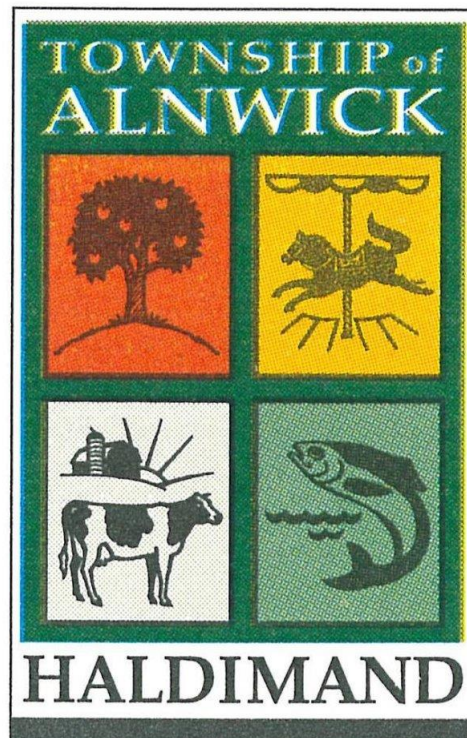


**OFFICIAL PLAN
OF THE TOWNSHIP OF
ALNWICK/HALDIMAND**



Adopted by Council on May 28, 2015

OFFICIAL PLAN OF THE TOWNSHIP OF ALNWICK/HALDIMAND

This is the Official Plan of the Township of Alnwick/Haldimand as adopted by the Council of the Township of Alnwick/Haldimand by By-Law No. 50-2015 on May 28, 2015 and approved by the Ministry of Municipal Affairs and Housing, with modifications, on November 27, 2015.

Note: The decision of the Ministry of Municipal Affairs and Housing included a modification which deleted section 5.4.16.4. This modification has been appealed to the Ontario Municipal Board.

The Official Plan of the Township of Alnwick/Haldimand came into force on December 22nd, 2015.

DISCLAIMER

This Official Plan of the Township of Alnwick/Haldimand has been prepared for the purposes of convenience only. For accurate reference, recourse should be had to the original copy of the Official Plan as approved by the Ministry of Municipal Affairs and Housing.

This is not a certified copy of the Official Plan of the Township of Alnwick/Haldimand. Accordingly, the Municipality cautions that users should not rely on the information enclosed herein to their detriment.

Certified copies of the original document should be obtained from the Clerk’s Office of the Township of Alnwick/Haldimand.

Official Plan	Adopted by Council May 28, 2015	Approved by the Minister November 27, 2015	Approved by the O.M.B.
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SECTION 1 INTRODUCTION

1.1 CONTENTS OF THE OFFICIAL PLAN

Sections 1 through 12 of the text, together with the following Schedules, constitute the Official Plan of the Township of Alnwick/Haldimand:

- SCHEDULE “A” – LAND USE PLAN
- SCHEDULE “B” – ROADS PLAN
- SCHEDULE “A-1” – OAK RIDGES MORAINÉ LAND USE PLAN
- SCHEDULES “C-1”, “C-2”, “C-3”, “C-4”, “C-5”, “C-6”, “C-7” AND “C-8” – OAK RIDGES MORAINÉ SECONDARY PLAN SCHEDULES
- SCHEDULE “D” – SOURCE WATER PROTECTION AREAS
- SCHEDULE “E” – SETTLEMENT AREAS
- SCHEDULE “F” – HIGHLY VULNERABLE AQUIFERS AND SIGNIFICANT GROUNDWATER RECHARGE AREAS

Certain terms in Sections 1 through 11 of this Plan that are shown in italics are defined in Section 12 of this Plan.

1.2 SCOPE OF THE OFFICIAL PLAN

1.2.1 Planning Area

This Official Plan applies to all lands in the Township of Alnwick/Haldimand.

1.2.2 Planning Period

The policies and schedule contained in this official Plan cover a twenty-year planning period extending from 2014 to 2034.

This Official Plan is not meant to be a static document, and may be amended from time to time as a result of individual requests for amendments or through regular reviews and updates to the Plan over the 20-year planning period.

1.2.3 Effect on Public Sector

Upon approval of this Official Plan by the Ministry of Municipal Affairs and Housing, Section 24 of the *Planning Act* will require any public work undertaken in the Township of Alnwick/Haldimand and any by-law passed by the Council of the Corporation of the Township of Alnwick/Haldimand for any purpose, with certain exceptions, to conform to this Plan.

1.2.4 Effect on Private Sector

Although this Official Plan is a legal document, it cannot control or regulate the use of land by the private sector until such time as it is implemented by zoning by-laws passed pursuant to Section 34 of the *Planning Act* and by other by-laws passed pursuant to the *Planning Act* or other Provincial statutes.

1.3 PURPOSES OF THE OFFICIAL PLAN

1.3.1 General

The general purpose of this Official Plan is to provide a comprehensive document to guide and direct the use of land in the Municipality throughout the planning period. This Plan was prepared to assist decision-making by both the public and private sectors. Public administrators may use the Plan to identify public undertakings that shall be required and to assign appropriate budget, timing and locational priorities. Private interests, by being informed of the long-term objectives for the Municipality may make decisions on their operations in the context of consistent and predictable public policies.

1.3.2 Specific

The specific purposes of this Plan are to provide:

- i) Policy statements which express the long-term planning objectives for the Township of Alnwick/Haldimand;
 - ii) Policies with respect to the division of land;
 - iii) Public servicing policies that set out the overall conditions for development in the Township area pertaining to servicing costs, water supply, sewage disposal, roads, utilities, public safety, schools, parks and recreation;
 - iv) General development policies which set out guidelines for site conditions, site amenities, land use compatibility, land use conversions and conservation of cultural heritage resources;
 - v) Land use policies to explain and interpret Schedules “A” and “A-1”, the Land Use Plans; Schedule “B”, the Roads Plan;
 - vi) Land use policies to explain and interpret Schedules “C-1” to “C-8”, which pertain to the policies of the Oak Ridges Moraine Secondary Plan, and to implement the Oak Ridges Moraine Conservation Plan within the Township of Alnwick/Haldimand;
 - vii) Policies to serve as the basis for the review of development applications, the preparation of an implementing zoning by-law, the use of holding provisions, and the use of site plan control with respect to the land use designations set out in this Plan;
 - viii) Policies for implementing and administering the Plan; and
 - ix) The Land Use Plans (Schedules “A” and “A-1”) and a Roads Plan (Schedule “B”) to show the pattern of land use and roads for the Township of Alnwick/Haldimand, which this Plan proposes to achieve by the end of the planning period.
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- x) Policies for municipal wellhead protection areas, identified on Schedule “D”.

1.3.3 Matters of Provincial Interest and the Provincial Policy Statement

This Plan has been prepared to be consistent with the policies of the 2014 Provincial Policy Statement, issued under the authority of Section 3 of the *Planning Act*, and to implement the relevant policies of the Provincial Policy Statement in the Township of Alnwick/Haldimand.

The Township Council, in carrying out its responsibilities under the *Planning Act*, shall have regard to matters of Provincial Interest as set out in Section 2 of the *Planning Act*, and a decision of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the Provincial Policy Statement and in conformity or not conflict with *Provincial Plans*.

SECTION 2 BASIS AND OBJECTIVES OF PLAN

2.1 OFFICIAL PLAN REVIEW

This Official Plan of the Township of Alnwick/Haldimand replaces the former Official Plan that was adopted by Council on April 26, 2006, and subsequently approved by the Ministry of Municipal Affairs and Housing, with modifications and deferrals on May 28, 2007.

2.2 BACKGROUND FACTORS

The following factors have been identified as having significant influence on the future *development* of the Municipality:

2.2.1 Population Projection

In 2011, the Township of Alnwick/Haldimand had a population of 6,617 (Statistics Canada, 2011 Census). Considerations for population projections are outlined in Section 3.1 of this Plan, Growth Management.

2.2.2 Influence of Urban Centres

The proximity of the Township of Alnwick/Haldimand to the City of Toronto, Durham Region and urban centres in Northumberland County will continue to result in pressure for residential *development*. The continuation of a favourable economic climate will increase this pressure.

2.2.3 Recreational Development

The Township should continue to provide important regional recreation facilities, primarily for day and short-term use. The demand for private and commercial recreational facilities and residential developments in shoreline areas is expected to increase during the planning period.

Recreational development outside of *settlement areas* shall be resource-based recreational development in accordance with the Growth Plan for the Greater Golden Horseshoe.

2.2.4 Natural Environment

The various natural features in the Township of Alnwick/Haldimand area, such as its rural landscape, forested areas, varying topography, streams, *wetlands* and waterfront, are important assets to the Municipality, making it attractive for recreational and residential *development*.

2.2.5 Aggregate Resources

There will continue to be a demand for aggregate resources (sand, gravel and stone) in the Township, primarily for new *development* and road construction and maintenance.

2.2.6 Tourism

Tourism is recognized as an important component of the economic base of the Municipality, and is expected to grow in importance.

2.2.7 Agriculture

Agriculture will continue to be an important component of the economy and lifestyle of the Municipality.

2.2.8 First Nations Presence

The Township of Alnwick/Haldimand lies within Hiawatha First Nations' Traditional and Treaty Territories. Also, the Alderville First Nation Reserve falls entirely within the boundaries of the Township. Council recognizes the importance of good relations with the First Nations peoples and is committed to fostering this relationship through consultation with First Nations on land use planning matters that have the potential to affect aboriginal treaty rights and aboriginal interests.

2.3 OBJECTIVES OF THE OFFICIAL PLAN

The general *development* policies, the land use policies, and the land use designations for the Municipality, as set out in this Plan, are based on the following Objectives for land use planning:

2.3.1 Tourism

It is an objective of this Plan to support and encourage the growth of the tourism industry in the Township of Alnwick/Haldimand. Tourism and related economic opportunities shall be promoted.

2.3.2 Preservation of Agricultural Land

It is an objective of this Plan are to protect *prime agricultural areas* for long-term use for agriculture, and to protect established farming operations from the effects of non-agricultural development that would inhibit agricultural production.

2.3.3 Enhancement and Preservation of the Environment and Protection of Water

It is an objective of this Plan is to enhance and preserve those environmental qualities that contribute to the attraction of the Municipality. All *development* proposals will be assessed for compliance with this objective. Particular care will be exercised to ensure that *development* on the Oak Ridges Moraine and near the Rice Lake and Lake Ontario shorelines will not have a negative impact on the environment.

The diversity and connectivity of natural features in the Municipality, and the long-term *ecological function* and biodiversity of *natural heritage systems*, should be maintained, restored or, where possible, improved, recognizing linkages between and among *natural heritage features and areas, surface water features* and groundwater features.

Surface and groundwater resources are an integral part of the natural environment of the Municipality. It is an objective of this Plan to protect, improve and restore the *quality and quantity of water* resources in the Township.

All other objectives of this Plan should attempt to satisfy the requirements of the environmental and water protection objective so as to improve the quality of life for the people of the Municipality.

Furthermore, in striving to achieve this objective, Council recognizes that the Official Plan cannot alone guarantee the environmental health of the community. Private stewardship of land, incentive programs, community based actions and public education will go even further in the proper management of the environment.

2.3.4 Promotion of Recreational Development

A portion of the Township's economy is directly or indirectly dependent upon resource-based recreational development. This Plan intends to encourage further resource-based recreational development provided that it is compatible with the natural environment and surrounding land uses.

2.3.5 Maintenance of the Financial Well-Being of the Municipality

Only *development* that will provide sufficient revenue to keep the additional cost of providing the required municipal services to a minimum shall be permitted. In this respect, a healthy economic balance shall be maintained between the costs occasioned by *development* and the municipal tax benefits derived from such *development*.

2.3.6 Encouragement of Industrial and Commercial Development

Industrial and Commercial development requiring minimal services shall be encouraged in appropriate locations in order to develop the local economy and to improve the tax base of the municipality, provided that it is compatible with the natural environment and consistent with the policies of this Plan.

2.3.7 Control of Development in the Agricultural and Rural Designations

Due to the unique character of parts of the rural portions of the Municipality, it is intended that the location and precise form of *development* in these areas be determined by the Municipality in accordance with the policies of this Plan. *Development* in *rural areas* shall only be permitted in accordance with the provisions of Section 2.2.9 of the Growth Plan for the Greater Golden Horseshoe (2006).

2.3.8 Hamlets and Rural Settlement Areas on the Oak Ridges Moraine

The designated Hamlets and rural settlement areas on the Oak Ridges Moraine should be the focus of growth in the Township, and their vitality and regeneration should be promoted. The Plan also includes land use development policies and designations to accommodate limited development outside of Hamlet/rural settlement areas.

2.3.9 Infrastructure and Public Service Facilities

Infrastructure and Public Service Facilities shall be provided in a coordinated, efficient and cost-effective manner that considers impacts from climate change while accommodating projected needs.

Planning for infrastructure and public service facilities shall be coordinated and integrated with land use planning so that they are financially viable over their life cycle, which may be demonstrated through asset management planning, and available to meet current and projected needs.

Where opportunities exist, the Township will encourage the co-location of public service facilities into community hubs.

Those forms of *development* that would require excessively expensive infrastructure or public services shall not be permitted.

2.3.10 Hazardous Areas

Development shall be prohibited or restricted in areas subject to natural hazards or human-made hazards.

2.3.11 Mineral Aggregate Resources

The Municipality possesses mineral aggregate resources deposits that should be developed in accordance with sound planning principles and the most up-to-date and stringent standards of the mineral aggregate resources industry. As much of the *mineral aggregate resources* as is realistically possible should be made available to supply mineral aggregate needs, as close to markets as possible. *Mineral aggregate resources* should be developed in accordance with the *Aggregate Resources Act*. In developing these resources, the Municipality will ensure orderly extraction and optimum use of aggregate resources while minimizing adverse environmental, social, financial and land use impacts on the Municipality and its residents.

2.3.12 Provision of Water Access

Public access to both Rice Lake and Lake Ontario shall be enhanced where possible. With respect to Lake Ontario, such access shall be in a manner consistent with the objectives of the Lake Ontario Greenway and Waterfront Trail being co-ordinated by the Waterfront Regeneration Trust. Through the use of the parkland dedication provisions of the *Planning Act*, the Municipality shall strive to attain as much waterfront land as possible where *development* abuts the shoreline.

2.3.13 Heritage Conservation

Prior to the arrival of European settlers, the lands within the modern Township of Alnwick/Haldimand

were inhabited by First Nations peoples. From its earliest settlement, the Township of Alnwick/Haldimand has shared in the historical development of the Northumberland area. This history becomes evident through the existing buildings and areas that have historical, archaeological, architectural and cultural heritage significance.

It is an objective of this Plan to conserve cultural heritage resources and promote recognition of the unique nature of cultural heritage, and its contribution to the character, civic pride, tourism potential, and economy of the community. Significant *built heritage resources* and significant *cultural heritage landscapes* shall be *conserved*.

2.3.14 Range and Mix of Housing

The Municipality shall encourage the provision of an appropriate range of housing types and densities required to meet projected requirements of current and future residents of the Municipality, in accordance with the Provincial Policy Statement.

2.3.15 Oak Ridges Moraine Conservation Act and Conservation Plan

The Municipality shall implement the regulations and policies of the Oak Ridges Moraine Conservation Act and the Oak Ridges Moraine Conservation Plan as mandated by the Province of Ontario. Policies for protecting the integrity of the Oak Ridges Moraine are included in this Official Plan as a Secondary Plan.

SECTION 3 GENERAL DEVELOPMENT POLICIES

3.1 MUNICIPAL GROWTH MANAGEMENT

3.1.1 Opportunities for Growth and Residential Intensification

Growth in the Municipality in terms of residential lot creation has been, for the most part, in the form of lots created by severance for single-detached dwellings.

The approval of the Oak Ridges Moraine Conservation Plan (ORMCP) under the provisions of the *Oak Ridges Moraine Conservation Act, 2001*, and the subsequent approval of the related local Official Plan Amendments to implement the ORMCP in 2005, together with the Provincial Policy Statement, have placed limitations on the land available outside of rural settlement areas for residential lot creation. Consequently, this Official Plan places an emphasis on establishing and implementing a growth strategy for the Municipality in a manner that is consistent with the intent of the 2014 Provincial Policy Statement and in conformity with the Growth Plan for the Greater Golden Horseshoe.

3.1.2 General Growth Management Policy

In June of 2006 the Province released the Growth Plan for the Greater Golden Horseshoe (the “Growth Plan”), prepared under the *Places to Grow Act, 2005*. The Growth Plan sets out a framework for implementing the Government of Ontario’s vision for building stronger, more prosperous communities within the Greater Golden Horseshoe (GGH).

The Township of Alnwick/Haldimand is located in the Outer Ring of the Greater Golden Horseshoe. As part of the GGH, the Township of Alnwick/Haldimand is subject to the policies outlined in the Growth Plan. The *Places to Grow Act* requires all municipalities to bring their Official Plans into conformity

with the Growth Plan. The following section outlines policy for the rate and direction of growth within the Township while also conforming to the Growth Plan.

Decisions affecting planning matters shall conform to the Growth Plan for the Greater Golden Horseshoe.

Areas designated as Hamlet in the Township of Alnwick/Haldimand are shown on Schedule “A” of this Plan. The Hamlets are deemed to be *settlement areas*. The *settlement areas* that are designated as Hamlet and which are not located on the Oak Ridges Moraine include the following: Grafton, Lakeport, Wicklow, Vernonville, Eddystone and Roseneath.

The *settlement areas* of Centreton and Burnley are rural settlements that are located entirely on the Oak Ridges Moraine, and are designated as “Countryside – Rural Settlement” on Schedule “C-5” of this Plan. The settlement area of Fenella is designated as both Hamlet (lands not situated on the Oak Ridges Moraine – Schedule “A”) and Countryside – Rural Settlement (lands on the Oak Ridges Moraine – Schedule “C-5”).

Development on lands identified as “Countryside – Rural Settlement on Schedule” on “C-5” of this Plan shall be in accordance with the policies of the Oak Ridges Moraine Conservation Plan and the policies of this Plan. New residential lot creation will generally be in the form of infilling and minor rounding out of the rural settlement areas.

For more certainty, the Hamlet boundaries of Grafton, Lakeport, Wicklow, Vernonville, Eddystone, Roseneath, Centreton, Burnley and Fenella have been shown in greater detail on Schedule “E” of this Plan. Amendments to these Hamlet boundaries shall require amendments to Schedules “A” and/or “C-5” and Schedule “E” as appropriate. Amendments to the Hamlet boundaries shall be in accordance with Section 3.1.2.3 of this Plan.

The designated Hamlets on Schedule “A” shall be the focus of growth and development in the Township, particularly for new residential development, and their vitality and regeneration shall be promoted. The majority of new growth within the Township should be directed to the designated Hamlet areas.

In accordance with the Growth Plan for the Greater Golden Horseshoe (2006), development will be directed to settlement areas, except where necessary for development related to the management of natural resources, resource-based recreational development, and rural land uses that cannot be located in settlement areas. Development in the rural areas of the Township may be permitted in accordance with Section 2.2.9 of the Growth Plan (2006) and the policies of this Plan. New multiple lots and units for residential development will be directed to settlement areas, and may be allowed in rural areas in site-specific locations with approved zoning or designation that permits this type of development in this Official Plan, as of the effective date of this Plan.

New development in Hamlets shall be undertaken in accordance with the policies of Section 5.2 of this Plan, and in particular, the pattern and form of new development in the Hamlet areas should comply with the policies of Section 5.2.2.

Limited residential and non-residential growth shall be permitted outside of designated Hamlets and rural settlements on the Oak Ridges Moraine, subject to the policies of this Plan, in particular, the policies of Section 4 (Land Division Policies) and Section 5 (Land Use Policies). Such development should be compatible with the rural landscape and be able to be sustained by rural service levels.

Resource-based recreational, tourism and other compatible economic development opportunities should be

promoted in the rural areas of the Township, in accordance with the policies of this Plan.

3.1.2.1 Population Growth

Schedule 3 of the Growth Plan for the Greater Golden Horseshoe provides overall population and employment projections for Upper Tier municipalities in the GGH, including the County of Northumberland, to the year 2041.

The Northumberland Growth Management Strategy (NGMS) was commenced in 2008 to provide recommendations on how to conform with the Growth Plan, including allocating the population and employment forecasts to lower-tier municipalities in the County.

More recently, growth allocations for population and employment have been updated as part of the planning process for the preparation of the County of Northumberland Official Plan. Consequently, the growth allocations of the proposed County Official Plan will be the basis for growth forecasts in the Official Plan of the Township of Alnwick/Haldimand.

In 2011, the Township of Alnwick/Haldimand had a population of 6,617 (Statistics Canada, 2011 Census).

The proposed population growth allocation for the Township for the years 2011 to 2034 is 887 persons. The proposed employment growth allocation for the Township for the years 2011 to 2034 is 226 jobs.

3.1.2.2 Residential Intensification

Specific *intensification* targets or greenfield density targets have not been allocated to the Township of Alnwick/Haldimand. Notwithstanding, opportunities for *residential intensification* in the designated Hamlets may be achieved through the *development* of a property at a higher density than currently exists, such as the *development* of vacant land and/or under-utilized lots within previously developed areas, and the re-use of developed land. *Intensification* may also be achieved through the expansion or conversion of existing buildings, and second dwelling units in accordance with Section 3.13.3 of this Plan.

The residential growth policies of this Plan focus on opportunities for *intensification* in Hamlet areas through the use of vacant and under-utilized lands. However, it is recognized that there may also be limited opportunities for new growth based on the re-use of developed lands and the expansion and conversion of existing buildings. Such development will be considered in accordance with the policies of Sections 4 and 5.2 of this Plan.

3.1.2.3 Expansion and Adjustment of Hamlet Area Boundaries

The expansion of the boundaries of an existing Hamlet may be undertaken only at the time of a *municipal comprehensive review* of this Plan, and only where it has been demonstrated that:

- i) Sufficient opportunities for growth are not available through *intensification*, *redevelopment* and *designated growth areas* within existing Hamlets to accommodate the projected needs over the 20-year planning period of this Plan;
 - ii) The *infrastructure* and *public service facilities* which are planned or available are suitable for the development over the long term, are financially viable over their life cycle, and protect public health and safety and the natural environment;
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- iii) Where the proposed expanded Hamlet area is on lands designated as Agricultural on Schedule “A” of this Plan:
1. The lands do not comprise *specialty crop areas*;
 2. Alternative locations have been evaluated, and
 - There are no reasonable alternatives which avoid *prime agricultural areas*; and
 - There are no reasonable alternatives on lower priority agricultural lands in *prime agricultural areas*;
- iv) The new or expanding Hamlet area is in compliance with the *minimum distance separation formulae*; and
- v) Impacts from new or expanding Hamlet areas on agricultural operations that are adjacent or close to the Hamlet are mitigated to the extent feasible.
- vi) In determining the most appropriate location for expansions to the boundaries of Hamlets, the policies of the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe are applied.

All applicable objectives and policies of this Plan shall be considered in determining the most appropriate direction for expansions of the boundaries of existing Hamlets.

Notwithstanding the above policy, minor adjustments to existing Hamlet area boundaries may be considered by Council through an exchange of lands where Council deems it to be in the best interests of the Municipality over the long term, constitutes good planning, and is consistent with the objectives of this Plan. Where minor Hamlet boundary adjustments are proposed through an exchange of lands, Council will require an amendment to this Plan and the County of Northumberland Official Plan. The boundary adjustment must satisfy all of the following:

- i) Ensure a more orderly form of *development* of the Hamlet area supported by the necessary studies which may include but not be limited to those identified in Section 3.14 of this Plan;
- ii) Create a more efficient use of existing or planned *infrastructure/services* in the community, where they exist;
- iii) The lands to be exchanged must be comparable in size so there is no net gain of developable lands;
- iv) The lands to be exchanged must be adjacent to the existing Hamlet area boundary; and
- v) The adjustment is made in accordance with the County of Northumberland Official Plan.

A minor adjustment to the boundary of a Hamlet area shall be reviewed based on the following:

- i) Protection of environmental and cultural heritage resources;
 - ii) The potential impact of the expansion/adjustment on the function and character of the
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- community;
- iii) The expansion/adjustment as a logical and contiguous addition to the existing Hamlet;
 - iv) The adequacy of municipal services and related municipal costs;
 - v) The need and demand for *development*;
 - vi) An examination of reasonable alternative locations which avoid *prime agricultural areas*, and availability of lands with limited agricultural potential;
 - vii) The preparation and conclusions of *watershed* and sub-watershed studies, where necessary;
 - viii) Compliance with the *minimum distance separation formulae*;
 - ix) The provisions of the Provincial Policy Statement;
 - x) The provisions of the Growth Plan for the Greater Golden Horseshoe, in particular, Section 2.2.8 of the Growth Plan dealing with Settlement Area Boundary Expansions;
 - xi) The provisions of the Oak Ridges Moraine Conservation Plan; and
 - xii) The objectives and policies of this Official Plan.

3.1.3 Costs of Servicing Development

In order to minimize the cost of services provided by all public agencies, *development* in the Municipality should not be permitted where it would contribute to a demand for public services that are not economic to provide, improve or maintain. Instead, *development* should be permitted in locations where demands on public services will be minimized, where such development will most effectively help pay for existing services, or where new services can be provided most economically.

3.1.4 Development Charges

Council may pass a by-law under the *Development Charges Act* to assess and recover their anticipated expenses for new growth for both hard and soft services.

3.2 WATER SUPPLY AND SEWAGE DISPOSAL

3.2.1 General Servicing Policies

It is an objective of this Plan to promote environmental protection and to provide an adequate supply of potable water through ensuring that appropriate servicing is available for new *development* or *redevelopment* within the Municipality. Planning for sewage and water systems will recognize that:

- i) *Municipal sewage services* and *municipal water services* are the preferred forms of servicing for *settlement areas* such as Hamlets;
 - ii) Where *municipal sewage services* and *municipal water services* are not provided, the
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Municipality may allow the use of *private communal sewage services* and *private communal water services*.

- iii) Where *municipal sewage services* and *municipal water services* or *private communal sewage services* and *private communal water services* are not provided, *individual on-site sewage services* and *individual on-site water services* (e.g., septic systems and wells) may be used provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*. In *settlement areas*, these services may only be used for infilling and minor rounding out of existing development.

Notwithstanding the above, *individual on-site sewage services* and *individual on-site water services* may be used to service lots or private residences in *rural areas* that are permitted by this Plan, provided that these services are solely for the following uses and site conditions are suitable for the long-term provision of such services with no negative impacts:

- i) Uses related to the management or use of resources;
- ii) Resource-based recreational uses (including recreational dwellings);
- iii) Limited residential development as permitted by the policies of this Plan; and
- iv) Other rural land uses that are permitted by this Plan.

For the purposes of this policy, *rural areas* means lands which are located outside of designated *settlement areas* (e.g., Hamlets and rural settlement areas on the Oak Ridges Moraine) and which are outside of Agricultural Resource Lands as defined in Section 5.9.1 of this Plan.

Where full municipal services are not available an investigation of servicing options shall accompany all *development* and *redevelopment* proposals involving multi-lot/unit residential development to determine the most appropriate form of servicing to promote environmental protection. The investigation of servicing options shall address the assimilative capacity of the ground water or surface water to absorb effluent without adversely impacting the natural environment.

For the purposes of this policy, “multi-lot/unit residential development” shall mean six or more residential lots or dwelling units where residences may be permanent homes or primary places of residence.

Where the servicing options investigation deems that the use of private water and sewage systems is appropriate, a hydrogeological assessment prepared by a qualified professional shall be required. The hydrogeological assessment shall investigate whether an adequate supply of potable water is available for each new lot, and that the site can assimilate wastes from the proposed sewage disposal systems without exceeding Ministry of the Environment and Climate Change guidelines for groundwater impact. Such study must accompany the *development* application. Where individual services are appropriate, individual lot sizes shall be determined by the greater of the results of the hydrogeological assessment or the minimum lot sizes in the development policies contained in the appropriate sections of this Plan.

Partial services shall only be permitted where they are necessary to address failed services in existing development and, within *settlement areas*, to allow for infilling and minor rounding out of existing development provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*. Within the Hamlet of Grafton, which is serviced by municipal piped water and individual septic systems, *development* may be permitted to allow for infilling and rounding out of

existing development provided there is sufficient capacity in the water treatment facility and that site conditions are suitable for development on septic systems with no *negative impacts*.

Unless on full municipal sewage and water services or approved private communal services, industrial and commercial uses will be restricted to those of a dry nature only and will be permitted on individual on-site sewage and water services on lands designated to permit those uses.

For the purposes of this Plan, a use of a “dry nature” shall mean one in which water is not required in the processing, assembling, fabricating, manufacturing, washing or cooling, or similar function of the establishment, and which requires water and sewage disposal facilities only for domestic uses, i.e., for employees and visitors to the establishment.

Municipal ownership and operation of communal sewage systems is required where six or more permanent residences are located on lots or parcels that are held under separate ownership, for example, lots in a plan of subdivision or units in a vacant land plan of condominium. For a communal sewage system serving six or more permanent residences in a development where the sewage system and the lands comprising the development are in a single ownership, such as a land lease community, a mobile home park, a park model trailer park, or a freehold condominium, municipal ownership of the sewage system is not required, however, a Responsibility Agreement between the owner of the property and the Municipality shall be required. This policy shall apply only to new *development* or expansions to existing development.

Where communal water services are required for residential *development*, such as plans of subdivision or condominium, mobile home parks and park model trailer parks, Council will determine if they will allow the establishment of a communal well that is subject to the *Safe Drinking Water Act*. The establishment of non-municipal drinking water systems that are subject to the *Safe Drinking Water Act* for the purposes of servicing residential *development* requires written consent of the Municipality if the drinking water system serves six or more private residences. The Municipality may require financial assurance as a condition on of development, which may be in the form of a Responsibility Agreement between the owner of the property and the Municipality.

Large subsurface sewage disposal systems with a capacity greater than 10,000 litres per day shall require approval under the *Ontario Water Resources Act*, and are subject to the Ministry of the Environment and Climate Change *Reasonable Use Guideline*.

Consideration may be given to the use of other proven servicing systems subject to the approval of the Ministry of the Environment and Climate Change and the Township Council.

3.2.2 Municipal Water Services

A municipal piped water supply service has been developed in the Hamlet of Grafton. *Development* proposals within the Hamlet of Grafton are required connect to the municipal water supply system.

Lot creation shall be permitted only if there is confirmation of sufficient *reserve water system capacity* within the *municipal water services*, and only if development is in compliance with the policies of Section 3.2.1, “General Servicing Policies.”

The establishment of a municipal drinking water system requires approval under the *Safe Drinking Water Act*.

3.2.3 Private Communal Sewage and Water Systems

There are several existing private piped service systems in the Municipality. All are water systems and all but one system in the Hamlet of Grafton are associated with summer camps or resort operations. To avoid financially burdening the Township's ratepayers at large, the Municipality will resist any demand to assume responsibility for these private systems. Furthermore, no conversion of any operation presently using private piped services will be permitted if, in the opinion of the Municipality, such conversion would generate demands for municipal assumption of the system.

The establishment of non-municipal drinking water systems that are subject to the *Safe Drinking Water Act* for the purposes of servicing residential *development* requires written consent of the Municipality if the drinking water system serves six or more private residences. The Municipality may require financial assurance as a condition of development, which may be in the form of a Responsibility Agreement between the owner of the property and the Municipality.

Large subsurface sewage disposal systems with a capacity greater than 10,000 litres per day shall require approval under the *Ontario Water Resources Act*, and are subject to the Ministry of the Environment and Climate Change *Reasonable Use Guideline*.

Requirements for the ownership and/or responsibility of private communal water and sewage systems shall be in accordance with the policies of Section 3.2.1.

New *development* on private communal water and sewage systems, where permitted by this Plan, shall only be permitted if there is confirmation of sufficient reserve water and sewage system capacity in the private communal systems.

3.2.4 Individual (Private) On-Site Water and Sewage Services

The majority of existing development in the Municipality is served by individual private, on-site water supply and sewage disposal systems. It shall be a policy of this Plan that new *development* will be so serviced except in those situations and subject to those conditions noted herein where other types of systems are to be permitted.

When *development* of any type will utilize individual on-site water supply and sewage disposal systems, this Plan requires compliance with the following policies before such development shall be permitted:

i) Lot Sizes

Each lot shall have sufficient area to comply with the requirements of the Haliburton, Kawartha Pineridge District Health Unit for the soil, drainage and other pertinent conditions of the site, for the type of services proposed and for the type of development to be served. Ultimate density of development shall be determined through hydrogeological assessment by a qualified professional to the satisfaction of the Ministry of the Environment and Climate Change and/or the Township of Alnwick/Haldimand.

ii) Water Supply Systems

Each proposed water source and supply systems shall meet the quality and quantity requirements of the Haliburton Kawartha Pineridge District Health Unit and/or the Ministry of the Environment and Climate Change. If it appears that the operation of a proposed water supply system will impair the water supply to existing development in the vicinity, an assessment of local ground water conditions by a qualified professional shall be required before approval will be given to the proposed system.

iii) Sewage Disposal Systems

The preferred method of private sewage disposal shall be a septic tank and tile bed system. If, in the opinion of the Health Unit, a site appears to have unsuitable soil, drainage or other conditions which could adversely affect the operation of a proposed sewage disposal system, soil and similar tests by a qualified professional engineer shall be required before approval will be given to the proposed system.

iv) Substandard System Improvements

The Municipality shall actively encourage the participation of township residents in any program that the Haliburton Kawartha Pineridge District Health Unit or the Ministry of the Environment and Climate Change designed to upgrade or replace existing substandard private supply or sewage disposal systems.

v) Determination of Treatment Capacity for Hauled Sewage

The Provincial Policy Statement requires that the determination of sufficient *reserve sewage system capacity for individual on-site sewage services* shall include treatment capacity for hauled sewage from private sewage services. It is the intention of the Township to work with applicable agencies to investigate options for the determination of treatment capacity for hauled sewage from private services and the implementation of this provincial policy.

3.3 UTILITIES AND PUBLIC SAFETY

3.3.1 Requirements for Development

Before giving its approval to any *development* proposals, the Municipality shall be assured by the appropriate agency that the utilities, fire protection and police protection necessary to serve the proposed *development* will be provided without placing undue financial obligations on Township taxpayers. When small-scale development is involved, such as that resulting from land severance activity, the proposed *development* must be located in an area where such services already exist and are economically feasible to maintain.

3.3.2 Lands for Easements and Emergency

Where land is required for utility easements or emergency access, such land shall be obtained for the appropriate agency in the course of approving land severances, plans of subdivision and *development* or *redevelopment* applications.

3.3.3 Lands for Public Buildings

If land is required for public buildings such as electric power substations, fire halls or police stations, the applicant may be requested to set aside appropriate sites for purchase by the relevant agency. Arrangements for the acquisition of such sites should be made conditions of approval for land severances, plans of subdivision and *development* or *redevelopment* applications.

3.3.4 TransCanada Pipelines

The location of the Trans Canada Pipeline is delineated on Schedule “A”, the Land Use Plan.

No extraction or structure shall be permitted within 10.0 metres of the Trans Canada Pipeline right-of-way limits.

Extraction within 30.0 metres of a pipeline right-of-way shall require leave from the National Energy Board.

No building shall be permitted within 500 metres of the Trans Canada compressor station No. 136 located in Part of Lot 15, Concession 3, former Township of Haldimand, without the approval of the Township of Alnwick/Haldimand in consultation with Trans Canada Pipelines.

3.4 PARKS AND RECREATION

3.4.1 General Policy for Public Spaces, Parks and Recreation

The Municipality will promote a healthy, active community by:

- i) Planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, and facilitate pedestrian and non-motorized movement, including but not limited to walking and cycling;
- ii) Providing for a full range and equitable distribution of publicly-accessible built and natural settings for *recreation*, including facilities, parklands, open space areas, trails and, where practical, water-based resources;
- iii) Providing opportunities for public access to shorelines; and
- iv) Considering the impacts of planning decisions on provincial parks and conservation areas.

3.4.2 Parks Plan

All municipal parks and recreation facilities in the Municipality shall be developed in accordance with a parks plan and the policies contained in this Plan. For the purposes of this Plan, municipal parks and recreation facilities are divided into the following functional classifications:

- Community Parklands
- Community Playgrounds
- Neighbourhood Playgrounds
- Neighbourhood Parks

3.4.3 Functional Classification

- i) Community Parklands

Community parklands are municipal lands available for the passive recreation uses of all Township area residents. Such lands are often situated in creek valleys or on lakeshores and, hence, may contain environmentally sensitive lands.

- ii) Community Playgrounds
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Community playgrounds are municipal lands developed for the active recreation uses of all Township area residents. Such lands frequently contain arenas, sport fields and similar large recreation facilities.

iii) Neighbourhood Playgrounds

Neighbourhood playgrounds are municipal lands developed for the active recreation use of residents in a particular hamlet or subdivision. Such lands may be developed in conjunction with an elementary school.

iv) Neighbourhood Parks

Neighbourhood parks are municipal lands available for the passive recreation use of residents in a particular hamlet or subdivision.

