Control By-law has not been finalized within one year, the Township may amend the Interim Control By-law in order to extend the period of time for which it is in effect, provided the total period of time it is in effect does not exceed two years from the day of passing of the Interim Control By-law.

If the Township has not passed a by-law under The Planning Act subsequent to the completion of the study within the period of time specified in the Interim Control By-law, the provisions of any zoning by-law passed under the Act that applied to the subject lands immediately prior to the coming into force of the Interim Control By-law again come into force.

#### **7.12 CRITERIA FOR ASSESSING CONSENT APPLICATIONS**

Land development, particularly residential, shall wherever possible and practical, occur by registered plan of subdivision. Where a plan of subdivision is not necessary for proper and orderly development, an application for consent to a land severance may be considered by the consent granting authority in accordance with the Planning Act and the policies of this Plan. In assessing the suitability of an application for a consent, the

consent granting authority, being the County of Peterborough, shall have regard for the following considerations:

- 7.12.1** Except for the enlargement of an existing lot, creation of a right-of-way or easement and the validation/correction of title, or as otherwise stated in this plan including the policies of 2.6.3.1, a consent shall only be granted where the proposed lot fronts upon an improved public street or road, which is maintained year-round, and which is of a reasonable standard of construction. The County, when considering an application for consent, may request a report from the appropriate road authority. Direct access from major roads should be restricted, and residential lots should, where possible, have access only from internal or minor roads.
- 7.12.2** Unless otherwise prohibited by this Plan and notwithstanding Section 7.12.1, a consent for a seasonal cottage lot shall only be granted if it fronts onto a public road or access is possible either by water or private right-of-way. However, in the Township of Douro-Dummer, permanent single detached dwellings may also be permitted on private roads and deeded right-of-ways subject to the provisions of the Township Zoning By-law.
- 7.12.3** The proposed consent shall not jeopardize any future plans for a comprehensive residential development of the surrounding area.
- 7.12.4** All residential consents shall conform to the appropriate regulations for residential uses established in the implementing Zoning By-law.
- 7.12.5** No consent shall be permitted which would impede access to interior portions of existing lots, or create landlocked parcels of land.
- 7.12.6** A consent that facilitates infilling in an existing built-up area shall be encouraged.
- 7.12.7** The Township shall consider the impact of a proposed consent on the Municipality's financial status. All proposals should be reviewed to determine if they would require the extension or upgrading of roads, or the extension of any municipal service needed to



facilitate the proposed development, and the extent to which this would impact on the municipality's financial statement. Development charges should be sufficient to offset any negative financial impacts of proposed developments. Where necessary, dedications for road widenings or reserves shall be required as a condition of approval across the frontage or other yards of all proposed lots.

- 7.12.8** Consideration shall be given to the compatibility of the proposed residential lot with adjacent land uses and traffic patterns. Where the proposed development is not considered compatible with adjacent or adjoining land uses, or if surrounding traffic patterns would conflict with the proposed use, a consent should not be granted.
- 7.12.9** A consent shall not be granted where, due to the development of the proposed lot, a traffic hazard would be created or the development would worsen an existing traffic hazard as a result of limited sight lines, curves or grades.
- 7.12.10** A consent shall only be granted where adequate services are presently available or where the Township, County or other Provincial Agency is able to provide the necessary services such as fire protection, school facilities and busing, police protection, and other services or utilities as required. If the Township or other public agency advises that the approval of a consent may have an adverse effect on its plans or programs, the application should be denied.
- 7.12.11** The creation of lots fronting on and having direct access to a Provincial Highway or County Road should generally be discouraged where an alternative access is available from a Township Road. A consent shall not be granted where the consent does not comply with the policies of the applicable road authority.
- 7.12.12** All consent applications, where applicable, shall be reviewed by the Peterborough City-County Health Unit to determine suitability for septic systems and wells.
- 7.12.13** A sketch plan of the proposed development shall be submitted in support of the application for consent. The sketch plan shall be drawn to indicate the true dimensions

of the lot, the proposed location, floor area and dimensions of any building or structure proposed on the lot, the dimensions of any yards, setbacks and landscaped open space on the lot, the location of the proposed water supply and sewage disposal system and the location of all existing buildings or structures adjacent to the lot which is being severed.

**7.12.14** In cases where the total number of consents from a lot proposed at one time or at separate times is greater than 2 in total, or if a proposed development will require internal public roads, the development shall proceed by plan of subdivision, in accordance with Section 7.13 of this Plan.

Notwithstanding this policy, in the Township of Douro-Dummer a maximum of 5 lots may be created by consent from a land holding in the Hamlets identified on Schedule A4-1, A4-2, and A4-4

**7.12.15** Lots shall be a suitable size and shape for the proposed use. For a consent in the Rural Component, a hydrogeologic study may be required to confirm the adequacy of a proposed lot in terms of potable water supply and suitability for sewage disposal. Generally, the depth of the lot should not be greater than twice the width of the lot.

**7.12.16** One application for consent shall not create more than two lots; those being the severed and the retained lots. The lot to be severed shall be an existing lot of record that existed in:

- i) Selwyn: January 1, 1978
- ii) North Kawartha: January 1, 1990
- iii) Asphodel-Norwood: August 1, 1983
- iv) Douro-Dummer: A parcel of land will be eligible for consent if it has been recorded as a separate parcel in the Land Registry Office for a minimum of 25 years prior to the date of severance application.

If the boundaries of a lot as they existed on the dates cited above have changed as a result of a lot addition, the lot shall be considered as still being a legal parcel of land as of the date referenced above.

- 7.12.17** The Township shall have regard for high potential aggregate resource areas and existing aggregate operations and the compatibility of the proposed development with these areas in accordance with Section 6.2.13 of this Plan.
- 7.12.18** The Township shall have regard for the compatibility of the proposed development with adjacent environmentally sensitive or hazard areas as designated in this Plan.
- 7.12.19** Where evidence is available that a consent will create a lot where the only buildable area is susceptible to flooding or erosion or any other natural hazard, the application shall not be granted.
- 7.12.20** The consent granting authority may attach other conditions as may be authorized under the Planning Act, including but not limited to the following:
- a) the dedication of land to the Township, County or Ministry of Transportation for road widening purposes;
  - b) the dedication of land to the Township for park purposes or alternatively, the payment of cash-in-lieu of such dedication as may be accepted by the Township; and
  - c) the submission of a registered reference plan to the consent granting authority prior to the consent being finalized.
- 7.12.21** Applications for technical severances including easements, severances for lot additions/adjustments, severances for land assembly which facilitate development by plan of subdivision, correction/validation of title and rights-of-way are not necessarily subject to the policies contained herein and shall be evaluated based on site specific considerations. Except for properties located the Prime Agricultural designation,

existing lots that merged inadvertently due to common ownership may be separated to reflect the original lot configuration provided the subject property is still in the same ownership as when such merging occurred. These technical severances do not necessarily represent the creation of a new lot when considering the number of new lots that can be created by consent from a land holding.

- 7.12.22** Consent applications within identified vulnerable areas shall be accompanied by a Notice under Section 59(2) of the Clean Water Act, 2006, as amended, and must conform to the policies of Section 5.7 where applicable.