3.4.4 Land Conveyances

Council may by By-law, require as a condition of development or redevelopment the conveyance of land from the developer to the Municipality, in accordance with the provisions of Section 42 of the *Planning Act*. The amount of land to be conveyed is not to exceed 2 percent of the lands proposed for commercial and industrial development, or 5 percent of the lands for any other proposed uses. The conveyed lands are intended to be used for park or other public recreational purposes. Lands that are environmentally sensitive areas may not be acceptable as parkland dedication.

Where the division of land is proposed, the Municipality shall request the approval authority establish a condition on the granting of a provisional consent or the approval of a draft plan of subdivision that the owner convey land for park purposes to the Municipality. The amount of land to be conveyed is not to exceed 2 percent of the lands proposed for commercial and industrial development or 5 percent of the lands for any other proposed uses. The conveyed lands are intended to be used for park or other public recreational purposes. Lands that are environmentally sensitive areas may not be acceptable as parkland dedication.

All lands conveyed for parks purposes shall be approved by the Municipality. Where a water body adjoins such lands, adequate space shall be provided for maintenance of the park and its operation.

3.4.5 Alternative Conveyances

In lieu of the conveyance of land for park purposes, the Municipality may require the payment of money in lieu of such lands. The cash value of such lands will be determined as follows:

- i) For developments involving the division of land pursuant to either Section 51 or Section 53 of the *Planning Act*, the value of land shall be determined as of the day before the granting of draft plan approval for a plan of subdivision or the day before the granting of a provisional consent.
- ii) For *development* or *redevelopment* pursuant to Section 42 of the *Planning Act*, the value shall be determined as of the day before the day of the issuance of the first building permit issued in respect to *development* or *redevelopment* or, where more than one building permit is required for the *development* or *redevelopment*, as of the day before the first permit is issued.

3.4.6 Requirements in Hamlet and Residential Areas

In the designated hamlet and residential areas, recreational needs shall be met by the acquisition of additional parklands so that an overall ratio of one hectare of parkland for each 300 dwelling units in each designated area. The allocation of parklands to each functional classification shall be as follows:

i) Community Parkland

Due to the significant amount of regional parkland already provided in the Municipality by the Province and the County of Northumberland, no additional community parklands are required.

ii) Community Playgrounds

If the designated hamlet and residential areas become substantially developed, the existing community playground at Grafton should be expanded.

iii) Neighbourhood Facilities

One combination neighbourhood playground and park should be provided in each designated hamlet and residential area except Grafton and other designated areas where a community playground may be established. Since the minimum size of a neighbourhood playground/park should be 8,000 square metres, the Municipality should require cash-in-lieu of parkland in any designated area where there is expected to be less than 240 dwelling units.

3.4.7 Requirements in Shoreline Areas

Along the Lake Ontario and Rice Lake waterfronts, land shall be provided to meet recreational needs by acquiring five percent of all land proposed for residential *development* in shoreline areas or a suitable cash equivalent where the size or location of the site being developed makes such acquisition inappropriate.

3.5 SCHOOLS

3.5.1 Accommodation Planning

The Township recognizes the importance of community schools to residential neighbourhoods and to the community as a whole. The school boards having jurisdiction in the Township of Alnwick/Haldimand shall determine, in conjunction with the Ministry of Education and the Municipality, the size and timing of new required educational facilities. At such time as the school boards have completed long-range accommodation planning, the proposals may be added to this Plan by amendment.

3.5.2 Requirements for Development

Before any *development* that will generate additional pupils is approved, the municipality shall be assured that the necessary pupil accommodation and any required school bussing will be provided.

3.5.3 Schools as Community Hubs

Schools within the Township of Alnwick/Haldimand are community hubs where all people can gather to learn and participate in a range of activities offered by community organizations. Council supports and encourages partnerships between local community organizations and local school boards to use the schools

as community hubs in accordance with each board's "Community Use of Schools" programs.

3.6 PROTECTION OF ENVIRONMENT

3.6.1 Environmentally Sensitive Areas

i) Definition of Environmentally Sensitive Areas

Environmentally Sensitive Areas include lands that contain such inherent biological values as provincially significant wetlands, *coastal wetlands*, evaluated, non-provincially significant wetlands, other *wetlands*, *significant woodlands*, *significant valleylands*, *significant wildlife habitat*, the *habitat of endangered and threatened species*, watercourses, *Areas of Natural and Scientific Interest (ANSI)*, and other more locally significant natural areas. Environmentally Sensitive Areas may also possess any one of the following characteristics: flood susceptibility, poor drainage, organic soils, erosion prone soils or steep slopes. In some instances, the environmental values and/or hazards associated with such areas may make them unsuitable for *development*.

ii) General

Environmentally Sensitive Areas are important elements of the Municipality's ecosystem, which require proper conservation and management in order to maintain the environmental health of the community. Owners of lands that contain Environmentally Sensitive Areas will be encouraged to be good land stewards. It is intended that Environmentally Sensitive Areas be *conserved* and protected to the greatest extent possible, including public ownership, if feasible.

iii) Requirements for Development of Lands Designated as "Environmental Protection"

Where possible, the approximate extent and location of these environmentally sensitive areas have been identified and designated as "Environmental Protection" or "Environmental Protection/PSW" on Schedule "A". All such lands are subject to the policies of Section 5.12 "Environmental Protection" of this Plan.

iv) Other Sensitive Lands that are not designated as "Environmental Protection"

Not all lands having environmentally sensitive features are designated as "Environmental Protection" on the Land Use Plan – Schedule "A", due to the size and/or sensitivity of the feature, the degree of hazard it creates, or a lack of information. During the review of *development* proposals lands with sensitive features may be identified. Depending on their significance and/or hazardous nature, such features shall be protected. An application to develop on or adjacent to such a feature shall be subject to the applicable policies of Section 8 of this Plan, "Natural Environment Policies."

3.7 SITE DEVELOPMENT REQUIREMENTS

3.7.1 Lot Sizes

The lot area and lot frontage should be suitable for the proposed uses, shall conform to the provisions of the Municipality's Zoning By-law and shall comply with the relevant policies of Section 3.2 of this Plan.

3.7.2 Soil and Drainage

Development should only be permitted on lands having soil and drainage conditions that are suitable to permit the proper siting and development of the proposed uses.

3.7.3 Road Setbacks

Setbacks from roads shall be provided in accordance with implementing zoning by-laws to preserve the right-of-way widths specified in this Plan. Such setbacks should be sufficient to allow appropriate landscaping and to permit the parking and movements of vehicles clear of any road allowance.

3.7.4 Development Abutting or in Proximity to Ministry of Transportation (MTO) Permit Control Areas

In addition to the applicable municipal requirements, all proposed *development* located adjacent to or in the vicinity of a provincial highway within MTO's permit control area under the *Public Transportation and Highway Improvement Act* will be subject to MTO approval. Early consultation with MTO is encouraged to ensure the integration of municipal planning initiatives with provincial transportation planning. Any new areas in the Municipality identified for future *development* that are located adjacent to or in the vicinity of a provincial highway or interchange/intersection within the MTO permit control area will be subject to MTO's policies, standards and requirements. Direct access will not be permitted to the freeway or designated interchange area.

3.7.5 Development Abutting or in Proximity to Railways

Rail lines operated by CN Rail and CP Rail extend through the southern part of the Township and are shown on Schedules "A" and "B" of this Plan.

Specific land use controls respecting rail impact, particularly noise, vibration and public safety, shall be exercised where appropriate for new non-industrial development or redevelopment proposals on lands abutting or adjacent to a railway right-of-way:

- i) All proposed *development* within 500 metres of a railway right-of-way may be required to undertake noise studies prior to *development* approval to the satisfaction of the Municipality and appropriate approval authority in consultation with the Railway, and shall undertake appropriate measures to mitigate any *adverse effects* from noise that were identified.
 - ii) All proposed *development* within 75 metres of a railway right-of-way may be required to undertake vibration studies prior to *development* approval to the satisfaction of the Municipality and the appropriate approval authority, in consultation with the Railway, and shall undertake appropriate measures to mitigate any *adverse effects* from vibration that were identified.
 - iii) All proposed *development* adjacent to railways shall ensure that appropriate safety measures such as setbacks, berms, noise walls or security fencing are provided, to the satisfaction of the Municipality in consultation with the Railway.
 - iv) When an application is received for the *development* or *redevelopment* of lands abutting or adjacent to a rail line, the Municipality shall consult with the Ministry of the Environment and Climate Change and the appropriate Rail authority prior to approving the *development* application.
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3.7.6 Parking and Loading Facilities

Off-street parking areas and loading facilities shall be provided for the applicable uses as required by implementing zoning by-laws.

3.7.7 Open Storage

Open storage shall be controlled through regulations set out in the implementing zoning by-law.

The Ontario Ministry of Transportation is generally concerned with the appearance of outdoor storage and loading areas associated with commercial/industrial areas adjacent to provincial highways. The Municipality should give consideration to the following to ensure that outdoor storage and loading areas do not detract attention for the travelling public along Highway 401:

- i) Open storage areas adjacent to Highway 401 should be provided with appropriate landscaping and screening to shield the open storage area so that it will not detract from the character of the area; and
- ii) Commercial and industrial activities will be encouraged to locate within enclosed buildings unless it is essential for an activity to locate outdoors, in which case the commercial/industrial use should be suitably screened from the highway.

3.7.8 Development of Non-Residential Uses

As a condition of approval for the *development* or *redevelopment* of any non-residential use, the Municipality may require the developer to provide the following facilities along that side of the lot that adjoins a non-compatible use:

- i) increased yards;
- ii) planting strips, screening, fencing and/or berms;
- iii) deflected lighting; and
- iv) prohibitions on parking, delivery, loading and open storage.

3.7.9 Development Agreements

As a condition of approval for the *development* or *redevelopment* of any lands in the Township of Alnwick/Haldimand, the Municipality may require the developer to enter into an agreement with the Municipality pursuant to Section 41 of the *Planning Act*.

3.7.10 Minimum Distance Separations (MDS I and II)

New land uses, including the creation of lots, and new or expanding livestock operations, shall comply with the Minimum Distance Separation 1 (MDS 1) and the Minimum Distance Separation 2 (MDS 2) Formulae contained in the publication *Minimum Distance Separation (MDS) Formulae, Implementation Guidelines*, Publication 707, Ministry of Agriculture, Food and Rural Affairs, Queen's Printer, Toronto,

2006, as amended from time to time.

The implementing Zoning By-law may establish regulations for the application of the Minimum Distance Separation 1 and 2 (MDS 1 and 2) Formulae to existing lots.

3.8 CONVERSION OF USES

3.8.1 General

The Municipality will carefully evaluate the proposed conversion of one land use type to another. Such conversions will only be permitted when the Municipality, in accordance with Section 34(6) of the *Planning Act* has issued a Certificate of Occupancy.

3.8.2 Requirements for Certificate of Occupancy

Any person applying for a Certificate of Occupancy shall provide Council with a report on all required details of the subject property. Prior to approving the issuance of such Certificate, Council shall ensure that the subject property complies with all relevant policies of this Plan, including the following.

i) **Compatibility with Surrounding Land Uses**

To ensure satisfactory compatibility between the proposed land uses and the existing land uses in the surrounding area, Council shall verify that the proposed use complies with the relevant land use designations and policies of this Plan.

ii) **Provision of Public Services**

To ensure that the subject property will be provided with the necessary public services in the most economical manner, Council shall ensure that the subject property complies with the relevant policies of Sections 3.1, 3.2, 3.3, 3.4 and 3.5 of this Plan.

iii) **Water Supply and Sewage Disposal**

If the subject property will utilize a private water supply and/or sewage disposal system, the policies contained in Section 3.2.4 of this Plan shall apply.

iv) **Protection of Environment**

Conversions shall not be approved in environmental sensitive areas except in accordance with the relevant policies of Section 3.6 of this Plan.

v) **Site Development Requirements**

Council shall ensure that the subject property complies with the relevant policies of Section 3.7 of this Plan.

vi) **Building Condition**

The subject buildings shall be of adequate size and construction for the proposed uses and shall comply with other applicable building, fire, and health and safety regulations.

vii) Zoning

The proposed uses shall comply with the applicable provisions of the Comprehensive Zoning By-law, with regard to permitted uses and regulations.

3.9 REFERENCE PLAN AREAS

Development on existing Reference Plan lot(s) will only be permitted when public road access is available to the lot(s) to be released for development. The roads, on which the lot(s) front must be brought up to a standard acceptable to the municipality at the affected landowner(s) expense prior to any *development* taking place.

Should validation be necessary, the Council may pass a By-law pursuant to the requirements of the *Planning Act*.

3.10 PROTECTION OF MINERAL AGGREGATE RESOURCES

Licensed *mineral aggregate operations* (sand and gravel pits and quarry operations) and areas of known high potential *mineral aggregate resources* (identified deposits of sand and gravel of primary and secondary significance as mapped in the Aggregate Resources Inventory of Haldimand and Alnwick Townships, Paper 143) are designated as “Aggregate Resource” on Schedule “A” of this Plan, and as “Countryside Aggregate Resource” and “Natural Linkage Aggregate Resource” on Schedules “C-1” and/or “C-5” of this Plan (on the Oak Ridges Moraine). Deposits of tertiary significance or deposits that are shown to be of high potential as a result of testing, and agreed to in consultation with the Township and the Ministry of Natural Resources and Forestry, will be shown on Schedule “A” as this information becomes available.

Sensitive land uses (as defined in Section 3.12 of this Plan) should not be permitted to locate:

- i) within 300 metres of licensed sand and gravel pit operations, or
- ii) within 300 metres of lands designated as “Aggregate Resource” on Schedule “A” of this Plan, or
- iii) within 300 metres of lands designated as “Countryside Aggregate Resource” and “Natural Linkage Aggregate Resource” on Schedules “C-1” and “C-5” of this Plan, or
- iv) within 500 metres of licensed quarry operations,

unless studies are completed to demonstrate that the encroachment of the *sensitive land uses* will not be impacted by such matters as groundwater interference, noise, dust, traffic and vibration.

In addition to the above policy, in areas within or *adjacent* to known *deposits of mineral aggregate resources*, *development* which would preclude or hinder the establishment of new *mineral aggregate operations* or access to the resources shall only be permitted if:

- i) resource use would not be feasible; or
- ii) the proposed land use or *development* serves a greater long term public interest; and

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- iii) issues of public health, public safety and environmental impact are addressed.

Existing licensed *mineral aggregate operations* shall be protected from *development* 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.

3.11 STORMWATER MANAGEMENT

3.11.1 General

Prior to approving any *development* proposal within the Municipality, Council, in consultation with the Conservation Authority and where appropriate the Ministry of the Environment and Climate Change and the Trent-Severn Waterway, shall be satisfied that adequate storm drainage is provided to a suitable outlet.

3.11.2 Large Scale Development

For any large-scale development within the municipality, including new *development* or *redevelopment* that requires an amendment to this plan and including (but not limited to) plans of subdivision or condominium, run-off from the development shall be minimized and the impact of any proposed *development* on local and area-wide drainage patterns shall be identified. A suitable method of managing surface water run-off, including both quantity and quality control, shall be developed and implemented as a condition of approval according to the following policies:

- i) Preference shall be given to those developments that incorporate methods of reducing or eliminating surface run-off.
- ii) 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.
- iii) Developments that could have a significant impact on surface drainage shall provide comprehensive drainage plan showing methods of surface water disposal and any impacts on adjacent or affected properties.
- iv) Prior to the consideration of a Zoning By-law an assessment of the developments impact on surface drainage, flooding, water quality or erosion of soils may be required.
- v) Prior to approving a Zoning By-law or entering into a development agreement, council will ensure that the proposal has been reviewed by the Conservation Authority and/or the Ministry of Natural Resources and Forestry to determine the degree to which the proposal meets the above policies.
- vi) Where large-scale development is located in the vicinity of Highway 401, a stormwater management report/plan shall be submitted to the Ontario Ministry of Transportation for that ministry's review and approval.

In reviewing a *development* proposal, additional specific requirements may be required on a case by case basis.

3.11.3 Stormwater Management Criteria

In order to control flooding, ponding, erosion and sedimentation and to protect water quality and aquatic habitat or other natural habitat which depends on water courses and other water bodies for their existence, stormwater management plans shall be required for any new *development* greater than one (1) hectare and industrial/commercial development with greater than 0.5 hectares of impervious cover. Stormwater management will be undertaken in accordance with the Ministry of the Environment and Climate Change Guideline “Stormwater Management Planning and Design Manual” (2003).

The Municipality shall require the use of stormwater management facilities downstream of new *developments*, where appropriate, to mitigate development impacts on stormwater quality and quantity. The Municipality shall promote naturalized stormwater management facilities, maintaining existing drainage patterns and maintaining water balance, while not increasing flooding or erosion. Applications for *development* shall be required to be supported by a stormwater management study. The planning and design of stormwater facilities shall be undertaken in accordance with the Ministry of the Environment and Climate Change Stormwater Management Planning and Design Manual (2003).

Council will encourage the establishment of reasonable criteria for stormwater management to assist in the review of all development plans. For *designated growth areas* in the Township, Council may require the development of a master drainage plan. A master drainage plan is a comprehensive plan for handling stormwater run-off for the whole or part of a *watershed*. A master drainage plan provides policies for the management of stormwater quality and quantity in order to control flooding, erosion, sedimentation and

pollution, and ensures that a co-ordinated approach is adopted for the planning of new *development* in accordance with sound stormwater management principles. Should Council determine that a master drainage plan is required the following policies shall apply to developing and implementing a master drainage plan:

- i) Council may require the preparation of a master drainage plan prior to the approval of a large-scale development proposal.
- ii) Council shall consult with the Ministry of the Environment and Climate Change, the Ministry of Natural Resources and Forestry, the Conservation Authority and any other agency deemed applicable, if a proposal is adjacent to any waterbody where these agencies have jurisdiction. Particular regard is to be given to the proportion of the *watershed* that has already been developed, or is under draft plan approval or subdivision registration when evaluating the need for master drainage plan for a particular area.

The master drainage plan would generally apply to all areas within the Township of Alnwick/Haldimand.

- iii) Prior to the preparation of a master drainage plan, Council will review the terms of reference in consultation with the Conservation Authority, the Ministry of the Environment and Climate Change and the Ministry of Natural Resources and Forestry.
 - iv) Master drainage plans will, when completed, be reviewed by all relevant agencies.
 - v) Once a master drainage plan for a particular *watershed* has been accepted and the recommendations incorporated into the Official Plan by an amendment, proposals for plans of subdivision/condominium, and new industrial and commercial development will include a
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stormwater 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 subdivision/condominium development, a stormwater design plan shall be requested as a condition of draft approval and to be prepared prior to final approval.

- vi) As a condition of draft approval for plans of subdivision/condominium, a stormwater design plan shall be submitted and reviewed by the Conservation Authority and/or the Ministry of the Environment and Climate Change for their approval.
 - vii) In cases of new industrial and commercial development, the stormwater design plan will form part of the information submitted for site plan review.
 - viii) The extent and type of information required in the stormwater design plan shall be set out in the master drainage plan.
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3.12 LAND USE COMPATIBILITY

The encroachment of *sensitive land uses* and industrial uses on one another is discouraged. A separation distance in accordance with the Ministry of the Environment and Climate Change *Land Use*

Compatibility guideline and *Compatibility Between Industrial Facilities and Sensitive Land Uses* guideline should be incorporated between sensitive uses and industrial uses or other facilities that by their nature are incompatible with sensitive uses.

The following minimum separation distances between industrial land uses and *sensitive land uses* should be provided:

- i) Class 1 Industrial Facility – 20 metres
- ii) Class 2 Industrial Facility – 70 metres
- iii) Class 3 Industrial Facility – 300 metres

Separation or buffer areas may include open space, berms, walls, fences, vegetation plantings, municipal streets, or another land use different from the two conflicting uses, but compatible with both the industrial and sensitive land use.

The MOE *Land Use Compatibility* guideline and *Compatibility Between Industrial Facilities and Sensitive Land Uses* guideline should also be consulted with respect to the related influence areas which exist beyond the above-noted setbacks in order to assess the potential impact of the proposed sensitive use or industry. The influence areas are:

- i) Class 1 – 70 metres influence area
- ii) Class 2 – 300 metres influence area
- iii) Class 3 – 1,000 metres influence area.

Notwithstanding the above setback distances and influence areas, compatibility between *sensitive land uses* and *mineral aggregate operations* shall be considered in accordance with the policies of Sections 3.10, 3.22 and 5.8 of this Plan.

For the purposes of this policy, the following definitions shall apply:

Class 1 industrial facility means a place of business for a small-scale, self-contained plant or building which produces/stores a product that is contained in a package and has low probability of fugitive emissions. Outputs are infrequent, and could be point source or fugitive emissions for any of the following: noise, odour, dust and/or vibration. There are daytime operations only, with infrequent movement of products and/or heavy trucks and no outside storage.

Class 2 industrial facility means a place of business for medium scale processing and manufacturing with outdoor storage of wastes or materials (i.e., it has an open process) and/or there are periodic outputs of minor annoyance. There are occasional outputs of either point source or fugitive emissions for any of the following: noise, odour, dust and/or vibration, and low probability of fugitive emissions. Shift operations are permitted and there is frequent movement of products and/or heavy trucks during daytime hours.

Class 3 industrial facility means a place of business for large scale manufacturing or processing, characterized by: large physical size, outside storage of raw and finished products, large production volumes and continuous movement of products and employees during daily shift operations. It has frequent outputs of major annoyance and there is high probability of fugitive emissions.

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

3.13 HOUSING POLICIES

3.13.1 General Housing Policies

In order to provide for an appropriate range of housing types and densities required to meet projected requirements of current and future residents of the *regional market area*, Council shall:

- i) Maintain at all times the ability to accommodate residential growth for a minimum of 10 years through *residential intensification* and *redevelopment* of land and, if necessary, lands which are *designated and available* for residential *development*;
- ii) Maintain at all times where *development* is to occur, land with servicing capacity to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate *residential intensification* and *redevelopment*, and in draft approved and registered plans of subdivision;
- iii) Encourage the provision of a mix and range of housing types in the Municipality;
- iv) Encourage housing forms and densities designed to be *affordable to low and moderate income households*;
- v) Reduce the time to process residential applications to the greatest extent possible;
- vi) Encourage *residential intensification* where practical;
- vii) Monitor the provision of affordable housing in the Municipality; and
- viii) Refer to the Northumberland County Housing and Homeless Plan 2014-2023 for guidance in determining the affordable housing needs for the Township.

3.13.2 Affordable Housing

In accordance with the policies of the Northumberland County Official Plan, the Township of Alnwick/Haldimand supports the provision of housing which is *affordable to low and moderate-income households*. In this regard the minimum target for the provision of housing which is *affordable* in the Township of Alnwick/Haldimand is 25 percent. In addition, *affordable* means:

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

3.13.3 Second Dwelling Units

Second units, also known as accessory or basement apartments, secondary suites and in-law flats, are self-contained residential units with kitchen and bathroom facilities within dwellings or within structures accessory to dwellings (such as above laneway garages). Second dwelling units shall comply with the following policies:

- i) Second dwelling units must comply with all applicable laws and standards, including the Ontario Building Code and Fire Code, and property standard by-laws.
 - ii) Where a second dwelling unit is proposed, the owner shall investigate whether an adequate supply of potable water is available, and that the site can assimilate wastes from the sewage disposal system without exceeding Ministry of the Environment and Climate Change guidelines for groundwater impact. Such information must accompany the building permit application, to the satisfaction of the Municipality and the Health Unit.
 - iii) Second dwelling units shall be permitted within dwelling units in all land use designations that permit detached dwellings, semi-detached dwellings and rowhouses, subject to the policies of this Plan and the implementing Zoning By-law.
 - iv) A second dwelling unit shall be permitted in a detached dwelling, a semi-detached dwelling or a rowhouse dwelling, or in a building ancillary to a detached house, semi-detached house, or townhouse/rowhouse if the detached, semi-detached or townhouse/rowhouse contains a single residential unit. A second dwelling unit shall comply with the applicable provisions of the Zoning By-law.
 - v) Second dwelling units within the Shoreline land use designation shall only be permitted in accordance with the policies of Section 5.4.1(ii) of this Plan.
 - vi) Notwithstanding the above policies, second dwelling units within the Agricultural and Rural land use designations shall be permitted in accordance with the policies of Sections 5.9.2(iv) and 5.10.2(v) of this Plan (“Farm-Related Residential Uses”).
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3.13.4 Garden Suites

A “Garden Suite” means a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable.

Council recognizes that Garden Suites may offer alternative housing opportunities in the Township. Garden Suites shall be regulated as temporary uses under the provisions of Sections 39 and 39.1 of the *Planning Act*. Council may require the owner of the garden suite or any other person to enter into an agreement with the Municipality dealing with such matters related to the temporary use of the garden suite as the Council considers necessary or advisable, including:

- i) The installation, maintenance and removal of the garden suite;
- ii) The period of occupancy of the garden suite by any of the persons named in the agreement; and
- iii) The Municipality related the monetary or other form of security that Council may require for actual or potential costs to the garden suite.

The implementing Zoning By-law shall contain regulations pertaining to garden suites such as, but not limited to, the zone classifications where they may be permitted, minimum lot area requirements, the maximum number of garden suite buildings per lot, building setbacks, and the minimum and/or maximum dimensions of a garden suite.

3.13.5 Group Homes

Group homes shall be permitted within lands designated as Hamlet, Shoreline, Rural Residential, Agricultural and Rural. Where a group home is to be established on the Agricultural designation, the home may only be located in an existing house and shall not qualify for a severance.

It is the intent of the Plan where a Group Home is a permitted use it shall be defined as a single housekeeping unit in a residential dwelling in which individuals live as a unit under responsible supervision consistent with the particular requirements of the resident, and which provides accommodation for 3 to 10 persons. New Group Homes located within the Municipality shall generally accommodate the needs of the residents of the area. Group Homes shall be licensed, approved and/or funded under provincial and federal statutes and maintained in compliance with municipal by-laws.

Council may, in a zoning by-law, provide the following regulations for Group Homes:

- i) The maximum number of residents (excluding staff and/or receiving family) in a Group Home.

For purposes of the above regulations, Group Homes may be categorized by type. In general, such types shall be established by reference to the appropriate provincial legislation and may form the basis for zoning regulations.

Council may pass a by-law providing for the registration of Group Homes in accordance with Section 166 of the *Municipal Act*, S.O., 2001.

3.14 COMPLETE DEVELOPMENT APPLICATIONS AND PRE-CONSULTATION

A complete application for an amendment to the Official Plan of the Township of Alnwick/Haldimand and/or the Comprehensive Zoning By-law of the Township of Alnwick/Haldimand shall contain the prescribed information as required under Sections 22(4) and 34(10.1) of the *Planning Act* as applicable for each application.

In addition, and in accordance with the provisions of Sections 22(5) and 34(10.2) of the *Planning Act*, R.S.O. 1990, as amended, the Municipality may request additional information or material that it considers it may need when considering a complete application for an official plan amendment or a zoning by-law amendment. Such information may include, but is not limited to, any of the following:

- i) Servicing options report;
- ii) Hydrogeological study (in accordance with Guidelines of the Ministry of the Environment and Climate Change);
- iii) Engineered drainage plan and/or stormwater management plan;
- iv) Market analysis/justification study;
- v) Traffic study;
- vi) Environmental impact study (refer to Sections 5.12.8.1 and 8.0);
- vii) Archaeological study;
- viii) Planning report;
- ix) Natural Resource Analysis (mineral aggregates, mineral non-aggregates, forests, etc.);
- x) Noise impact study;
- xi) Agricultural land use justification;
- xii) Impact on Municipal/other services;
- xiii) Any study required under the provisions of the Oak Ridges Moraine Conservation Plan and Section 11.1 of this Official Plan;
- xiv) A Section 59 Notice made under the *Clean Water Act, 2006* from the Risk Management Official, in accordance with Section 3.29.1(ii) of this Plan.

It is recognized that the County of Northumberland, as the approval authority for subdivisions/condominiums, may also require such studies for applications under its jurisdiction, and may review these studies internally or through the use of peer reviewers. In such instances, the Municipality will communicate with the County of Northumberland and will endeavour to coordinate the requirement for and review of studies submitted to both the approval authority and the Municipality in support of related development applications.

If an application for an official plan amendment or a zoning by-law amendment is proposed, the applicant may be required to appear before Council or the Municipal CAO/Director of Planning to undertake pre-consultation in accordance with the provisions of Sections 22(3.1) (b) or 34(10.0.1) (b) of the *Planning Act*, R.S.O. 1990, as amended, to review the planning proposal and to identify the required studies prior to making the application.

The Municipal CAO/Director of Planning can waive the pre-consultation if the application is considered to be minor and it is determined that pre-consultation is not required. Normally, if a consent is granted by the approval authority where a zoning by-law amendment is required as a condition of final approval of the consent, no pre-consultation will be required.

The Council of the Township of Alnwick/Haldimand may pass by-laws under the provisions of Sections 22(3.1)(b) and/or 34(10.0.1)(b) of the *Planning Act*, R.S.O. 1990, as amended, to require applicants to consult with the Municipality in accordance with the policies of Section 3.14 of this Plan.

The Municipality may require a pre-development agreement to provide for the recovery of municipal costs related to the review of information requirements in support of the development application(s).

3.15 WATER SETBACKS

All *development* shall be set back sufficiently from the high water mark of any water body or watercourse to ensure the protection of water quality and natural stream and valley lands. As a general policy, and except as otherwise set out in this Plan (e.g., Section 8.10, Natural Hazards), *development* should be set back a minimum of 30 metres from all water bodies and watercourses capable of supporting warm and cold-water fisheries. In cases where this setback is not achievable for lots existing as of the date of approval of this Plan, the greatest setback possible will be required in consultation with the Conservation Authority. Within these setbacks, no *development* should be permitted and *site alteration* activities should be strictly controlled to ensure protection of *fish* and *fish habitat*.

3.16 RE-USE OF CONTAMINATED OR POTENTIALLY CONTAMINATED SITES

Where site re-use or re-development is proposed for lands that are or may be contaminated, Council will request the proponent to undertake a Phase I and if necessary a Phase II Environmental Site Assessment (ESA) to determine whether the environmental condition of the site is suitable for the proposed use.

A site which is contaminated, or may be potentially contaminated, should be assessed through the preparation of an ESA, and Council shall be in receipt of a record of site condition, acknowledged by the Ministry of the Environment and Climate Change, outlining the requirements for restoration before approval for the re-use or re-development of the site is granted.

The Ministry of the Environment and Climate Change should be consulted if it is determined that remedial action may be required.

Planning for the use or re-development of a contaminated or potentially contaminated site shall be undertaken in accordance with the requirements of the Ministry of the Environment and Climate Change.

As information becomes available concerning the location and extent of contaminated or potentially contaminated sites in the Township, this Plan may be amended to identify those sites, together with

appropriate policies concerning the use or *development* of the sites.

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 (ESA) should be carried out at sites which may be contaminated, and Phase II ESAs should be completed if required. Clean-up of contaminated sites should be done in accordance with the Record of Site Condition Regulation (O. Reg. 153/04) and with the Ministry of the Environment and Climate Change guideline “Records 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.

3.17 BED AND BREAKFAST ESTABLISHMENTS

Bed and breakfast establishments will generally be permitted in all land use designations where residential uses are permitted subject to the following:

- i) A bed and breakfast establishment shall only be permitted in a single detached dwelling;
- ii) The property shall be the principle residence of the person operating the bed and breakfast establishment;
- iii) The bed and breakfast establishments shall not detract from the residential character of the surrounding area; and
- iv) Appropriate regulations shall be included in the Comprehensive Zoning By-law to govern the establishment and operation of bed and breakfast establishments within the Municipality. Matters to be included in the Zoning By-law may include:
 1. The maximum number of guest rooms per bed and breakfast establishment (which shall not exceed three guest rooms);
 2. The provision of an appropriate number of off-street parking spaces;
 3. Restrictions on the type of dwelling in which such use may be established; and
 4. Restrictions on the size and nature of advertising signs.

3.18 EXISTING LAND 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 Schedule “A” as a general rule, should cease to exist in the long term. In special instances however, it may be desirable to permit the extension or enlargement of such a non-conforming use in order to avoid unnecessary hardship. It is the intention of this Plan that such extensions and enlargements shall be handled through the use of Section 34(10) or Section 45 of the *Planning Act*.

3.18.1 Section 34 (10) of the *Planning Act*

In accordance with Section 34 (10) of the *Planning Act*, any application for the extension or enlargement of an existing use which is not permitted in the implementing zoning by-laws (hereinafter called a “non-conforming use”) shall be dealt with in the following manner:

i) Feasibility of Acquisition

The Township Council shall determine the feasibility of acquiring the property concerned at the time of application or possible some future date and of holding, selling, leasing or redeveloping the property in accordance with the provisions of the *Planning Act*. At the same time consideration shall be given to the possibility of relocating the use under consideration to a designated and zoned location where it would be able to function and produce under improved conditions in accordance with the politics of this Plan.

ii) No Amendment to Official Plan

If, after investigation, municipal acquisition of the property does not appear to be feasible but the special merits of the individual case make it desirable to grant permission for the extension or enlargement of the non-conforming use, Council may consider passing a Zoning By-law Amendment pursuant to Section 34 (10) of the *Planning Act*. Such by-law may then be passed without amending this Plan, provided it complies with the policies of Section 3.18.1(iii) of this Plan.

iii) Township Council Consideration

The Township Council, before passing such a By-law, shall be satisfied that any of the following requirements which are relevant to the specific application for the extension or enlargement of the use are, or will be, fulfilled in order to safeguard the wider interests of the general public:

1. That the proposed or enlargement of the established use shall not unduly aggravate the situation created by the existence of the use, especially in regard to the policies of the Official Plan and the requirements of the implementing Zoning By-law applying to the area;
 2. Where an extension or enlargement is proposed in an environmentally sensitive area, the Ministry of Natural Resources and Forestry and the Conservation Authority shall be consulted;
 3. That the proposed extension or enlargement shall be in an appropriate proportion to the size of the use established prior to the passing of the implementing Zoning By-law;
 5. That an application which would affect the boundary areas of different land use designations on the Land Use Plan will only be processed under this policy, if it can be considered as a “minor adjustment” permitted under the flexibility clause of Section 12.1 of the Official Plan without the need for an amendment. Any major variances will require an amendment to the Official Plan;
 6. That characteristics of the existing use and the proposed extension or enlargement shall be examined with regard to noise, vibration, fumes, smoke, dust, odours, lighting and traffic-generating capacity. No amendment to the implementing By-law shall be made if one or more of such nuisance factors will be created or increased so as to add essentially to the incompatibility of the use with the surrounding area;
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7. That the neighbouring uses will be protected, where necessary, by the provision of areas for landscaping, buffering or screening, appropriate setbacks for buildings and structures, devices and measures to reduce nuisances, and where necessary, by regulations for alleviating *adverse effects* caused by outside storage, lighting, advertising signs, etc. Such provisions and regulations shall be applied to the proposed extension or enlargement and, wherever feasible, be also extended to the established use in order to improve its compatibility with the surrounding area;
8. That traffic and parking conditions of the vicinity will not be adversely affected by the application, and traffic hazards will be kept to a minimum by appropriate design of ingress and egress points to and from the site and improvement of sight conditions, especially in proximity to intersections;
9. That adequate provision has been, or will be made for the off-street parking and loading facilities; and
10. That applicable municipal services such as storm drainage, water supply and roads, etc. are adequate or can be made adequate.

iv) Council Decision

Council will not pass a Zoning By-law Amendment pursuant to Section 34(10) of the *Planning Act* before being satisfied as to the policies contained in Section 3.18.1(iii) hereof.

3.18.2 Section 45 of the Planning Act

Section 45 of the *Planning Act* concerns applications to the Committee of Adjustment. The Committee may authorize minor variances from the provisions of Implementing Zoning By-laws or such other By-laws, as considered appropriate by Council. The Committee shall only approve a minor variance if in the opinion of the Committee such variance is desirable for the appropriate *development* or use of the land, building or structure or the use thereof, and the general intent and purpose of this Plan and the Implementing Zoning By-law are maintained.

3.19 PUBLIC USES

Public parks, public utilities, public road and railway right-of-ways, and other public uses shall be permitted within all land-use designations provided that the use is necessary in the area, and measures are taken to reduce any environmental impact or incompatibility with surrounding uses. New utilities/facilities shall be located outside of *significant wetlands* wherever possible. No buildings or structures will be allowed in an identified floodplain without the written approval of the appropriate Conservation Authority. Notwithstanding the above permitted uses, buildings accessory to the use shall generally not be permitted within the Environmental Protection designation.

Notwithstanding the above, public uses may be permitted upon lands designated as Agricultural subject to demonstrating the following:

- i) The lands do not comprise a *specialty crop area*;
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- ii) There is an identified need within the 20-year planning horizon of this Plan for additional land to be designated to accommodate the proposed use;
 - iii) There are no reasonable alternative locations which avoid *prime agricultural areas*; and
 - iv) There are no reasonable alternative locations in *prime agricultural areas* with lower priority agricultural lands.

Impacts from any new or expanding public use on surrounding agricultural operations and lands should be mitigated to the extent feasible.

Public uses shall comply with the *Minimum Distance Separation formulae* (Section 3.7.10 of this Plan), where applicable.

3.20 ACCESSORY USES

Any use, building or structure, which is normally incidental and accessory to a main use, shall also be permitted. However, none of the following accessory uses shall be permitted by the implementing Comprehensive Zoning By-law except in those specific zones where such accessory use is listed as a permitted use:

- i) an accessory manufacturing use;
- ii) a building or portion thereof used for human habitation;
- iii) a gasoline pump island;
- iv) a livestock building;
- v) a marine facility;
- vi) any occupation for gain or profit conducted within or accessory to a dwelling unit; or
- vii) an open storage area.

3.21 WAYSIDE PITS AND WAYSIDE QUARRIES

Wayside pits and quarries used on public authority contracts shall be permitted, without the need for an amendment to this Plan or rezoning, in any designation except a residential land use designation that is zoned for residential use, or land designated or zoned Environmental Protection or Environmental Protection/Provincially Significant Wetlands (PSW), provided that the use conforms to the *Aggregate Resources Act*.

On specialty crop lands and lands comprised of Classes 1, 2 and 3 soils as identified by Canada Land Inventory mapping for Agriculture and designated as Agricultural on Schedule “A” of the Plan, wayside pit and wayside quarry extraction may occur provided the agricultural rehabilitation of the site is professionally carried out and substantially the same acreage and average soil capability for agriculture are restored.

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

Prior to the removal of any material from the subject site, the landowner may be required to enter into a development agreement with the Municipality. The agreement should include:

- i) Dust control measures; and
- ii) An exact indication of the routes to be used by gravel trucks and guarantees with respect to road damage.

In some instances, Council may consider it appropriate to waive the development agreement.

3.22 NOISE LEVELS

No new noise-sensitive land use shall be permitted in any area where it is anticipated that noise levels will exceed provincial noise guidelines, unless appropriate noise control measures are employed to reduce noise levels to meet provincial noise level guidelines.

Council may, in consultation with the Ministry of the Environment and Climate Change or any other agency having authority, require the preparation of a noise impact study where a new noise-sensitive land use is proposed in the following locations:

- i) Within 500 metres of the right-of-way of Highway 401;
- ii) Within 100 metres of the right-of-way of a County road; or
- iii) In close proximity to a stationary noise source such as an industrial facility, an aggregate extraction operation (in accordance with the provisions of Section 3.10), a sewage treatment facility, an ancillary transportation facility, and a commercial facility.

Noise impact studies for noise-sensitive land uses abutting or in close proximity to railways shall be considered in accordance with Section 3.7.5.

It shall be the developer's responsibility to undertake a noise impact study and to ensure that the applicable sound level criteria are met.

For the purposes of this policy, "noise-sensitive land uses" means the same as *sensitive land uses* as defined in Section 3.12 of this Plan.

3.23 ELECTRIC POWER FACILITIES

3.23.1 General

All existing electric power facilities and the development of any new electric power facilities including all works as defined in the *Power Corporation Act*, such as transmission lines, transmission stations and

distributing stations, shall be permitted throughout the municipality without an amendment to this Plan, provided that such development satisfies the provisions of the *Environmental Assessment Act*, including regulations made under the Act and other relevant statutes.

3.23.2 Alternative Energy Systems and Renewable Energy Systems

Alternative energy systems and renewable energy systems, as defined in the Provincial Policy Statement, shall be permitted in all land use designations within the Municipality, with the exception of the Environmental Protection and Environmental Protection/PSW designations, in accordance with *provincial and federal requirements* and subject to the applicable provisions of the Zoning By-law.

3.24 PORTABLE ASPHALT PLANTS AND PORTABLE CONCRETE PLANTS

3.24.1 Definitions

Portable asphalt plant means a facility:

- i) 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 to bulk materials used in the process; and
- ii) Which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

Portable concrete plant means a building or structure:

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

3.24.2 No Requirement for Amendment

Portable asphalt plants and portable concrete plants used by a public authority or their agent shall be permitted in the Industrial, Aggregate Resource, Agricultural and Rural designations without amendment to this Plan or the comprehensive Zoning By-law.

3.24.3 Separation Distances

Portable asphalt plants and portable concrete plants must comply with the Ministry of the Environment and Climate Change recommended separation distances and must obtain the necessary approvals from the Ministry of the Environment and Climate Change.

3.24.4 Agricultural Lands

Portable asphalt plants and portable concrete plants establishing upon lands designated as Agricultural on Schedule "A" of this Plan and comprised of specialty crop lands or Classes 1, 2 and 3 agricultural soils

as identified by the Canada Land Inventory mapping for Agriculture, may occur provided the agricultural rehabilitation of the site is professionally carried out and substantially the same acreage and average soil capability for agriculture are restored.

3.25 HOME OCCUPATIONS AND HOME INDUSTRIES

Home occupations and home industries offer opportunities for small-scale businesses to create new full-time or part-time employment in the Municipality. Home occupations and home industries are not intended to be activities that are more appropriately located on lands that are specifically designated for commercial or industrial uses.

A “home occupation” means an occupation or business conducted for gain or profit entirely within a dwelling unit by a person residing therein. Home occupations include uses such as an office for a professional or trades person, an art or photographic studio, a work room for a dressmaker, a hairstylist, an art or music teacher, or similar activity.

A “home industry” means a small-scale commercial or industrial establishment that operates entirely within a separate accessory building on the same property as the home of the proprietor. Home industries include uses such as a carpentry shop, a metal/welding shop, an electrical shop, a plumbing shop, small engine repair, a landscaping or landscape contracting business, a nursery greenhouse, a bus/truck parking or maintenance facility, or similar activity.

The following policies shall apply to home occupations and home industries:

- i) Home occupations shall be permitted in all designations that permit residential uses. A home occupation shall not change the appearance of the dwelling as a residence. In addition, the use must be compatible with the surrounding uses and shall not generate significant traffic or include commercial or industrial uses more appropriately located in non-residential areas. Adequate off-street parking shall be provided. The implementing Zoning By-law shall contain specific regulations pertaining to the establishment and operation of home occupations, including the maximum permitted floor area devoted to a home occupation, display of goods and storage, signs, limitations on employees, and the permitted types of home occupation uses.
- ii) Home industries shall be established and operated only in those land use designations where they are identified as a permitted use. The establishment of small-scale commercial or industrial uses in an accessory building on the same lot as the proprietor shall be permitted provided that the use is compatible with surrounding uses. Adequate off-street parking shall be provided. The implementing Zoning By-law shall establish provisions to regulate home industries including, but not limited to, the maximum building floor area, the minimum lot area, display of goods and storage, signs, the maximum number of employees, and the permitted types of home industry uses.

3.26 ALNWICK/HALDIMAND LAKE ONTARIO SHORELAND REPORT

In considering any application for *development* adjacent to the shoreline of Lake Ontario, Council shall have regard to the applicable recommendations of the Alnwick/Haldimand Lake Ontario Shorelands Project report, “Our Great Lakeshore”, Lower Trent Conservation, September 2003. The focus of this study and its recommendations is the immediate shoreline of Lake Ontario, with consideration to natural

areas and stream valleys that run north to the CP/CN railway tracks.

3.27 GROUNDWATER PROTECTION

The Council of the Township of Alnwick/Haldimand recognizes the importance of protecting groundwater resources for the long-term benefits of its residents.

3.27.1 Municipal Wellhead Protection

Wellhead Protection Areas (WHPAs) are zones around wells where land uses must be planned to protect the quality and quantity of the water supply. In these areas, it may be necessary to restrict or even prohibit certain land uses due to their potential to impact groundwater quality and drinking water quality.

The Objective of wellhead protection is to ensure that municipal well quality is protected from contamination from incompatible land uses.

It is the policy of Council that:

- i) The Wellhead Protection Areas shown on Schedule “D” are based on time of travel zones as follows:
 - A 100-metre pathogen zone around each wellhead – WHPA-A
 - Time of travel zone of 0-2 years – WHPA-B
 - Time of travel zone of 2-5 years – WHPA-C
 - ii) For all development and planning applications within WHPA-A, WHPA-B and WHPA-C, a Section 59 Notice made under the Clean Water Act, 2006 from the Risk Management Official will be required for an application to be deemed complete, in accordance with Section 3.14 of this Plan.

The Section 59 Notice is required because certain activities, as set out in the approved Trent Source Protection Plan, within WHPA-A, WHPA-B and WHPA-C may be prohibited or require a risk management plan.
 - iii) A by-law will be established to require existing sewage systems (as defined in Ontario Regulation 350/06 under the Building Code Act, 1992) within the WHPA-A to connect to a municipal sewage collection system, where financially and technically feasible.
 - iv) Where a connection to a municipal sewage collection system is feasible given financial and technical constraints and where a sewage system may be needed (as defined in Section 1 of Ont. Reg 350/06 made under the Building Code Act, 1992), new development within WHPA-A is required to be serviced by municipal sewage collection system.
 - v) Where connection to a municipal sewage collection system is demonstrated not to be feasible and a sewage system is needed (as defined in Section 1 of Ont. Reg 350/06 made under the Building Code Act, 1992), new development within WHPA-A will be required to be serviced by a sewage system constructed to standards of the Ontario Building Code to ensure that the activity is not a significant drinking water threat.
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- vi) Wastewater collection facilities that collect or transmit sewage containing human waste that could be future significant drinking water threats and would require a Prescribed Instrument are required to comply with construction standards that will ensure that the activity is not a significant drinking water threat.
- vii) Planning applications shall include a description of the impervious surfaces (roads, other impervious land surfaces used for vehicular traffic and parking, and all impervious pedestrian paths) associated with the proposed development and demonstrate how impervious surfaces shall be minimized to reduce the impact of the application of road salt where it could be a future significant drinking water threat.
- viii) Storage structures for road salt that could be a future significant drinking water threat will not be permitted (prohibited under the Trent Source Protection Plan).
- ix) No new sewage and/or waste disposal facilities that could be a significant threat (as per the Trent Source Protection Plan) and would require a prescribed instrument are permitted within WHPA-A, with the following exceptions:
- New wastewater collection facilities that would improve the protection of drinking water,
 - Replacement of an existing facility, and
 - Mobile PCB waste destruction units.

For the purposes of Section 3.27.1, the following definitions shall apply:

“Wellhead Protection Area (WHPA)” means the area around the wellhead where land use activities have the potential to affect the quality of water that flows into the well.”

“Significant Drinking Water Threat” means a drinking water threat which poses or has the potential to pose a significant risk to drinking water.

“Prescribed Instrument” means an instrument that is issued or otherwise created under a provision prescribed by the regulations of:

- *The Aggregate Resources Act*
- *The Conservation Authorities Act*
- *The Crown Forest Sustainability Act (1994)*
- *The Environmental Protection Act*
- *The Mining Act*
- *The Nutrient Management Act (2002)*
- *The Oil, Gas and Salt Resources Act*
- *The Ontario Water Resources Act*
- *The Pesticides Act*
- Any other Act or Regulation prescribed by the Regulations (Source: Trent Source Protection Plan).

3.27.2 Identification of New Groundwater Information

If new information becomes available concerning the identification of groundwater features and related *surface water features* (including *sensitive* groundwater features and *sensitive* surface water features),

hydrologic functions and natural heritage features, and areas which are necessary for the ecological and hydrological integrity of *watersheds*, the Township will work with the appropriate provincial ministries and the local Conservation Authorities to prepare more detailed policies and mapping and incorporate such policies and mapping into the Official Plan by amendment.

3.27.3 Highly Vulnerable Aquifers and Significant Groundwater Recharge Areas

Areas in the Township have been identified as Highly Vulnerable Aquifers (HVAs) and Significant Groundwater Recharge Areas (SGRAs) in the Trent Source Protection Plan and the Ganaraska Source Protection Plan. These areas are shown on Schedule D-1 to this Plan.

In HVAs, groundwater is vulnerable to surface contaminants; therefore the Township will work with the appropriate Source Protection Authority to ensure the proper consideration of the HVA when reviewing development applications. In SGRAs, groundwater is vulnerable to depletion; therefore the Township will work with the appropriate Source Protection Authority to ensure the proper consideration of the SGRA when reviewing development applications.

3.27.4 Commercial Groundwater-Taking

Any proposal for the commercial extraction of groundwater that will exceed 50,000 litres per day shall require an amendment to this Plan and the Zoning By-law. This policy shall apply where the water is intended for commercial sale, and may include related activities such as storage, processing, bottling and transportation. An example of this use is the taking of groundwater as a source of bottled drinking water. This policy shall include the installation of wells, piping and pumps, storage facilities, and other related facilities, buildings and structures for a commercial groundwater-taking operation.

This policy shall not apply to the taking of groundwater as a source of water for the normal functions and operations of any other use that is permitted by this Plan, for example, uses that are permitted under the land use designations contained in Section 5 of this Plan.

A commercial groundwater-taking operation shall not be deemed to be any type of agricultural land use or other permitted use under Section 5.9.2 (Agricultural designation) or Section 5.10.2 (Rural designation) of this Plan.

In addition to considering the policies of Section 10.14 and any other applicable policy of this Plan, Council shall require the following to be completed prior to the adoption of an amendment to this Plan to permit a commercial groundwater taking operation:

- i) The completion of a hydrogeological assessment by a qualified professional, at the expense of the applicant, to ensure that the quantity and quality of groundwater and any related surface water available to adjoining users is maintained.
- ii) Confirmation of all applicable provincial or other agency approvals being obtained, for example, the approval of a permit to take water by the Ministry of the Environment and Climate Change under the Ontario Water Resources Act.

Notwithstanding any other policy of this Plan to the contrary, Section 3.27.3 shall apply to the entire area of the Township of Alnwick/Haldimand, including the lands that are subject to the Oak Ridges Moraine Conservation Plan and the policies of Section 11.1 of this Plan (the Secondary Plan for the Oak Ridges Moraine). Any applicable provision of Section 11.1 shall also apply to an application to amend this Plan

to allow the establishment of a commercial groundwater-taking operation.

This policy shall not apply to an existing commercial groundwater taking operation if all applicable permits have been issued by the relevant approval authorities as of the date of approval of this Plan by the Ministry of Municipal Affairs and Housing.

3.28 CLIMATE CHANGE MITIGATION AND ADAPTATION

Council acknowledges the need to address the impacts of a changing climate on the Township. Accordingly, to the extent possible, all development, including the development of public service uses and infrastructure, should be planned and designed to minimize impacts on climate, particularly through the reduction of greenhouse gas emissions, and shall contribute to the following objectives:

- i) Reducing automobile use;
- ii) Maximizing vegetation cover, including but not limited to tree cover;
- iii) Minimizing the cover of asphalt and other heat retaining surfaces; and
- iv) Encouraging the use of non-motorized transportation.

Further, development should, to the extent possible, be planned to adapt to the impacts of a changing climate, including:

- i) Infrastructure planning that takes into account severe weather events including extreme precipitation and drought conditions; and
- ii) Consideration for the increased risk of natural hazards that may result from climate change, including slope instability and flooding hazards.

3.29 FEES AND COST RECOVERY

It is the policy of Council to adopt fee structures to attain full cost recovery of the Municipality's efforts and expenses in fulfilling its statutory mandate and in administering and enforcing its by-laws.

In carrying out its legislative duties under the *Planning Act* and the *Building Code Act* in particular, the Municipality may require that applicants bear the costs of processing *development* applications. In addition to the normal schedule of tariffs, the Municipality may require an applicant to enter into a pre-development agreement with the Municipality to provide for the payment of the Municipality's costs related to processing a *development* application. A pre-development agreement shall, in addition to other matters required by Council, require an applicant to pay the Municipality's reasonable costs for retaining professional advisors for planning, engineering, environmental, legal and other professional assistance, and for other related costs.

SECTION 4 LAND DIVISION POLICIES

4.1 DETERMINATION OF LAND DIVISION METHOD

4.1.1 Requirements for Plans of Subdivision

Generally all land division in the Township of Alnwick/Haldimand shall take place by registered plan of subdivision. A plan of subdivision shall normally be required in the following instances:

- i) where more than three (3) lots are to be created in designations other than the Hamlet designation or the Countryside-Rural Settlement (Oak Ridges Moraine) designations, and for more than five (5) lots in the Hamlet or the Countryside-Rural Settlement (Oak Ridges Moraine) designations; or
- ii) where a new road or an extension to an existing road is required.

4.1.2 Consent to a Land Severance

Where a plan of subdivision is not necessary for the proper and orderly development of the subject and surrounding lands, land division through the consent process may be considered. In reviewing any application for a consent to a land severance, the Consent Granting Authority shall consider the need for a plan of subdivision.

4.2 GUIDELINES FOR LAND SEVERANCE APPROVALS

It shall be a policy of this Plan that the Municipality shall only recommend for approval applications for a consent to a severance that conform to this Plan and particularly the policies set out below. When considering an application for a consent to a severance, the Consent Granting Authority shall be guided by the following policies:

4.2.1 General Criteria

- i) Severances which create new lots may only be considered when both the newly created lot and the retained lot front on an assumed public road that is currently maintained on a year-round basis by a public road authority.
 - ii) The parcel of land to be created by severance and the proposed use shall generally conform to all applicable provisions of the Zoning By-law, save that the consent to sever may be granted on the condition that a zoning by-law amendment be approved or that the condition may be varied by the Township's Committee of Adjustment, where such action is warranted.
 - iii) In no instance shall a lot be created adjacent to a water body where development of the lot cannot be achieved outside of the 30-metre water setback referred to in Section 3.15 of this Plan.
 - iv) Severances which have the effect of changing boundary lines or which do not create additional new buildable lots may be evaluated on their own merits. Notwithstanding this policy, lot boundary adjustments in the Agricultural land use designation shall comply with Section 4.2.3(v) of this Plan.
 - v) Consents for easements shall generally be preferred to consent for severance where linear rights-of-way are being created.
 - vi) An application for a severance shall have the effect of creating only one (1) new lot in addition to the retained lot. If more than one (1) new lot is created, an additional application shall be
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required.

- vii) With the exception of a Hamlet, Countryside-Rural Settlement (Oak Ridges Moraine), Rural and Agricultural designations, the maximum number of lots that may be created by consent shall be two (2) severed lots and one (1) retained lot.

In the Hamlet designation, the maximum number of lots that may be created by consent shall be five (5) severed lots and one (1) retained lot.

In the Countryside-Rural Settlement (Oak Ridges Moraine) designation as shown on Schedule “C-5” of this Plan, the maximum number of lots that may be created by consent shall be five (5) severed lots and one (1) retained lot, subject to conforming to all applicable provisions of this Plan and the Oak Ridges Moraine Conservation Plan.

The number of lots that may be created by consent in the Rural designation shall be determined in accordance with the policies of Section 4.2.4 of this Plan.

Lot creation in the Agricultural designation shall only be permitted in accordance with Section 4.2.3 of this Plan.

For the purposes of this policy, parcels must have existed prior to January 1, 1990.

- viii) An application for a severance should not be granted where such severance would result in a demand for the extension of municipal services.
- ix) An application for severance involving merged properties which formerly existed as separate and distinct parcels may be permitted, providing such application is considered to be in conformity with the relevant policies of this Plan and the Township’s Comprehensive Zoning By-law, and new or additional lots are not being created, with the exception of lots located in the Agricultural designation.
- x) An application for a severance shall not be granted where the proposed use would contravene the Minimum Distance Separation formula requirements, as amended from time to time.
- xi) Severance in environmental sensitive areas such as lands subject to flooding, erosion, dynamic beaches, steep slopes, *wetlands*, other *significant* wildlife or biological features or other hazardous or sensitive conditions shall not be granted unless sufficient lands is available outside the sensitive area to accommodate the development and associated services. In considering severance applications in or adjacent to these areas, the local Conservation Authority should be consulted to determine the need for an Environmental Impact Study (EIS) in accordance with Section 8.4 of this Plan.
- xii) An application for a severance in the Aggregate Resource designation shall be considered in accordance with the policies of Sections 3.10 and 5.8.6 of this Plan.
- xiii) The policies of Section 3.7.4 of this Plan, Development Abutting or in Proximity to Railways, shall apply to a severance application in the vicinity of a railway.
- xiv) Applications for consents in the Oak Ridges Moraine shall comply with the applicable policies of Sections 4.2.1, 4.2.2 and 11.1 of this Plan, and all applicable policies of the Oak Ridges Moraine
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Conservation Plan, as amended from time to time. Where there is a conflict between any provision of his Plan and any provision of the Oak Ridges Moraine Conservation Plan, the policies of the Oak Ridges Moraine Conservation Plan shall prevail.

- xv) A severance shall not be granted where it will adversely affect cultural heritage resources. A Heritage Impact Assessment and/or archaeological assessment shall be required for the severed lands and/or the retained lands in accordance with Section 7.0 of this Plan.

4.2.2 Severance Policies Applicable for Residential, Commercial, Industrial and Institutional Uses

In addition to the policies of Section 4.2.1, the following special policies shall apply to severance applications for residential, commercial, industrial and institutional uses:

- i) An application for a severance should not be approved where access might create a traffic hazard because of limited sight lines on curves or grades. Attention should be given to the function of the road in the Transportation policies.
- ii) Direct access from County Roads will be discouraged.
- iii) The size of any parcel of land created by severance should be appropriate for the proposed use and the services available.
- iv) In determining whether a lot severance is to be granted, consideration should be given to matters such as the dedication of land or cash levies for park purposes, the dedication of land for future road widening, and agreements pursuant to the *Planning Act*.
- v) An application for a severance to create a new lot should only be considered when it has been determined by the local Health Unit or appropriate agency that soil and drainage conditions are suitable to permit the proper siting of buildings to obtain sufficient potable water and to permit the installation of an adequate means of sewage disposal for both the severed and retained parcels.
- vi) Approval of new lots shall only be allowed if there is confirmation of sufficient off-site sewage capacity for the treatment of hauled sewage. Hauled sewage can be treated or disposed of at sites approved under the Environmental Protection Act or the Ontario Water Resources Act, but not by land applying untreated, hauled sewage.
- vii) Non-farm residential lot severances may be permitted in those areas designated as Hamlet, Countryside-Rural Settlement Area (Oak Ridges Moraine), Rural Residential, Shoreline and Rural.
- iv) Non-farm residential lot severances shall not be permitted in those areas designated as Agricultural except for those consents outlined in Section 4.2.3 (iii) of this Plan.
- v) The compatibility of land uses shall be considered in accordance with Section 3.12 of this Plan, "Land Use Compatibility."
- vi) An impact assessment of a large development proposal on a water body shall be required to ensure water quality protection. The study should take into consideration the existing water

quality of the water body, surface water run-off, impact and loadings of phosphorous from septic systems, type of soils, stormwater management and nature of vegetation.

- x) Conditions of consent may be established and, without limiting the foregoing, the following conditions may be established:
1. registration of notices on title in accordance with the policies of this Plan;
 2. undertakings for the joining together of lands under the same owner's name;
 3. responsibility for surveying and fencing;
 4. adequate provision for storm water management and other municipal services such as street lighting;
 5. an agreement under Sections 51(26) and 53(12) of the *Planning Act*;
 6. responsibility for the construction of a suitable private water well source;
 7. rezoning of the severed and/or retained parcels;
 8. road widenings in accordance with the policies of Section 9.6 of this Plan; and
 9. payment of all applicable development charges, and provision of required land dedications.
- xi) Consents to create new residential lots should not inhibit logical growth, create or increase strip development, or preclude access to interior lands for future development.

4.2.3 Special Severance Policies for the Agricultural Designation

The fragmentation of land holdings within the Agricultural designation shall be discouraged. Notwithstanding any other provision of this Plan, lot creation and lot boundary adjustments in the Agricultural designation may only be permitted for the following purposes:

- i) *Agricultural uses*, provided that both the severed and retained parcels have a minimum lot area of 40 hectares.

For the purposes of this policy, “agricultural uses” means the uses that are permitted by Section 5.9.2(i) of this Plan.

- ii) Agriculture-related uses, provided that any new lot will be limited to a minimum size needed to accommodate the use and appropriate *sewage and water services*.

For the purposes of this policy, “agriculture-related uses” means the uses that are permitted by Section 5.9.2(ii) of this Plan.

- iii) *A residence surplus to a farming operation* as a result of a farm consolidation, provided that:
1. The new lot will be limited to a minimum size needed to accommodate the use and appropriate *sewage and water services*; and

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2. The Municipality ensures that new residential dwellings are prohibited on any ~~vacant~~ remnant parcel of farmland created by the severance. This may be achieved through a zoning by-law amendment for the remnant parcel or other means that maintain the intent and purpose of this policy.

For the purposes of this policy, a *residence surplus to a farming operation* means an existing habitable farm residence that is rendered surplus as a result of farm consolidation (the acquisition of additional farm parcels to be operated as one farm operation).

- iv) *Infrastructure* uses, where the facility or corridor cannot be accommodated through the use of easements or rights-of-way.

For the purposes of this policy, *infrastructure* means physical structures (facilities and corridors) that form the foundation for development, including sewage and water systems, septage treatment systems, *waste management systems*, electric power generation and transmission, communication/telecommunications, transit and transportation corridors and facilities, oil and gas pipelines, and associated facilities.

- v) Lot adjustments for *legal or technical reasons*.

For the purposes of this policy, *legal or technical reasons* means severances for purposes such as easements, corrections of deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new lot.

- vi) The creation of a new residential lot in the Agricultural designation shall not be permitted, except in accordance with section 4.2.3(iii) above.

4.2.4 Special Severance Policies for the Rural Designation

In addition to the policies of Section 4.2.1, the following special policies shall apply to severance applications in the Rural designation.

The fragmentation of land holdings within the Rural designation shall generally be discouraged.

i) Farm-Related Severances

Severances for agricultural purposes in the Rural designation may be permitted if the consent is intended to consolidate or re-divide good agricultural lands and provided that the dimensions of all parcels created or remaining are appropriate to good agricultural practice in the long term. In determining the appropriateness, consideration shall be given to the following:

1. The agricultural capability of the soils.
 2. The maintenance of sufficiently large parcel sizes in the Rural designation, to ensure the continued economic usefulness of the holdings for agricultural or forestry purposes in the long run, permitting expansion, diversification and/or *intensification* as required.
 3. The suitability of the intended severed property to the proposed use.
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4. The continued viability of both the severed and the retained parcels.

ii) Farm-Related Residential Severances

1. The application is for a retiring farmer who is retiring from active farming life and who intends to build a residence upon the lot to be severed, provided the farmer has been actively farming for a 20 year period or more and has owned the farm a minimum of three years.
2. The application is for a family member or employee who will be assisting full-time on the farm and whose close proximity to the holding is necessary for the operation of the farm. This farm related lot severance will only be considered when the applicant has owned the property and has been engaged in agriculture in the Township a minimum of three years.
3. The application is for a residence made surplus by the purchase of a farm operation by a farmer who has no need for the residence on the acquired farm land.
4. Farm-related residential lots pursuant to this section shall be directed to the poorest productive land whenever possible. The size of the lot to be created should be kept to a minimum. However, lots of larger size and frontage may be considered where the lands included have limited agricultural potential.

Where any existing residence is further than 60 metres from the road allowance and subject to a severance, Council may reduce the frontage requirement to 20 metres to provide for a 20 metre strip to link the newly created lot to the road allowance.

iii) Residential Severances

Limited non-farm residential lot severances may be permitted in the Rural Designation as shown on Schedule “A” of this Plan subject to the policies of Section 4.2.1 and the following:

1. A maximum of three (3) non-farm related residential lots per land holding may be permitted, provided that:
 - a) the lots and uses proposed will not conflict with adjacent farming activity;
 - b) the land holding is in excess of 36 hectares in size;
 - c) where the land holding is less than 36 hectares, only two (2) severances may be permitted. Both severance applications may be considered at the same time;
 - d) the owner of the land holding has owned the holding a minimum of three years;
 - e) the number of lots shall be determined based on the lot as it existed on January 1, 1990.

iv) Residential Lot Sizes

A lot created by severance for residential purposes should generally not exceed 4,000 square metres in area except where site conditions require a larger lot size:

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- i) to satisfy requirements of the Health Unit or the Ministry of the Environment and Climate Change; or
 - ii) to accommodate physical features of the site; or
 - iii) to avoid the creation of an irregularly-shaped lot.

4.3 POLICIES FOR SUBDIVISION AND CONDOMINIUM APPROVALS

4.3.1 General Subdivision/Condominium Policies

It shall be the policy of the Municipality to only recommend to the Subdivision/Condominium Approval Authority for draft approval a proposed plan of subdivision or condominium that conforms to the policies of this Plan. In considering a proposed plan of subdivision or plan of condominium, the Municipality and the Approval Authority shall be guided by the relevant objectives and policies of this Plan, in addition to the following:

4.3.2 Development Patterns

The development pattern of the proposed subdivision or condominium should mesh with existing development and roads on adjacent lands. To ensure that undeveloped lands adjacent to the proposed subdivision do not become landlocked or difficult to access, the development pattern should make provision for access to such lands if required. Wherever possible, the layout of proposed lots and roads should conform to the topography. The development pattern should also recognize and maintain natural linkages.

4.3.3 Compatibility of Land Uses

The land use designations and policies of this Plan shall be applied to ensure compatibility between the type of development proposed for the subdivision or condominium and the land uses, both existing and future, in the surrounding area.

4.3.4 Provision of Public Services

The Municipality shall ensure that the proposed subdivision or condominium shall be provided with all necessary public services and amenities in accordance with the relevant policies of Sections 3.1, 3.2, 3.3, 3.4 and 3.5 of this Plan.

4.3.5 Water Supply and Sewage Disposal

Development shall take place in accordance with the policies of Section 3.2 of this Plan.

4.3.6 Protection of Environment

If any part of the proposed subdivision or condominium is located in an environmental sensitive area, the Municipality shall review the proposal in accordance with the policies of Section 3.6 and Section 8.4 of this Plan.

4.3.7 Stormwater Management

A stormwater management plan in accordance with the relevant policies in Section 3.11 shall be required.

4.3.8 Zoning of Proposals

Lands subject to a subdivision or condominium proposal shall be zoned for their intended use as a condition of draft approval.

4.3.9 Minimum Distance Separation Requirements

The Municipality shall ensure that subdivision proposals comply with the provincial Minimum Distance Separation (MDS) requirements, as amended from time to time.

4.3.10 Special Policies for Condominium Developments

New condominium projects may provide additional opportunities for residential and commercial/industrial development, ownership and private equity participation. In this regard, the Township will consider new forms of condominium developments under the *Condominium Act, 1998*, such as vacant land condominiums, having regard to the following matters:

- i) The ownership of common facilities such as access roads, open space and *recreation* areas, stormwater management systems, water and sewage systems, and common-use buildings and other facilities, including standards for the design, operation and maintenance of these facilities;
- ii) The provision of services such as garbage collection and snow removal;
- iii) Where applicable, the provision of adequate financial securities to ensure that common facilities and services do not become a financial burden on the Municipality; and
- iv) All applicable policies of this Plan.

SECTION 5 LAND USE POLICIES

5.1 LAND USE PLAN

Lands in the Township of Alnwick/Haldimand shall be developed in accordance with the Land Use Plan shown on Schedules “A” and “A-1” and the policies contained within this Plan.

Schedules “A” and “A-1” establish the pattern of development by dividing the Municipality into the following land use designations:

- Hamlet
 - Rural Residential
 - Shoreline
 - Resort
 - Highway Commercial
 - Industrial
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- Aggregate Resource
 - Recreational/Conservation
 - Environmental Protection
 - Environmental Protection/Provincially Significant Wetland (PSW)
 - Waste Disposal
 - Agricultural
 - Rural.

The policies governing the use of lands in the Township of Alnwick/Haldimand are described in the following subsections.

Section 11.1 of this Plan sets out the land use designations and land use policies for the Oak Ridges Moraine within the Township of Alnwick/Haldimand.

5.2 HAMLET

The purpose of the Hamlet designation is to recognize the essential mixed-use character of these settlements and the important role they play as residential, commercial and social centres within the Township of Alnwick/Haldimand.

The Hamlet areas in the Township of Alnwick/Haldimand are *settlement areas* as defined in Section 12.4 of this Plan. Hamlets in the Township of Alnwick/Haldimand are shown on Schedule “A” of this Plan. The *settlement areas* that are designated as Hamlet and which are not located on the Oak Ridges Moraine include the following: Grafton, Lakeport, Wicklow, Vernonville, Eddystone and Roseneath.

The *settlement areas* of Centreton and Burnley are rural settlements that are located entirely on the Oak Ridges Moraine, and are designated as “Countryside – Rural Settlement” on Schedule “C-5” of this Plan. The settlement area of Fenella is designated as both Hamlet (lands not situated on the Oak Ridges Moraine – Schedule “A”) and Countryside – Rural Settlement (lands on the Oak Ridges Moraine – Schedule “C-5”).

For more certainty, the Hamlet boundaries of Grafton, Lakeport, Wicklow, Vernonville, Eddystone, Roseneath, Centreton, Burnley and Fenella have been shown in greater detail on Schedule “E” of this Plan.

Rural settlement areas on the Oak Ridges Moraine are subject to the policies of the Oak Ridges Moraine Conservation Plan, the policies of Section 11.1 of this Plan (Secondary Plan for the Oak Ridges Moraine), and any other applicable policy of this Plan (e.g., Section 4.2.1(xiv)).

Lands designated as Hamlet shall be subject to the policies of Section 5.2. In order to protect and enhance the mixed-use character of the designated Hamlets, the following principles are to be considered in the development and control of these lands.

5.2.1 Permitted Uses

Permitted uses may include residential, commercial, small-scale industrial, parkland, recreational and institutional uses, and community facilities.

5.2.2 Pattern of Development

The future development of Hamlets will take place primarily in the form of registered plans of subdivision. New *development* in Hamlets should:

- i) Promote a compact form and a mix of land uses;
- ii) Provide for development in depth rather than in strips along the main roads;
- iii) Have regard to opportunities for co-ordinated development on adjacent properties, to provide maximum opportunities for residential development intensification as outlined in Section 3.1 of this Plan;
- iv) Provide for development of land through infilling, *intensification*, or the rounding-out of existing built-up areas of Hamlets;
- v) Provide for the development of land as a contiguous extension of existing built-up areas that avoids leap-frogging of large undeveloped tracts of land;
- vi) Not result in the premature demand for municipal services; and
- vii) Have densities that allow for the efficient use of land, *infrastructure* (such as sewage and water systems, *waste management systems*, electric power and communications facilities), and other *public service facilities* (such as *recreation*, police and fire protection, health and education facilities, and cultural services).

Provisions shall be made, in appropriate locations, to leave access routes from the main roads to allow for new *development* to take place behind the existing development. Infilling between existing dwellings and the *development* of existing lots shall be permitted provided that the new uses are compatible in type and density with the adjacent existing development.

5.2.3 Services

Water supply and sewage disposal shall be in accordance with Section 3.2 of the Plan. Except within the Hamlet of Grafton, only those residential, commercial and industrial establishments that do not require sanitary sewers and municipal water will be permitted.

Within the Hamlet of Grafton, new *development* shall be required to connect to the municipal water supply system. Consideration may also be given to communal sewage systems to service development in Grafton, in accordance with the policies of Section 3.2. Servicing of development in the Hamlet of Grafton shall be undertaken in accordance with the policies of Section 3.2.1 concerning *development* on *partial services* and Section 3.2.2 concerning *municipal water services*.

5.2.4 Residential Uses

Residential uses permitted in Hamlet areas may include low and medium density residential uses including single detached dwellings, duplex and semi-detached dwellings, converted dwellings, and multiple-unit dwellings such as triplexes, fourplexes, row or townhouses, and low-rise apartment dwellings.

Bed and breakfast establishments in accordance with Section 3.17 and home occupations in accordance with Section 3.26 shall be permitted in Hamlet areas.

In addition to the requirements of Section 4.3, all proposals for residential *development* by registered plan of subdivision or plan of condominium shall be accompanied by:

- i) An engineering report which demonstrates that there is an available and adequate supply of potable water, and that soil conditions will permit the installation and efficient operation of private sewage disposal systems, including an assessment of the impact of septic system effluent on the groundwater; and
- ii) A preliminary engineering feasibility report which demonstrates that services such as stormwater management facilities and roads can be satisfactorily accommodated.

Until such engineering studies are received and approved, Council will not recommend that draft plan approval be granted to the subdivision proposal.