### **7.13 CRITERIA FOR ASSESSING PLANS OF SUBDIVISION/CONDOMINIUM**

In assessing proposals for residential development by plan of subdivision or condominium, the Township shall have regard for the following considerations:

- 7.13.1** The proposed development is compatible with the existing scale of development in the area.
- 7.13.2** The proposed development is compatible with the Conservation Authority's regulations.
- 7.13.3** Access roads have the capability to support the additional traffic loads anticipated from the proposal and will be constructed to standards determined by the Township. Where upgrading and additional maintenance may be required, the Township shall assess the financial impact of these additional expenditures and may levy fees to offset these costs.
- 7.13.4** If an investigation of servicing options as outlined in Section 7.4 indicates that neither municipal nor communal servicing is feasible, lots shall have sufficient area so that a private well for water supply can be located without danger of contamination by the sewage system, and so that a serious draw down of groundwater levels beyond the boundaries of the lot itself can be avoided.

- 7.13.5** Where full municipal services are not available, the Township shall require the submission of a detailed hydrogeological report as per Section 7.4.6 which addresses the ability of the site to sustain residential development on the basis of private services. Minimum lot area standards will be established in the implementing Zoning By-law.
- 7.13.6** All lots should have frontage on an interior road, developed to municipal standards. Lots having direct access onto arterial roads shall generally not be permitted.
- 7.13.7** As many trees as possible shall be preserved, particularly mature and healthy stands of trees, and reforestation shall take place where necessary.
- 7.13.8** Where the existing topography and/or vegetation provides little or no protection to arterial roads, a buffer strip, according to the requirements of the implementing Zoning By-law, shall be provided in order to screen dwellings from passing traffic and to create as much privacy and enclosure as possible.
- 7.13.9** Any proposed plan of subdivision or condominium must not landlock any other parcel of land, and should be designed to allow for the integration of future residential development in the area.
- 7.13.10** The proposal shall be adequately served by existing levels of municipal services such as fire protection, police protection, garbage collection and school facilities. Any proposal requiring substantial upgrading to existing services beyond the present financial capability should generally not be permitted.
- 7.13.11** Residential subdivision or condominium developments shall be encouraged to locate in designated growth centres as identified on the Land Use Schedules however it is recognized that shoreland areas may also be suitable for limited development of this nature. Where possible, but especially for development on full services, mixed-use developments, narrowing of streets, reducing parking requirements, incorporation of pedestrian walkways/linkages, open spaces, variations of lot sizes, unit types, and a mix of storefront retail and residential zoning are encouraged in order to ensure more

complete and livable neighborhoods for residents. Smaller driveways, wider sidewalks, curbside parking and narrower streets are also encouraged.

- 7.13.12** The Township shall enter into a development agreement with each developer as a condition of the approval of a plan of subdivision or condominium. This agreement will set out the internal and external services which the Township will require the developer to provide.
- 7.13.13** The developer may be required to provide background information to the Township showing that there is a need for the development in its proposed location.
- 7.13.14** The Township shall have regard for high potential aggregate resource areas and existing aggregate operations and the compatibility of the proposed development with these areas in accordance with Section 6.2.13 of the Plan.
- 7.13.15** The Township shall have regard for the compatibility of the proposed development with designated environmental areas.
- 7.13.16** In the Seasonal Residential and Lakeshore Residential designations where backlot development is permitted by plan of subdivision or vacant land condominium, the following shall apply: There shall be a maximum of 15 backlots per development and that a minimum common shoreline frontage be held in one continuous parcel of 45 metres or 10 metres for every lot not fronting on the water whichever is the greater. In addition, communal recreational facilities such as a dock for use by the subdivision/vacant land condominium residents on common shoreline frontage shall be provided where appropriate and approved by the authority having jurisdiction for such docking facilities. Developments requiring a variation from the number of lots or from the common water frontage requirement will require an amendment to this plan.
- 7.13.17** Development applications within identified vulnerable areas shall be accompanied by a Notice under Section 59(2) of the Clean Water Act, 2006, as amended, and must conform to the policies of Section 5.7 where applicable.

## **7.14 CRITERIA FOR ASSESSING COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL DEVELOPMENT**

In assessing the suitability of an application for a commercial, industrial or institutional proposal, the Township shall have regard for the following considerations:

- 7.14.1** The proposal shall conform to the requirements for the appropriate zone in the implementing Zoning By-law.
- 7.14.2** These uses shall have direct access to an arterial road, collector road or Provincial highway, and should be sited to permit easy and safe access by motor vehicles.
- 7.14.3** The proposal shall be in keeping with the existing size and type of development in the surrounding area. Proposals which will conflict with surrounding uses shall not be permitted unless the applicant can demonstrate to the satisfaction of the Township that the concerns can be overcome.
- 7.14.4** Proposals which will create a substantial increase in traffic along local roads travelling through existing or potential residential areas shall not be permitted.
- 7.14.5** All proposals located adjacent to residential uses shall be separated by a buffer strip, as set out in the implementing Zoning By-law.
- 7.14.6** Adequate off-street parking shall be provided and access points shall be limited in number and designed in a manner which will minimize the danger to vehicular traffic.
- 7.14.7** Advertising and signs shall be strictly limited.
- 7.14.8** Open storage of goods or materials shall be permitted provided storage is suitably screened from adjacent uses and from public view.

- 7.14.9** Commercial and service industrial uses shall be encouraged to locate in nodes, adjacent to existing concentrations of commercial development. Consideration will be given to commercial and industrial uses outside of existing designated areas only if there is a demonstrated need and no appropriate vacant land exists within the designated area.
- 7.14.10** No use shall be permitted which, from the nature of the process or materials used, is declared by the Health Unit to be a noxious trade, business or manufacture, under the Health Protection and Promotion Act, as amended.
- 7.14.11** Permitted uses shall minimize smoke emissions, noise, odours or other forms of pollution. The appropriate standards and requirements of the Ministry of the Environment shall be adhered to and shall be the minimum acceptable standard.
- 7.14.12** Access points to commercial and industrial uses shall be restricted in number and located to avoid any undue conflict with the normal and safe functioning of any adjacent road.
- 7.14.13** The Township shall have regard for high potential aggregate resource areas and existing aggregate operations and the compatibility of the proposed development with these areas.
- 7.14.14** The Township shall have regard for the compatibility of the proposed development with areas designated as Environmental Constraint.
- 7.14.15** Proposed development shall be compatible with the Conservation Authority's water management practices.
- 7.14.16** Development applications within identified vulnerable areas shall be accompanied by a Notice under Section 59(2) of the Clean Water Act, 2006, as amended, and must conform to the policies of Section 5.7 where applicable.



### **7.15 CAPITAL WORKS AND STAGING**

The establishment or extension of capital works related to public projects within the Township shall be in conformity with the provisions of this Plan. The Township shall consider the preparation and adoption, without the necessity of an amendment to this Plan, of a five year capital works program to implement the provisions of this Plan. The program shall be reviewed annually as part of the capital budgeting procedure.

### **7.16 MAINTENANCE AND OCCUPANCY STANDARDS**

The Township may enact a By-law pursuant to The Building Code Act setting out the minimum standards for the maintenance and occupancy or use of property within the Township and for prohibiting the occupancy or use of property that does not conform to established standards. The By-law shall contain provisions for requiring property, which does not conform, to be repaired and maintained in accordance with the prescribed standards, or for the site to be cleared of all buildings, structures, debris, or refuse and left in a graded and leveled condition.

The Township shall, upon the enactment of a Property Standards By-law appoint a Property Standards Committee responsible for the administration and enforcement of the By-law.

Regard shall be had for the following matters in the enactment of the Property Standards By-law:

- a) the physical conditions of yards and passageways including the accumulation of debris and rubbish;
- b) the adequacy of sanitation including facilities for drainage, waste disposal and garbage;
- c) the physical condition of all buildings or dwellings with particular regard to such matters as structural standards and appearance; adequacy of heat, light and

ventilation; condition of stairs, interior walls, ceilings, floors and plumbing facilities and appurtenances; adequacy of electrical services, fire protection, safety and warning devices; and

- d) the physical condition of accessory buildings and the property.

## **7.17 SITE PLAN CONTROL**

### **7.17.1 Designation of Areas**

Pursuant to the provisions of The Planning Act, the entire Townships of Asphodel-Norwood, North Kawartha, Douro-Dummer and Selwyn shall be designated as a Site Plan Control Area.

### **7.17.2 Policies**

In accordance with The Planning Act, applicants for Site Plan Approval may be required to enter into a site plan agreement and provide to the satisfaction of and at no expense to the Township, any or all requirements set out in The Planning Act.

#### **7.17.2.1 Exemptions**

The Township may pursuant to the provisions of The Planning Act enact a By-law to define class or classes of development where development may be undertaken without the approval of plans and drawings. The following classes of development may be exempt from site plan approval:

- a) all farm operations including agriculture and farm related buildings or structures that are utilized in farming operations; agricultural related commercial and industrial operations/uses are not included in this exemption;

- b) single-detached permanent and seasonal dwellings, however, this exemption shall not apply to the following:
  - i) new low density residential development by registered plan of subdivision or condominium situated adjacent to or in close proximity to shoreline and/or environmentally sensitive areas, and
  - ii) new permanent residential dwellings proposed on existing lots of record which front on a constructed roadway which is not maintained as part of the municipal road system;
- c) residential buildings containing less than three dwelling units.
- d) all structures and buildings accessory to and incidental to the above uses including renovations and minor extensions, thereto.

For Extractive Industrial uses, Township Council may require a site plan agreement for the construction, placing, or extension of buildings or structures in association with a pit or quarry. For the purposes of site plan control, Township Council may generally accept a site plan prepared in accordance with the requirements of the Aggregate Resources Act, R.S.O. 1990, modified as necessary as a site plan within the meaning of this Official Plan.

#### **7.17.2.2 – Discretion by Council**

Notwithstanding any of the above exemptions, Site Plan Control and the need for an agreement may be imposed as a condition of Consent in cases where studies are required to address a particular land use concern and recommendations are contained in such report. In addition, where the Township deems Site Plan Control necessary in order to address a specific concern for an exempted use, such may be imposed upon approval by Township Council.

#### **7.17.2.3 – Land Dedication**

Where proposed development is within a designated Site Plan Control Area, the Township may require the dedication of lands to achieve the road allowance to meet Township and/or County right-of-way and sight triangle standards along the frontage of the development as a condition of Site Plan Approval.

Where the existing road allowance abutting lands affected by Site Plan Control is less than the right-of-way width for the designated road classification, the dedication shall consist of one-half of the additional width required in accordance with the road classification provided that the maximum dedication shall not exceed 5 metres in width across the entire frontage of the property.

The Township, at its discretion, may request comments on a Site Plan from a particular body or agency. Where the proposed development abuts a County Road, comments from the County shall be requested.

#### **7.17.2.4 – Submission of Plans and Agreement**

Prior to any development within an area designated as a Site Plan Control Area Council may require one or both of the following:

- i) plans as certified by an Ontario Land Surveyor showing the location of all existing and proposed buildings or structures and all works and facilities to be provided in accordance with Section 41(7)(a) of the Planning Act, R.S.O. 1990 except Part 1;
- ii) drawings as certified by an engineer and/or architect showing plans, elevation and cross section views for each building to be erected, including massing and conceptual design, the relationship of the buildings to adjacent buildings, streets and exterior public areas, and the provision of interior walkways, stairs and elevators, to which the public has access.

As a condition of Site Plan approval, Township Council may require the execution of an agreement between the landowner and the Township to ensure that all buildings, structures, works or matters described above, are constructed and maintained.

## **7.18 LAND ACQUISITION**

The Township may acquire land to implement any feature of this Official Plan in accordance with the provisions of the Planning Act, The Municipal Act or any other act.

In addition, with respect to Source Water Protection, the Township may acquire land located in the most vulnerable areas in consideration of the criteria outlined below:

- a) the nature of any existing and potential future significant drinking water threats;
- b) The availability of the lands for purchase; and,
- c) The availability of funds and financial feasibility.

Such acquisitions must be monitored in accordance with Section 5.7.

## **7.19 OFFICIAL PLAN REVIEW**

It is intended that this Plan will be reviewed from time to time in light of changing conditions and that a Public Meeting and Open House be held not less frequently than every 5 years for the purpose of determining if the Plan needs to be revised.

## **7.20 DAY NURSERIES AND PRIVATE HOME DAY CARE**

**7.20.1** Day nurseries for more than 5 children at any one time shall be a permitted use in community halls, schools, places of worship or buildings specifically designed for day nursery use. New commercial day nursery facilities shall be subject to the criteria set out in Section 7.14 of this Plan. Notwithstanding these provisions, a private home day care for 5 or less children may be carried on within any residential dwelling and regulated as a home occupation through the Zoning By-law. For private home day care facilities, all Building Code issues shall be addressed with regards to Fire and Safety matters.

## **7.21 GROUP HOMES**

**7.21.1** Group Homes shall be permitted in the following designations:

- Rural
- Hamlet (including Growth Centres)
- Rural Settlement Areas

Where a group home is a permitted use it shall be defined as a supervised single housekeeping unit in a residential dwelling for the accommodation persons, exclusive of staff, who by reason of their emotional, mental, social or physical condition or legal status, require a group living arrangement for their well being licensed under government regulations. Group Homes located in Growth Centres should be located in close proximity to the central business area, major transportation roads and community facilities where possible.

**7.21.2** The Township may, in its Zoning By-law, provide the following regulations for group homes:

- a) the maximum number of residents (excluding staff and/or receiving family) in a group home;
- b) a minimum distance between group homes

**7.21.3** For the purpose of the above regulations, Group Homes may be categorized by type. In general, the types shall be established by reference to the appropriate provincial legislation and may form the basis for zoning regulations.

**7.21.4** The Township may pass a by-law providing for the registration of group homes in accordance with The Municipal Act.

## **7.22 BED AND BREAKFAST ESTABLISHMENTS**

**7.22.1** Bed and Breakfast operations shall be permitted in a single detached dwelling and only in certain areas as established in this Plan and in the implementing Zoning By-law. The establishments must be operated by one or more permanent residents of the dwelling house. A maximum number of guest rooms used for the overnight accommodation of the traveling public and parking requirements shall be defined in the Zoning By-law. The operations shall not detract from the character of the area.

## **7.23 ELECTRIC POWER FACILITIES**

**7.23.1** The development of electric power facilities shall occur in an orderly manner to facilitate the efficient and reliable provision of adequate electric power. Electric power facilities shall be permitted in all land use designations without a Plan amendment provided that the planning of those facilities is carried out having regard to the policies of this Plan. The Township shall be consulted regarding the location of any new electric power facilities.

## **7.24 COMMUNITY FACILITIES, PUBLIC USES AND UTILITIES**

**7.24.1** Except for lands designated Environmental Constraint and Prime Agriculture, the development and use of lands for community facilities, public parks and playgrounds shall be permitted in any designation. These uses shall generally be discouraged on prime agricultural lands as defined in Section 6.2.1 of this Plan.