Residential lots for single detached dwellings, whether created by plan of subdivision or severance, should have a minimum area of approximately 4,000 square metres, depending on topography, with adequate frontage. The maximum density for new single-detached residential development on private on-site water and sewage services should not exceed 2.5 dwelling units per gross hectare unless a higher density is supported by servicing reports in accordance with the policies of Section 3.2 of this Plan. Larger lots shall be permitted where soil conditions or topography dictate the need for larger lots.

The development density of permitted residential buildings other than single-detached dwellings shall be determined in accordance with the servicing policies of Section 3.2. In all cases, the number and size of lots in a proposed residential plan of subdivision, or residential buildings containing two or more dwelling units, shall be supported by a detailed engineering report addressing the availability of potable water and suitable soil conditions for sewage services.

A secondary plan may be required prior to any residential plan of subdivision being considered which is not a natural extension to the existing built-up part of the Hamlet, or which involves the establishment of new public roads other than internal roads in the plan of subdivision.

5.2.5 Commercial Uses

Commercial uses generally supplying local commercial needs will be permitted in Hamlets.

Provision shall be made for adequate off-street parking, and adequate buffer planting or screening where commercial uses abut residential uses.

5.2.6 Industrial Uses

Industrial uses generally of limited extent will be permitted in Hamlets. Provision shall be made for adequate off-street parking, together with appropriate separation distances (depending on whether the industry is light, medium or heavy), and adequate buffer planting and/or screening, where industrial uses abut residential uses. Industrial uses serviced by private water supply and sewage disposal services shall be dry use industries that use low amounts of water, do not require water for cooling, washing or processing, and whose subsurface sewage disposal systems are used solely for the disposal of domestic

wastes.

5.2.7 Location of Industrial and Commercial Uses

Care shall be taken that the commercial and industrial uses permitted in the Hamlet areas are not incompatible with the residential nature of the Hamlets. The policies of Section 3.12 (Land Use Compatibility) shall be considered to promote compatibility between industrial uses and *sensitive land uses*. The establishment of new commercial uses in any Hamlet should be grouped with established existing commercial establishments to form a commercial core.

New industrial use will not be permitted in areas that have developed as predominantly residential or in the path of logical residential expansion. New industrial uses will be encouraged to locate with other industrial uses or in areas where they will be isolated or shielded from *sensitive land uses*.

5.2.8 Other Non-Residential and Institutional Uses

In addition to the residential, commercial and industrial uses outlined above, permitted uses in the Hamlets include institutional uses such as schools, places of worship, municipal and other public administration buildings, libraries, day care centres, clinics, museums, homes for the aged and nursing homes, and community facilities such as parks, playgrounds and community/recreation centres.

5.2.9 Flood and Erosion Susceptible Lands

Flood susceptible lands include but are not limited to those lands with geodetic elevations below the regulatory flood elevation.

For the Lake Ontario shorelands, the regulatory flood elevation includes the static 100-year flood elevation plus an allowance for wind set-up, *wave uprush* and other water related hazards.

Erosion susceptible lands include but are not limited to bluff hazards along the Lake Ontario shoreline and valley lands.

It is intended that where flood and erosion susceptible lands are designated as Hamlet, the lands shall be zoned in an appropriate environmental constraint zone and shall be subject to the setbacks for development in the implementing zoning by-law.

5.2.10 Changes to Hamlet Boundaries

Changes to the boundaries of existing Hamlet areas, and the identification of new Hamlets shall only be undertaken in accordance with the policies of Section 3.1 of this Plan.

5.2.11 Zoning

Hamlet uses may be zoned in separate classifications in the Comprehensive Zoning By-law.

5.3 RURAL RESIDENTIAL

The Rural Residential designation is intended for low-density residential uses outside of Hamlet areas.

5.3.1 Permitted Uses

The uses permitted shall be limited to single detached dwelling houses and related residential uses consisting of a small apartment within the dwelling house intended to accommodate only one or two persons.

5.3.2 Criteria for New Rural Residential Development

It is the intent of Council to direct new residential development to existing Hamlet areas. Council recognizes, however, that rural residential development provides an alternative type of housing, provided that this type of development is justified by an analysis of the demand and need for the proposed scale and location of the development.

New Rural Residential development shall be limited in scale, both in the context of the amount of development in the municipality as a whole, and in the context of specific proposals for individual sites. In accordance with the Growth Plan for the Greater Golden Horseshoe, the creation of more than three lots in the rural area will be limited to site-specific locations which were designated as Rural Residential or had approved zoning that permits such residential development as of June 16, 2006.

Proposals for new Rural Residential development for more than three lots may also be considered on a site-by-site basis where it can be demonstrated to the satisfaction of the applicable approval authority that the Rural Residential development is functionally linked to the resource as resource-based recreational uses (including recreational dwellings). Such development shall require an amendment to this Plan.

Lot creation in the Rural Residential land use designation shall be subject to the policies of Section 4 of this Plan, "Land Division Policies," and any other applicable policy to this Plan.

New Rural Residential development shall not be permitted directly adjacent to a designated Hamlet, or as an expansion of a Hamlet area. An expansion of a Hamlet boundary shall only be undertaken in accordance with the policies of Section 3.1.3 of this Plan.

Prior to Council considering a new Rural Residential development, the proponent shall provide, to the satisfaction of Council, sufficient information to justify the proposal in the context of the above-noted policy. The justification should include, among other matters, the number of vacant lots in registered plans of subdivision; the availability of future lots in draft-approved plans of subdivision; and the number of vacant lots of record and/or amount of land designated for the proposed use. Council must be satisfied that sufficient information has been provided indicating that the proposal is appropriate for the site, and that an assessment of the proposal indicating that demand and need exists for the development has been provided.

In addition, Council intends to use the criteria outlined in Section 10.14 when evaluating a subdivision proposal. Accordingly, proponents should be prepared to provide Council with the information requirements outlined in Section 10.14.

5.3.3 Location Requirements

Where a Rural Residential development satisfies the criteria outlined in Section 5.3.2, the following

location requirements shall apply:

- i) *Development* shall be compatible with the rural landscape.
- ii) *Development* should be capable of being sustained by existing rural service levels including maintained public roads, municipal garbage collection, blue box collection, school bus service, and other municipal services.
- iii) The location and scale of new Rural Residential development shall be appropriate to the *infrastructure* that is planned or available at the site, including sewage and water systems, septage treatment systems, *waste management systems*, electric power generation and transmission facilities, communications/telecommunications, transit and transportation corridors, and associated facilities, and should avoid the need for unjustified and/or uneconomical expansion of this *infrastructure*.
- iv) *Development* shall only be permitted in areas consisting of large continuous blocks of lower capability agricultural lands (Soil Classes 4, 5, 6, and 7), and shall not be permitted on Agricultural Resource lands, as defined in Section 5.9.1 or on lands designated as Agricultural on Schedule “A” of this Plan.
- v) Existing trees should be preserved, where removal is not required for construction.
- vi) *Development* shall be limited in areas adjacent to watercourses and related physiographic formations that collect and discharge groundwater to these watercourses, to ensure that the *quality and quantity of water* in aquifers and surface water bodies are maintained.
- vii) *Development* shall not be permitted in areas where sensitive physical and ecological resources can be *conserved* in their natural state or otherwise preserved for open space and *recreation* purposes.
- viii) *Development* shall not be permitted near *mineral aggregate resources* that may be developed into a commercially viable operation and/or near existing or proposed *mineral aggregate operations*. The policies of Section 3.10 of this Plan shall apply.
- ix) All new *development* (farm and non-farm) shall be established in accordance with the provincial Minimum Distance Separation (MDS) formula, as amended from time to time.

5.3.4 Development by Plan of Subdivision

Development shall generally take place by registered plan of subdivision. Proposals for draft plans of subdivision for Rural Residential development shall satisfy the policies of Section 4.3 of this Plan.

5.3.5 Lot Area Requirements

- i) The minimum area for a building lot where private water supply and sewage disposal services are provided shall not be less than 0.6 hectares, except that some lots be a minimum of 0.4 hectares in area provided the average lot area of all building lots in the subdivision is not less than 0.6 hectares.
- ii) Any lands that are within a proposed building lot but are designated as Environmental Protection

shall not be included in the calculation of the required minimum lot area.

5.3.6 Minimum Gross Floor Area Requirements

The minimum gross floor area of living space within a dwelling house shall be stipulated within the implementing Zoning By-law.

5.3.7 Services

Development will generally take place on individual (private) on-site sewage disposal systems and individual (private) on-site water systems, however, the servicing hierarchy outlined in Section 3.2.1 of this Plan shall be considered for new *development*.

5.3.8 Roads

- i) Subdivision lots shall generally not front onto a Township or County Road, but shall be serviced by internal local subdivision roads constructed to municipal standards. No subdivision roads shall have access to a Township or County Road or a Provincial Highway unless such road is deemed suitable by the appropriate authority to carry such additional traffic. Screening may be required from main roads in order that the visible landscape will remain unimpaired.
- ii) Rural Residential subdivision developments should be permitted only in areas convenient to existing school routes and where there is year-round road maintenance.

5.3.9 Official Plan Amendment Requirement

- i) A site-specific amendment to this Official Plan shall be required for each new Rural Residential subdivision development where the lands are not already designated Rural Residential. The amendment will change the subject property designation to the Rural Residential land use designation on Schedule “A” of this Plan. The proponent must supply justification in support of any request for an amendment, in accordance with the requirements of this Plan and specifically Sections 5.3 and 10.14, prior to the consideration of an Official Plan Amendment by Council.
- ii) Amendments to the Plan that would reduce the standards and minimum requirements for Rural Residential development are discouraged. Any request for an amendment shall be supported by appropriate background research and analyses.

5.3.10 Rural Residential Special Policy Areas

5.3.10.1 Roseneath Landing -- Former Township of Alnwick

Within the area designated Rural Residential in part of Lots 10 and 11, Concession 3, of the former Township of Alnwick, and more specifically described as Registered Plans Nos. 412, 421 and 430, seasonal residential dwellings, permanent residential dwellings and the conversion of existing seasonal residential dwellings to permanent use shall be permitted. No commercial development shall be permitted.

5.4 SHORELINE

The Shoreline land use designation primarily applies to those lands along or in close proximity to the shoreline of water bodies used for limited service and seasonal residential purposes, and permanent residential purposes.

The natural recreational resources associated with the shoreline have attracted a significant level of residential development. It is the intent of this Plan to recognize the *development* of the shoreline areas for limited service and seasonal residential and permanent residential purposes, while maintaining and/or enhancing the environmental integrity of the waterfront.

Shoreline development may be considered to be a “resource-based recreational use (including recreational dwellings)” in accordance with the provisions of the Provincial Policy Statement on an individual site specific basis when it can be demonstrated to the satisfaction of the applicable approval authority that the recreational dwelling is functionally linked to the shoreline resource. Residential development on its own will be limited to the creation of not more than three lots, in accordance with the Growth Plan for the Greater Golden Horseshoe except where site-specific locations already had approved zoning or designation as of June 16, 2006. Nevertheless, the approval of new *development* in Shoreline areas should have regard to the general objective of this Plan of the designated Hamlets being the focus of new growth in the Municipality.

5.4.1 Permitted Uses

Permitted uses in the Shoreline designation shall include permanent residential uses in accordance with the applicable policies of Section 5.4, seasonal residential uses, and existing limited service residential uses. Home occupations, public parks and public uses may also be permitted.

i) Limited Service and Seasonal Residential

The basis of “limited service” development is the existing means of vehicular access, mainly private roads that are not maintained by the Municipality on a year-round basis. The uses permitted shall be limited to existing limited service and seasonal dwellings not requiring year round services, home occupation uses, public parks and public uses. It is not the intention of this plan to permit the *development* of new areas of limited service and seasonal residential development. However, limited infilling development within existing developed areas may be considered on a site-specific basis. Conversions of seasonal dwellings to permanent dwellings shall be in accordance with the policies of Section 5.4.12.

ii) Second Dwelling Units

A proposal for a second dwelling unit in accordance with Section 3.13.3 of this Plan shall only be permitted in a permanent (year-round) dwelling that is situated on a lot that fronts on a publicly maintained road. The second dwelling unit shall only be located in an existing single detached dwelling and only in a zoning category that permits a converted dwelling.

5.4.2 Location Criteria

- i) The Shoreline designation is generally intended to apply to lands in close proximity to the shorelines of waterbodies. This is interpreted to mean lands within approximately 300 metres of the high water mark of a waterbody, although the Shoreline designation may apply to lands that are more than 300 metres from the shoreline where the lands and land uses physically and functionally relate the shoreline of the property and the designation has a clear boundary such as a
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- road or railway.
- ii) New Shoreline development shall be compatible with the rural landscape.
 - iii) *Development* should be capable of being sustained by existing rural service levels including maintained public roads, municipal garbage collection, blue box collection, school bus service, and other municipal services.
 - iv) The location and scale of new Shoreline development shall be appropriate to the *infrastructure* that is planned or available at the site, including sewage and water systems, septage treatment systems, *waste management systems*, electric power generation and transmission facilities, communications/telecommunications, transit and transportation corridors, and associated facilities, and should avoid the need for unjustified and/or uneconomical expansion of this *infrastructure*.
 - v) New Shoreline residential development should be located near waterbodies, but outside of the 30-metre development setback and the flooding, erosion and *dynamic beach hazards*. Existing trees and natural vegetation should be preserved where removal is not required for construction.
 - vi) New Shoreline development shall not be permitted on Agricultural Resource Lands, as defined in Section 5.9.1 of the Agricultural designation.
 - vii) *Development* shall not be permitted in areas where unique physical and ecological resources can be preserved for open space and *recreation* purposes.
 - viii) All new *development* shall be established in accordance with the Minimum Distance Separation (MDS) formula criteria, as amended from time to time.

5.4.3 Pattern of Development

Proposals for new *development* within the Shoreline designation, shall, wherever feasible, be designed in such a manner as to avoid a linear or strip development pattern adjacent the shoreline. *Development* proposals that allow for the clustering of residential uses back from the shoreline areas shall be encouraged. A system of public and private parks shall be provided where Council deems it desirable. Public parks shall contribute to Lake Ontario Waterway and Waterfront Trust increasing public access to Lake Ontario.

Where *development* in the Shoreline designation is proposed by plan of subdivision or vacant land condominium, the following shall apply:

- i) A minimum common shoreline frontage shall be held in one continuous parcel of 45 metres or 10 metres for every lot not fronting on the water, whichever is greater. This shoreline parcel shall be used as part of the public/private park or open space system.
 - ii) Communal recreational facilities such as a dock or other water access facilities for use by the subdivision/vacant land condominium residents on common shoreline frontage should be provided where appropriate and approved by the authority having jurisdiction for such facilities.
 - iii) A *development* requiring a variation from the from the common park/open space frontage requirement will require an amendment to this Plan.
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5.4.4 Waterfront Access

Wherever possible, public waterfront access shall be provided. The Township of Alnwick/Haldimand shall identify public lands available for development as waterfront access points and further investigate the acquisition of adjacent private lands to complement such areas with a view to providing adequate recreational open space adjacent to the shoreline residential areas. Such waterfront access areas shall only be developed in a manner compatible with adjacent residential uses having regard for the provision of buffer planting and fencing and adequate off-street parking. New public access routes shall not be located in environmentally sensitive areas or *wetlands*.

5.4.5 Water Setback

Shoreline residential uses shall generally be set back a minimum of 30 metres from the high-water mark of all water bodies and watercourses, or such additional distance to ensure the following:

- i) adequate protection from changes in water level, flooding, dynamic beaches and erosion;
- ii) minimal disturbance of the natural character of the shoreline environment, including shoreline vegetation, *wetlands* and *fish habitat*;
- iii) minimal visual impact on the shoreline and the waterbody; and
- iv) adequate setback of sewage disposal systems.

Where possible, a minimum water setback of 30 metres, together with the maintenance of the vegetative cover within this setback, should be provided on existing lots of record in the Shoreline designation.

It is intended that specific setback provisions for residential buildings and related accessory uses shall be contained in the implementing Zoning By-law. The Conservation Authority shall be consulted in this regard.

5.4.6 Development by Plan of Subdivision or Condominium

Development shall generally take place by registered plan of subdivision or plan of condominium. Proposals for draft plans of subdivision or condominium for Shoreline development shall satisfy the policies of Section 4.3 of this Plan.

In cases of a large-scale subdivision or condominium application, an impact assessment of the proposed *development* on a waterbody shall be required prior to approval. The Municipality will recommend that the applicant consult with the Ministry of the Environment and Climate Change. Factors typically assessed in this type of study include existing water quality of the waterbody, surface water runoff, impact and loadings of phosphorus from septic systems, type of soils, stormwater management, and nature of vegetation.

5.4.7 Lot Area Requirements

The minimum area for a building lot where private water supply and sewage disposal services are provided shall not be less than 0.4 hectares, provided the average lot area over all building lots in the

subdivision is not less than 0.6 hectares.

Any lands that are within a proposed building lot but designated as Environmental Protection shall not be included in the calculation of the required minimum lot area.

5.4.8 Minimum Gross Floor Area Requirement

The minimum gross floor area of living space within a dwelling house shall be stipulated within the implementing Comprehensive Zoning By-law.

5.4.9 Services

Development will generally take place on individual (private) on-site sewage disposal systems and individual (private) on-site water systems, however, the servicing hierarchy outlined in Section 3.2.1 of this Plan shall be considered for new *development*.

5.4.10 Roads

- i) Subdivision lots shall generally not front onto a Township or County Road, but shall be serviced by internal local subdivision roads constructed to municipal standards. No subdivision roads shall have access to a Township or County road or a Provincial Highway unless such road is deemed suitable by the appropriate authority to carry such additional traffic. Screening may be required from main roads in order that the visible landscape will remain unimpaired.
- ii) Residential subdivision development should be permitted only in areas convenient to existing school routes and where there is year-round road maintenance.

5.4.11 Official Plan Amendment Requirement

- i) A site-specific amendment to this Official Plan shall be required for each new Shoreline residential subdivision development. The amendment will change the subject property designation to the Shoreline land use designation on Schedule “A” of this Plan. The proponent must supply justification in support of any request for an amendment, in accordance with the requirements of this Plan and specifically Sections 5.4 and 10.14, prior to the consideration of an Official Plan Amendment by Council.
- ii) Amendments to the Plan that would reduce the standards and minimum requirements for Shoreline residential development are discouraged. Appropriate background research and analyses shall support any request for such an amendment.

5.4.12 Conversions of Seasonal Dwellings to Permanent Dwellings

In areas designated for limited service and seasonal residential uses, new permanent single detached dwellings and conversions of existing dwellings to permanent use may be permitted subject to the following:

- i) The lot shall be of an adequate size and frontage as specified in the comprehensive Zoning By-law;
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- ii) There shall be an adequate source of potable water whose year-round use will not impair the supply to other buildings and which will be to the satisfaction of the local Health Unit and/or Ministry of the Environment and Climate Change;
 - iii) There shall be sewage disposal system suitable for year-round operation installed and working so as not to result in any pollution to the environment and which will be to the satisfaction of the local Health Unit and/or Ministry of Environment and Climate Change;
 - iv) The dwelling shall be of adequate size and construction for permanent occupation as specified in the Comprehensive Zoning By-law;
 - v) The dwelling shall be on a lot that fronts on a public road that is maintained on a year-round basis;
 - vi) The dwelling shall be in an area that is provided with adequate year-round services, including road maintenance, school bus service, garbage disposal, fire and police protection;
 - vii) The dwelling shall not contribute singly or with other uses, to a demand for services that are not feasible or economic for the Municipality or other public authority to provide, improve or maintain, and shall not result in the creation of any additional financial burden on any public authority;
 - viii) The dwelling and sewage disposal system will be outside of the 30-metre development setback and the natural hazards (flooding, erosion, dynamic beach) along the shoreline, and will not result in *negative impacts* to natural heritage features or functions; and
 - ix) Each application for conversion shall be the subject of a site-specific amendment to the Zoning By-law. The application for rezoning shall be accompanied by a report which shall include information on the above noted standards and criteria, comments from the School Board, the local Health Unit and if appropriate, the Ministry of the Environment and Climate Change, and a copy of the Certificate of Occupancy.

5.4.13 Municipal Services

In areas designated for limited service and seasonal residential uses, the Municipality will not plow the roads in the winter months unless the Municipality already provides this service. Any request to the Municipality to provide services shall generally be refused, unless it is to the Township's economic advantage to provide such services.

5.4.14 Zoning

Lands within the Shoreline land use designation shall be zoned in a separate classification in the implementing Zoning By-law.

5.4.15 Flood and Erosion Susceptible Lands

Flood susceptible lands include but are not limited to those lands with geodetic elevations below the regulatory flood elevation.

For the Lake Ontario shorelands, the regulatory flood elevation includes the static 100-year flood elevation plus an allowance for wind set-up, *wave uprush* and other water related hazards.

It is intended that where flood and erosion susceptible lands are designated as Shoreline, the lands shall be zoned in an appropriate environmental protection zone and shall be subject to the setbacks for development in the implementing zoning by-law.

5.4.16 Shoreline Special Policy Areas

5.4.16.1 Residential Subdivision, Lot 25, Part of Lots 24 and 26, concession “B”, and Part of Lots 25 and 26, Concession “A” and part of the road allowance between Concessions “A” and “B”, all in the former Township of Haldimand:

Within the area delineated on Schedule “A” as being subject to the policies of 5.4.16.1, the following shall apply:

- i) Notwithstanding Section 5.4.7, within the subject lands between 52 and 97 residential lots will be permitted. If more than 52 residential lots are to be created, a study supporting the number of residential lots in excess of 52 will be provided to the municipality prior to draft plan approval of the proposed subdivision.
- ii) Notwithstanding Section 5.4.15, Flood and Erosion Susceptible Lands, on the subject lands, an engineering study outlining the hazards to be overcome with respect to flooding and drainage shall be undertaken prior to draft plan approval where major changes in boundaries of lands zoned Environmental Constraint are necessitated by the draft plan. In any case, the developer shall show that no lots will be created within the subdivision that would be the subject of flooding or poor drainage. The local Conservation Authority shall be consulted in this regard.
- iii) Recreational uses, as provided for in Section 5.11.1 of this Plan, shall be permitted, provided that such uses are accessory and incidental to the permitted residential development. In addition, recreational uses permitted pursuant to this clause shall not be located on any of the residential building lots. Recreational and conservation uses shall be placed within separate zone classifications in the implementing Zoning By-law.
- iv) All the provisions of the Shoreline designation that are not specifically amended by Section 5.4.16.1 shall apply to lands within this special policy area.

5.4.16.2 White Island, Former Township of Alnwick

Notwithstanding any other provision of Section 5.4, seasonal residential development of White Island shall only be permitted provided an appropriate area for motor vehicle parking is available on the mainland. The provisions of Section 4.2.1(i) shall not apply to White Island.

5.4.16.3 Margaret’s Island, Former Township of Alnwick

Development of Margaret’s Island shall be restricted to a limited number of lots, created by consent, for seasonal dwellings, provided that an appropriate area for motor vehicle parking is available on the mainland. The provisions of Section 4.2.1(i) shall not apply to Margaret’s Island.

~~5.4.16.4 McQuillan Subdivision Lands, Part of Lots 5-7, Concession B and C, Former Township~~

~~of Haldimand~~

~~In addition to the policies of Section 4.3 and 5.4 of this Plan, the approval of development for a residential plan of subdivision on the lands subject to this Special Policy Area shall be subject to proof of an adequate supply of water (quality and quantity), a stormwater management plan, a Minimum Distance Separation (MDS) calculation, and an assessment of Natural Heritage Features, to the satisfaction of the Municipality and all in compliance with current standards and guidelines of applicable Ministries and Agencies. Development shall also be subject to an amendment to the Comprehensive Zoning By Law and the execution of a development agreement with the Municipality.~~

Deleted by Ministry modification and currently under appeal.
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~~Notwithstanding the requirements of Section 5.4.3, for the proposed subdivision of the above captioned lands the proposed parkland dedication shall provide a minimum of 3 metres of shoreline for each backlot.~~

5.5 RESORT

The Resort designation shall mean that the predominant use of the land is for existing tourist accommodation and resort commercial uses. Land uses that are complementary to or serve the basic resort uses shall also be permitted.

The general principles to be considered in the development and control of the use of such land area are as follows.

5.5.1 Uses Permitted

The uses permitted in Resort areas shall be limited to those commercial uses that primarily serve a recreational function, often on a seasonal basis serving the vacationing public. This may include tourist accommodation uses such as motels, lodges or cabin establishments; tourist camps or parks; marinas; retail commercial establishments catering to the day to day needs of the visitors and residents; golf courses as an integral part of permitted Resort uses; eating establishments; public parks; and public uses. Residential uses that are accessory to the above noted recreational commercial use may also be permitted.

5.5.2 Location

The areas shall be located in such a manner that the road pattern provides for the adequate movement of vehicular traffic and shall be in accordance with Schedule "A."

5.5.3 Future Resort Development

Proposals for new Resort development and significant expansions to existing developments shall be supported by studies which assess the suitability of the site (i.e. water quality, soils, vegetation, existing recreational commercial development, boating facilities, etc.) to sustain the impact of the proposed recreational commercial use.

All Resort development shall comply with the Minimum Distance Separation formula criteria, as amended from time to time.

Proposals for Resort development in areas designated as Agricultural will require an amendment to this Plan. The redesignation of lands from Agricultural to Resort may only be permitted where the Resort

development is part of a settlement area boundary expansion. The policies of section 3.1.2.3 of this Plan shall apply.

5.5.4 Water Setback

Resort development shall generally be set back a minimum of 30 metres from the high-water mark of all water bodies and watercourses, or such additional distance to ensure the following:

- i) adequate protection from changes in water level, flooding, dynamic beaches and erosion;
- ii) minimal disturbance of the natural character of the shoreline environment, including shoreline vegetation, *wetlands* and *fish habitat*;
- iii) minimal visual impact on the shoreline and the water body; and
- iv) adequate setback of sewage disposal systems.

It is intended that specific setback provisions for Resort buildings and related accessory uses shall be contained in the implementing Zoning By-law. The Conservation Authority shall be consulted in this regard.

5.5.5 Parking and Buffering

Access points to parking areas shall be limited in number and designed in such a manner that will minimize the danger to vehicular and pedestrian traffic.

All commercial uses shall provide adequate on-site parking facilities and shall be buffered by planting and by substantial spatial separation from adjoining residential uses. No marina shall be established closer than 60 metres to any existing lands zoned for residential purposes.

5.5.6 Municipal Services

Unless already being done, the Municipality will not plow roads in the winter months. Any request to the Municipality to provide services shall generally be refused, unless it is to the Township's economic advantage to provide such services.

5.5.7 Flood and Erosion Susceptible Lands

Flood susceptible lands include but are not limited to those lands with geodetic elevations below the regulatory flood elevation.

For the Lake Ontario shorelands, the regulatory flood elevation includes the static 100-year flood elevation plus an allowance for wind set-up, *wave uprush* and other water related hazards.

Erosion susceptible lands include but are not limited to bluff hazards along the Lake Ontario shoreline and valley lands.

It is intended that where flood and erosion susceptible lands are designated as Resort, the lands shall be zoned in an appropriate environmental protection zone and shall be subject to the setbacks for

development in the implementing zoning by-law.

5.5.8 Zoning

Resort areas may be zoned in separate classifications in the Comprehensive Zoning By-law.

5.5.9 Resort Special Policy Areas

5.5.9.1 Tourist Camp or Park, Part of Lot 18, Concession “A”, Former Township of Haldimand

Within the area designated as Resort in Part of Lot 18, Concession “A”, in the former Township of Haldimand, specifically identified by Assessment Roll No. 2-6605, the following shall apply:

- i) The uses permitted shall be limited to a tourist camp or park, accessory residential uses and retail commercial establishments or eating establishments catering to the day to day needs of the tourist camp or park.
- ii) The maximum number of additional sites that may be developed shall be restricted to 40. These additional sites shall be restricted to 40. These additional sites shall be developed on a rezoning basis.

5.5.9.2 Haldimand Hills Spa, Lots 22 to 25, Concession II, Former Township of Haldimand

Within the area designated as Resort in Part of Lots 22 to 25, Concession II, in the former Township of Haldimand, the following shall apply:

- i) Permitted Uses

Notwithstanding the Resort Uses outlined above, only the following uses shall be permitted:

1. tourist accommodation and uses accessory and subordinate to this accommodation
2. a water bottling plant
3. uses in accordance with the policies of Sections 5.10 (Rural designation) and 5.11 (Recreational/Conservation designation).

In this context tourist accommodation shall mean that occupancy of any unit shall not exceed 6 months in any calendar year.

- ii) Phasing of Development

1. Stage 1 Development – Inn Expansion

On those lands comprised of Part of Lots 22 & 23, Concession II, in the former Township of Haldimand, a resort dedicated to a health spa including a licensed dining room, with a maximum seating capacity of 120 persons, and containing no more than 65 guest rooms shall be permitted, subject to appropriate provisions being incorporated in the Zoning By-law.

All Accommodation structures shall be located in accordance with the Minimum Distance Separation calculations prepared for adjacent agricultural facilities. The Municipality shall

use “Holding” provisions in accordance with Section 36 of the *Planning Act*.

The “Holding” provisions shall be removed when Council is satisfied that the following have been addressed:

- a Site Plan Agreement has been executed
- sewage treatment facility design has been approved by the Ministry of Environment and Climate Change
- confirmation that the necessary water taking permit has been obtained from the Ministry of Environment and Climate Change
- an archaeological assessment has been prepared
- the impact of the development on water quality/quantity, sediment control and *fish habitat* be addressed through preparation of a stormwater management/drainage plan
- municipal financial requirements related to the impact of site development for such services as:
 1. policing
 2. garbage collection and disposal
 3. roads
 4. fire services

2. Stage 2 Development – Long Term

On the lands in Lot 22 through 25 in Concession II, in the former Township of Haldimand, a health spa resort comprised of up to 250 guest rooms including Stage 1 accommodation and accessory uses shall be permitted. All accommodation facilities shall be located in compliance with the Minimum Distance Separation calculated for adjacent agricultural facilities. Accessory uses shall include recreational uses provided they do not detract from the rural character and are included in the zoning and site plan.

This second stage of development will only proceed on the basis of a Zoning By-law Amendment and detailed Site Plan for each Inn & Spa. The development shall be subject to a Zoning By-law Amendment with “Holding” Provisions in accordance with Section 36 of the *Planning Act*. Prior to removal of the “Holding” provision or the approval of the staged Zoning By-law Amendment, the following shall be addressed:

- A site Plan Agreement
- Sewage treatment facilities and a detailed Servicing Options Study
- Confirmation that the necessary water taking permit has been obtained from the Ministry of Environment and Climate Change
- An archaeological assessment has been prepared
- The impact of the development on water quality/quantity, sediment control and *fish habitat* be addressed through preparation of a stormwater management/drainage plan
- Municipal financial requirements related to the impact of site development for such services as:
 1. policing
 2. garbage collection and disposal
 3. roads
 4. fire services

- The provision of an internal access road and a review of traffic patterns and their impact on Township roads. The traffic impact report shall be circulated to the Ministry of Transportation.
- A design review of the internal access road entrance which includes a review of the need for a left turn land for north bound traffic on County Road 23, the type of traffic using the internal road and the proximity of the entrance with the Academy Hill Road entrance and possible dedication of land for road widening.

3. Location of Accessory Uses on Stage 2 Lands

During stages 1 and 2, uses accessory to the permitted Resort Uses may be established on lands within this Special Policy Resort Area, provided such lands are controlled by the owner, but not zoned for Resort use. The uses must be clearly incidental to the uses permitted in the approved Resort zoning. Such uses shall be subject to Site Plan Control and will be required to meet all applicable provisions for Stage 2 development.

4. Lands in the South East Corner of Lot 22, Concession II, former Township of Haldimand

Although these lands are designated Rural the use of these lands shall complement the Health Spa uses to the north. Council requests a forested area to act as a buffer for development along Cranberry Road.

5.5.9.3 Dunnette Landing, Part of Lot 11, Concession III, Former Township of Alnwick

Notwithstanding the policies set out in Section 5.5, for lands designated as Resort in part of Lot 11, Concession 3, former Township of Alnwick, the following studies shall be required of the developer in support of an application for a development proposal:

- i) Hydrogeology – To determine the availability of potable water and the suitability of the soil for septic systems to accommodate the proposed development;
- ii) Traffic Study – An assessment of the existing road network, and make recommendations for road improvements to accommodate the proposed development;
- iii) Shoreline Works – Treatment and Development Study:

This study should detail where the boat docks, ramps and launches, buildings/structures and other marina ancillary uses are to be located and accommodated on site. In addition, a review of the potential environmental effects of the proposed shoreline works, treatment and development shall be conducted. Recommendations to address or minimize any potential impacts on the environment shall also be included in the Report. The Township shall consult with the Ministry of Natural Resources and Forestry, the Lower Trent Region Conservation Authority and the Trent-Severn Waterway when reviewing these studies.

Notwithstanding any policy of this Plan to the contrary, for lands designated as Resort in part of Lot 11, Concession 3, former Township of Alnwick, the highwater setback requirements shall be 38 metres for marina uses, as defined in the Zoning By-law, which require placement adjacent to, or on the water's edge. The ultimate siting of the existing convenience store, which is currently located within the *flood plain*, may be permitted to remain in this area subject to the approval of the Lower Trent Region

Conservation Authority and the Township.

Prior to the release of the holding provisions on the zoning of the property for that portion where the lodge is proposed, the developer must satisfy Council, the Ministry of the Environment and Climate Change, and the Health Unit that there is sufficient groundwater to sustain this phase of development and that there is sufficient land area available to dilute the septic waste generated from the development, all in accordance with the applicable provisions of the day.

5.5.9.4 Golden Beach Resort, Part of Lot 1, Concession I, Former Township of Alnwick

On lands designated Resort in part of Lot 1, Concession 1, former Township of Alnwick, and identified on Schedule “A” by the reference to Section 5.5.9.4 of this Plan, the permitted uses shall include park model trailer sites for seasonal occupancy only, in addition to the uses permitted by Section 5.5.1.

5.6 HIGHWAY COMMERCIAL

The Highway Commercial land use designation primarily applies to those lands and uses that rely to a considerable degree on vehicular traffic. The following policies shall apply to the *development* and control of Highway Commercial uses.

5.6.1 Permitted Uses

Permitted uses shall be limited to those commercial uses which primarily serve vehicular traffic and the travelling public, and which rely heavily upon such traffic for their economic existence. Such uses may include an automobile service station, a motel, a drive-in restaurant or other eating establishment, an automobile or trailer sales agency, a convenience or general store, a farm implement dealer, a community facility uses, public uses, a public garage, a service shop, an automobile repair garage, antique or craft shops, home occupation uses, together with a residence for the owner or caretaker.

5.6.2 Location

Highway Commercial uses should generally be located adjacent to County Roads, and shall be in accordance with Schedule “A”, the Land Use Plan. There are currently no Highway Commercial designations within the Township of Alnwick/Haldimand. New highway commercial uses should be directed to Settlement Areas. Highway commercial uses shall only be permitted outside of Settlement Areas where the use is related to the use or management of resources, or uses that by their nature cannot be located within Settlement Areas.

Proposals for Highway Commercial development in areas designated as Agricultural will require an amendment to this Plan. The redesignation of lands from Agricultural to Highway Commercial may only be permitted where the Highway Commercial development is part of a settlement area boundary expansion. The policies of section 3.1.2.3 of this Plan shall apply.

All new Highway Commercial development shall be established in accordance with the Minimum Distance Separation formula criteria, as amended from time to time.

5.6.3 Parking

Adequate off-street parking facilities shall be provided for all permitted uses, and access points to such parking shall be limited in number and designed in a manner that will minimize the danger to both vehicular and pedestrian traffic. Adequate off-street loading and unloading facilities shall be provided.

5.6.4 Buffer Planting

Adequate buffer planting shall be provided between the Highway Commercial uses and any adjacent residential uses; such buffer planting shall include the provisions of grass strips, berms, screening and the appropriate planting of trees and shrubs.

5.6.5 Servicing

In the absence of complete municipal services only those establishments which do not require sanitary sewers and municipal water will be permitted, provided that a satisfactory engineering report is obtained to this effect.

5.6.6 Zoning

Highway Commercial uses may be included in separate zoning classifications in the implementing Comprehensive Zoning By-law.

5.7 INDUSTRIAL

The Industrial designation shall mean that the predominant use of the land shall be for Restricted Industrial and General Industrial uses. The general principles to be considered in the *development* and control of the use of such lands are as follows.

The lands designated as Industrial located immediately to the north of Highway No. 401 and adjacent to County Road No. 23 have been the subject of a referral to the Ontario Municipal Board with respect to the Official Plan of the former Township of Haldimand. Council shall give particular attention to the future *development* of these lands for Industrial purposes, in terms of establishing appropriate development performance standards to promote compatibility with adjacent land uses.

New industrial uses shall be directed to settlement areas. Industrial uses shall only be permitted outside of settlement areas where the use is related to the management or use of resources, or uses that by their nature cannot be located within settlement areas.

5.7.1 Permitted Uses

i) Restricted Industrial

Permitted Restricted Industrial uses shall be limited to those industrial uses which include workshops, service shops, processing, manufacturing, assembling, water treatment plant, railway uses, concealed storage, builders' supply, public uses, motor vehicle repair garage and accessory commercial uses or commercial uses primarily serving the Restricted Industrial area. The permitted commercial uses shall be either accessory to or shall directly serve the permitted industrial uses. Such uses shall in no way contribute to the detracting of the area for healthy industrial development. In order to avoid random

commercial development within the Restricted Industrial area, the implementing Zoning By-law shall establish Commercial zones separate from Industrial zones.

ii) **General Industrial**

Permitted uses shall include those industrial uses that are permitted in the Restricted Industrial area, as well as construction yards, warehousing, truck or transportation terminal, railway uses, motor vehicle body shops, motor vehicle repair garages, open storage of goods or materials, bulk storage, and a resource recovery facility. The permitted commercial uses shall be either accessory to or shall directly serve the permitted industrial uses. Such uses shall in no way contribute to the detracting of the area for healthy industrial development. In order to avoid random commercial development within the General Industrial area, the implementing Zoning By-law shall establish Commercial zones separate from Industrial zones.

5.7.2 Industry on or Near Agricultural Lands

The establishment of new Industrial areas (i.e., lands that are not currently designated as Industrial) may only be permitted upon lands designated as Agricultural where the new Industrial designation is part of a settlement area boundary expansion. The policies of section 3.1.2.3 of this Plan shall apply.

All new Industrial development shall be established in accordance with the Minimum Distance Separation formula criteria, as amended from time to time.

5.7.3 Separation of Industrial and Sensitive Land Uses

Industrial uses permitted adjacent to Residential areas or other *sensitive land uses* shall be such that there is no *adverse effects* on adjoining land uses as the result of the emission of noise, smoke, odour or dust as a result of an industrial activity. Open storage will also be restricted adjacent to lands designated for residential development.

The separation of Industrial uses and *sensitive land uses* shall be encouraged in accordance with the Ministry of the Environment and Climate Change *Land Use Compatibility* guideline and *Compatibility Between Industrial Facilities and Sensitive Land Uses* guideline.

The policies of Section 3.12 of this Plan, “Land Use Compatibility,” shall apply.

5.7.4 Parking and Loading Facilities

Adequate off-street parking facilities shall be provided for all permitted uses, including industrial employees and visitors. Adequate off-street loading and unloading facilities shall be provided.

5.7.5 Services

Unless on full municipal sewage and water services or approved private communal services, Industrial uses will be limited to those of a dry nature only and will be permitted on individual on-site sewage and water services on lands designated to permit those uses.

For the purposes of this Plan, a use of a “dry nature” shall mean one in which water is not required in the processing, assembling, fabricating, manufacturing, washing or cooling, or similar function of the establishment, and which requires water and sewage disposal facilities only for domestic uses, i.e., for

employees and visitors to the establishment.

The policies of Section 3.2.1 of this Plan, “General Servicing Policies,” shall apply.

5.7.6 Zoning

The Restricted Industrial and General Industrial uses may be included in separate zoning classifications in the implementing Comprehensive Zoning By-law.

5.8 AGGREGATE RESOURCE

The Aggregate Resource designation includes lands currently licensed under the *Aggregate Resources Act* for *mineral aggregate operations* as well as those lands identified as areas of high potential for aggregate extraction by the Ministry of Northern Development and Mines. Areas of high potential for *mineral aggregate resources* are identified on Schedule “A” in the Aggregate Resource designation. Deposits of tertiary significance or deposits that are shown to be of high potential as a result of testing, and agreed to in consultation with the Township and the Ministry of Natural Resources and Forestry will be shown on Schedule “A” as this information becomes available.

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

For the purposes of this Plan, *mineral aggregate operation* means the extraction of *mineral aggregate resources* and related activities, and includes:

- (i) Lands under licence or permit, other than for *wayside pits and quarries*, issued in accordance with the *Aggregate Resources Act*, or successors thereto; and
- (ii) Associated facilities used in extraction, transport, beneficiation, processing or recycling of *mineral aggregate resources* and derived products such as asphalt and concrete, or the production of secondary related products.

5.8.1 Permitted Uses

The uses permitted shall include *mineral aggregate operations* (as defined above), including associated facilities and operations where they are determined to be compatible with other uses permitted in the aggregate resource area.

In addition, land designated Aggregate Resource may be used for agriculture, resource management or forestry purposes.

5.8.2 Official Plan Amendments for Mineral Aggregate Operations

An amendment to this Plan will be required when a new *mineral aggregate operation* is proposed on lands that are not designated as Aggregate Resource on Schedule “A”. The policies of Section 10.14 and

any other applicable policy of this Plan shall be addressed to the satisfaction of Council.

An application for an amendment to this Plan to permit the establishment of a *mineral aggregate operation* shall be accompanied by a detailed site development plan. Site Plans and reports required by the *Aggregate Resources Act* shall generally be acceptable for the purposes of this section.

5.8.3 Policies for New or Expanding Mineral Aggregate Operations

Council shall consider the following matters before a decision is made on an application for an amendment to this Plan and/or an amendment to the Township's Comprehensive Zoning By-law to permit the establishment of a new or expanded *mineral aggregate operation*:

- i) Aggregate extraction shall be undertaken in a manner that minimizes social and environmental impacts.
 - ii) A *mineral aggregate operation* should be screened from public view to the extent possible, in order to protect the scenic characteristics of the area.
 - iii) It shall be the policy of this Plan that the Township, when considering a new *mineral aggregate operation* or an expansion of an existing operation, will have regard to existing *adjacent land uses* that might be affected by a pit or quarry operation. This may be reflected through measures such as extraction setbacks and/or other mitigative techniques such as the use of vegetation or berms to provide screening, restrictions on the location of machinery, the timing of extraction operations, and the location and condition of haul routes. These requirements may be implemented through:
 1. conditions on the licence and/or site plan under the *Aggregate Resources Act* at the time of licensing by the Ministry of Natural Resources and Forestry;
 2. regulations in a site-specific zoning by-law for the property; and
 3. provisions in a development agreement under Section 5.8.4 of this Plan.
 - iv) Any setbacks and/or mitigative techniques being established should depend on a site-by-site review, having regard to the policies of Section 5.8 and any other policy of this Plan.
 - v) As a general policy, a *mineral aggregate operation* for a pit within 300 metres of *sensitive land uses* should demonstrate that impacts on *sensitive land uses* can be appropriately mitigated. A *mineral aggregate operation* for a quarry within 500 metres of *sensitive land uses* should demonstrate that impacts on *sensitive land uses* can be appropriately mitigated. For the purposes of this section, *sensitive land uses* are those defined as *sensitive land uses* in Section 3.12 of this Plan.
 - vi) Proposals for *mineral aggregate operations* within the distances specified in paragraph (v) above should be evaluated based on matters such as, but not limited to, land use compatibility, impacts on groundwater, noise, dust, vibrations, and traffic.
 - vii) All operations must satisfy the requirements of the authority having jurisdiction as to water supply and groundwater pumping, and waste water disposal.
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- viii) All operations must satisfy the requirements of the Ministry of the Environment and Climate Change and/or By-laws of the Municipality as to the control of dust, noise and vibration.
 - ix) All *mineral aggregate operations* shall satisfy the requirements of the *Aggregate Resources Act* as to licensing and regulation.
 - x) The establishment of all new or expanded *mineral aggregate operations* on lands designated under the *Aggregate Resources Act* shall be in accordance with the applicable provisions of the “Aggregate Resources of Ontario – Provincial Standards” document of the Province of Ontario.
 - xi) Haul routes and the traffic generated by the proposed *mineral aggregate operation* shall be considered through the preparation of a traffic impact assessment. The traffic impact assessment. A traffic impact assessment shall be undertaken by the applicant and shall be acceptable to the Municipality and any other authority having jurisdiction, such as the County of Northumberland and the Ministry of Transportation. The traffic impact study shall address, but shall not necessarily be limited to, the projected volume of traffic related to the proposed *mineral aggregate operation* and existing *mineral aggregate operations* (whether active or not) using the same haul routes, the physical suitability of the haul routes for truck traffic, the nature and volume of existing traffic on the haul routes, requirements for improvements to the haul routes, the location and design of a safe entrance(s), and community impacts and safety.
 - xii) The applicable policies of Section 8 of this Plan, Natural Environment Policies, shall be addressed to Council’s satisfaction.
 - xiii) Demonstration of need for *mineral aggregate resources*, including any type of supply/demand analysis, shall not be required, notwithstanding the availability, designation or licensing for extraction of *mineral aggregate resources* in the Municipality or elsewhere.
 - xiv) An application for an amendment to this Plan and/or the Township’s Comprehensive Zoning By-law to permit the establishment of a new *mineral aggregate operation* or the expansion of an existing operation shall be accompanied by detailed site development plans and reports as listed below or as required by other sections of this Plan. Site plans required by the *Aggregate Resources Act* are acceptable for the purposes of this policy.

The following Site Plans and reports shall be required where determined by Council in consultation with the appropriate agency:

- (i) Site Plans including:
 - existing features and land uses on and within 120 metres of the site
 - operations and phasing
 - progressive rehabilitation
 - final rehabilitation
 - cross-sections of the operation
 - (ii) a hydrogeological report to address the potential for *adverse effects* of the *mineral aggregate operation* on groundwater and surface water resources and their uses;
 - (iii) an Environmental Impact Study (EIS) in accordance with Section 8.0;
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- (iv) a traffic impact study, which shall address the matters of Section 5.8.3(xi);
 - (v) a noise (acoustical) impact study;
 - (vi) a dust control study;
 - (vii) a blasting impact study (as necessary for the type of *mineral aggregate operation*);
 - (viii) a cultural heritage and archaeological assessment as required by the appropriate authority having jurisdiction; and
 - (ix) any other reports or studies as deemed necessary by Council or any agency having jurisdiction.

All site plans and technical reports required by this Plan shall be prepared by qualified professionals, and shall address applicable policies or procedures such as the Provincial Policy Statement under the *Planning Act* and the provisions of the “Aggregate Resources of Ontario – Provincial Standards” document of the Province of Ontario.

5.8.4 Development Agreements

It shall be a policy of this Plan that an applicant who wishes to undertake a *mineral aggregate operation* shall enter into a Development Agreement with the Municipality. This Agreement shall be entered into prior to Council’s enactment of the implementing Zoning By-law or the removal of a Holding provision under Section 36 of the *Planning Act*. Such an agreement may address, but shall not necessarily be limited to the following matters:

- i) An indication of the haul routes to be used and requirements for the improvement and maintenance of the haul routes;
- ii) That all road damage caused by the gravel trucks shall be repaired by the pit/quarry operator and that the Municipality may repair the roads and invoice the said operator accordingly;
- iii) The timing of operations on a daily, weekly and annual basis;
- iv) Arrangements for adequate screening to provide an effective visual buffer between the proposed *mineral aggregate operation* and any road or surrounding sensitive land use. Such screening shall be established effectively prior to operations of the pit or quarry;
- v) Provisions for the acceptable discharge of process water from washing or screening operations.
- vi) Issues of public health, public safety and environmental impact; and
- vii) Such other matters as Council may deem necessary and in the public interest.

5.8.5 Changes to Areas Designated Aggregate Resource

- i) The boundaries of the lands designated as Aggregate Resource on Schedule “A” shall serve as guides for the development of new *mineral aggregate operations*. If new aggregate resource
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information becomes available as a result of future resource testing programs, the Municipality may undertake an amendment to the Plan to recognize new areas of primary significance on Schedule “A”. Council will determine the timing of such an amendment.

- ii) An amendment to this Plan will not be required for minor changes to the Aggregate Resource boundaries, which are deemed to be suitable by Council after consultation with the Ministry of Natural Resources and Forestry. Where such changes occur, the new land use designation shall be in accordance with the surrounding land use designation.

5.8.6 Protection of Mineral Aggregate Resources and Operations

- i) Council shall have regard to the policies of Section 3.10 of this Plan with respect to the protection of *mineral aggregate resources* and existing *mineral aggregate operations* in the Municipality.
- ii) The policies of Section 3.10 shall also be applicable when Council is considering a change in a land use designation from Aggregate Resource to another designation.
- iii) Prior to the re-designation of Aggregate Resource lands, Council shall consider the potential for sequential or concurrent land uses that result in both aggregate extraction and development of land for the proposed use. Where *development* proposals are made, the applicant will be required to conduct an aggregate testing program to the satisfaction of the Municipality and the Ministry of Natural Resources and Forestry to ensure that the proposed development site does not contain aggregate resources.

5.8.7 Rehabilitation of Mineral Aggregate Operations

Progressive and final rehabilitation of *mineral aggregate operations* shall be required to accommodate subsequent land uses, to promote land use compatibility, to recognize the interim nature of extraction, and to mitigate *negative impacts* to the extent possible. *Comprehensive rehabilitation* planning is encouraged where there is a concentration of *mineral aggregate operations*. The proposed use of the rehabilitated lands shall take surrounding land uses into consideration, and shall be compatible with the adjacent land use designations on Schedule “A” of this Plan. Plans for the rehabilitation of the site shall be acceptable to the Township.

5.8.8 Rehabilitation of Agricultural Lands

The extraction of *mineral aggregate operations* on Agricultural Resource Lands as defined in Section 5.9.1 of this Plan is permitted as an interim use provided that the site will be rehabilitated back to an *agricultural condition*.

Complete rehabilitation to an *agricultural condition* will not be required if:

- i) Outside of a *specialty crop area*, there is a substantial quantity of *mineral aggregate resources* below the water table warranting extraction, or the depth of the planned extraction in a quarry makes restoration of pre-extraction agricultural capability unfeasible;
 - ii) In a *specialty crop area*, there is a substantial quantity of *high quality mineral aggregate resources* below the water table warranting extraction, and the depth of planned extraction makes restoration of pre-extraction agricultural capability unfeasible;
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- iii) Other alternatives have been considered by the applicant and found unsuitable. The consideration of other alternatives shall include resources in areas of Canada Land Inventory Class 4 through 7 lands, resources on lands identified as *designated growth areas*, and resources on *prime agricultural lands* where rehabilitation is feasible. Where no other alternatives are found, *prime agricultural lands* shall be protected in this order of priority: *specialty crop areas*, Canada Land Inventory Class 1, 2 and 3 lands; and
 - iv) Agricultural rehabilitation in remaining areas is maximized.

5.8.9 Zoning

Mineral aggregate operations may be included in a separate zoning classification in the implementing Zoning By-law.

Existing licensed *mineral aggregate operations* shall be recognized in the Comprehensive Zoning By-law. On lands designated Aggregate Resource an applicant who wishes to expand an existing operation or commence a new operation must obtain an amendment to the Comprehensive Zoning By-law and a licence from the Ministry of Natural Resources and Forestry.

Lands within the Aggregate Resource designation on Schedule “A” that are not licensed under the *Aggregate Resources Act* will normally be placed in an agricultural or rural zone classification.

It shall be the policy of this Plan that concrete batching plants and asphalt plants shall be permitted only in those areas specifically zoned for such uses.

An application for an amendment to the Comprehensive Zoning By-law to permit the establishment of a *mineral aggregate operation* shall be accompanied by a detailed site development plan. Site Plans and reports required by the *Aggregate Resources Act* shall generally be acceptable for the purposes of this section.

5.9 AGRICULTURAL

The Agricultural designation is applied to lands where the predominant land use is agriculture, and may include uses that are supportive of and compatible with agriculture such as forestry, passive recreational uses, conservation areas, and activities directly related to agriculture, requiring a location in close proximity to farm operations.

The primary purpose of the Agricultural designation is the protection of Agricultural Resource lands for *agricultural uses* on a long-term basis, in order that a permanent, secure and available agricultural base is maintained in the Township. Public parks permitted in the Agricultural designation in accordance with Subsection 3.19 of the Plan shall be limited to community parklands as defined by Subsection 3.4.2(i) of this Plan.

5.9.1 Definition of Agricultural Resource Lands

Agricultural Resource Lands are areas that are considered to have a significant capability for supporting agricultural operations, and include the following:

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- i) Lands that have a high capability for the production of specialty crops due to special soils or climate;
 - ii) Continuous areas of land where soil Class 1, 2 and 3 predominate as defined in the Canada Land Inventory of Soil Capability for Agriculture;
 - iii) Additional areas where farms exhibit characteristics of ongoing viable agricultural operations; or
 - iv) Additional areas where local market conditions ensure agricultural viability where it might not exist otherwise.

The Municipality shall consult with the Province with regard to the identification of Agricultural Resource Lands. It is recognized that the evaluation of the agricultural capability of an area may require detailed mapping, soil analysis and the consideration of surrounding existing land uses. Such additional information, which is of a standard acceptable to Council, may also be used in the determination of Agricultural Resource Lands.

Agricultural Resource lands described above are delineated on Schedule “A” of this Plan in the Agricultural land use designation.

5.9.2 Permitted Uses

i) Agricultural Uses

Permitted *agricultural uses* shall include the use of land, buildings and structures for operations conducted on a farm. *Agricultural uses* shall include the growing of crops, including nursery, biomass and horticultural crops, greenhouse crops and mushrooms; raising of livestock; raising of other animals for food, fur or fibre, including poultry and *fish*; aquaculture; apiaries; agro-forestry; maple syrup production; riding and boarding stables; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, value-retaining facilities, and accommodation for full-time farm labour when the size and nature of the operation requires additional employment.

On lands designated as Agricultural, all types, sizes and intensities of *agricultural uses* and *normal farm practices* shall be promoted and protected in accordance with provincial standards. For the purposes of this Plan, *normal farm practices* shall mean a practice, as defined in the *Farming and Food Production Protection Act*, 1998, that is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar agricultural operations under similar circumstances; or makes use of innovative technology in a manner consistent with proper advanced farm management practices. *Normal farm practices* shall be consistent with the *Nutrient Management Act*, 2002 and regulations made under that Act.

ii) Agriculture-Related Uses

Permitted *agriculture-related uses* include those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.

Such uses shall include feed mills, livestock assembly/marketing or sales yards, seed cleaning plants, grain drying, cold storage facilities, abattoirs, custom agricultural spraying, farm-related workshops, farm

implement dealerships, agricultural produce warehouses, and similar agriculture-related uses. *Agriculture-related uses* should avoid, wherever possible, locating on Agricultural Resource Lands.

iii) *On-Farm Diversified Uses*

Permitted *on-farm diversified uses* include uses that are secondary to the principal agricultural use of a property, and are limited in area. *On-farm diversified uses* include, but are not limited to, home occupations, home industries, *agri-tourism uses*, and uses that produce value-added agricultural products. Examples of *on-farm diversified uses* include custom meat shops, packing operations from the farm operation, agri-tourism and agri-recreation activities (for example, bed and breakfast, bed and bale, farm mazes, small-scale farm-theme playgrounds for children, farm vacations, farm tours, hay/sleigh rides, special events facilities such as farm weddings and temporary agricultural demonstration events, and educational facilities), cottage/estate wineries, value-added processing, seasonal roadside produce stands/markets, and pick-your-own operations. The uses permitted are to be limited in area and they must be clearly secondary to the principal use of the farm property for farming purposes. Before an *on-farm diversified use* will be permitted, it must satisfy all of the following criteria:

1. An *on-farm diversified use* shall be conducted only by persons who reside on the farm property, or persons who are employed by the owner/resident of the farm property, and are involved in conducting the farm operation.
 2. The *on-farm diversified use* must be clearly secondary and incidental to the principal use of farming on the subject property. There must be no loss of good and/or productive farmland. The use cannot occupy building area that is necessary for or essential to the ongoing farm operation; and, it must in no way impede or interfere with the ability of the farmer to conduct his/her farming operation.
 3. The combined floor area of all buildings or structures, or parts thereof that are used for the *on-farm diversified use*, shall generally not exceed 186 square metres.
 4. All buildings and structures used in connection with an *on-farm diversified use* must be designed in such a manner that they can be converted/reverted to a farming use that is appropriate for the farm property in question at such time that the *on-farm diversified use* ceases to exist. Further, all buildings or structures used in connection with the *on-farm diversified use* should be located in proximity to the principal farm buildings (i.e. farm dwelling and barn).
 5. An *on-farm diversified use* must be operated as part of the farm unit and must cease if the farm operation is discontinued. *On-farm diversified uses* shall not be permitted as separate or independent uses from the farm operation. Any proposal to separate or sever an *on-farm diversified use* shall not be permitted.
 6. Vehicular access to the use will be by a driveway that serves the farm unit. A separate access driveway serving an *on-farm diversified use* shall not be permitted. Where a permitted *on-farm diversified use* may generate additional traffic beyond that which is normally associated with a principal agricultural use of a property, the roads authority having jurisdiction may require a traffic impact assessment.
 7. *On-farm diversified uses* shall not be placed in a separate zone category in the implementing Zoning By-law, but rather shall be considered as a permitted use in the
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Agriculture Zones established in the Zoning By-law. The Zoning By-law will establish provisions for *on-farm diversified uses* that are consistent with the criteria contained in this section.

iv) Farm Related Residential Uses

1. A maximum of two farm related dwelling units may be permitted on a farm, provided that at least one dwelling unit consists of a single detached dwelling. The second dwelling may be in the form of a second single dwelling, a mobile home or a second dwelling unit in an existing dwelling or a dwelling unit within an accessory building.
2. Where the second dwelling on a farm is proposed to consist of a mobile home or second single detached dwelling, an amendment to the Comprehensive Zoning By-law shall be required. Council will only consider a Zoning By-law amendment where the applicant can demonstrate that the requested second dwelling house or mobile home is for full-time farm help when the size and nature of the operation requires additional employment.
3. Where the second dwelling unit on a farm is proposed to be located within the first, or principal, dwelling house, an amendment to the Implementing Zoning By-law shall not be required provided the dwelling house is in conformity with the regulations of the Zoning By-law.
4. A bunkhouse for the temporary lodging of seasonal farm help may be permitted on a property in the Agricultural designation. The establishment of bunkhouse shall require an amendment to the Comprehensive Zoning By-law where the floor area of the bunkhouse exceeds 23 square metres.
5. Bed and Breakfast Establishments will be permitted uses within farm dwelling houses.
6. Severance of land with housing for farm labour is not permitted.

v) Non-Farm Related Residential Uses on Existing Lots of Record

Non-farm related residential development in the form of one single detached dwelling on a lot may be permitted on any vacant lot in existence or granted consent prior to the approval of the Official Plan. The Comprehensive Zoning By-law shall set out the specific provisions and regulations that apply.

5.9.3 Minimum Distance Separation Formula

New or expanding livestock operations shall only be established in compliance with the Minimum Distance Separation II (MDS II) formulae, as amended from time to time. Permitted non-farm uses such as residential, commercial and industrial shall only be established in compliance with the Minimum Distance Separation I (MDS I) formulae, as amended from time to time.

5.9.4 Permitted Severances

The policies with regard to the severance of land within the Agricultural land use designation are set out in Section 4 of this Plan.

5.9.5 Removal of Lands from the Agricultural Designation

Lands may only be removed from the Agricultural designation where the removal is part of a settlement area boundary expansion and where:

- i) the lands do not comprise specialty crop areas
- ii) alternative locations have been evaluated and
 - a. there are no reasonable alternatives which avoid prime agricultural areas; and
 - b. there are no reasonable alternatives on lower priority agricultural lands in prime agricultural areas.

An amendment to the County of Northumberland Official Plan shall also be required.

5.10 RURAL

The Rural designation is applied to lands that are of marginal value for agriculture and have potential for non-agricultural development. The purpose in designating these areas is to direct low intensity rural uses into these areas, thereby protecting Agricultural Resource Lands from incompatible, non-agricultural development.

5.10.1 Definition of Rural Lands

Rural lands are defined as:

- i) Continuous areas of land where soil Classes 4, 5, 6 and 7 predominate as defined in the Canada Land Inventory of Soil Capability for Agriculture;
- ii) Lands with significant non-farm uses; or
- iii) Lands fragmented into relatively small parcels.

5.10.2 Permitted Uses

- i) Agricultural Uses

Permitted *agricultural uses* shall include the use of land, buildings and structures for operations conducted on a farm. *Agricultural uses* shall include the growing of crops, including nursery, biomass and horticultural crops, greenhouse crops and mushrooms; raising of livestock; raising of other animals for food, fur or fibre, including poultry and *fish*; aquaculture; apiaries; agro-forestry; maple syrup production; riding and boarding stables; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, value-retaining facilities, and accommodation for full-time farm labour when the size and nature of the operation requires additional employment.

- ii) *Agriculture-Related Uses*

Permitted *agriculture-related uses* include those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close

proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.

Such uses shall include feed mills, livestock assembly/marketing or sales yards, seed cleaning plants, grain drying, cold storage facilities, abattoirs, custom agricultural spraying, farm-related workshops, farm implement dealerships, agricultural produce warehouses, and similar agriculture-related uses.

iii) *On-Farm Diversified Uses*

Permitted *on-farm diversified uses* include uses that are secondary to the principal agricultural use of a property, and are limited in area. *On-farm diversified uses* include, but are not limited to, home occupations, home industries, *agri-tourism uses*, and uses that produce value-added agricultural products. Examples of *on-farm diversified uses* include custom meat shops, packing operations from the farm operation, agri-tourism and agri-recreation activities (for example, bed and breakfast, bed and bale, farm mazes, small-scale farm-theme playgrounds for children, farm vacations, farm tours, hay/sleigh rides, special events facilities such as farm weddings and temporary agricultural demonstration events, and educational facilities), cottage/estate wineries, value-added processing, seasonal roadside produce stands/markets, and pick-your-own operations. The uses permitted are to be limited in area and they must be clearly secondary to the principal use of the farm property for farming purposes. Before an *on-farm diversified use* will be permitted, it must satisfy all of the following criteria:

1. An *on-farm diversified use* shall be conducted only by persons who reside on the farm property, or persons who are employed by the owner/resident of the farm property, and are involved in conducting the farm operation.
 2. The *on-farm diversified use* must be clearly secondary and incidental to the principal use of farming on the subject property. There must be no loss of good and/or productive farmland. The use cannot occupy building area that is necessary for or essential to the ongoing farm operation; and, it must in no way impede or interfere with the ability of the farmer to conduct his/her farming operation.
 3. The combined floor area of all buildings or structures, or parts thereof that are used for the *on-farm diversified use*, shall generally not exceed 186 square metres.
 4. All buildings and structures used in connection with an *on-farm diversified use* must be designed in such a manner that they can be converted/reverted to a farming use that is appropriate for the farm property in question at such time that the *on-farm diversified use* ceases to exist. Further, all buildings or structures used in connection with the *on-farm diversified use* should be located in proximity to the principal farm buildings (i.e. farm dwelling and barn).
 5. An *on-farm diversified use* must be operated as part of the farm unit and must cease if the farm operation is discontinued. *On-farm diversified uses* shall not be permitted as separate or independent uses from the farm operation. Any proposal to separate or sever an *on-farm diversified use* shall not be permitted.
 6. Vehicular access to the use will be by a driveway that serves the farm unit. A separate access driveway serving an *on-farm diversified use* shall not be permitted. Where a permitted *on-farm diversified use* may generate additional traffic beyond that which is normally associated with a principal agricultural use of a property, the roads authority having
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jurisdiction may require a traffic impact assessment

7. *On-farm diversified uses* shall not be placed in a separate zone category in the implementing Zoning By-law, but rather shall be considered as a permitted use in the Agriculture Zones established in the Zoning By-law. The Zoning By-law will establish provisions for *on-farm diversified uses* that are consistent with the criteria contained in this section.

iv) Commercial and Industrial Uses

Small-scale commercial and industrial uses serving or related to the rural economy and which, by their nature, cannot be located within settlement areas may be permitted in *Rural areas*. These include uses such as commercial kennels, contractors yards, school bus agencies, family-operated trucking businesses, and similar uses which may be deemed by Council as necessary and appropriate in the *Rural areas*.

Lots shall be of adequate size to permit the location of the commercial or industrial use in an unobtrusive manner, and to provide adequate off-street parking and loading facilities.

v) Farm Related Residential Uses

1. A maximum of two farm related dwelling units may be permitted on a farm, provided that at least one dwelling unit consists of a single detached dwelling. The second dwelling may be in the form of a second single dwelling, a mobile home or a second dwelling unit in an existing dwelling.
2. Where the second dwelling on a farm is proposed to consist of a mobile home or second single detached dwelling, an Amendment to the Comprehensive Zoning By-law shall be required. Council will only consider an amendment to the Zoning By-law where the applicant demonstrates that the requested second dwelling house or mobile home is for:
 - A retiring farmer;
 - Full-time farm help
3. Where the second dwelling unit on a farm is proposed to be located within the first, or principal, dwelling house, an amendment to the Implementing Zoning By-law shall not be required provided the dwelling house is in conformity with the regulations of the Zoning By-law.
4. A bunkhouse for the temporary lodging of seasonal farm help may be permitted on a property in the Rural designation. The establishment of bunkhouse shall require an amendment to the Comprehensive Zoning By-law where the floor area of the bunkhouse exceeds 23 square metres.
5. Bed and Breakfast Establishments will be permitted uses within farm dwelling houses.

vi) Non-Farm Related Residential Uses

Non-farm related residential uses in the form of one single detached dwelling on lots created in accordance with Section 4.2.4 (iii) of this plan are permitted.

Non-farm related residential development in the form of one single detached dwelling on a lot may be permitted on any vacant lot in existence or granted consent prior to the approval of the Official Plan by the Minister of Municipal Affairs. The Comprehensive Zoning By-law shall set out the specific provisions and regulations that apply.

Bed and breakfast establishments and a small apartment generally intended to accommodate one or two persons will also be permitted within a single detached dwelling, subject to all other policies of this plan and the implementing Zoning By-law regulations.

5.10.3 Minimum Distance Separation Formula

New or expanding livestock operations shall only be established in compliance with the Minimum Distance Separation II (MDS II) formulae, as amended from time to time. Permitted non-farm uses such as residential, commercial and industrial shall only be established in compliance with the Minimum Distance Separation I (MDS I) formulae, as amended from time to time.

5.10.4 Permitted Severances

The policies with regard to the severance of land within the Rural land use designation are set out in Section 4 of this Plan.

5.10.5 Rural Special Policy Areas

5.10.5.1 Oak Heights Estate Winery, Lot 2, Concession 8, Former Township of Haldimand

Notwithstanding the provisions of Section 5.10.2, within the area designated Rural in part of Lot 2, Concession 8, in the former Township of Haldimand, as identified on Schedule “A” of this Plan, permitted uses shall include all permitted uses of the Rural land use designation and shall also include:

- (i) A banquet facility with a maximum capacity of 160 guests; and
- (ii) One accessory dwelling unit located in a non-residential building, for occupation by a wine maker or other full-time farm help.

5.10.5.2 Rural Industrial Uses, Part of Lots 21-24, Concession 1, Former Township of Haldimand

On lands designated Rural in part of Lots 21 through 24, Concession 1, former Township of Haldimand and identified on Schedule “A” by reference to “Section 5.10.5.2” of this Plan, in addition to the uses permitted in the Rural designation the following uses shall be permitted:

- Construction yards
 - Truck or Transport terminal
 - Water treatment
 - Concealed and open storage accessory to a permitted primary use
 - Resource recovery facility
 - Public uses
 - Commercial use accessory to a primary use
 - Commercial uses primarily servicing the other uses in the immediate area
 - Warehousing related to the local rural economy
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In addition to the policies of the Rural designation, the following policies shall apply:

- (i) The separation of Industrial uses and *sensitive land uses* shall be encouraged in accordance with the Ministry of the Environment and Climate Change guidelines. The policies of Section 3.12 of this Plan, “Land Use Compatibility,” shall apply.
- (ii) Adequate off-street parking and loading facilities shall be provided for all permitted uses.
- (iii) Unless on full municipal sewage and water services, or approved private communal services, Industrial uses will be limited to those of a dry nature and will only be permitted on individual on-site sewage and water services. In this application, “dry nature” shall be one in which water is not required in the processing, assembling, fabricating, manufacturing, washing or cooling or similar function for the establishment, and which requires sewage disposal facilities and water supply only for employees and visitors to the establishment.

5.11 RECREATIONAL/CONSERVATION

Land designated as Recreational/Conservation is intended primarily for resource-based recreational or conservation purposes. These lands may have inherent environmental hazards but are presently being used in some form of recreational or conservation activity or have a recreational potential.

5.11.1 Uses Permitted

The uses permitted shall be limited to conservation uses, resource-based recreational uses or activities and accessory uses which may include the residence of the owner or caretaker, and limited residential uses (three lots or less). Consents for residential uses shall be in accordance with Section 5.11.5.

5.11.2 Parking Facilities

Where *recreation* or conservation projects are designed for public or private use, adequate motor vehicle parking areas shall be established and access points to parking areas and to all recreational areas shall be located in such a way that the traffic with the minimum of danger.

5.11.3 Land Under Private Ownership

Where any lands designated for Recreational/Conservation use are under private ownership, this Plan does not intend that such lands will necessarily remain as Recreational/Conservation indefinitely. In addition, it shall not be construed as implying that the Recreational/Conservation areas are free and open to the general public or that the Municipality or other government agency will purchase the lands. An application for the redesignation of privately owned lands for other purposes will be given due consideration by the Municipality, subject to the applicable policies of this Plan, provided the Municipality does not wish to purchase such lands in order to maintain them as Recreational/Conservation.

5.11.4 Zoning

Recreational/Conservation areas may be zoned in a separate classification in the implementing Zoning

By-law.

5.11.5 Consent to a Land Severance

Where a consent application is submitted to the Consent Granting Authority for a residential use, the application shall be subject to the policies set out in subsection 4.2.4 of this Plan (Severance Policies for the Rural Designation).

5.11.6 Minimum Distance Separation Formula

All Recreational/Conservation uses shall be established in accordance with the Minimum Distance Separation formula criteria, as amended from time to time.

5.12 ENVIRONMENTAL PROTECTION

Lands designated as Environmental Protection on Schedules “A” and “A-1” are environmentally sensitive and include lands with flood susceptibility, poor drainage, organic soils, erosion prone soils or steep slopes. In addition, this land use designation may include watercourses, *Areas of Natural and Scientific Interest (ANSI)*, lands that contain such inherent biological values as *wetlands* and other more locally significant natural areas.

The environmental values and/or hazards associated with such lands act as constraints for development.

5.12.1 Permitted Uses

Lands designated as Environmental Protection are primarily intended for preservation and conservation of the natural land and/or environment, and should be managed in such a fashion as to complement adjacent land uses and protect such uses from physical hazards. Uses such as agriculture, nursery and market gardening and forestry may be permitted. However, buildings and structures other than those required for conservation purposes shall generally be prohibited. The Conservation Authority and/or the Ministry of Natural Resources and Forestry shall be consulted regarding proposed buildings and structures. In addition, recreational uses shall only be permitted where they are compatible with adjacent land uses.

5.12.2 Placing and Removal of Fill

The placing or removal of fill and *site alteration* are not permitted in lands designated as Environmental Protection, unless authorized in writing by the Municipality or, where the Conservation Authority’s regulations apply, authorized by the Conservation Authority.

5.12.3 Detailed Delineation of Environmental Protection Lands

The boundaries of the Environmental Protection designation are approximate and it is the intent of this Plan that the precise locations will be delineated in the implementing Zoning By-law or at the time of the submission of *development* applications. Such detailed mapping shall be undertaken in consultation with the local Conservation Authority and other agencies as applicable. In the absence of more detailed mapping, the boundaries of the Environmental Protection designation on Schedules “A” and “A-1” shall be used as a guide in the preparation of the implementing Zoning By-law.

Where it is determined that lands within the Environmental Protection designation are not environmental constraint lands, the *development* of such lands shall be reviewed on the basis of the adjoining land use designation, the policies of Section 3.6 of this Plan (Protection of Environment), and the general intent and purpose of this Plan. An amendment to Schedule “A” or Schedule “A-1” of this Plan shall not be required to make minor modifications to the Environmental Protection designation provided that the overall intent of the Plan is maintained. The Municipality shall consult with the Conservation Authority and/or the Ministry of Natural Resources and Forestry and any other appropriate agency when considering this matter.

5.12.4 Privately Owned Lands

Where any land designated Environmental Protection is under private ownership, this Plan does not intend that such lands will necessarily remain as such indefinitely. In addition, it shall not be construed as implying that such areas are free and open to the general public or that the Municipality or other government agency will purchase the lands.