**7.24.2** Public utilities and uses required to service area residents that are normally provided by the Township, or any public authority or utility including any department or ministry of the Government of Canada or Ontario, the Otonabee Region Conservation Authority, Ontario Hydro, the Hydro Electric Commission, any telephone or communication facility, inclusive of cable television distribution facilities, and, a natural gas distribution system shall be permitted in any designation upon consideration that the use is necessary in the proposed location, that due consideration has been given to alternative

locations and, that the public use or utility will be designed to be as compatible as practical with surrounding land uses. Maintenance yards, and public works depots, sewage treatment works, or other similar industrial uses shall only be permitted within the Industrial land use designation.

The Township shall encourage the appropriate public and private agencies to place electric power, telephone lines, multi-use cables and other similar utility services underground wherever it is economically feasible and desirable. In areas of existing development where overhead wires exist, the placing of electric power and communication lines underground shall be encouraged where economically feasible and practicable when major street improvements are undertaken.

Regard shall be had for the nature of existing uses on adjacent lands and the design of public uses. Wherever necessary, measures shall be taken to ensure compatibility with adjacent land uses which may include the provision of adequate buffer planting and landscaping, fencing and screening.

## **7.25 COMMUNITY IMPROVEMENT POLICIES**

### **7.25.1 Purpose**

The Community Improvement provisions of the *Planning Act* allow municipalities to prepare community improvement plans for designated community improvement project areas that require community improvement as the result of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason.

The purpose of the Community Improvement policies in this Plan is to provide a comprehensive framework for the designation of community improvement project areas and the preparation, adoption and implementation of community improvement plans by the Townships that promote the maintenance, rehabilitation, redevelopment and revitalization of the physical, social and economic environment in the Townships.



## **7.25.2 Goals and Objectives**

### **7.25.2.1 Community Improvement Goals**

The goals of community improvement are to:

- a) preserve, rehabilitate and redevelop the existing built environment;
- b) maximize the use of existing public infrastructure, facilities and amenities;
- c) coordinate private and public community improvement activities;
- d) promote development and redevelopment that is sustainable in nature;
- e) guide the setting of priorities for municipal expenditures respecting community improvement projects;
- f) participate, wherever possible, in Federal and/or Provincial programs to facilitate community improvement; and,
- g) reconcile existing land use conflicts and minimize future land use conflicts.

### **7.25.2.2 Community Improvement Objectives**

Community improvement plans may be prepared and adopted by the Townships to accomplish one or more of the following objectives:

- a) maintain and improve municipal services including the water distribution system, the sanitary and storm sewer systems, roads, sidewalks, and street lighting;
- b) maintain and improve the transportation network to ensure adequate traffic flow, pedestrian circulation and parking facilities;
- c) encourage the renovation, repair, rehabilitation, redevelopment or other improvement of lands and/or buildings, including environmental remediation, development, redevelopment, construction and reconstruction of lands and buildings for

- rehabilitation purposes, or for the provision of energy efficient uses, buildings, structures, works, improvements or facilities;
- d) encourage the preservation, restoration, adaptive reuse and improvement of historical or architecturally significant buildings;
  - e) maintain and improve the physical and aesthetic amenities of streetscapes;
  - f) encourage the development of an adequate supply of affordable housing which meets the needs of local residents;
  - g) encourage infill, intensification and redevelopment within existing settlement areas;
  - h) promote and encourage the rehabilitation, re-use and redevelopment of brownfield sites;
  - i) encourage the restoration, maintenance, improvement and protection of natural habitat, parks, open space, recreational and heritage facilities and amenities;
  - j) encourage the eventual elimination and/or relocation of incompatible land uses, and where this is not feasible, encourage physical improvements to minimize the incompatibility;
  - k) encourage activities which contribute to a strong economic base including commercial, industrial, recreational and tourism activity and job creation;
  - l) improve environmental conditions;
  - m) improve social conditions;
  - n) promote cultural and tourism development;
  - o) facilitate and promote community economic development; and
  - p) improve community quality, safety and stability.

### **7.25.3 Criteria for Designation of Community Improvement Project Areas**

**7.25.3.1** A Township may designate by by-law one or more Community Improvement Project Area(s), the boundary of which may be part, or all, of the Township.

**7.25.3.2** For an area to be designated as a Community Improvement Project Area, it must satisfy at least one, and preferably more than one of the following general criteria:

- a) deficiencies in physical infrastructure including but not limited to the sanitary sewer system, storm sewer system, and/or watermain system, roadways, sidewalks, curbs, streetscapes and/or street lighting, and municipal parking facilities;
- b) deterioration or deficiencies in recreational or community facilities including public open space, municipal parks, neighbourhood parks, indoor/outdoor recreational facilities, and public social facilities;
- c) a portion of a community lies within a flood susceptible area or has natural drainage characteristics that require such measures as flood proofing or stormwater management be undertaken to alleviate storm related situations;
- d) the area contains human-made hazards which should be eliminated in order to ensure a greater degree of public safety and to further enhance the community function;
- e) demonstrated problem or deficiency associated with the circulation and/or access of traffic;
- f) a shortage of land to accommodate widening of existing rights-of-way, building expansion, parking and/or loading facilities;
- g) buildings, building facades, and/or property are in need of maintenance preservation, restoration, repair, rehabilitation, energy efficiency or renewable energy improvements, or redevelopment;

- h) vacant lots and/or underutilized properties and buildings which have potential for infill, redevelopment or expansion to better utilize the land base and stabilize and increase economic and community activity;
- i) non-conforming, conflicting, encroaching or incompatible land uses or activities threaten to disrupt the predominant land use and/or economic function of the area;
- j) commercial areas with high vacancy rates and/or poor overall visual quality of the built environment, including but not limited to, building facades, streetscapes, public amenity areas and urban design;
- k) presence of buildings and/or lands of architectural or heritage significance;
- l) known or suspected environmental contamination;
- m) other significant barriers to the repair, rehabilitation or redevelopment of underutilized land and/or buildings; and,
- n) other significant environmental, social or community economic development reasons for community improvement.

**7.25.3.3** Priority for the designation of Community Improvement Project Areas and the preparation and adoption of Community Improvement Plans shall be given to:

- a) existing built up areas;
- b) those areas where the greatest number of criteria for designation of Community Improvement Project Areas are present; and/or,
- c) those areas where one or more of the criteria for designation of Community Improvement Project Areas is particularly acute; and/or,

- d) those areas where one or more of the criteria for designation of Community Improvement Project Areas exists across the entire township or a large part of the township.

**7.25.3.4** Phasing of community improvements shall be prioritized to:

- a) permit a logical sequence of improvements to occur without unnecessary hardship on area residents and the business community in the Townships;
- b) implement those improvements that will most substantially improve the aesthetic, environmental and service qualities of a community improvement project area;
- c) reflect the financial capability of the Townships and the County to fund community improvement projects;
- d) take advantage of available senior government programs that offer financial assistance for community improvement efforts; and,
- e) coordinate the timing of related capital expenditures from various municipal departments with departmental priorities.

**7.25.4 Contents of a Community Improvement Plan**

**7.25.4.1** Community Improvement Plans shall contain the purpose of the plan, goals and/or objectives, a description of the community improvement project area, and a description of all projects and/or programs.

**7.25.4.2** The preparation of a Community Improvement Plan shall meet the minimum requirements of the *Planning Act* for public consultation.