5.12.5 Application to Re-Designate

An application to re-designate Environmental Protection lands for other purposes may be given due consideration by the Municipality in consultation with the Conservation Authority, the Ministry of Natural Resources and Forestry or other public agency. Council shall consider the following matters:

- i) The existing environmental and/or sensitive features;
- ii) The potential impacts of these environmentally sensitive lands;
- iii) The potential impacts on natural features and functions;
- iv) The proposed methods by which these impacts may be overcome in a manner consistent with accepted engineering techniques and resource management practices; and
- v) The compatibility of the proposed use with adjacent/surrounding land use.

There is no municipal or public obligation to re-designate or to purchase any land if there is an existing or potential environmental hazard.

5.12.6 Park Dedication

The Municipality may at its sole discretion, choose to accept lands designated Environmental Protection as part or all of a parkland dedication pursuant to the *Planning Act*. The Municipality may also choose not to accept Environmental Protection lands as part or all of the parkland dedication.

5.12.7 Flood and Erosion Susceptible Lands

Flood susceptible lands include but are not limited to those lands with geodetic elevations below the regulatory flood elevation.

For the Lake Ontario shorelands, the regulatory flood elevation includes the static 100-year flood elevation plus an allowance for wind set-up, *wave uprush* and other water related hazards.

Erosion susceptible lands include but are not limited to bluff hazards along the Lake Ontario shoreline and *valleylands*.

5.12.8 Provincially Significant Wetlands

Provincially Significant Wetlands are designated as “Environmental Protection/PSW” on Schedule “A.” The precise boundary of a Provincially Significant Wetland shall be determined in consultation with the Ministry of Natural Resources and Forestry.

In addition to the other policies of Section 5.12 of this Plan, the following policies apply to Provincially Significant Wetlands (PSW) and the lands within 120 metres of them.

Development and *site alteration* (as defined in Section 8.10 of this Plan) shall not be permitted in Provincially Significant Wetlands.

5.12.8.1 Environmental Impact Study

Development or *site alteration* of lands within 120 metres of a Provincially Significant Wetland shall only be permitted in accordance with the underlying land use designation following the completion of an Environmental Impact Study (EIS).

Where an EIS is required for any natural heritage feature identified in Section 8.4 of this Plan, the following considerations shall also apply to that EIS requirement.

The EIS should address the following matters:

- i) Identify and evaluate the significance and boundaries of any natural heritage features, associated natural heritage corridors/linkages, *ecological functions*, and values on and adjacent to the site;
 - ii) Identify and map using Ecological Land Classification (ELC) the vegetation communities identified on and adjacent to the site;
 - iii) Identify if suitable habitat exists on the site for known species at risk (those listed on the Species at Risk in Ontario List) as well as suitable habitat for any species at risk that were observed on the site;
 - iv) Describe the survey methods and level of effort undertaken including the dates, weather conditions and number of field visits/surveys to demonstrate that assessments were conducted using appropriate methodologies at the appropriate time of the year;
 - v) Include an appendix that contains complete lists of the flora and fauna species and features that were observed on site and which ELC community they were observed in;
 - vi) Describe and map the existing on-site and adjacent land uses (including official plan and zoning designations);
 - vii) Describe and map proposed development activities including building location, site grading, landscaping, drainage works, roadway construction, paving, sewer and water servicing in relation to various environmental considerations;
 - viii) Predict the effects of the proposed *development* on the various components of the environment on and adjacent to the site, such as wildlife, *fish*, vegetation, soil, surface water, groundwater, air and
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- any other relevant factors, taking into consideration effects during and after site disturbance;
- ix) Identify and evaluate the significance of all predicted adverse and positive effects on the various environmental considerations including impacts to natural features and their ecological functions;
 - x) Itemize and recommend all measures that can be taken to avoid, reduce, or mitigate the predicted *negative impacts*; and
 - xi) Evaluate the cumulative residual effects that the project (and any other known projects or activities) may have following implementation of any mitigation measures on the natural features and *ecological functions* identified for protection.

An EIS must be conducted prior to the approval of any *development/site alteration*, or in support of any application for an Official Plan Amendment, Rezoning, Subdivision, Condominium, Severance or Minor Variance on lands within 120 metres of a Provincially Significant Wetland. As an EIS can differ in scope, Council, in consultation with the Ministry of Natural Resources and Forestry and/or the Conservation Authority and the County of Northumberland, will determine the type of EIS required (i.e. Comprehensive, Full Site or Scoped Site).

A site plan or development agreement may be entered into between the developer and the Municipality to ensure that the recommendations of the Environmental Impact Studies are implemented.

Where areas identified as Provincially Significant Wetlands are determined by the Ministry of Natural Resources and Forestry and/or the Conservation Authority not to form part of a wetland, *development* shall be permitted in accordance with the adjacent land use designation. An amendment to the Zoning By-law, however, will be required.

5.12.8.2 Existing Lots of Record

The policies of this section shall not be applied to prevent the issuance of a building permit nor necessitate an Environmental Impact Study in support of a building permit on existing lots of record within 120 metres of an identified Provincially Significant Wetland, provided that the lot on which *development* is to occur is located in a designation other than Environmental Protection, or, if located in the Environmental Protection designation, satisfies all other applicable policies of Section 5.12 of this Plan. Notwithstanding this policy, an EIS shall be required on an existing lot of record if a change in zoning is required to permit new *development*.

5.12.8.3 Lot Creation

No new lot shall be created by plan of subdivision or consent to a land severance, nor shall any zoning by-law amendment to permit a change in land use be enacted by Council within 120 metres of a Provincially Significant Wetland except where all applicable policies of this section are addressed to the satisfaction of the Municipality and the appropriate approval authority.

5.12.9 Coastal Wetlands

Coastal wetlands (unevaluated or evaluated non-significant) are designated as “Environmental Protection/CW” on Schedule “A” of this Plan.

Coastal wetlands that are evaluated as *significant* (i.e., *significant coastal wetlands*) are designated as

“Environmental Protection/SCW” on Schedule “A” of this Plan.

The precise boundary of any *coastal wetland* shall be determined in consultation with the Ministry of Natural Resources and Forestry and/or the Conservation Authority.

Notwithstanding the identification of *coastal wetlands* as “Environmental Protection/CW” and *significant coastal wetlands* as “Environmental Protection/SCW” on Schedule “A” of this Plan, *development* proposals within two (2) kilometres of Lake Ontario that include wetland areas will be required to assess whether the wetland meets the definition of a *coastal wetland*, as defined in the Provincial Policy Statement (2014).

In addition to the other policies of Section 5.12 of this Plan, the following policies apply to *coastal wetlands* and *significant coastal wetlands* and the lands within 120 metres of them:

- i) Development and site alteration shall not be permitted in *significant coastal wetlands*.
- ii) Development and site alteration on the *adjacent lands* to a *significant coastal wetland* shall only be permitted where it has been demonstrated through the completion of an EIS in accordance with the requirements of Section 5.12.8.1 of this Plan that there will be no *negative impacts* on the natural feature or their *ecological functions*, in accordance with policy of section 2.1.8 of the Provincial Policy Statement (2014).
- iii) Development and site alteration shall only be permitted in or on the *adjacent lands* to a *coastal wetland* (i.e. not a *significant coastal wetland*) where it has been demonstrated through the completion of an EIS in accordance with the requirements of Section 5.12.8.1 of this Plan that there will be no *negative impacts* on the natural feature or their *ecological functions*, in accordance with policy of sections 2.1.4 and 2.1.8 of the Provincial Policy Statement (2014).

5.12.10.1 Natural Hazards

In addition to the applicable policies of Section 5.12, the policies of Section 8.10, Natural Hazards, shall apply to such lands that are designated as Environmental Protection on Schedule “A” of this Plan.

5.12.11 Areas of Natural and Scientific Interest (ANSI)

In addition to the applicable policies of Section 5.12, the policies of Section 8.7, *Areas of Natural and Scientific Interest*, shall apply to such lands that are designated as Environmental Protection on Schedule “A” of this Plan.

5.12.12 Zoning

The Environmental Protection and Environmental Protection/PSW designations shall be zoned in a separate classification in the Zoning By-law.

Building setbacks may be established from the applicable zone boundary based upon the severity of the hazard, the type of permitted abutting use, the need for buffering, and the sensitivity of land features, in consultation with the appropriate agencies.

Amendments to the Comprehensive Zoning By-law accordance with Section 5.12.3 of this Plan may be considered without an amendment to this Plan.

5.12.13 Environmental Protection Special Policy Areas

5.12.13.1 Shelter Valley Creek Golf Course, Part of Lots 18 and 19, Concession A and Part of Lot 18, Concession 1, of the former Township of Haldimand

Notwithstanding any policies set out in Section 5.12, to the contrary, on the lands designated Environmental Protection in Part of Lots 18 and 19, Concession A, and Part of Lot 18, Concession 1 of the former Township of Haldimand, and indicated on Schedule "A" as a special policy area, the following policies shall apply:

i) Permitted Uses

In addition to the uses permitted in the Environmental Protection land use designation, a golf course and an existing single detached dwelling house shall be permitted.

ii) Special Policies

1. No new buildings or additions onto existing buildings shall be permitted.
2. The subject lands shall be zoned in an appropriate Environmental Constraint Zone that may include provisions, to address matters such as the following:
 - i. Restrictions on permitted uses;
 - ii. Special minimum yard and set back provisions; and
 - iii. The prohibition on the construction of new buildings or additions onto existing buildings.
3. That development shall be subject to site plan control, to address matters such as the following:
 - i. Prohibiting the construction of new buildings and expansion of existing buildings;
 - ii. Placement of parking lots / roadways;
 - iii. Drainage and sediment control;
 - iv. Application of herbicides, pesticides or fertilizers;
 - v. The establishment and maintenance of stream buffers;
 - vi. The use of Class 1 portable privies; and
 - vii. Restriction of *development* or *site alteration* within 30 metres of Shelter Valley Stream. An Environmental Impact study is required if *development* is proposed within 30 metres of this stream.
4. The site plan agreement shall be prepared in consultation with Lower Trent Conservation and the Haliburton, Kawartha, Pine Ridge District Health Unit.

5.13 WASTE DISPOSAL

The Waste Disposal designation recognizes existing solid waste landfill sites that are located within the Township of Alnwick/Haldimand. The Waste Disposal designation applies to both active and closed landfill sites.

5.13.1 Permitted Uses

Permitted uses shall include solid waste landfill sites as authorized by the Municipality and approved (as necessary) by the Ministry of the Environment and Climate Change.

5.13.2 Waste Disposal Area Designation

Solid waste landfill sites shall be designated as indicated on the Land Use Plans, Schedules “A” and “A-1”. These designations shall indicate the actual location of the solid waste landfill site and its area of influence, a distance of approximately 500 metres radius from the perimeter of the waste cell. The solid waste landfill site’s area of influence shall be subject to the policies of Section 5.13.8 where *development* of such lands is considered, and where Waste Disposal areas are considered for re-designation.

5.13.3 Development Policies

Development proposals for new Waste Disposal areas shall be considered with regard to the following concerns:

- i) The physical suitability of the site for the proposed use;
- ii) The compatibility of the proposed use with surrounding land uses; and
- iii) The ability of roads accessing the proposed disposal industrial site to carry traffic volumes projected to be generated by the proposed *development*, and the suitability of the proposed access points to the maintenance of a constant traffic flow pattern.

Prior to the designation of any new Waste Disposal area, Council, in consultation with the Ministry of the Environment and Climate Change, may require the preparation of background studies to address the above noted issues. Such studies shall be undertaken by qualified individuals and shall be to the satisfaction of Council and all applicable agencies.

Any new Waste Disposal area shall front on an assumed public road, which is currently maintained on a year-round basis by the Township of Alnwick/Haldimand, the County of Northumberland, or the Ministry of Transportation.

Waste Disposal uses shall not be located within close proximity to any established or approved residential or other sensitive land use.

Any proposal for a new Waste Disposal area shall be carefully reviewed from an environmental perspective to ensure that the proposed use will have no detrimental affect on the existing environment.

5.13.4 Development Plan

Prior to the development of Waste Disposal lands, an overall development plan shall be required to ensure the proper integration of adjacent uses. The development plan shall include the following information:

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- i) A survey of the entire property including contours, dimensions, watercourses, existing public roads, existing easements or rights-of-way, and all existing land uses and structures within 125 metres of the property boundary on which the Waste Disposal development is proposed.
 - iii) A description of the location, height, dimension, and use of all buildings or structures proposed to be erected on the property, as well as setbacks, drainage provisions, proposed entrances, exits and parking areas, landscaping, final landfill contours, and proposed truck routes to and from the site.

5.13.5 Access Points

Access points to the Waste Disposal area shall be limited in number, and designed in such a manner so as to minimize the danger of traffic congestion due to vehicular turning while accessing and exiting the subject site.

5.13.6 Ministry of the Environment and Climate Change

The Ministry of the Environment and Climate Change shall be consulted prior to the approval of an application for an Official Plan Amendment to designate land as Waste Disposal.

5.13.7 Buffering

Adequate buffering, to include noise attenuating and visual screening measures shall be provided for the purpose of reducing or eliminating the *adverse effects* of a Waste Disposal use on existing or proposed adjacent land uses.

The buffer may take the form of a berm, a wall, a fence, or vegetation plantings, or a combination of these features, which would be most suitable in achieving its intended purpose.

5.13.8 Zoning

Waste Disposal uses shall be zoned in a separate zone classification in the Comprehensive Zoning By-law. Such zone classification shall include setback requirements in accordance with the appropriate guidelines and regulations of the Ministry of the Environment and Climate Change. The policies of this section shall not be applied to prevent *development* nor necessitate studies referred to herein on existing lots of record within the 500 metre area of influence, which are in land use designations other than Waste Disposal. No lot shall be created by plan of subdivision or consent to land severance, nor shall any zoning by-law amendment to permit a change in land use be enacted by Council in the area of influence, except where all applicable policies of this section are addressed to the satisfaction of the Municipality.

5.13.9 Former (Closed) Waste Disposal Sites

Former (closed) solid waste landfill sites shall be indicated as such on Schedules “A” and “A-1” of this Plan, and shall be zoned in a Holding “H” zone classification in the implementing Zoning By-law. These sites and (where no site related environmental information is available) lands within a 500 metre radius of the perimeter of the waste cell are identified as waste disposal assessment areas for study purposes. Such lands may be used for the purposes permitted in the applicable designation without an Official Plan amendment provided the Municipality in consultation with the Ministry of the Environment and Climate Change is satisfied that the following concerns, where applicable, have been dealt with in an appropriate

manner:

- i) Studies have been carried out to the satisfaction of the Municipality and the Ministry of the Environment and Climate Change that show that the *development* is compatible and can safely take place;
- ii) The Municipality shall require the construction and phasing of all development to coincide with the control of any problems identified by the engineering studies;
- iii) A qualified engineer shall carry out studies of gas, leachate and hydrogeology;
- iv) The Municipality shall be satisfied with the required studies with respect to any matter regarding structural stability, safety, and integrity of any structure;
- v) Notwithstanding the land use designations on Schedules “A” and “A-1”, *development* will not be allowed to proceed in areas identified by this section as containing waste until the requirements of the Ministry of the Environment and Climate Change are satisfied.

When the above described concerns have been satisfied, a former solid waste landfill site shall be rezoned in an appropriate zone classification reflecting the proposed use of the property, removing a Holding “H” zone provision.

No use shall be made of land or land covered by water which has been used for the disposal of waste within a period of twenty-five (25) years from the year in which such land ceased to be used unless the approval of the Minister of the Environment for the proposed use has been given.

SECTION 6 COMMUNITY IMPROVEMENT

6.1 GENERAL

This plan recognizes that a need exists to upgrade the municipality’s physical infrastructure, buildings, recreational facilities and the arrangement of existing land uses, particularly in all of the Hamlets. This Plan also recognizes the need for the provision of affordable housing within the Township. Furthermore, the Council of the Township of Alnwick/Haldimand recognizes the need to maintain and rehabilitate the Township’s physical environment and therefore is committed to ongoing improvement where deficiencies and/or opportunities exist. With this in mind this section contains the Township’s objectives for community improvement and identifies the areas within the Township’s selected improvement.

6.1.1 Definitions

The following definitions shall apply for the purposes of Section 6 of this Plan:

“Community improvement” means the planning or re-planning, design or redesign, re-subdivision, clearance, *development* or *redevelopment*, reconstruction and rehabilitation, or any of them, of a community improvement project area, and the provision of such residential, commercial, industrial, public, recreational, institutional, religious, charitable or other uses, buildings, works, improvements or facilities, or spaces therefor, as may be appropriate or necessary.

“Community improvement plan” means a plan for the community improvement of a community improvement project area.

“Community improvement project area” means a municipality or an area within a municipality, the community improvement of which in the opinion of the Council is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason.

“Rehabilitation” includes any efforts that result in the productive re-use lands and/or buildings within the Community Improvement Project Area.

6.2 PLANNING PRINCIPLES

It is a goal of this Plan to encourage the improvement, upgrading and correction of deficiencies in municipal, social and recreational services as well as the improvement of private lands. It is also a goal of this Plan to continue to make the Township of Alnwick/Haldimand an attractive and safe place in which to live, work and visit, and to maintain and improve the economic base of the municipality through the promotion of jobs, new capital investment and increases in the municipal tax base. As such, Council adopts the following community improvement objectives:

- i) To improve and upgrade the Township’s environment and, in particular, to address deficiencies with respect to the residential, commercial, industrial, recreational and community facility uses in Hamlets by:
 1. upgrading municipal services;
 2. increasing the efficiency of the movement of vehicular and pedestrian traffic;
 3. minimizing land use conflicts; and
 4. enhancing the aesthetic quality of the area.
 - ii) To encourage and support efforts by the private sector to maintain and improve existing buildings and structures.
 - iii) To undertake community improvement projects in a manner that is fiscally responsible, recognizing the anticipated growth and various functions of the community including its social and economic roles.
 - iv) To improve and upgrade municipal facilities and services including those serving institutional, recreational, cultural, social and community related functions.
 - v) To encourage the preservation of the Township’s heritage buildings and historical resources.
 - vi) To enhance the Township’s ability to accommodate new *development* and economic growth and to foster a favourable climate for private investment.
 - vii) To ensure that buildings and property are maintained to acceptable standards.
 - viii) To undertake a monitoring program to review budgeting and program direction in respect to attainment of specific policies.
 - ix) To encourage the rehabilitation of environmentally compromised land and/or buildings through
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appropriate remediation.

- x) To encourage the provision of a housing stock that is *affordable* to all residents within the community.
- xi) To encourage *intensification* in Hamlets/*Settlement Areas*.

6.3 COMMUNITY IMPROVEMENT AREA SELECTION CRITERIA

In selecting and designating community improvement areas pursuant to Section 28 of the *Planning Act*, Council shall have regard for deficiencies related to roads, sidewalks, lighting or other municipal services and residential, commercial, industrial, cultural, community facility and recreational buildings, structures or areas. In more specific terms the selection and designation of community improvement areas shall be undertaken where a number of the following deficiencies or opportunities have been identified:

- i) Roads in need of improvement such as resurfacing and/or reconstruction.
- ii) A need for new or the replacement of existing sidewalks.
- iii) A need for new or the replacement of existing storm water drainage systems and/or a need for improved drainage on particular properties.
- iv) A need for new or the replacement of existing street lighting.
- v) A need for new or the replacement of outdated traffic signals or traffic directional information signs.
- vi) A need for new or the upgrading of existing recreational facilities or lands.
- vii) A need for new or the upgrading of existing institutional and community facilities or lands.
- viii) A need for new or the upgrading of existing cultural and social facilities or lands.
- ix) A deficiency in the amount, affordability, variety and/or quality of housing to meet the needs of the Township's residents.
- x) A deficiency in off-street and/or on-street parking resulting in traffic hazards and inconvenience.
- xi) A deficiency in the aesthetic or structural quality of streetscapes particularly in existing commercial areas.
- xii) A deficiency in traffic circulation or access.

In addition to the criteria noted above, consideration for the selection and designation of community improvement areas may also be given in circumstances where the following situations have been identified:

- i) conflicts between existing land uses;
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- ii) environmental problems such as flood susceptibility, noise or odour;
 - iii) the presence of lands and/or buildings that may require detailed environmental site assessments or designated substances surveys and the implementation of appropriate and necessary remediation;
 - iv) man made hazards such as level crossings, abandoned buildings, etc.; and
 - v) in the case of vacant or under-used lots or blocks with good potential for *development* or *redevelopment*.

6.4 COMMUNITY IMPROVEMENT AREAS

The whole of the Township of Alnwick/Haldimand is identified as a community improvement area.

It is the intent of this Plan that community improvement projects be undertaken as needed. However, prior to approving any improvement plans, Council must be satisfied that it can reasonably finance and afford the Township's share of any costs.

6.5 PHASING OF COMMUNITY IMPROVEMENT

It is the intent of this Plan that improvements be undertaken when funding is available.

6.6 IMPLEMENTATION

In implementing this Plan's community improvement goals and objectives, Council may:

- i) Designate by By-law, any part of the Township of Alnwick/Haldimand as a community improvement project area(s) on the basis of the criteria outlined in Sections 6(3) and 6(4);
 - ii) Use whatever public funding is available from federal or provincial government agencies, including that available through the Ontario Heritage Act;
 - iii) Incorporate any other relevant municipal programs into the community improvement plan;
 - iv) Encourage the participation of the private sector in the implementation of the community improvement plan, and encourage private initiatives regarding the rehabilitation, *redevelopment*, conversion and environmental remediation of lands and/or buildings, and where appropriate, support infill development and *redevelopment*;
 - v) Support and encourage the participation of local community groups, service clubs, ratepayer associations and other public organizations in the implementation of the community improvement plan;
 - vi) Improve, acquire or dispose of land and/or buildings in a designated area in accordance with the community improvement plan;
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- vii) Develop and enforce a maintenance and occupancy standards by-law pursuant to the provisions of Section 15.1 of the *Building Code Act* and Section 10.9 of this Plan;
 - viii) Undertake the preparation of community improvement plans and the development of community improvement programs pursuant to Section 28 of the *Planning Act*; and
 - ix) Consult with the Conservation Authority in circumstances involving natural hazards (flooding, erosion and dynamic beaches), natural heritage, water quality and quantity, stormwater management, and implementation of the Oak Ridges Moraine Conservation Plan.

SECTION 7 CULTURAL HERITAGE CONSERVATION POLICIES

7.1 GENERAL

The Township of Alnwick/Haldimand seeks to effectively manage cultural heritage resources that are of historical, architectural and archaeological value.

This section of the Official Plan establishes a number of policies for cultural heritage organized around its three key components:

- i) archaeology;
- ii) built heritage; and,
- iii) *cultural heritage landscapes*.

These policies recognize that the archaeological remains of past human activities are fragile and non-renewable; that the heritage character of the Township of Alnwick/Haldimand derives from a variety of nineteenth and twentieth century structures, materials, open spaces, streetscapes and land uses, as well as the intangible cultural perceptions and oral histories of its citizens; and that heritage structures and *cultural heritage landscapes* within these landscapes need to be identified and *conserved*. Furthermore, these policies recognize that cultural heritage is interrelated with the natural heritage resources of the Township of Alnwick/Haldimand.

These policies shall also be read in conjunction with other policies of this Plan.

7.2 OBJECTIVES

7.2.1 Identify and Conserve Resources

To identify and conserve the cultural heritage resources in the Municipality through the implementation of appropriate designations, policies and programs including public and private stewardship and partnering with other heritage organizations in the community.

7.2.2 Promote Awareness

To promote the continuing public and private awareness, appreciation and enjoyment of Alnwick/Haldimand's cultural heritage through educational activities, and by providing guidance on

sound conservation practices.

7.2.3 Develop Partnerships

To develop partnerships between various agencies and organizations to conserve and promote cultural heritage resources.

7.2.4 Provincial Legislation

To use as appropriate all relevant Provincial legislation that refers to conservation of cultural heritage resources, particularly the provisions of the *Ontario Heritage Act*, the *Planning Act*, the *Environmental Assessment Act*, the *Municipal Act*, the *Funeral, Burial and Cremation Services Act, 2002*, and the *Oak Ridges Moraine Conservation Act* in order to conserve the cultural heritage of the Township.

7.3 CULTURAL HERITAGE POLICIES

7.3.1 Public Awareness

In order to enhance opportunities for conserving cultural heritage and promoting its appreciation and enjoyment the Township of Alnwick/Haldimand may:

- i) initiate or support promotional or educational programs;
- ii) participate in promotional or educational programs of other levels of government or other agencies and groups;
- iii) encourage the active participation of residents in cultural heritage conservation activities; and,
- iv) name roads, streets and other public places and facilities to recognize historical families, persons, groups, themes, activities, landscapes or landmarks of interest in the Municipality.

7.3.2 Cultural Heritage Master Plan

The Township of Alnwick/Haldimand may prepare a comprehensive Cultural Heritage Master Plan whereby the cultural heritage resources of the Township are surveyed and inventoried to assist in developing policies, guidelines, and other initiatives for the care and conservation of the identified cultural heritage resources. Among other things, the Cultural Heritage Master Plan will identify the interrelationship between *archaeological resources*, heritage structures, and *cultural heritage landscapes*.

7.3.3 Cultural Heritage Planning Statements

Where the concentration and/or significance of culturally derived features in an area requires that detailed guidance be provided to conserve and enhance the cultural heritage of an area, the Township of Alnwick/Haldimand will prepare Cultural Heritage Planning Statements. The Cultural Heritage Planning Statements will be prepared in part to guide *development* and *redevelopment* proposals and, based on the magnitude of the proposed change, may be required prior to any *development* or *redevelopment* proceeding. Cultural Heritage Planning Statements shall be incorporated through an amendment to this

Plan. Where the Cultural Heritage Planning Statement forms part of a secondary planning process, the Cultural Heritage Planning Statement will be incorporated into this Plan by way of that secondary planning process.

In the context of conserving and enhancing the cultural heritage of an area, the Cultural Heritage Planning Statement shall address the following:

- i) historical development context of the area;
- ii) existence of cultural heritage resources and their significance;
- iii) priorities as to the conservation of these cultural heritage resources;
- iv) *redevelopment* concerns;
- v) improved public access to the area or individual site;
- vi) the inclusion of areas of open space;
- vii) the provision of interpretive devices such as plaques and displays;
- viii) architectural design guidelines; and
- ix) streetscape guidelines.

7.3.4 Cultural Heritage Surveys

All *development* or *redevelopment* proposals, including permits or other approvals required by another authority, will be reviewed by the Township of Alnwick/Haldimand to determine if a Cultural Heritage Survey is required. In making this determination, the Township will consider the scope of the proposal and, through reference to the archaeological master plan, *built heritage resources* inventory, *cultural heritage landscape* inventory, or local information, the likelihood of cultural heritage resources of cultural heritage value or interest being encountered.

Where a Cultural Heritage Survey is required, the scope and content shall be determined by the Township in consultation with other relevant agencies through such measures as pre-consultation with a proponent. The Cultural Heritage Survey will be the responsibility of the proponent, and it should generally:

- i) identify the level of cultural heritage value or interest of any cultural heritage resources, including *archaeological resources* and potential, existing on and *adjacent* to the subject lands; and,
- ii) make recommendations for the conservation of the cultural heritage resources including whether a Cultural Heritage Impact Assessment should be prepared.

7.3.5 Cultural Heritage Impact Assessments

Where a Cultural Heritage Survey or Cultural Heritage Planning Statement has identified cultural heritage resources on or in close proximity to the subject lands, the Township of Alnwick/Haldimand may require the proponent to prepare a Cultural Heritage Impact Assessment. In determining whether a Cultural Heritage Impact Assessment is required, the Township will take into account the following:

- i) the extent and cultural heritage value or interest of cultural heritage resources identified, including *archaeological resources* and potential, in the Cultural Heritage Survey or Cultural Heritage Planning Statement and the recommendations of the Cultural Heritage Survey or Cultural Heritage Planning Statement; and,
 - ii) the potential for adverse impacts on cultural heritage resources.
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Where a Cultural Heritage Impact Assessment is required, the scope and content shall be determined by the Township of Alnwick/Haldimand in consultation with other relevant agencies through such measures as pre-consultation with a proponent.

7.3.6 Minimum Requirements

The Cultural Heritage Impact Assessment shall be a report undertaken by a qualified professional with expertise in heritage studies and containing as a minimum:

- i) a description of the proposed *development* or alternative forms of the development;
- ii) a description of the cultural heritage resource(s) to be affected by the development or its alternative forms;
- iii) a description of the effects upon the cultural heritage resource(s) by the proposed *development* or its alternative forms;
- iv) a description of the measures necessary to mitigate the *adverse effects* of the *development* upon the cultural heritage resource(s), including any alternative development measures which will conserve *heritage attributes*; and,
- v) where it exists, a description of how the policies and guidance of any relevant Cultural Heritage Planning Statement have been incorporated and satisfied.

7.3.7 Appropriate Mitigation

Where a Cultural Heritage Survey, Cultural Heritage Planning Statement or Cultural Heritage Impact Assessment has identified a development property as having archaeological potential, no pre-approval site grading, servicing or other soil disturbance shall take place prior to the Township of Alnwick/Haldimand and appropriate Provincial Ministry confirming that all archaeological resource concerns have met licensing and resource conservation requirements.

7.3.8 Additional Studies

Should a *development* proposal change significantly in scope or design after completion of an associated Cultural Heritage Survey, Cultural Heritage Planning Statement or Cultural Heritage Impact Assessment, additional cultural heritage investigations may be required by the Township of Alnwick/Haldimand.

7.3.9 Conditions

The Township of Alnwick/Haldimand may impose or require, as a condition of any *development* approval the retention and conservation of cultural heritage resources identified in a Cultural Heritage Survey, Cultural Heritage Planning Statement or Cultural Heritage Impact Assessment, or the implementation of appropriate mitigation measures, including use or adaptive re-use as appropriate to the proposed *development* and land use. Heritage easements as well as development agreements respecting the care and conservation of the affected heritage resource may be required.

7.3.10 Designation

Pursuant to the *Ontario Heritage Act*, Council may by by-law designate cultural heritage resources, including individual properties, conservation districts and landscapes, and archaeological sites.

7.3.11 Security

Where any *development* or planning proposal requiring the approval of the Township of Alnwick/Haldimand involves lands on which a heritage feature or features are to be retained, the Township may require that the applicant enter into an agreement which will provide for the retention and preservation of the feature on the subject lands. The agreement may also require the applicant to provide a Letter of Credit to the Township of Alnwick/Haldimand to help ensure compliance with the agreement.

7.3.12 Secondary Plans

In carrying out Secondary Plans or other forms of neighbourhood planning the Township of Alnwick/Haldimand shall ensure that cultural heritage resources are identified, evaluated, and *conserved*. This should normally be accomplished through the preparation and inclusion of a Cultural Heritage Planning Statement within the Secondary Planning or neighbourhood planning process.

7.3.13 Public Undertakings

The Township of Alnwick/Haldimand will encourage that cultural heritage resources are identified, evaluated and *conserved* prior to municipal, Northumberland County or Provincial public works or other development activities, and where necessary, suitable mitigation measures taken.

7.3.14 Heritage Easements and Acquisitions

The Township of Alnwick/Haldimand may pass by-laws for the entering into of easements or covenants with owners of property of cultural heritage value or interest for the purposes of conservation. The Township may also acquire by purchase, lease or donation property of cultural heritage value or interest for the purposes of conservation.

7.3.15 Cultural and Natural Landscapes

In its consideration of all *development* and *redevelopment* proposals, the Township of Alnwick/Haldimand will have regard for the interrelationship between *cultural heritage landscapes*.

7.3.16 Vegetation

The Township of Alnwick/Haldimand will encourage the conservation of mature trees and other vegetation of cultural heritage value or interest. Retention of existing landmark trees and tree or hedgerows shall be an important consideration in the design of any *development*. The conservation of trees along streets and roads shall be encouraged by the Township, except where removal is necessary because of disease, damage or to ensure public health and safety.

7.4 ARCHAEOLOGY

7.4.1 Archaeological Master Plan

The Township of Alnwick/Haldimand may initiate compilation of a GIS-based inventory of registered archaeological sites and *areas of archaeological potential* within municipal limits. Further work if required, together with the existing documentation, may be incorporated into an Archaeological Master Plan. The Archaeological Master Plan may stand-alone or form a component of a comprehensive Cultural Heritage Master Plan.

The purpose of an Archaeological Master Plan, amongst other matters, will be to assist in the identification of *areas of archaeological potential* and the preparation of more precise policies and guidelines for archaeological conservation and planning.

The development of an Archeological Master Plan shall be done in consultation with First Nations.

7.4.2 Archaeological Assessment Requirements and Proposed Development

Where a cultural heritage survey, carried out in accordance with Section 7.3.4, identifies archaeological sites or *areas of archaeological potential* on lands proposed for *development* or *redevelopment*, or on *adjacent lands*, the Municipality shall require archaeological assessments to be undertaken by a licensed archaeologist as a condition of approval. The archaeological assessment shall be carried out in accordance with current Provincial guidelines. Where a Cultural Heritage Survey fails to identify archaeological potential or where a Survey was not mandated by an approval authority, the Municipality may still require an archaeological assessment if there is a concern, based on local knowledge and information and consultation with the appropriate Provincial Ministry, that archaeological potential may exist.

7.4.3 Mitigation

Where it is demonstrated that an identified archaeological site, feature or artifact cannot be left undisturbed, appropriate mitigation will be required on the advice of a licensed archaeologist according to current Provincial guidelines, and to the satisfaction of the Municipality and appropriate Provincial Ministry. Any alterations to known archaeological sites shall only be performed by licensed archaeologists, in accordance with the provisions of Section 48 of the *Ontario Heritage Act*.

7.4.4 Protection of Sites

In order to ensure that archaeological sites are protected, the Municipality may consider zoning restrictions under Section 34 of the *Planning Act*, density bonuses, site purchases, acceptance of archaeological sites under parkland dedication, heritage conservation easement agreements, and/or designation under the *Ontario Heritage Act*.

7.4.5 First Nations and Euro-Canadian Unmarked Burials

When unmarked burials are encountered the Municipality shall ensure that the burials are reported to the police and coroner and the Cemeteries Regulation Unit of the Ontario Ministry of Consumer Services.

Burial sites shall be protected. In the event that burial sites are subject to unanticipated impacts, the

Municipality shall work with the descendants, the Alderville First Nation, the Ministry of Consumer Services, the Ministry of Tourism, Culture and Sport, licensed archaeologist and/or the land owner to ensure that an identified burial site is suitably *conserved* subject to the provisions of the *Funeral, Burial and Cremation Services Act, 2002*, and any other relevant legislation, policies or protocols.

7.4.6 Archaeological Contingency Planning

The Municipality may prepare, with the advice of a licensed archaeologist and/or the appropriate Provincial Ministry, and adopt by by-law to set out a *Contingency Plan for the Protection of Archaeological Resources in Urgent Situations*. This plan will provide guidelines for immediate action where accidental discoveries or imminent threats of damage to archaeological sites occur.

7.4.7 Release of Information

In order to protect *archaeological resources* from vandalism and intentional disturbance, the Municipality will not publish or release information from archaeological inventories or registries except to appropriate agencies or property owners where *archaeological resources* are found and only in appropriate circumstances.

7.5 BUILT HERITAGE RESOURCES

7.5.1 Heritage Alnwick/Haldimand Committee

The Heritage Alnwick/Haldimand Committee established by by-law will serve as a Municipal Heritage Committee under the *Ontario Heritage Act* to provide cultural heritage advice to Council, and will undertake, subject to Council's approval, such other activities as will contribute to the Cultural Heritage Conservation goals and objectives.

7.5.2 Built Heritage Resources Inventory

Heritage Alnwick/Haldimand Committee may undertake and maintain an inventory of *built heritage resources* and their contextual landscape elements. Inventoried heritage resources may be considered for designation under the *Ontario Heritage Act* and/or for conservation in the Municipality's consideration of any proposed *development* or undertaking, subject to all relevant legislation. The *Built Heritage Resources Inventory* may stand-alone or form a component of a comprehensive Cultural Heritage Master Plan.

Revisions to the initial inventory may occur as a result of additional investigations and field checks.

Criteria will be developed pertaining to the inclusion of *built heritage resources* in the inventory and the evaluation of cultural heritage value or interest of identified resources.

7.5.3 Retention / Relocation of Heritage Buildings

The Township of Alnwick/Haldimand shall encourage the retention of buildings of cultural heritage value or interest in their original locations whenever possible. Before such a building is approved for relocation to another site, all options for on-site retention shall be investigated. The following alternatives, in order

of priority, shall be examined prior to approval for relocation:

- i) Retention of the building on-site in its original use. In a residential subdivision, a heritage dwelling could be retained on its own lot for integration into the residential community.
- ii) Retention of the building on-site in an adaptive re-use, for example, in a residential subdivision, a heritage dwelling could be retained for a community centre or a day care centre.
- iii) Relocation of the building on the development site. A heritage building, if of *significant* historical, architectural or contextual importance, could be relocated to another location within the proposed *development*.
- iv) Relocation of the building to a sympathetic site. If interest is demonstrated, the heritage building could be relocated to an available lot at a sympathetic site within the Township of Alnwick/Haldimand.

7.6 CULTURAL HERITAGE LANDSCAPES

7.6.1 Cultural Heritage Landscape Inventory

An inventory of *cultural heritage landscapes* may be prepared and maintained through the Heritage Alnwick/Haldimand Committee. A *cultural heritage landscape* defined by either the Cultural Heritage Landscape Inventory or through a Cultural Heritage Survey may be considered for designation under the *Ontario Heritage Act* and/or for protection in the consideration of the Municipality of any proposed *development*. The Cultural Heritage Landscape Inventory may stand-alone or form a component of a comprehensive Cultural Heritage Master Plan.

More detailed criteria, beyond those included in this Plan's definition of *cultural heritage landscape*, will be developed to assist in defining *cultural heritage landscapes*.

7.6.2 Significant Cultural Heritage Landscapes

Notwithstanding the intent of Section 7.6.1, several distinct types of *cultural heritage landscapes* are already recognized as being of interest, including:

- i) existing rural and agricultural areas;
- ii) historic villages, hamlet and *settlement areas*; and
- iii) heritage roads.

As there may be potential to disrupt the character and *heritage attributes* of *significant* cultural landscapes within these areas, any development activity subject to approval under any relevant legislation shall ensure the appropriate conservation of significant *cultural heritage landscapes*.

7.6.3 Shoreline Areas

Council recognizes the shorelines and lands adjacent to Lake Ontario and Rice Lake as *cultural heritage landscapes* of cultural heritage value or interest. Shoreline areas may also have archaeological potential or contain known *archaeological resources*. The Lake Ontario Shorelands Project Report (refer to Section 3.26) may be considered as background information for the shoreline area.

7.6.4 Heritage Conservation Districts

Where merited by the concentration and significance of cultural heritage resources, the Municipality may consider the establishment of a Heritage Conservation District to conserve an area's unique character.

7.6.5 Process

Prior to designating a Heritage Conservation District in accordance with the *Ontario Heritage Act* the Township of Alnwick/Haldimand:

- i) will by by-law define an area to be examined for future designation;
- ii) may undertake a Heritage Conservation District Study to examine the character of the study area and assist in the delineation of a boundary for the proposed district;
- iii) will prepare and adopt by by-law a Heritage Conservation District Plan; and,
- iv) will establish for each district a District Committee that will advise Council on matters pertaining to the designated district.

7.6.6 Contents of Heritage Conservation District Plan

The general principles pertaining to Heritage Conservation Districts will be refined and expanded via a Heritage Conservation District Plan. The Heritage Conservation District Plan:

- i) will delineate boundaries of the designated area and reasons for designation;
- ii) will inventory existing resources;
- iii) will prescribe policies, conservation and design guidelines, and other pertinent material relating to the sound and prudent management of the district's unique character;
- iv) will be adopted by by-law after consultation with property owners and other interested agencies as considered appropriate;
- v) will be implemented by municipal review of heritage permit applications for changes to individual buildings within the designated district, in addition to the normal municipal permit requirements; and,
- vi) may be incorporated into the Official Plan by way of amendment if existing Official Plan policies and/or land use designations are considered to be unsympathetic to the protection of a particular Heritage Conservation District.

7.6.7 Review of Proposals

Where a Heritage Conservation District has been established, the applicable Heritage Conservation District Plan and the following general principles shall guide proposals for the construction, demolition or removal of buildings and structures or the alteration of existing buildings:

- i) heritage buildings and archaeological sites including their surroundings should be protected from any *adverse effects* of the development;
- ii) original building fabric and architectural features should be retained and repaired;
- iii) new additions and features should generally be no higher than the existing building and wherever possible be placed to the rear of the building or set-back substantially from the principal façade; and,
- iv) new construction and/or infilling should fit the immediate physical context and streetscape and be

consistent with the existing heritage architecture by, among other things: being generally of the same height, width and orientation as adjacent buildings; of similar setback; of like materials and colours; and using similarly proportioned windows, doors and roof shape.

7.6.8 Property Owners

Within designated Heritage Conservation Districts, property owners, in consultation with the appropriate Heritage District Committee, will be encouraged to maintain and repair heritage buildings and seek government grants and loans for eligible conservation work to preserve the heritage character of the area.

7.6.9 Public Works

Public works and landscaping within and *adjacent* to an inventoried *Cultural Heritage Landscape* or a designated Heritage Conservation District should maintain or enhance existing roads and streetscapes and be complementary to the identified heritage character of the landscape or district.

7.7 AREAS WITH CULTURAL HERITAGE CHARACTER

7.7.1 Existing Settlement Areas

The Township of Alnwick/Haldimand may identify through the zoning by-law areas of existing settlements that have cultural heritage character. It is intended that:

- i) conversion, *redevelopment* or new construction in these areas is sympathetic to and compatible with the prevailing cultural heritage character of the area;
- ii) infilling be permitted provided that heritage buildings and features are retained and not removed to create vacant parcels of developable land; and,
- iii) *redevelopment* of non-residential land and/or buildings for residential purposes will be encouraged.

7.7.2 Conversion or Redevelopment

All forms of conversion or *redevelopment* should be sympathetic to existing cultural heritage conditions. This may be achieved through:

- i) retention of the original building fabric and architectural features;
- ii) avoidance of alterations to principal facades;
- iii) limiting the height of new additions, including garages or car ports, to the height of the existing building;
- iv) placement of new additions, including garages or car ports, to the rear of the building or set back substantially from the principal façade;
- v) placement of required on-site parking behind the existing building line; and,
- vi) compliance with any other policies, streetscape or community design guidelines approved by the municipality.

7.7.3 New Construction

New construction should fit the immediate physical locale and streetscape by being generally of:

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- i) the same height and of similar width as adjacent side buildings;
 - ii) similar orientation of roof gables as adjacent buildings;
 - iii) similar setback;
 - iv) like materials and colours;
 - v) similar proportions for windows, doors and roof shape; and,
 - vi) in compliance with any other policies, streetscape or community design guidelines approved by the municipality.

7.8 OTHER HERITAGE MATTERS

7.8.1 Adaptive Re-Use in Agricultural Areas and Rural Areas

Where appropriate in *rural areas*, and in accordance with the provisions of this Plan and any other relevant policy or by-law, the retention and conservation of non-residential built heritage features, such as barns, will be encouraged through their conversion or *redevelopment*. Such conversion should be sympathetic to the original form and material of the rural structure and in compliance with the applicable regulations of the Comprehensive Zoning By-law.

7.8.2 Heritage Trust Fund

The Township of Alnwick/Haldimand may establish a Heritage Trust Fund for the purposes of assisting heritage conservation activities. Owners of designated heritage properties within the Municipality will be encouraged to investigate this source of financial assistance.

SECTION 8 NATURAL ENVIRONMENT POLICIES

8.1 GENERAL

In order to properly manage and enhance the existing built *settlement areas*, while a protecting or improving the quantity and diversity of the natural environment, the Municipality endeavours to take a strategic approach to planning for the long range development of the Township of Alnwick/Haldimand.

The implementation of the Municipality's planning approach to the natural environment shall be achieved through fostering of strong relationships between the Municipality and the local conservation authorities.

The Municipality and the conservation authorities will co-ordinate their efforts in the review of *development* applications and the creation of long range planning policies. The co-ordination of these bodies will develop an approach to planning that reflects the desired growth patterns of the Municipality and the needs of the natural environment in the context of the policies of this Plan and the Provincial Policy Statements issued under Section 3 of the *Planning Act*.

The County of Northumberland has committed itself to undertake a County-wide natural heritage system in order to provide direction for the maintenance and protection of its natural heritage features within three years of the approval of County's Official Plan. It is the intent of the Township to work with the County on this endeavour and to incorporate the County's Natural Heritage System policies and mapping into this Plan insofar as they apply to the Township of Alnwick/Haldimand.

8.2 NATURAL HERITAGE FEATURES

The Municipality recognizes the need to develop policies that will protect and where possible enhance the *significant* natural heritage features within the Township of Alnwick/Haldimand. As such this Plan recognizes the following natural heritage features and their functions:

- Flood Plains
- Steep Slopes
- Unstable Soils
- Lake Ontario Shoreline
- Rice Lake Shoreline
- Provincially Significant Wetlands
- Evaluated, Non-Provincially Significant Wetlands
- Coastal Wetlands
- Unevaluated Wetlands
- Fish Habitat
- Significant Wildlife Habitat
- Significant Woodlands
- Significant Valleylands
- Habitat of Endangered Species and Threatened Species
- Significant Areas of Natural and Scientific Interest (ANSIs)
- Natural Heritage Linkages

8.3 OBJECTIVES

- i) Natural features and areas shall be protected for the long term.
- ii) The diversity and connectivity of natural features in an area, and the long-term *ecological function* and biodiversity of *natural heritage systems*, should be maintained, restored, or, where possible, improved, recognizing linkages between and among *natural heritage features and areas, surface water features* and *ground water features*.
- iii) The prohibition of incompatible land uses within *significant* and sensitive environmental features and areas.
- iv) To encourage the general public and the private development industry to participate in the co-ordination and implementation of sound management initiatives and practices as they relate to the identified natural environmental features of the Municipality.
- v) To identify, in consultation with the Ministry of Natural Resources and Forestry and the Conservation Authorities, *significant woodlands* and *significant valleylands*, and *significant wildlife habitat*, for the purposes of protection as specified in the Provincial Policy Statement (PPS), in accordance with Sections 8.4 and 8.8.

8.4 GENERAL POLICIES

- i) Decisions made by the Township Council affecting planning matters shall be consistent with the
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provisions of Section 2.1 of the Provincial Policy Statement, the *Natural Heritage* policies.

- ii) Where determined by the Municipality, in consultation with the local Conservation Authority, the Municipality shall require the developer to prepare an Environmental Impact Study (EIS) as part of any proposal for *development* or *site alteration*, where potential exists for a negative impact on the natural environmental features, functions and/or on the *adjacent lands* identified in Section 8.2 of this Plan.
- iii) The scope of an EIS report, required by subsection ii) above, shall be determined by the Municipality in consultation with the local Conservation Authority and/or the Ministry of Natural Resources and Forestry. The EIS report will be completed by a qualified professional, approved by the Municipality.
- iv) All EIS reports required by the provisions of Sections 5.12 and 8.0 shall be approved by the Municipality in consultation with the local Conservation Authority and shall address the matters set out in Section 5.12.8.1 of this Plan, as applicable.
- v) The Rice Lake shoreline is identified as a *significant* natural feature within the Township. Special measures should be considered when the Municipality is reviewing *development* proposals along the shoreline to minimize potential *negative impacts* on the water quality of the Lake. These may include measures such as development setbacks, maintaining the natural characteristics of the shoreline, and effective stormwater management.
- vi) Nothing in Section 8.0 of this Plan is intended to limit the ability of existing *agricultural uses* to continue.
- vii) Wooded areas within the Township that are not on the Oak Ridges Moraine have not yet been evaluated to determine their significance.

Prior to the next *municipal comprehensive review* of this Plan, the Township will work with the County of Northumberland and the Ministry of Natural Resources and Forestry to identify *significant woodlands* within the Township as part of a comprehensive natural heritage system.

In the interim all wooded areas larger than 0.5 hectares shall be considered as having the potential to be *significant*. Proponents of development proposals within and *adjacent* to these areas shall be required to submit a preliminary Ecological Site Assessment (ESA) completed by a qualified professional to determine the significance of the woodland as part of the application requirements. The preliminary ESA shall consider the recommended Significant Woodland Evaluation Criteria and Standards in Table 7-2 of the MNRF Natural Heritage Reference Manual.

Development and/or *site alteration* shall not be permitted in or on the *adjacent lands* (within 120 metres) of *significant woodlands* unless it has been demonstrated through the completion of an EIS in accordance with the requirements of Section 5.12.8.1 of this Plan that there will be no *negative impacts* on the woodland or its *ecological functions*.

- viii) *Valleylands* within the Township have not yet been evaluated to determine their significance.

Prior to the next *municipal comprehensive review* of this Plan, the Township will work with the County of Northumberland and the Ministry of Natural Resources and Forestry to identify

significant valleylands within the Township as part of a comprehensive natural heritage system.

Development and/or *site alteration* shall not be permitted in or on the *adjacent lands* (within 120 metres) of *significant valleylands* (once identified) unless it has been demonstrated through the completion of an EIS in accordance with the requirements of Section 5.12.8.1 of this Plan that there will be no *negative impacts* on the valleyland or its *ecological functions*.

8.5 ENVIRONMENTAL PROTECTION AREAS

The areas designated Environmental Protection and Environmental Protection/PSW on Schedules “A” and “A-1” of this Plan play an important role in the preservation of the Municipality’s natural environmental systems, including *wetlands*, water courses and shoreline areas. The Environmental Protection designation also includes natural hazard areas and features, which may pose a threat to life and property due to inherent characteristics such as floodplains, erosion and *dynamic beach hazards*, and steep slopes. The policies that apply to such areas are set out in Section 5.12 of this Plan.

8.6 SIGNIFICANT WETLANDS AND OTHER WETLANDS

Wetlands are 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 purpose of this Plan.

The policies of Section 5.12.8 of this Plan shall apply to provincially significant wetlands within the Municipality, where those wetlands are designated as Environmental Protection/PSW on Schedule “A” of this Plan.

The policies of Section 5.12.9 of this Plan shall apply to *coastal wetlands and significant coastal wetlands* within the Municipality, where those wetlands are designated as Environmental Protection/CW and Environmental Protection/SCW on Schedule “A” of this Plan, or are identified in accordance with the policies of Section 5.12.9.

Wetlands which have not been identified as Provincially Significant are nonetheless important at a regional or local level. The Municipality recognizes that the Conservation Authority limits or prohibits *development* and *site alteration* on the *adjacent lands* of other *wetlands*, where such development could have an adverse impact on the ecological and hydrological functions of the wetland. The Municipality will ensure that these areas are protected for the long term by maintaining, improving or where possible, restoring these *wetlands* and their ecological and hydrological functions. The policies of Section 5.12 of this Plan shall apply to evaluated, non-provincially significant wetlands and unevaluated wetlands within the Municipality, where those wetlands are designated as Environmental Protection on Schedule “A” of this Plan.

If *development* is proposed on or within 120 metres of an unevaluated wetland that has characteristics or contains components that are typical of a Provincially Significant Wetland, as determined through a

preliminary site assessment or scoped environmental impact study, an evaluation shall be prepared by a qualified professional trained in the Ontario Wetland Evaluation System (OWES) and submitted to the Ministry of Natural Resources and Forestry for approval to determine if it is a Provincially Significant Wetland.

8.7 AREAS OF NATURAL AND SCIENTIFIC INTEREST

Significant *Areas of Natural and Scientific Interest (ANSIs)* are 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.

The following policies shall apply to the *significant* ANSIs identified on Schedule “A” to this Plan:

- i) *Development* shall not be permitted in *significant* ANSIs unless it has been demonstrated through the completion of an EIS in accordance with the requirements of Section 5.12.8.1 of this Plan that there will be no *negative impacts* on the natural features or their *ecological functions*.
- ii) *Development* and *site alteration* shall not be permitted on the *adjacent lands* of *significant* ANSIs unless the *ecological function* of the *adjacent lands* has been evaluated and it has been demonstrated through the completion of an EIS in accordance with the requirements of Section 5.12.8.1 of this Plan that there will be no *negative impacts* on the natural features or their *ecological functions*.
- iii) For the purposes of this policy “adjacent lands” shall mean those lands within 50 metres of identified *significant* Earth Science ANSIs, and lands within 120 metres of identified *significant* Life Science ANSIs.

8.8 FISH AND WILDLIFE HABITAT

Known areas of *fish habitat* and *significant wildlife habitat* are illustrated on Schedules “A” and “A-1” of this Plan. The Municipality may undertake additional studies and surveys to identify and designate, in consultation with the Ministry of Natural Resources and Forestry, additional *fish habitat* and *significant wildlife habitat* areas for protection and conservation from incompatible land uses and activities. Other *wildlife habitat* may be identified during the development review process.

For the purposes of this Plan:

- i) *Fish habitat*, as defined in the *Fisheries Act, c. F-14*, means spawning grounds and nursery, rearing, food supply, and migration areas on which *fish* depend directly or indirectly in order to carry out their life functions; and
- ii) *Wildlife habitat* includes 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 that are important to migratory or non-migratory species.

The following policies shall apply to the identified *fish habitat* and *significant wildlife habitat* within the

Township:

- i) *Development or site alteration* shall not be permitted in *fish habitat* except in accordance with *provincial and federal requirements*. The Municipality shall consult with the Department of Fisheries and Oceans or the local Conservation Authority to determine such requirements.
- ii) Where *development and/or site alteration* is proposed within 120 metres of *fish habitat*, an EIS will be required to assess the potential impact on *fish habitat*, in accordance with the policies contained in Sections 8.4 and 8.8 of this Plan.
- iii) *Significant wildlife habitat* areas within the Township are not mapped on Schedule “A”. However, certain lands within the Township have been identified as areas having *significant wild life habitat* for deer wintering areas. Mapping available from the Ministry of Natural Resources and Forestry shows areas in the Township of deer wintering areas. The following policies shall apply to identified deer wintering areas and any other significant wildlife habitat identified in the Township.

Prior to the next *municipal comprehensive review* of this Plan, the Township will work with the County of Northumberland and the Ministry of Natural Resources and Forestry to identify *significant wildlife habitat* within the Township as part of a comprehensive natural heritage system.

In the interim, Council shall require development proponents to undertake studies completed by a qualified professional to confirm the presence/absence of *significant wildlife habitat*, to determine if the proposed *development and/or site alteration* within or on the *adjacent lands* (within 120 metres) of the *significant wildlife habitat* will result in negative impact on the habitat or its *ecological functions*, and to recommend appropriate mitigative measures. These studies should reference the Ministry of Natural Resources and Forestry Significant Wildlife Habitat Technical Guide for study requirements and guidance.

Development and/or site alteration shall not be permitted in or on the *adjacent lands* (within 120 metres) of *significant wildlife habitat* unless it has been demonstrated through the completion of an EIS in accordance with the requirements of Section 5.12.8.1 of this Plan that there will be no *negative impacts* on the habitat or its *ecological functions*, in accordance with policies 2.1.5 and 2.1.8 of the Provincial Policy Statement (2014).

8.9 ENDANGERED SPECIES AND THREATENED SPECIES

“Species at Risk” are identified as extirpated, endangered, threatened, or species of special concern on the “Species at Risk in Ontario List.” The Ministry of Natural Resources and Forestry administers the *Endangered Species Act* (2007) to protect and conserve species at risk and their habitats. Under the *Endangered Species Act*, the Ministry is responsible for identifying and approving general and regulated habitat, as well as giving technical advice on species at risk and their habitats. The technical advice provided under the *Endangered Species Act* supports the implementation of the natural heritage policies of the Provincial Policy Statement. For the purpose of the Provincial Policy Statement, the Ministry of Natural Resources and Forestry responsible for approving the delineation of habitat for species identified as endangered or threatened.

Information regarding occurrences of *endangered* and *threatened species* will be obtained from the Natural Heritage Information Centre and used, in confidence, for development application screening purposes. The Municipality recognizes that information regarding the locations of *endangered* and *threatened species* and their habitat is incomplete. The Municipality will accept information regarding threatened and endangered species habitat from the Ministry of Natural Resources and Forestry as it becomes available and will use this information, in confidence, to screen all planning applications for potential development constraints. The Municipality will consult with the Ministry of Natural Resources and Forestry as appropriate.

In order to determine the presence of threatened or *endangered species* and to assess the impacts that proposed activities may have on the *habitat of threatened and endangered species*, a site assessment by a qualified professional is required to be completed at the appropriate time of year. The assessment must identify whether any *endangered* or *threatened species* are present and whether the proposed activities will have any impact on threatened or *endangered species* or their habitat. The Ministry of Natural Resources and Forestry can be contacted for further direction regarding site specific proposals.

Environmental Impact Studies or other planning reports may help with identifying the extent of the *habitat of endangered species and threatened species*. The *habitat of endangered species and threatened species* will be based on an evaluation of the following considerations:

- i) Assessments reviewed and approved by the Ministry of Natural Resources and Forestry regarding the extent of the species' habitat;
- ii) Habitats or areas delineated by the Ministry of Natural Resources and Forestry and/or regulated under the *Endangered Species Act*; and
- iii) For species listed on the Species at Risk in Ontario list as endangered or threatened, an area for which the species depends, directly or indirectly, to carry on its life processes, including life processes such as reproduction, rearing, hibernation, migration or feeding.

The following policies shall apply to the *habitat of endangered species and threatened species* within the Township:

- i) The location of the *habitat of endangered species and threatened species* is not specifically identified on Schedule "A" of this Plan.

The Municipality will review *development* applications using the best and most up-to-date available information on *endangered* and *threatened species* location that is available from the Ministry of Natural Resources and Forestry.

- ii) *Development* and *site alteration* shall not be permitted in *habitat of endangered species and threatened species*, except in accordance with *provincial and federal requirements*.

8.10 LINKAGE AREAS

Linkage areas are defined as linear natural heritage features such as streams, floodplains, steep slopes, valleys, contiguous narrow woodlands and wetlands that connect two or more heritage features. It is the Township's intent to identify these corridors in cooperation with the County of Northumberland when a natural heritage system is developed in accordance with Section 8.1 of this Plan.

8.11 NATURAL HAZARDS

8.11.1 Hazardous Lands

Flood susceptible lands include lands subject to flooding during the regulatory flood event. The regulatory flood for the jurisdiction of the Ganaraska Region Conservation Authority is the 1:100 year flood, and the regulatory flood for the jurisdiction of the Lower Trent Region Conservation Authority is the greater of the 1:00 year flood or the Regional Storm (Timmins, 1961) as defined.

For the Lake Ontario shorelands, the regulatory flood elevation includes the static 100-year flood elevation plus an allowance for wind set-up, *wave uprush* and other water related hazards.

Erosion susceptible lands include but are not limited to bluff hazards and dynamic beaches along the Lake Ontario shoreline and valley lands.

It is intended that where natural hazard lands are designated as Hamlet, Resort and Shoreline Residential, the lands shall be zoned in an appropriate environmental constraint zone and shall be subject to the setbacks for development in the implementing zoning by-law.

Development shall generally be directed to areas outside of:

- i) *Hazardous lands* adjacent to the shorelines of Lake Ontario and Rice Lake that are impacted by *flooding hazards, erosion hazards* and/or *dynamic beach hazards*;
- ii) Hazardous lands adjacent to river and stream systems which are impacted by flooding hazards and/or erosion hazards; and
- iii) Other hazardous sites that may be identified by the Municipality or the local Conservation Authority.

Development and site alteration shall not be permitted within a dynamic beach hazard.

Development and site alteration shall not be permitted within areas 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 the development and the natural hazard.

Development will not be permitted in a floodway that has been identified by the local Conservation Authority. Notwithstanding this policy, development may be permitted in a floodway 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.

Areas of Natural Hazards that are designated as Environmental Protection on Schedule “A” of this Plan shall be subject to the policies of Section 5.12.

The definitions of the terms dynamic beach hazards, erosion hazards, flooding hazards, floodway, hazardous lands and hazardous sites shall be as contained in the Provincial Policy Statement (2014).

8.11.2 Wildland Fire Hazards

Certain lands within the Township have been identified as areas that may be unsafe due to the presence of hazardous forest types for wildland fire. These areas are not shown on any of the Schedules to this Plan. The Ministry of Natural Resources and Forestry has preliminary mapping which shows potential risk areas for wildland fire, and this mapping may be consulted for potential triggers for further risk assessment based on the identification of actual forest types and conditions present on a site. The Municipality may consult with the Ministry of Natural Resources and Forestry in the identification of these areas and related risk mitigation.

Development shall generally be directed to areas outside of lands that are unsafe for development due to the presence of hazardous forest types for wildland fire.

Development may be permitted in lands with hazardous forest types for wildland fire where the risk is mitigated in accordance with wildland fire assessment and mitigation standards.

SECTION 9 TRANSPORTATION POLICIES

9.1 GENERAL

The transportation policies of this Plan are concerned primarily with the road network, since travel by means of private vehicle is the predominant means of moving goods and people within the Township of Alnwick/Haldimand.

Bicycling is recognized as an alternative mode of transportation, which can play a positive role in improving mobility and quality of life as part of a balanced *transportation system*.

9.2 ROADS PLAN

The Roads Plan, forming Schedule “B” of this Plan, is based on the interrelationship of land use and transportation. The road pattern is designated to facilitate a satisfactory and efficient movement of both people and goods to and from the various land use areas within the Municipality, as well as through traffic movement.

The road pattern as shown on Schedule “B” is based on the establishment of a hierarchy of roads established in accordance with the principles set out in the following subsections.

9.2.1 Pattern

The overall road pattern should be in harmony with the proposed road pattern of the adjoining municipalities, the County road system and the provincial highway system.

9.2.2 Provincial Highways

Provincial Highways should facilitate the movement of large volumes of traffic through the Municipality to and from the major traffic generating areas.

9.2.3 County Roads

County Roads should facilitate the movement of medium volumes of traffic between Provincial

Highways and Local Roads, while permitting limited access to abutting properties.

9.2.4 Local Roads

Local roads should provide access only to the areas in which such Local Roads are located, and should not serve major traffic generating areas.

9.3 CLASSIFICATION OF ROADS

The existing and proposed roads for the Municipality are classified on Schedule “B” according to their ultimate function. Where additional land is required for widening and extensions, such land shall be

obtained, wherever possible, in the course of approving applications for *development* under the *Planning Act*.

9.3.1 Provincial Highways

This designation applies to roadways under the jurisdiction of the Ontario Ministry of Transportation.

These roads are designed to facilitate through traffic movement of medium to high volumes with access to abutting properties being restricted unless absolutely necessary. In the case of the MacDonald-Cartier Freeway (Highway No. 401), no direct access shall be permitted to Highway 401 or within the interchange designation, and all permitted entrances shall be in accordance with the Ministry of Transportation (MTO) access policies. Developments located adjacent to Provincial Highways will be subject to building setbacks imposed by the Ministry of Transportation. Ministry of Transportation permits are required for any *development* within the MTO permit control area.

For access connections along municipal crossroads in the vicinity of a provincial highway intersection or interchange ramp terminal, any proposed municipal road must meet the Ministry of Transportation’s access management practices and principles. MTO approval will be required in these instances.

9.3.2 County Roads

County roads are existing roads designed to facilitate the inter-area or through movement of medium volumes of traffic on two to four traffic lanes, and provide limited land access to abutting properties.

County roads carry local traffic to Provincial Highway or conversely, distribute Provincial Highway traffic to local roads. Such roads are under the jurisdiction the County of Northumberland. Access for new *development* along these County roads should be designed and located in accordance with the recommendation of the County, and in accordance with the County’s Guidelines Concerning *Development* Adjacent to County Roads. *Development* adjacent to Northumberland County roads will be subject to the building setbacks imposed by the County.

9.3.3 Local Roads

Local Roads are designed to carry low volumes of local traffic and provide access to individual properties. Most are under the jurisdiction of the Township of Alnwick/Haldimand. The minimum right-

of-way width shall be 20 metres.

9.4 INTERSECTION AND CROSSING IMPROVEMENTS

It is intended that, wherever possible, as traffic conditions warrant, improvements in the form of jog elimination, sight triangles, regulation of turning movements, proper signing, installation of traffic signals, marking of traffic lanes and channelization will be undertaken.

No *development* or *redevelopment* of lands shall be approved in close proximity to an intersection or railway crossing which is scheduled for improvement until this improvement has been sufficiently designed to determine the land required for such improvement.

9.5 ACCESS TO DEVELOPMENT

Development or *redevelopment* shall normally be permitted if access to a public road, of adequate construction and width, is available or established as a condition of approval. The location of access driveways should not create a traffic hazard because of concealment by a curve, grade or other visual obstruction. Access driveways should be limited in number and designed so as to minimize the dangers to vehicular and pedestrian traffic in the vicinity.

9.6 LAND ACQUISITION FOR ROADS PURPOSES

Where land is required for road widening, road extensions, road rights-of-way, intersections or railway crossing improvements, such land shall be obtained by the appropriate agency in the course of approving land severances, plans of subdivision, and *development* or *redevelopment* applications. Any proposals to widen, extend or improve roads in the Municipality should take into account the scenic factors and natural attributes of the adjacent lands, particularly trees that may be on or near the road allowance.

9.7 UTILITY CORRIDORS, PIPELINES AND MAJOR TRANSPORTATION FACILITIES

The Municipality shall, wherever possible, ensure that the inhabitants of the Municipality are aware of any new proposals for major power transmission lines, pipelines or railway lines. Any new *development* that is proposed on *adjacent lands* of such facilities shall be designed in such a manner as to reduce any potential conflicts between the proposed use and the existing facilities.

New *development* in the vicinity of the patrol yard located in the southeast quadrant of Highway No. 401 and Lyle Street (County Road No. 23) shall have regard to the Land Use Compatibility policies of Section 3.12 of this Plan.

SECTION 10 IMPLEMENTATION

10.1 GENERAL

This Plan shall be implemented by means of the powers conferred upon Council and other public agencies by the *Planning Act*, the *Municipal Act*, and such other statutes as may be applicable. In particular, this

Plan shall be implemented by zoning by-laws, by-laws pursuant to the *Municipal Act*, the construction of public works, and land acquisitions.

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

10.2 ZONING BY-LAWS

10.2.1 Zoning By-law Review

The Municipality shall enact and maintain a comprehensive zoning by-law under Section 34 of the *Planning Act* to implement the policies of this Plan. The by-law shall make provision for adequate development standards and establish specific zones and permitted uses that reflect the policies and designations of this Plan. Within each designation separate zones may be established to ensure that compatible uses will be appropriately grouped. The comprehensive zoning by-law may be amended as appropriate to recognize future conditions and changes in land use.

10.2.2 Zoning of Conforming Land Uses

Existing land uses that conform to the land use designations shown on Schedule “A” and “A-1” hereto shall be zoned in accordance with the zoning policies of this Plan, which pertain to each land use designation.

10.2.3 Zoning of Non-Conforming Land Uses

Existing land uses which do not conform to the land use designations shown on Schedule “A” and A-1” hereto may be recognized in implementing zoning by-laws, but the zoning on such lands shall not be further amended except in conformance with this Plan.

10.2.4 Zoning of Undeveloped Lands

It is not the intention of Council to zone all lands immediately to conform to the land use designations shown on Schedule “A” and “A-1”. Any undeveloped lands in Hamlet, Rural Residential, Shoreline, Resort, Highway Commercial, Industrial, Aggregate Resource and Recreational/Conservation areas may be zoned in accordance with the policies of this plan which pertain to each land use designation, when:

- i) Council has made a previous commitment, such as land severance, subdivision agreement and/or development agreement;
- ii) Council wishes to permit infilling and minor extensions of the existing development patterns in the Hamlet, Rural Residential, Resort and Shoreline areas; or
- iii) Council wishes to encourage in the Resort, Highway Commercial and Industrial areas the establishment of the desired land uses provided that the *development* of such lands can be made subject to a land severance, or subdivision agreement and/or development agreement.

All other undeveloped lands in Hamlet, Rural Residential, Shoreline, Resort, Highway Commercial,

Industrial, Aggregate Resource and Recreational/Conservation areas shall be placed in a development or rural zoning category to delay their development until Council approves and appropriate development application for such lands.

10.3 DEVELOPMENT STAGING

The Municipality will encourage the phasing of development, in accordance with the policies of each specified designation, to ensure orderly, well-planned development.

The Municipality may require that *development* within an appropriate land use designation be phased in accordance with the servicing capabilities of the site and the perceived demand for residential lots or units. Substantial completion of development in one phase shall take place before progressive extensions to subsequent phases will be permitted.

10.4 HOLDING PROVISIONS

10.4.1 General

The Municipality's zoning by-law may include the use of Holding provisions in accordance with Section 36 of the *Planning Act*. Lands subject to a Holding provision shall be identified by a zone symbol followed by a dash and an "H" (for example, "RU-H").

Land zoned with a Holding symbol ("H") in conjunction with a general or special zone classification will only be applied to land for which the ultimate use has been determined, but where specific conditions for the use or development of the land must be satisfied. In many cases the "H" symbol will be applied to ensure that appropriate municipal services are available. The "H" symbol may be removed in accordance with the provisions of Section 36 of the *Planning Act* at such time as the specific conditions for the Holding provision have been satisfied.

10.4.2 Specific

It shall be a policy of this Plan that Council will generally implement a Holding ("H") symbol within the Zoning By-law where Council is satisfied that municipal services are readily available or can be reasonably extended or upgraded, and that the orderly, logical and timely sequence of development of the land, including the provision, extension or upgrading of municipal services, can be ensured through the execution of a Subdivision/Condominium Agreement or Site Plan Agreement.

Until the Holding symbol "H" is removed, the Zoning By-law shall restrict the use of the land to existing uses, together with ancillary, incidental and subordinate accessory buildings, structures and uses.

The Council may remove the Holding symbol "H" by an amendment to the Zoning By-law under the authority of Section 36 of the *Planning Act*, as amended, when Council is satisfied that the development timing and sequence is appropriate, that such development is in conformity with this Plan, and in compliance with the following conditions:

- i) Development Approval
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That a *development* proposal for the subject lands has been first approved, where necessary, by all relevant Municipal, County and Provincial Government bodies;

ii) Agreements

That all necessary agreements have been first entered into with the Municipality and, where necessary, the County, so that all provisions of this Plan and all relevant By-laws of the Municipality have been complied with, and that all requirements respecting the provision of roads, installation of services and drainage have been met.

10.5 OTHER BY-LAWS

10.5.1 Existing By-laws

Existing Township by-laws governing matters such as tent and trailer parks, the use of trailers, mobile home parks and salvage shops shall be reviewed to ensure conformity with this Plan.

10.5.2 Potential By-laws

The Township shall review existing legislation pursuant to the *Municipal Act* and other relevant Provincial statutes governing such uses such as waste disposal sites, automobile wrecking yards and signs and, where necessary, pass new by-laws as may be required to ensure that such uses are properly regulated and controlled.

10.6 PUBLIC WORKS CONSTRUCTION AND LAND ACQUISITIONS

It is intended that the construction of public works and the public acquisition of land within the Municipality shall be carried out in accordance with the policies of this Plan.

10.7 CONSENT GRANTING AUTHORITY & COMMITTEE OF ADJUSTMENT

The Consent Granting Authority shall be guided by the policies of this Plan, especially Section 4, the general intent and purpose of this Plan, and implementing Zoning By-laws in making decisions pursuant

to Section 53 of the *Planning Act*. The Committee of Adjustment shall also have regard to the provisions of this Plan in making decisions pursuant to Section 45 of the *Planning Act*.

10.8 SITE PLAN CONTROL

In accordance with Section 41 of the *Planning Act*, all lands within the Corporation of the Township of Alnwick/Haldimand are hereby designated as a Site Plan Control Area.

10.8.1 Designating By-law

It shall be the policy of this Official Plan that the Council shall enact a by-law in accordance with Section

41(13) of the *Planning Act*, which by-law shall define the class or classes of development that may be exempted for the provisions of Section 41 of the *Planning Act*.

10.8.2 Exempted Uses

The Site Plan Control By-law passed in accordance with Section 41(13) may exempt the following forms of development from the provisions of Section 41 of the *Planning Act*:

- i) Low density residential housing such as a single detached dwelling, duplex or semi-detached dwelling including a home occupation.
- ii) Farm buildings and structures save and except for:
 - 1. buildings and structures associated with large scale livestock operations, as defined in the By-law; and
 - 2. commercial buildings and structures used for the sale of agricultural goods or agricultural related goods and services that are made available to the general public at the site.
- iii) All structures and buildings accessory to and incidental to the above uses including renovations and minor extensions thereto.

10.8.3 Township Road Widening

It shall be the policy of this Official Plan that road a widening may be required along any portion of a Township Road, where the right-of-way contains less than the minimum right-of-way width contained in Section 9.3.3 of the Plan. Such lands may be required for road widening purposes without compensation as a condition of site plan control. The maximum dedication which may be required for a road widening as a condition of site plan approval shall be 5 metres, or the amount necessary to provide the proposed right-of-way width, whichever is less.

In addition, at the intersection of a local road and a County Road or Provincial Highway, the Municipality may require as road widening an area having a maximum radius of 10 metres. These lands shall be dedicated, without compensation, as a road allowance as a condition of site plan control.

10.9 MAINTENANCE AND OCCUPANCY STANDARDS

Council may enact a By-law pursuant to the provisions of Section 15.1 of the *Building Code Act*, setting forth the minimum standards for the maintenance and occupancy or use of such property that does not conform to the standards established thereunder. 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 levelled condition. In addition, the Council of the Township of Alnwick/Haldimand shall appoint a property standards committee responsible for the administration and enforcement of the said Property Standards By-law.