### **7.25.5 Implementation of Community Improvement Plans**

**7.25.5.1** In order to implement a Community Improvement Plan in effect within a designated Community Improvement Project Area, the Townships may undertake a range of actions, including:

- a) municipal acquisition of land and/or buildings, and the subsequent;
  - i) clearance, grading, or environmental remediation of these properties;
  - ii) repair, rehabilitation, construction or improvement of these properties;
  - iii) sale, lease, or other disposition of these properties to any person or governmental authority;
  - iv) other preparation of land or buildings for community improvement.
- b) provision of public funds such as grants and loans to owners and tenants of land and buildings and their assignees;
- c) programs and measures to promote energy efficient development, redevelopment and retrofit projects;
- d) application for financial assistance from and participation in senior level government programs that provide assistance to municipalities and/or private landowners for the purposes of community improvement;
- e) coordination of public and private redevelopment and rehabilitation by providing administrative and liaison assistance;
- f) preparation of a Municipal Housing Statement;
- g) support of heritage conservation and improvement through means available under the *Ontario Heritage Act*;

- h) provision of information on municipal initiatives, financial assistance programs, and other government assistance programs;
- i) continued enforcement of the Zoning By-law, Property Standards By-law and Sign By-law, and other related municipal by-laws and policies; and,
- j) coordinate streetscaping improvements with the installation/upgrading of municipal services, e.g., sewer installation, road and sidewalk reconstruction.

**7.25.5.2** The County may establish programs for the provision of grants and loans to the Townships for the purposes of achieving the goals and objectives specified in Township Community Improvement Plans.

## **7.26 TRANSPORTATION POLICIES**

### **7.26.1 Introduction**

The policies of this section should be read in conjunction with section 5.3 of the County Plan. Recreational trails, where they are known to exist, have been depicted on the Roads Plan Schedule. This is for the purpose of identification only and does not imply a specific level of maintenance since trails are not all owned and/or operated by the same jurisdiction.

#### **7.26.1.1 – Road Network**

##### General Principles

The road network is designed to facilitate the efficient and safe movement of both people and goods to and from the various land uses within the County and to provide for the movement of through traffic. The road network is classified by function to facilitate the planning and implementation of road improvements and maintenance.

The road alignments delineated on Roads Plan Schedules, generally follow the existing rights-of-way. The location of the alignments of proposed roads is approximate and subject to detailed engineering design studies.

#### Functional Classification

It is the policy of this Plan that the roads shall be classified according to their predominant function. The functional classifications are described as follows:

i) Provincial Highways

Provincial highways are designed to carry large volumes of inter-regional traffic at high speeds. These highways are under the jurisdiction of the Ministry of Transportation. Ministry of Transportation permits will be required prior to any construction being undertaken on lands located within the area of permit control of the Ministry of Transportation. The Ministry's area of permit control extends 46m from the highway property line and a radius of 395 m from the centre point of the intersection of a Provincial highway and an intersecting road. Permits are issued beyond the lands of a property abutting the highway. For those developments impacting on a Provincial Highway, the Ministry of Transportation will require a traffic impact study.

Any new development including cottages outside of the Ministry of Transportation area of permit wanting access to the highway shall be permitted to access the highway only at public roads entrances that meet the minimum spacing requirements of the Ministry of Transportation.”

For those properties that abut a provincial highway that are designated commercial/industrial, regardless of a property's land use designation, only those properties that meet the ministry's minimum safety and geometric requirements will be considered for an entrance to the highway.



No development, redevelopment, extension or enlargement of an existing use shall be permitted in the case of lands having frontage on a Provincial Highway which does not meet Ministry of Transportation guidelines with respect to setbacks and entrance requirements. Proposals which might cause a traffic hazard due to limited sight lines on curves or grades will not be permitted. Generally, direct access to provincial highways should be restricted.

ii) Arterial/Collector Roads

Arterial/Collector Roads are existing or proposed roads having two or more traffic lanes which are primarily intended to function as strategic connecting road links between Provincial Highways and local roads. Generally, these roads are to be designed to carry reduced traffic volumes relative to Provincial Highways. Access to abutting properties should be limited, particularly in areas of new development outside the urban core area. The design right-of-way width shall vary from 20 to 36 metres.

iii) Local Roads

Local Roads are existing or proposed roads of two traffic lanes which provide access to abutting properties and which are designed to facilitate predominantly local traffic movements at low operating speeds. The design right-of-way width shall be 20 metres.

#### **7.26.1.2 – Roads Policies**

- i) The Township shall integrate the planning of the road network under its jurisdiction with the existing and proposed network of roads under the jurisdiction of the Province of Ontario, the County of Peterborough and, as may be necessary, the adjoining municipalities.

- ii) The Township shall consult with the Ministry of Transportation, the County of Peterborough and the adjoining Municipalities in relation to the development and/or improvement of the system of arterial, collector and local roads in accordance with the applicable Roads Plan Schedule.
- iii) No new development and/or redevelopment shall be permitted unless those lands are accessible by means of an improved public road, maintained year round, which is of an acceptable standard of construction to accommodate the traffic to be generated by the new development and/or redevelopment. Notwithstanding the above, some permanent residential development in Douro-Dummer only, and some seasonal residential development in all Townships may be permitted on private roads and/or water access properties subject to the relevant policies of Sections 6.2.5, 6.2.6, 7.12 and 7.13.
- iv) The Township shall require, as a condition of the approval of any new development or redevelopment, that sufficient lands are conveyed to the Municipality to provide for a road right-of-way width in accordance with the functional classification as set out on the Roads Plan Schedules and the corresponding design right-of-way width set out in this section.
- v) Where development has occurred adjacent a significant portion of the right-of-way of an arterial/collector road, and, it is not possible to achieve the design right-of-way width in accordance with the provisions this section, the Township may undertake further studies as may be necessary to determine a practical and desirable right-of-way width for those roads to serve anticipated traffic volumes. Regard shall be had for those measures which may be taken to minimize the negative impacts of any road widening on adjacent lands.
- vi) Arterial/Collector Roads shall be designed and developed to provide for a degree of continuity in the movement of traffic throughout the rural and urban areas. Regard should be had for the nature of adjacent land uses, the relationship of the

arterial/collector roads to local roads, anticipated traffic volumes and the distribution of traffic to minimize the effect of such roads on adjacent residential uses.

- vii) The Township in considering development or re-development proposals for residential uses adjacent to existing or proposed arterial/collector roads shall require, as a condition of approval, appropriate setbacks, buffering, screening and landscaping to reduce the negative effects of those roads on adjacent residential development. Where feasible and desirable, reverse frontage lots for residential development shall be encouraged adjacent to arterial/collector roads.
- viii) As traffic conditions warrant, improvements in the form of jog eliminations, regulation of turning movements, proper signing, installation of traffic signals, marking of traffic lanes and channelization shall be undertaken.
- ix) The Township shall not assume or dedicate any roads which do not meet the minimum acceptable standards of the municipality.
- x) Development adjacent to arterial/collector and local roads shall have sufficient setback requirements from adjacent land uses to reduce potential adverse impacts. The Township shall consult with the Ministry of Transportation and the County of Peterborough in determining appropriate setback requirements.
- xi) For development proposals located within a vulnerable area, and which require the construction of roads, other impervious land surfaces used for vehicular traffic and parking, and including impervious pedestrian paths, consideration shall be given to design strategies and alternative surfacing which minimizes the amount of impervious surface area.

Grading, maintenance activities and drainage designs that reduce ponding and direct any run-off outside of vulnerable areas, where possible, are encouraged.

### 7.26.1.3 – Parking Facilities

#### General Principles

This Plan recognizes the importance of public and private parking facilities and further intends that adequate public and private parking shall be provided to serve the needs of the growth centres and hamlets and ensure the efficient movement of through traffic.

#### Parking Policies

- i) The Township shall require, as a condition of development or redevelopment, that adequate off-street parking and loading facilities be provided and that access points to the areas be limited in number and designed to acceptable standards for traffic safety. The Township shall encourage the sharing of access points by similar adjoining land uses, where practicable, to minimize traffic hazards on arterial/collector roads.
- ii) The Township shall discourage, where appropriate, on-street parking on arterial/collector roads to facilitate the efficient movement of traffic, and, shall encourage replacement of existing on-street parking with off-street parking areas.
- iii) Where necessary and feasible, off street parking, drive-ways and/or loading areas adjacent to residential uses shall be suitably screened or buffered through the use of fences, berms or other appropriate landscape treatment. All parking areas shall be suitably surfaced and appropriately illuminated to facilitate and ensure the safety and convenience of pedestrian or vehicular access in accordance with the needs of the respective land use.
- iv) The Township shall consider the acquisition of lands in appropriate locations for the provision of off-street parking within the growth centres or hamlets where severe parking and/or loading problems exist.

- v) The Township in conjunction with the merchants of the Main Central Area or the growth centre, shall maintain and enhance the supply of short term parking within the Main Central Area as changing conditions warrant. Actions may include the rationalization and consolidation of public parking areas which do not effectively serve the needs of the central business district by reason of size, location and/or vehicular or pedestrian accessibility.
- vi) The Township may, at its discretion, enter into an agreement with the owner or operator of a building to provide for the payment of cash-in-lieu of all or part of the Zoning By-law requirements pertaining to the provision of off-street parking in accordance with the Planning Act as amended.
- vii) Notwithstanding any other provision of this Plan, where lands are vacant and may be utilized to provide off-street parking to overcome existing deficiencies, the Township may authorize the temporary use of those lands pursuant to the provisions of the Planning Act. In authorizing the temporary use of lands for the provision of off-street parking, the Township shall give consideration the following:
  - that the temporary use of vacant lands to provide off-street parking will not adversely effect adjacent Residential areas and will not create a hazard for either pedestrian or vehicular traffic;
  - that the temporary parking areas are sited and designed to reflect the best interests of the area in which they are situated;
  - that the temporary use of the lands to provide off-street parking will not exceed two years.

- viii) Notwithstanding the foregoing, the Township may extend the temporary use of the lands for the purposes of an off-street parking area where it is satisfied that the continuation of the use is reasonable.
- ix) For development proposals located within a vulnerable area, parking area design that minimizes the amount of impervious surface area to which road salt may be applied is encouraged. Consideration should also be given to alternative surfacing options to limit the amount of impervious surface area.

Grading, maintenance activities and drainage designs that reduce ponding and direct any run-off outside of vulnerable areas, where possible, are encouraged.

#### **7.26.2 Private Roads**

- a) The primary function of Private Roads is to provide direct lot access to seasonal cottages, resorts, and private clubs where public roads do not exist. In the Township of Douro-Dummer, Private Roads may also provide access for some permanent residential uses. The volume of traffic on such roads shall be low and the traffic on the road will have an origin or destination on that road. Private Roads shall be designed in a manner to prevent through traffic.

#### **7.26.3 Roadside Tree Plantings**

- a) Roadside tree plantings and vegetation cover outside the boundaries of municipal control should be preserved, established, or replaced, especially after construction or reconstruction, for erosion control as well as aesthetic reasons.

#### **7.26.4 Road Assumption**

- a) The Township shall not assume or accept as dedication any roads which do not meet the minimum acceptable standards of the Municipal Engineer and/or the County of Peterborough.

## **7.26.5 Area Specific Special Policies**

### **7.26.5.1 – Township of Selwyn**

- a) The Transportation Master Plan being prepared by the County of Peterborough shall investigate the need for road widenings, additional road right-of-ways, access restrictions and service roads on Chemong Road (north of the Lindsay turn to Bridgenorth), the Eighth Line (between Bridgenorth and Lakefield) and the Lakefield Road (Lakefield and the City of Peterborough) to accommodate anticipated development over the next twenty years.

### **7.26.5.2 – Township of Asphodel-Norwood**

### **7.26.5.3 – Township of North Kawartha**

## **7.27 ALTERATIONS TO LAKES AND WATERWAYS**

The straightening, changing, filling, diverting or interfering with the existing channel or shoreline of any watercourse or lake shall not occur without the written consent of the local Conservation Authority and/or Ministry of Natural Resources and/or Trent-Severn Waterway.

## **7.28 AREAS OF NATURAL AND SCIENTIFIC INTEREST (ANSI's)**

Areas of Natural and Scientific Interest are defined as areas of land and water containing natural landscapes or features that have been identified as having a life science or earth science values related to protection, scientific study or education.

Development and site alteration shall not be permitted in significant areas of natural and scientific interest unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions. Sections 4.1.3.1 and 4.1.3.4 shall apply in this regard.

## **7.29 LAKE PLANS**

The Township encourages lake associations to undertake the creation of Lake Plans. “Lake Plans” are studies used as a method to identify important local values, features and individual lake characteristics. Lake Plans may examine, but are not limited to, the following:

- a) Location and access,
- b) Location within the watershed,
- c) Size and shape of lake,
- d) Distinct character areas for large lakes,
- e) Number and location of islands,
- f) Locations of areas of steep slopes and narrow waterbodies/channels,
- g) Topography, landscape, and shoreline features,
- h) Wetlands and natural habitat areas,
- i) Water quality and the relationship to lake sensitivity,
- j) Historical development and cultural heritage,
- k) Existing land uses,
- l) Existing built form,
- m) Development trends,
- n) Boating capacity,
- o) Open space, recreational areas, trails,
- p) Public access points,
- q) Possible land stewardship resident education initiatives.

**7.29.1** The implementation of Lake Plans may involve amendments to this plan and may incorporate policies that are unique to a specific lake.

## **7.30 HOME OCCUPATIONS**

- a) Home occupations shall be limited, small scale, home based office and personal service commercial activity in Residential or Rural areas, that are compatible with the main residential or rural use and function of the area.
- b) Typical uses that shall be permitted include the practice of domestic arts, private instructions or the teaching of music or academic subjects, a professional office, a home based business office and catalogue based sales.



- c) Home occupation uses shall be clearly secondary, incidental and subordinate to the main residential use of the dwelling.
- d) Generally only residents of the household from which the home occupation is conducted shall be employed in the home occupation.
- e) Only a limited portion of a dwelling's total area may be used for a home occupation.
- f) Regulations shall be included in the implementing Zoning By-law to govern the establishment and operation of home occupations within the Community.
- g) Within the implementing Zoning By-law home occupations may be permitted without the need for a Zoning By-law amendment.

### **7.31 HOME INDUSTRIES**

- a) Home industries shall be commercial or industrial activities which are limited, small scale, and only operated in land use designations where such is permitted.
- b) Home industries shall only be permitted in an accessory building on the same lot as the proprietor.
- c) Adequate off-street parking shall be provided on the same lot.
- d) Home industries shall be clearly secondary, incidental and subordinate to the main use of the property.
- e) Generally only residents of the household from which the home industry is conducted shall be employed in the home industry.
- f) Regulations shall be included in the implementing Zoning By-law to govern the establishment and operation of home industries within the Community.

- g) Within the implementing Zoning By-law home industries may be permitted without the need for a Zoning By-law amendment.

### **7.32 EXTENDED HOME BASED BUSINESS (Norwood)**

- a) Extended home based businesses shall be permitted in existing single detached dwellings on lots fronting on Highway No. 7 (Peterborough St.) West of Colborne Street to the Secondary plan boundary.
- b) An extended home based business shall be a small scale commercial business that does not alter the character of the existing building and includes uses such as a craft, art or antique shop, a business, professional, medical or administrative office, a personal service shop, a tea room or lunch room or other eating establishment and a retail store. Uses that are not permitted include an animal hospital, a confectionary, convenience or grocery store, a supermarket, a laundromat, a hotel or motel and a place of entertainment or amusement.
- c) An appropriate number of parking spaces for both the residential and extended home based business uses shall be provided.
- d) The exterior of the existing structure shall be maintained in character with the adjacent structures.
- e) Buffer plantings and/or screening shall be provided along lot lines adjacent to properties used for residential purposes. The specific requirements shall be established during the site plan approval process.
- f) The residential use shall continue.
- g) The extended home based business component shall generally not occupy more than 50% of the gross floor area of the building.

- h) Appropriate zoning provisions shall be established in the implementing Zoning By-law.
- i) The establishment or development of those uses shall be subject to site plan approval with specific matters such as screening, buffering and maintenance of building character dealt with on a site-specific basis.

### **7.33 SOURCE PROTECTION PLAN BY-LAWS**

#### **7.33.1 Septic Systems**

The Township must pass a by-law by January 1, 2016 to require that, where septic systems are a significant drinking water threat, such septic systems be connected to the municipal sewage collection system where it is feasible to do so in consideration of financial and technical constraints.

#### **7.33.2 Transport Pathways**

The Township may pass a by-law to prohibit the approval of a proposal that would create a new transport pathway including but not limited to wells, tile drains, storm drainage infrastructure, and geothermal heating systems which may include the drilling of boreholes that are not subject to O. Reg. 903 under the Ontario Water Resources Act. Such by-law would enable the Township to not approve a proposal where they have been made aware by means of a technical study (e.g. environmental assessment) that the proposal would increase the vulnerability of the municipal water source. The determination of whether a proposal creates a transport pathway is a technical finding and must be made by a qualified person and depends on factors that include the type of transport pathway and local geology.

#### **7.33.3 Waterfowl**

The Township must pass a by-law to prohibit the feeding of waterfowl at municipally owned parks and mown areas that are located within vulnerable areas.

## **8.0 INTERPRETATION**

### **8.1 GENERAL**

An amendment to this Plan is required for major changes to the land use patterns and development policies contained in this Plan.

In order to provide for flexibility in the interpretation of the numerical figures and quantities in the text, it is intended that such figures and quantities be considered to be approximate, and that for the purposes of preparing local official plans, zoning by-laws, subdivision approvals, site plan approvals, severances or building permits, minor deviations may be permitted without amendment to this Plan, provided that such deviations do not alter the intent of this Plan.

The extent of the Settlement Areas identified on Map 'A' are intended to be considered as general. The exact boundaries shall be defined in the local official plans and zoning by-laws. In addition, the local official plans shall establish various types of land use designations within the Settlement Areas.

When clarification is required for the interpretation of any policy in this Plan, reference shall be made to the goals and objectives of the Plan.

Amendments to this Plan are not required in the following circumstances:

- a) for editorial changes including such things as typographical errors, section or page numbering, changing references, provincial statutes or place name changes;
- b) for changing the size, colours or symbols used on maps or the names of places, roads or other physical features;
- c) re-numbering of and/or corrections to cross-references for tables and section numbers or for the Table of Contents;
- d) Minor deviations from the land use designation boundaries where they do not coincide with property boundaries.
- e) For minor deviations to vulnerable areas shown on Schedule 'C1'

Sections 1 through 5, Section 8, and Maps 'A' and 'B' of this Plan shall be referred to in the local official plans as the Peterborough County Official Plan.

## 8.2 DEFINITIONS

Where the following terms appear in this Plan, they are defined as follows for purposes of this Plan.

**Active Gravel or Quarry Operation:** Licensed sites within that part of the County designated under the Aggregate Resources Act, existing or approved extraction areas within the undesignated part of the County and sites under Aggregate Permit on Crown Land

**Adjacent lands:** means those lands, contiguous to a specific natural heritage feature or area, where it is likely that development or site alteration would have a negative impact on the feature or area. The extent of the adjacent lands may be recommended by the Province or based on municipal approaches which achieve the same objectives.

**Agricultural uses:** include the use of lands, buildings or structures for the growing of crops, including agroforestry, greenhouse crops, mushrooms, nursery and horticulture crops; raising of livestock and other animals and birds, including poultry, fur bearing animals, fish, deer, elk, and bees.

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

**Agricultural Source Material:** includes a variety of materials that may be sources of nutrients or pathogens such as:

- Manure produced by farm animals, including bedding materials;
- Runoff from farm-animal yards and manure storages;
- Wash water that has not been mixed with human body waste;
- Organic materials produced by intermediate operations that process the above materials (e.g., mushroom compost);

- Anaerobic digestion output that does not include sewage biosolids or human body waste;
- Materials produced by aquaculture; and,
- Regulated compost that is derived from compost containing dead farm animals.

**Areas of archaeological potential:** areas with medium or high potential for the discovery of archaeological resources. This potential is based on the presence of a wide range of geographic and historical features which influenced past settlement. Archaeological potential is confirmed through archaeological assessment.

**Areas of natural and scientific interest (ANSIs):** 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.

**Backlot Development:** the creation of a lot or lots within Shoreland Areas, such that there are separately conveyable parcels between the lots created and either the waterbody shoreline or a shoreline road allowance if one exists.

**Built heritage resources:** one or more buildings, structures, monuments, installations, or remains associated with architectural, cultural, social, political, economic, or military history, and identified as being important to a community.

**Cluster Development:** a waterfront residential development, with the shoreline dedicated to communal use and protection, and designed so that lots or units for individual use are grouped away from the shoreline and occupy a minimum portion of the total area.

**Cultural heritage landscape:** a defined geographical area of heritage significance which has been modified by human activities. Such an area is valued by a community, and is of significance to the understanding of the history of a people or place.

**Development:** for the purposes of Section 4.1.3.4,

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

activities that create or maintain infrastructure authorized under an environmental assessment process, or works subject to the Drainage Act; or

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

NOTE: for other purposes of this Plan, “Development” shall mean:

- a) construction, erection or placing of a building or structure
- b) a significant addition or alteration to an existing building or structure
- c) a significant change use or intensity of use of an existing building, structure or premises
- d) site grading, excavation, removal of topsoil or peat or the placement of fill
- e) drainage works (maintenance to existing municipal or agricultural drains is not "development")

**Dry Industrial and Commercial Uses:** Dry industrial and commercial uses are limited to uses, other than restaurant and food services uses, which only produce the domestic effluent of employees and staff. No wash processing, heating, cooling or water used likewise will be permitted in a dry industrial or commercial use.

**Ecological functions:** the natural processes, products, or services that living and non-living environments provide or perform within or between species, ecosystems, and landscapes. These may include biological, physical and socioeconomic interactions.

**Endangered species:** a native species that is at risk of extinction or extirpation throughout all or a significant portion of its Ontario range if the limiting factors are not reversed, and is declared to be threatened with extinction in the Regulations under the Endangered Species Act.

**Fish:** fish, shellfish, crustaceans, and marine animals, at all stages of their life cycles.

**Fish habitat:** the spawning grounds and critical habitat for nursery and rearing on which fish depend directly in order to carry out their life processes.

**Floodplain:** the area, usually lowlands adjacent to a river or stream system, which have been or may be subject to flooding hazards experienced during a regional storm event or defined storm.

**Infilling:** the development of vacant land between existing development where the purpose is to integrate the surrounding existing development and the vacant land into one contiguous development area. For the purposes of this plan the existing development must be on the same side of a public road and side lot lines not separated by more than 100 metres.

**Intake Protection Zone:** is the vulnerable area delineated around surface water intakes for municipal drinking water systems and is comprised of subzones. The IPZ-1 (subzone) is the area immediately adjacent to the intake and is considered the most vulnerable area due to its proximity to the intake. The IPZ-2 is a secondary protection area that is located upstream of the IPZ-1 and represents the extent to which a contaminant could travel to the municipal intake within 2 hours of its release into the environment (due to a spill or leak).

**Lands adjacent to significant natural heritage features:** Lands contiguous to specific significant natural heritage features, where it is likely that development would have a negative impact on the feature. The extent of these lands may be:

- the same as the natural heritage screening areas prescribed in Section 4.1.3.1, or
- greater or lesser than the natural heritage screening areas, where documented and justified in an approved environmental impact assessment as described in Section 4.1.3.1.

**Livestock unit:** as defined in Minimum Distance Separation Formula as prescribed by the Province.

**Mine hazards:** any feature of a mine as defined by the Mining Act, or any related disturbance of the ground, that has not been rehabilitated, as identified by the Ministry of Northern Development and Mines.

**Municipal Comprehensive Review:** an official plan review, initiated by a municipality which:

- a) achieves the targets and forecasts in this Plan; considers alternative directions for growth; and determines how best to accommodate this growth while protecting provincial interests;



- b) utilizes opportunities to accommodate projected growth through intensification and redevelopment;
- c) confirms that the lands to be developed do not comprise specialty crop areas in accordance with policy 2.3.2 of the Provincial Policy Statement, 2005;
- d) is integrated with planning for infrastructure and public service facilities; and considers cross-jurisdictional issues

**Negative impacts:**

- in regard to fish habitat, the harmful alteration, disruption, or destruction of fish habitat, except where it has been authorized under the Fisheries Act, using the guiding principle of no net loss of productive capacity;
- in regard to other significant natural heritage features, the loss of the natural values or ecological functions for which the feature is identified.

**Non-Agricultural Source Material:** includes a variety of materials that may be sources of nutrients or pathogens and are intended to be applied to land as nutrients, but are not necessarily produced on a farm. Such materials may include pulp and paper biosolids; sewage biosolids; anaerobic digestion output; and, materials from dairy product or animal food manufacturing.

**Other agricultural areas:** areas that are not prime agricultural areas but where currently or potentially viable farm operations require greater protection from non-farm rural development than would be afforded by a rural designation, as identified in a local plan and justified by the local municipality.

**Prime agricultural areas:** areas where prime agricultural lands predominate, as identified by the Ministry of Agriculture and Food.

**Prime agricultural lands:** Specialty crop lands as defined in the Provincial Policy Statement, and Canada Land Inventory Classes 1, 2, and 3 soils, in that order of priority for protection.

**Secondary uses:** shall include home occupations, home industries and uses that produce value added agricultural products from the farm operation on the property.

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

**Shoreland:** generally include all lands extending inland 150 metres from the ordinary high water mark of, any lake, river or waterway and includes lands and land uses that are more than 150 metres from shore but which physically or functionally relate to the Shoreland Areas;

**Significant:**

- in regard to wetlands and areas of natural and scientific interest, identified as provincially significant by the Ministry of Natural Resources using evaluation procedures established by the Ministry;
- in regard to other significant 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. Significance may be determined using criteria recommended by the Ministry of Natural Resources, or using alternative approaches approved by the local municipality that achieve the same objective.

NOTE: for "significant" in regard to features and functions that are not significant natural heritage features or ecological functions, "significant" refers to importance in terms of amount, content, representation or effect.

**Significant archaeological resources:** the remains of any building, structure, activity, place or cultural feature, which because of the passage of time is on or below the surface of the land or water, and which has been identified and evaluated and determined to be significant to the understanding of the history of a people or place. The identification and evaluation of this resource is based upon an archaeological assessment.

**Significant drinking water threat:** An activity which poses or has the potential to pose a significant risk to the source of a municipal drinking water system.

**Significant drinking water threat, Existing:**

- An activity that has been engaged in prior to January 1, 2015;
- An agricultural activity (as defined by the Trent Source Protection Plan) that has been engaged in at some time since January 1, 2005;
- An activity that is related to a development proposal where an application was made under the Planning Act, Condominium Act, or Building Code Act prior to January 1, 2015; or
- An activity that is related to an application made for the issuance or amendment of a prescribed instrument prior to January 1, 2015.

**Significant drinking water threat, Expansion:** An increase in the scale of an activity already taking place on a property. The increase in scale may include, but is not limited to:

- Increasing the area of land where an activity is taking place;
- Increasing the amount of effluent or discharge from an activity;
- Increasing the quantity of chemical or pathogen containing material handled or stored; or,
- Increasing the quantity of chemical or pathogen containing material applied.

**Significant drinking water threat, Future:** An activity that is to commence after January 1, 2015.

**Significant natural heritage features:**

- significant wetlands;
- significant portions of the habitat of endangered and threatened species;
- fish habitat;
- significant wildlife habitat;
- significant woodlands south of the southern limit of the Canadian Shield;
- significant valleylands south of the southern limit of the Canadian Shield; and
- significant areas of natural and scientific interest.

**Site alteration:** means activities, such as fill, grading and excavation, that would change the landform and natural vegetative characteristic of a site.

**Strategic water resource areas:**

- lakes and rivers;
- recharge/discharge areas;
- aquifers;
- headwaters; and
- municipal/communal wellhead protection areas;
- municipal drinking water supplies
- vulnerable areas
- vulnerable surface water and ground water
- sensitive surface water features
- sensitive ground water features, and their hydrologic functions

**Sustainable:** seeking to meet the need of the present generation without compromising the ability of future generations to meet their own needs.

**Threatened species:** a native species that is at risk of becoming endangered throughout all or a significant portion of its Ontario range if the limiting factors are not reversed, and is so designated by the Ministry of Natural Resources.

**Tillable area:** the total area within a farm operation, whether owned or rented, that can be cultivated and to which nutrients can be applied.

**Valleylands:** natural areas that occur in a valley or other landform depression that have water flowing through or standing for some period of the year.

**Vulnerable Areas:** means areas around municipal drinking water sources that are the most susceptible to contamination as shown on the applicable Official Plan Schedules;

**Wellhead Protection Area (WHPA):** is the vulnerable area delineated around groundwater wells that supply municipal drinking water systems and is comprised of subareas. The WHPA-A (subarea) is the area that is closest to the municipal wellhead and is considered the most vulnerable area due to its proximity to the municipal wellhead.

**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:** 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 such as erosion prevention, water retention, provision of habitat, recreation and the sustainable harvest of woodland products. Woodlands include treed areas, woodlots, or forested areas, and vary in their level of significance.