Regard shall be had for the following matters in the enactment of the Property Standards By-law:

- i) The physical conditions of yards and passageways including the accumulation of debris and rubbish;
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- ii) The adequacy of sanitation including drainage, waste disposal and garbage;
- iii) 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 wall, ceilings and floors, and plumbing facilities and appurtenances; adequacy of electrical services, fire protection, safety and warning devices; and,
- iv) The physical condition of accessory buildings and property.

10.10 HERITAGE, ARCHAEOLOGICAL AND EARTH LIFE SCIENCES

In the absence of detailed heritage, archaeological, and earth life sciences studies in the Township, Council shall consult with First Nations, the Ministry of Tourism, Culture and Sport, the Conservation Authority and the Ministry of Natural Resources and Forestry to ensure that archaeological and heritage features and *Areas of Natural and Scientific Interest*, respectively, are preserved to the extent possible when considering applications for major expansion or new *development*.

10.11 REVIEW OF THE PLAN

It is intended that, in accordance with the provisions of Section 26 of the *Planning Act*, this Plan shall be reviewed every five years or earlier should changing technical, physical, social or economic conditions warrant. In undertaking such a review Council shall have regard for the purpose and scope of the Plan, the general principles established hereunder, the land use and transportation policies, and changes which may occur in the planning legislation and policies established by the Province of Ontario.

10.12 NOTIFICATION TO AGENCIES AND RATEPAYERS

Council will provide notification for official plan amendments and zoning by-laws in accordance with the provisions of the *Planning Act*.

The Township is committed to consulting with First Nations on land use planning matters that have the potential to affect aboriginal treaty rights and aboriginal interests. The Township will circulate all *Planning Act* applications within the Municipality to the Alderville First Nation for review and consultation.

10.13 TECHNICAL AMENDMENTS

The Municipality may forego public notification and public meeting(s) in connection with technical Official Plan or Zoning By-law amendments if such amendments do not affect the provisions and intent of the Official Plan or Zoning By-law as previously enacted. A technical amendment may involve the following:

- i) altering the number or arrangement of any provision;
 - ii) correcting punctuation or altering language to obtain a uniform mode of expression;
 - iii) correcting clerical, grammatical or typographical errors; and
 - iv) changing the format.
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10.14 AMENDMENTS TO THE LAND USE PLAN SCHEDULES “A” and “A-1”

An amendment to Schedules “A” or “A-1” is required to permit the establishment of areas for uses other than those permitted in the area as shown on Schedule “A” or “A-1”. In considering an amendment to Schedule “A” or “A-1”, the Council shall have due regard to the following matters, which are in addition to those specified in other sections of this Plan.

10.14.1 Conversion of Employment Areas

“*Employment areas*” means lands designated as Commercial or Industrial on Schedule “A” of this Plan.

In accordance with the provisions of the Growth Plan for the Greater Golden Horseshoe, the Municipality may permit conversion of lands within *employment areas*, to non-employment uses, only through a *municipal comprehensive review* where it has been demonstrated that:

- i) there is a need for the conversion;
- ii) the Municipality will meet the employment forecasts allocated to the Municipality pursuant to the Growth Plan for the Greater Golden Horseshoe;
- iii) the conversion will not adversely affect the overall viability of the *employment area*, the achievement of any *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;
- v) the lands are not required over the long term for the employment purposes for which they are designated;
- vi) cross-jurisdictional issues have been considered.

For the purposes of this policy, the term *municipal comprehensive review* shall mean an Official Plan review that is initiated by the Township Council, or an official plan amendment that is initiated and adopted by the Township Council, which considers matters including, but not limited to, population and growth projections, alternative directions for growth in the Municipality, how best to accommodate growth while protecting provincial interests, reviews opportunities for growth through *intensification* and *redevelopment*, confirms that lands to be developed do not comprise *specialty crop areas*, is integrated with planning for *infrastructure* and *public service facilities*, and considers cross-jurisdictional issues.

10.14.2 Existing Development

Council shall consider the extent to which the existing areas in the proposed land use designation are developed, and the nature and adequacy of such existing developments, when considering proposed amendments to this Plan. Depending on the type of development proposed, the proponent of a subdivision proposal shall provide, to the satisfaction of Council, sufficient information to justify the proposal. In addition to the matters set out in Section 10.14.1, the justification should include, among other things, the number of vacant lots in registered plans of subdivision, the availability of future lots in draft approved plans of subdivision, the number of vacant lots of record and/or amount of land designated for the proposed use. Council must be satisfied that sufficient information has been provided indicating that the proposal is appropriate for the site, and that an assessment of the proposal has been provided

indicating that demand and need exists for the *development*.

10.14.3 Physical Suitability

Council shall consider the physical suitability of the area to sustain the proposed use.

10.14.4 Long Term Impact

The impact of the proposal on the long term uses of resources such as *prime agricultural lands* and aggregate resources, including consideration of compatibility of uses and compliance with the Minimum Distance Separation formula requirements.

10.14.5 Location

Council shall review the location of the subject lands with respect to:

- i) The adequacy of the existing and proposed road system in relation to the development of the proposed use;
- ii) The convenience and accessibility of the site for vehicular and pedestrian traffic and the traffic safety in relation thereto; and
- iii) The adequacy of the potable water supply, sewage disposal facilities and other municipal services.

10.14.6 Compatibility

Council shall review the compatibility of the proposed use with uses in adjoining areas including a review of methods to minimize any possible depreciating or deteriorating effects on adjoining properties.

10.14.7 Financial Implications

Council shall consider the potential effect of the proposed use on the financial position of the municipality, and the safeguarding of future options for the Township.

10.14.8 Natural Heritage Features

Council shall consider the potential impact of the proposed use on natural heritage features such as *wetlands, fish habitat, significant wildlife habitat, Areas of Natural and Scientific Interest, significant woodlands* and *significant valleylands*, and the *habitat of endangered species and threatened species*.

10.14.9 Background Studies

Council may require background studies regarding water and sewage servicing, stormwater management, the assessment of environmental impacts, and any other matter that Council considers necessary to support an amendment to this Plan.

10.14.10 Natural Hazards

The proposed use should not be located in an area of natural hazards (e.g., flooding, erosion, and dynamic beaches).

10.15 LEGISLATION REFERENCES

From time to time, Provincial legislation may be replaced by new legislation bearing a new name or identifying number. It is not intended to amend this Plan each time an Act is re-named, replaced or when new consolidations of the statutes are issued. Rather, this Plan shall be interpreted so as to refer to Legislation as amended, revised or replaced from time to time and to renumbered sections, as conditions dictate.

The changes mentioned in the previous paragraph may be incorporated into the Plan as appropriate, without need of public notice or meeting.

SECTION 11 SECONDARY PLANS

Secondary Plans provide more detailed land use planning policies for specific areas within the Municipality. Secondary Plans are intended to be complementary and supportive of the policies of the Official Plan, and should maintain the purpose and intent of the Goals and Objectives of the Official Plan. Secondary Plans may be prepared and incorporated into this Plan by amendment.

11.1 OAK RIDGES MORaine

11.1.1 THE OAK RIDGES MORaine CONSERVATION PLAN IN RELATION TO THE OFFICIAL PLAN OF THE TOWNSHIP OF ALNWICK/HALDIMAND.

11.1.1.1 The Oak Ridges Moraine Conservation Plan

The Oak Ridges Moraine Conservation Plan (ORMCP) is a complex set of policies and regulations, which provides the basis for the policies in Section 11.1 of this Official Plan. The ORMCP must be referred to in determining the relevant land use policies that apply to any parcel of land within the lands identified as subject to the policies of this Section of the Official Plan.

11.1.1.2 How to Use the Policies of This Section

To determine how the Policies of this Section of the Official Plan apply to a specific area or land use, this Section and the ORMCP must be read in its entirety as follows:

- i) Consult Schedule “C-1” (Land Use Designations - Alnwick) or Schedule “C-5” (Land Use Designation - Haldimand) to determine what designation applies to the specific area.
 - ii) Consult Part 4 and Part II of the ORMCP to see the policies for that designation and consult Part 5 and Part III of the ORMCP to determine any restrictions or requirements that shall
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be considered to protect ecological and hydrological integrity.

- iii) Consult Part 5 and Part IV of the ORMCP to determine any additional restrictions or requirements that may apply for the specific use or activity being considered.
- iv) Consult Part II of the ORMCP to determine the prescribed provisions to apply pursuant to subsection 15(2) of the ORMCP.
- v) Part I (General) of the ORMCP applies to all development proposals and land uses, including site alteration.

In the case of any conflicts between the ORMCP and the Official Plan of the Township of Alnwick/Haldimand, the policies and requirements of the ORMCP shall prevail.

11.1.2 SCOPE AND LEGISLATIVE AUTHORITY

The Oak Ridges Moraine Policies apply to the areas shown on Schedules “C-1”, “C-2”, “C-3”, “C-4”, “C-5”, “C-6”, “C-7” and “C-8”, and are defined by the ORMCP on the map entitled “Oak Ridges Moraine Conservation Plan Land Use Designation Map”, numbered, 208, dated April 17, 2002, and on file in the office of the Minister of Municipal Affairs and Housing at Toronto.

The Plan is prepared under the authority of Section 17 of the *Planning Act*, RSO 1990, c P 13, as amended, Section 9(2) of the *Oak Ridges Moraine Conservation Act, 2001*, and Ontario Regulation 141/02 (Oak Ridges Conservation Plan Regulations).

11.1.3 ORMCP OBJECTIVES

The objectives of the ORMCP and, consequently, this Official Plan are:

- i) protecting the ecological and hydrological integrity of the Oak Ridges Moraine Area;
 - ii) ensuring that only land and resource uses that maintain, improve or restore the ecological and hydrological functions of the Oak Ridges Moraine Area are permitted;
 - iii) maintaining, improving or restoring all the elements that contribute to the ecological and hydrological functions of the Oak Ridges Moraine Area, including the quality and quantity of its water and its other resources;
 - iv) ensuring that the Oak Ridges Moraine Area is maintained as a continuous natural landform and environment for the benefit of present and future generations;
 - v) providing for land and resource uses and development that are compatible with the other objectives of the ORMCP;
 - vi) providing for continued development within existing urban settlement areas and recognizing existing rural settlements;
 - vii) providing for a continuous recreational trail through the Oak Ridges Moraine Area
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that is accessible to all including persons with disabilities;

- viii) providing for other public recreational access to the Oak Ridges Moraine Area; and
- ix) any other prescribed objectives.

11.1.4 APPLICATION OF ORMCP AND OFFICIAL PLAN POLICIES ON EXISTING USES, BUILDINGS AND DEVELOPMENT APPLICATIONS

11.1.4.1 Existing Uses, Building and Structures

Section 6(1) of the ORMCP shall apply.

11.1.4.2 Previously Authorized Single Dwelling

Nothing in the ORMCP or this Section applies to prevent the use, erection or location of a single dwelling if,

- i) the use, erection and location would have been permitted by the comprehensive zoning by-law on November 15, 2001, being Restricted Area By-law No. 619 of the former Township of Haldimand, as amended, and Restricted Area By-law No. 1001-73 of the former Township of Alnwick, as amended: and
- ii) the applicant demonstrates, to the extent possible, that the use, erection and location will not adversely affect the ecological integrity of the ORMCP Area.

Notwithstanding the above, buildings and structures that are normally accessory to a residential use are considered to be a component of a permitted single dwelling use. Therefore, accessory buildings and structures directly related to a single dwelling are also permitted.

11.1.4.3 Building or Structure Previously Authorized or Authorized Under Section 17(1) of the ORMCP

Nothing in the ORMCP or this Section applies to prevent the use, erection or location of a building or structure if,

- i) the use, erection and location were authorized by the approval of an application that was commenced before November 17, 2001 and approved after that date; or
- ii) the use, erection and location were authorized by the approval of an application that was commenced after November 17, 2001 and decided in accordance with subsection 17(1) of the *Oak Ridges Moraine Conservation Act*.

11.1.4.4 Exception, Site Plan Approval

An application for site plan approval under Section 41 of the *Planning Act* is not required to comply with the ORMCP or this Section, if it relates to land in respect of which any of the

following was commenced before November 17, 2001 and approved after that date:

- i) An application for an amendment to a Zoning By-law.
- ii) An application for approval of a plan of subdivision under Section 51 of the *Planning Act*.
- iii) An application for approval or exemption from approval for a plan of condominium under Section 9 of the *Condominium Act, 1998*.

11.1.5 LAND USE DESIGNATIONS AND POLICIES

The Plan area contains the following three main Land Use Designations as shown on Schedule “C-1” (former Township of Alnwick) and Schedule “C-5” (former Township of Haldimand):

- i) Natural Core Areas, which are areas with a high concentration of key natural heritage features, hydrologically sensitive features or landform conservation areas.
- ii) Natural Linkage Areas, which are areas forming part of a central corridor system that support or have the potential to support movement of plants and animals among the Natural Core Areas, Natural Linkage Areas, river valleys and stream corridors.

The “Natural Linkage Aggregate Resource” areas shown on Schedule “C-5” includes lands currently licensed under the *Aggregate Resources Act* for extractive use as well as those lands identified as areas of high potential for aggregate extraction by the Ministry of Natural Resources and Forestry.

- iii) Countryside Areas, which are areas of rural land use such as agriculture, *recreation*, residential development, Rural Settlements, mineral aggregate operations, parks and open space.

Rural Settlements, which form part of Countryside Areas and are existing hamlets or similar existing small built-up areas, are shown on Schedules “C-5” as “Countryside-Rural Settlement.”

The “Countryside-Agricultural” areas shown on Schedules “C-1” and “C-5” identify prime agricultural areas.

The “Countryside Aggregate Resource” areas shown on Schedules “C-1” and “C-5” includes lands currently licensed under the *Aggregate Resources Act* for extractive use as well as those lands identified as areas of high potential for aggregate extraction by the Ministry of Natural Resources and Forestry.

11.1.5.1 Natural Core Areas

11.1.5.1.1 Purpose

The purpose of the Natural Core Area is to maintain and where possible improve and restore the ecological integrity of the Plan Area by:

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- i) maintaining, and where possible improving or restoring, the health, diversity, size, and connectivity of key natural heritage features, hydrologically sensitive features and the related ecological functions;
 - ii) maintaining or restoring natural self-sustaining vegetation and *wildlife habitat*;
 - iii) maintaining the quantity and quality of groundwater and surface water;
 - iv) maintaining groundwater recharge;
 - v) maintaining natural stream form and flow characteristics;
 - vi) protecting landform features;
 - vii) accommodating a trail system through the Plan Area and trail connections to it; and
 - viii) providing for limited economic development that is compatible with clause a trail system and the nature of the Natural Core Area.

11.1.5.1.2 Permitted Uses - Natural Core Areas

The following uses are permitted in Natural Core Areas subject to Part III and IV of the ORMCP:

- i) fish, wildlife, and forest management
- ii) conservation and erosion control projects
- iii) agricultural uses
- iv) transportation, infrastructure, and utilities as described in Section 41 of the ORMCP, but only if the need for the project has been demonstrated and there is no reasonable alternative
- v) home businesses
- vi) home industries
- vii) bed and breakfast establishments
- viii) farm vacation homes
- ix) low-intensity recreational uses as described in Section 37 of the ORMCP
- x) unserviced parks
- xi) uses accessory to the uses set out in clauses i) through x), above.

All farm and non-farm 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.

11.1.5.2 Natural Linkage Areas

11.1.5.2.1 Purpose

The purpose of Natural Linkage Areas is to maintain, and where possible improve or restore, the ecological integrity of the Plan Area, and to maintain, and where possible improve or restore, regional-scale open space linkages between Natural Core Areas and along river valleys

and stream corridors, by:

- i) maintaining, and where possible improving or restoring, the health, diversity, size, and connectivity of key heritage features, hydrologically sensitive features and the related ecological functions;
- ii) maintaining, and where possible improving or restoring natural self-sustaining vegetation over large parts of the area to facilitate movement of plants and animals;
- iii) maintaining a natural continuous east-west connection and additional connections to river valleys and streams north and south of the Plan Area;
- iv) maintaining the quantity and quality of groundwater and surface water;
- v) maintaining groundwater recharge;
- vi) maintaining natural stream form and flow characteristics;
- vii) protecting landform features;
- viii) accommodating a trail system through the Plan Area and trail connections to it; and
- ix) providing for limited economic development that is compatible with a trail system and the nature of the Natural Linkage Areas

11.1.5.2.2 Permitted Uses – Natural Linkage Areas

The following uses are permitted with respect to land in Natural Linkage Areas, subject to Parts III and IV of the ORMCP

- i) fish, wildlife, and forest management
- ii) conservation and erosion control projects
- iii) agricultural uses
- iv) transportation, infrastructure, and utilities as described in Section 41 of the ORMCP, but only if the need for the project has been demonstrated and there is no reasonable alternative
- v) home businesses
- vi) home industries
- vii) bed and breakfast establishments
- viii) farm vacation homes
- ix) low-intensity recreational uses as described in Section 37 of the ORMCP
- x) unserviced parks
- xi) mineral aggregate operations, subject to the provisions of Section 11.1.5.3.
- xii) wayside pits
- xiii) uses accessory to the uses set out in clause I) through xii), above.

All farm and non-farm 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.

11.1.5.3 Natural Linkage Aggregate Resource Areas

11.1.5.3.1 Purpose

The Natural Linkage Aggregate Resource designation is a sub-category of the Natural Linkage land use designation. The purpose of the Natural Linkage Aggregate Resource designation is to recognize areas with high potential for aggregate extraction and to recognize existing licensed pits within this area.

11.1.5.3.2 Objectives

The objectives of the Natural Linkage Aggregate Resource designation are:

- i) to ensure that any new development that may be permitted in or adjacent to this area under the provisions of this Official Plan and the ORMCP does not preclude or hinder the establishment of new aggregate operations or access to the resource;
- ii) to protect mineral aggregate operations from activities that would preclude or hinder the continued operation and expansion of existing licensed mineral aggregate operations; and
- iii) to protect mineral aggregate operations from activities that would be incompatible for reasons of public health, public safety or environmental impact.

11.1.5.3.3 Permitted Uses - Natural Linkage Aggregate Resource Areas

Permitted uses shall include all uses of the Natural Linkage Areas as set out above in Section 11.1.5.2.2.

Notwithstanding Section 11.1.5.2.2, the establishment of a new or expanded licensed mineral aggregate operation in the Natural Linkage Areas designation shall require an amendment to this plan to designate the site in the Natural Linkage Aggregate Resource Areas designation.

Where the site of the new or expanded licensed mineral aggregate operation is already designated Natural Linkage Aggregate Resource Areas, an amendment to this Plan shall also be required to permit the establishment of the new or expanded mineral aggregate operation.

The policies of Sections 5.8.3, 5.8.4, 5.8.7 and 5.8.9 of this Plan shall apply to an application for the approval of an official plan amendment and/or a zoning by-law amendment for a new or expanded mineral aggregate operation.

Section 3.10 of this Plan shall apply with respect to the protection of *mineral aggregate resources* and licensed mineral aggregate operations in the Natural Linkage Aggregate Resource Areas designation, except where there would be a conflict with any provision of the Oak Ridges Moraine Conservation Plan or the policies of this Official Plan.

11.1.5.4 Countryside Agricultural Areas

11.1.5.4.1 Purpose

The purpose of Countryside Agricultural Areas is to encourage agricultural and other rural uses that support the Plans objectives by:

- i) protecting prime agricultural areas; and
- ii) providing for the continuation of agricultural and other rural land uses and normal farm practices; and
- iii) maintaining the rural character of the Rural Settlements.

11.1.5.4.2 Objectives

Countryside Agricultural Areas also have the objectives of:

- i) maintaining, and where possible improving or restoring, the ecological integrity of the Plan Area;
- ii) maintaining, and where possible improving or restoring, the health, diversity, size, and connectivity of key natural heritage features, hydrologically sensitive features and the related ecological functions;
- iii) maintaining the quantity of groundwater and surface water;
- iv) maintaining groundwater recharge;
- v) maintaining natural stream form and flow characteristics;
- vi) protecting landform features;
- vii) accommodating a trail system through the Plan Area and trail connections to it; and
- viii) providing for economic development that is compatible with subsection 11.1.5.4.1 and with clauses i) to vii), above.

11.1.5.4.3 Permitted Uses - Countryside Agricultural Areas

The following uses are permitted with respect to land in Countryside Agricultural Areas, subject to Parts III and IV of the ORMCP:

- i) fish, wildlife and forest management,
 - ii) conservation projects and flood erosion control projects,
 - iii) agricultural uses
 - iv) transportation, infrastructure, and utilities as described in Section 41 of the ORMCP
 - v) home businesses
 - vi) home industries
 - vii) bed and breakfast establishments
 - viii) farm vacation homes
 - ix) low-intensity recreational uses as described in Section 37 of the ORMCP
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- x) unserviced parks
 - xi) mineral aggregate operations, subject to the provisions of Section 11.1.5.6.
 - xii) wayside pits
 - xiii) agriculture-related uses
 - xiv) uses accessory to the uses set out in clause i) through xiii), above.

All farm and non-farm 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.

11.1.5.4.4 New Lots in Countryside Agricultural Areas

New lots may be created in Countryside Agricultural Areas subject to sections 15(1), 15(2), 16(1), 16(2) and 32 of the ORMCP.

11.1.5.4.5 Previously Authorized Uses, Buildings and Structures in Countryside Agricultural Areas or Rural Settlement Area

Nothing in this Plan applies to present a use on the erection or location of a building or structure with respect to land in a Countryside Agricultural Area or Rural Settlement Area subject to the provision of sections 17(1), 17(2) and 17(3) of the ORMCP.

11.1.5.5 Countryside Rural Areas

11.1.5.5.1 Purpose

The purpose of Countryside Rural Areas is to encourage agricultural and other rural uses that support the Plans objectives by:

- i) protecting prime agricultural areas;
- ii) providing for the continuation of agricultural and other rural land uses and normal farm practices; and
- iii) maintaining the rural character of the Rural Settlements

11.1.5.5.2 Objectives

Countryside Rural Areas also have the objectives of:

- i) maintaining, and where possible improving or restoring, the ecological integrity of the Plan Area;
 - ii) maintaining, and where possible improving or restoring, the health, diversity, size, and connectivity of key natural heritage features, hydrologically sensitive features and the related ecological functions;
 - iii) maintaining the quantity of groundwater and surface water;
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- iv) maintaining groundwater recharge;
 - v) maintaining natural stream form and flow characteristics;
 - vi) protecting landform features;
 - vii) accommodating a trail system through the Plan Area and trail connections to it; and
 - viii) providing for economic development that is compatible with subsection 11.1.5.5.1 and with clauses i) to vii), above.

11.1.5.5.3 Permitted Uses - Countryside Rural Areas

The following uses are permitted with respect to land in Countryside Rural Areas, subject to Parts III and IV of the ORMCP:

- i) fish, wildlife and forest management,
- ii) conservation projects and flood erosion control projects,
- iii) agricultural uses
- iv) transportation, infrastructure, and utilities as described in Section 41 of the ORMCP
- v) home businesses
- vi) home industries
- vii) bed and breakfast establishments
- viii) farm vacation homes
- ix) low-intensity recreational uses as described in Section 37 of the ORMCP
- x) unserviced parks
- xv) mineral aggregate operations, subject to the provisions of Section 11.1.5.6.
- xi) wayside pits
- xii) agriculture-related uses
- xiii) small-scale commercial, industrial, and institutional uses as described in Section 40, subject to subsection (5) of the ORMCP
- xiv) major recreational uses as described in Section 38, subject to subsection 5 of the ORMCP
- xv) uses accessory to the uses set out in clause i) through xv), above.

All farm and non-farm 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.

11.1.5.5.4 New Lots in Countryside Rural Area

New lots may be created in Countryside Rural Areas subject to sections 15(1), 15(2), 16(1), 16(2) and 32 of the ORMCP

11.1.5.5.5 Previously Authorized Uses, Buildings and Structures in Countryside Rural Area or Rural Settlement Area

Nothing in this Plan applies to prevent a use on the erection or location of a building or structure with respect to land in a Countryside Rural Area or Rural Settlement Areas subject to the provision of sections 17(1), 17(2) and 17(3) of the ORMCP.

11.1.5.6 Countryside Aggregate Resource Areas

11.1.5.6.1 Purpose

The Countryside Aggregate Resource designation is a sub-category of the Countryside land use designation. The purpose of the Countryside Aggregate Resource designation is to recognize areas with high potential for aggregate extraction and to recognize existing licensed pits within this area.

11.1.5.6.2 Objectives

The objectives of the Countryside Aggregate Resource designation are:

- i) to ensure that any new development that may be permitted in or adjacent to this area under the provisions of this Official Plan and the ORMCP does not preclude or hinder the establishment of new aggregate operations or access to the resource;
- ii) to protect mineral aggregate operations from activities that would preclude or hinder the continued operation and expansion of existing licensed mineral aggregate operations; and
- iii) to protect mineral aggregate operations from activities that would be incompatible for reasons of public health, public safety or environmental impact.

11.1.5.6.3 Permitted Uses - Countryside Aggregate Resource Areas

Permitted uses shall include all uses of the Countryside Rural Areas as set out above in Section 11.1.5.5.3.

Notwithstanding Sections 11.1.5.4.3 or 11.1.5.5.3, the establishment of a new or expanded licensed mineral aggregate operation in Countryside Agricultural Areas and Countryside Rural Areas shall require an amendment to this Plan to designate the site in the Countryside Aggregate Resource Areas designation.

Where the site of the new or expanded licensed mineral aggregate operation is already designated Countryside Aggregate Resource Areas, an amendment to this Plan shall also be required to permit the establishment of the new or expanded mineral aggregate operation.

The policies of Sections 5.8.3, 5.8.4, 5.8.7 and 5.8.9 of this Plan shall apply to an application for the approval of an official plan amendment and/or a zoning by-law amendment for a new or expanded mineral aggregate operation.

Section 3.10 of this Plan shall apply with respect to the protection of mineral aggregate resources and licensed mineral aggregate operations in the Countryside Aggregate Resource Areas designation, except where there would be a conflict with any provision of the Oak Ridges Moraine Conservation Plan or the policies of this Official Plan.

11.1.6 PROTECTING ECOLOGICAL AND HYDROLOGICAL INTEGRITY

11.1.6.1 Key Natural Heritage Features

The Key Natural Heritage Features (KNHF) are identified on Schedules “C-2” and C-6”. The delineation of KNHF’s is to identify the areas in which the policies of Part III of the ORMCP apply development in Natural Core Areas, Natural Linkage Areas and Countryside Areas (including Rural Settlement Areas).

The following Key Natural Heritage Features are identified on Schedules “C-2” and C-6”:

- i) Wetlands
- ii) Areas of Natural and Scientific Interest (ANSI) - Life Science
- iii) Prairie
- iv) Sand Barren - Prairie
- v) Woodland - Savannah
- vi) Significant Woodlands
- vii) Significant Portions of the Habitat of Endangered, Threatened and Rare Species
- viii) Fish Habitat
- ix) Significant Valleylands

In accordance with Section 20 of the ORMCP, every application for development or site alteration shall identify planning, design and construction practices that ensure that no buildings or other site alterations impede the movement of plants animals among key natural heritage features, hydrologically sensitive features and adjacent land within Natural Core Areas and Natural Linkage Areas.

In accordance with Section 22(2) of the ORMCP, all development and site alteration with respect to land within a KNHF or the related minimum vegetation protection zone as described in the *Table* of Part III of the ORMCP is prohibited, except as specifically permitted in Section 22(2) 1, 2, 3, and 4 of the ORMCP.

An application for development or site alteration with respect to land within the minimum area of influence that relates to a KNHF as described in the *Table* of Part III of the ORMCP, but outside the KNHF itself and the related minimum vegetation protection zone, shall be accompanied by a natural heritage evaluation under Section 23 of the ORMCP.

11.1.6.2 Hydrologically Sensitive Features

The Hydrologically Sensitive Features (HSF) are identified on Schedules “C-3” and “C-7”. The delineation of HSF is to identify the areas in which the policies of Part III of the ORMCP apply to development in the Plan area.

The following HSF are identified on Schedules “C-3” and “C-7”:

- i) Wetlands
- ii) Watercourses and Waterbodies (including permanent and intermittent streams).

In accordance with Section 26(2) of the ORMCP, all development and site alteration with respect to land within a HSF or the related minimum vegetation protection zone as described in the *Table*

of Part III of the ORMCP is prohibited, except as specifically permitted in Section 26(2) 1, 2, 3, and 4 of the ORMCP.

An application for development or site alteration with respect to land within the minimum area of influence that relates to a HSF as described in the *Table* of Part III of the ORMCP, but outside the HSF itself and the related minimum vegetation protection zone, shall be accompanied by a hydrological evaluation under Section 26(4) of the ORMCP.

11.1.6.3 Areas of High Aquifer Vulnerability

Schedules “C-3” and “C-7” of this Plan identify areas of high aquifer vulnerability. The policies of Section 29 of the ORMCP shall apply in these areas.

The following uses are prohibited with respect to land in areas of high aquifer vulnerability:

- i) Generation and storage of hazardous waste or liquid industrial waste;
- ii) Waste disposal sites and facilities, organic soil conditioning sites, and snow storage and disposal facilities;
- iii) Underground and above-ground storage tanks that are not equipped with an approved secondary containment device; and
- iv) Storage of a contaminant listed in Schedule 3 (Severely Toxic Contaminants) to Regulation 347 of the Revised Regulations of Ontario, 1990.

11.1.6.4 Landform Conservation Areas

Schedules “C-4” and “C-8” of this Plan identify Landform Conservation Areas. The policies of Section 30 of the ORMCP shall apply in these areas.

11.1.6.5 Partial Services

Development of partial services is prohibited unless it meets the exceptions provided under Sections 44(2), 44(3) and 44(4) of the ORMCP.

11.1.7 SPECIFIC LAND USE POLICIES

The policies of Part IV “Specific Land Use Policies” of the ORMCP apply to the Oak Ridges Moraine land use designations. Within Part IV of the ORMCP the titles of the sections are as follows:

- 32 Lot Creation
- 33 Restriction Re Agricultural Uses, Mineral Aggregate Operations, Wayside Pits
- 34 Uses Accessory to Agricultural Uses
- 35 Mineral Aggregate Operations and Wayside Pits
- 36 Comprehensive Rehabilitation Plans
- 37 Low-Intensity Recreational Uses
- 38 Major Recreational Uses
- 39 Trail System
- 40 Small-Scale Commercial, Industrial and Institutional Uses

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- 41 Transportation, Infrastructure and Utilities
 - 42 Official Plan Provisions, Wellhead Protection Areas, Areas of High Aquifer Vulnerability
 - 43 Sewage and Water Services
 - 44 Partial Services
 - 45 Stormwater Management
 - 46 Stormwater Management Plans
 - 47 Rapid Infiltration Basins and Columns

The following sections refer to the above noted sections of the ORMCP by section number only.

11.1.7.1 Natural Core Areas

The following provisions of the ORMCP apply to land in the Natural Core Areas:

- i) Sections 32 to 34.
- ii) Sections 36, 37 and 39.
- iii) Subsections 41 (1), (3), (4), (5) and (6).
- iv) Sections 42 to 47.

11.1.7.2 Natural Linkage Areas

The following provisions of the ORMCP apply to land in the Natural Linkage Areas:

- i) Sections 32 to 37 and 39.
- ii) Subsections 41 (1), (2), (4), (5) and (6).
- iii) Sections 42 to 47.

11.1.7.3 Natural Linkage Aggregate Resource Areas

The following provisions of the ORMCP apply to land in the Natural Linkage Aggregate Resource Areas:

- i) Sections 32 to 37 and 39.
- ii) Subsections 41 (1), (2), (4), (5) and (6).
- iii) Sections 42 to 47.

11.1.7.4 Countryside Agricultural Areas

The following provisions of the ORMCP apply to land in the Countryside Agricultural Areas:

- i) Sections 32 to 34.
- ii) Subsections 35 (1), (4), (5) and (6).
- iii) Sections 36 to 40.
- iv) Subsections 41 (1), (4), (5) and (6).
- v) Sections 42 to 47.

11.1.7.5 Countryside Rural Areas

The following provisions of the ORMCP apply to land in the Countryside Rural Areas:

- i) Sections 32 to 34.
- ii) Subsections 35 (1), (4), (5) and (6).
- iii) Sections 36 to 40.
- iv) Subsections 41 (1), (4), (5) and (6).
- v) Sections 42 to 47.

11.1.7.6 Countryside Aggregate Resource Areas

The following provisions of the ORMCP apply to land in the Countryside Aggregate Resource Areas:

- i) Sections 32 to 34.
- ii) Subsections 35 (1), (4), (5) and (6).
- iii) Sections 36 to 40.
- iv) Subsections 41 (1), (4), (5) and (6).
- v) Sections 42 to 47.

11.1.8 WATERSHED PLANS, WATER BUDGETS AND CONSERVATION PLANS

11.1.8.1 Watershed Plans

The following provisions of the ORMCP apply to the Township of Alnwick/Haldimand:

- i) Section 24(1) requiring the commencement of watershed plans by April 22, 2003;
- ii) Section 24(2) requiring the objectives and requirements of the watershed plans to be incorporated into the Township's Official Plan;
- iii) Section 24(3) outlining the items to be included in the watershed plans; and
- iv) Section 24(4-6, 8) outlining the requirements for major development.

11.1.8.2 Water Budget Plans

The following provisions of the ORMCP apply to the Township of Alnwick/Haldimand:

- i) Section 25(1) requiring the commencement of a water budget and conservation plan by April 22, 2003; and
- ii) Section 25(2) outlining the minimum requirements for a water budget and conservation plan.

11.1.8.3 Compliance With Sections 24 and 25 of ORMCP

The Council of the Township of Alnwick/Haldimand passed a resolution on April 9, 2003, in which Council approved the initiation of watershed plans, specifically that the Municipality

recognizes that the groundwater aquifer characterization studies being undertaken by the Trent Conservation Coalition constitute the initiation and first step of the watershed plans required for the Township under Section 24(1) of the ORMCP.

11.1.9 WELLHEAD PROTECTION AREAS

There are no municipal wells and related wellhead protection areas in the area covered by the ORMCP. Should a municipal well(s) be constructed and related wellhead protection areas be identified, this Plan will be amended to implement the policies of Section 42 of the ORMCP.

The following uses are prohibited with respect to land in wellhead protection areas:

- i) Storage, except by an individual for personal or family use of:
 - petroleum fuels
 - petroleum solvents and chlorinated solvents
 - pesticides, herbicides and fungicides
 - construction equipment
 - inorganic fertilizers
 - road salt
 - contaminants listed in Schedule 3 (Severely Toxic Contaminants) to Regulation 347 of the Revised Regulations of Ontario, 1990.
- ii) Generation and storage of hazardous waste or liquid industrial waste; and
- iii) Waste disposal sites and facilities, organic soil conditioning sites, and snow storage and disposal facilities.

Despite anything else in this Plan except subsections 6(1) and 6(3) of the ORMCP, the following uses are prohibited with respect to land in the zero- to two-year time of travel zone within every wellhead protection area established under Section 42 of the ORMCP:

- i) Storage of animal manure, except by an individual for personal or family use;
- ii) Animal agriculture, except by an individual for personal or family use; and
- iii) Storage of agricultural equipment, except by an individual for personal or family use.

11.1.10 TRANSPORTATION

The transportation network set out in Schedule “B” of the Official Plan of the Township of Alwrick/Haldimand reflects the major transportation for the plan area. New road construction within the Oak Ridges Moraine area shall be subject to the policies of the ORMCP.

11.1.11 ZONING BY-LAW

The Secondary Plan for the Oak Ridges Moraine shall be implemented by a Zoning By-law, which conforms to this Official Plan and the ORMCP

SECTION 12 INTERPRETATION

12.1 BOUNDARIES

Except as otherwise set out in this Plan, it is intended that the boundaries of the land use designations shown on Schedules “A” and “A-1” shall be considered as approximate, except where bounded by major roads, railways, water bodies or other obvious geographical features. The boundaries of the land use designations may also be based on the location of lot lines where the location of the lot lines helps to interpret the boundary of the land use designation(s).

It is intended that the location of existing or proposed roads as indicated on Schedule “B” shall be considered as approximate and not absolute.

Amendments to this Plan will not be required in order to make minor adjustments to the approximate land use designation boundaries, the location of proposed roads, or areas shown on Schedules “A”, “A-1” and “B”, provided the general intent of the Official Plan is preserved. Such minor adjustments will not necessarily be reflected on Schedules “A”, “A-1” or “B”.

12.2 QUANTITIES

It is intended that all figures and quantities herein shall be considered as approximate only and not absolute. Amendments to this Plan will not be required for any minor variance from any of the indicated figures or quantities. The exception to this rule is population and employment forecasts provided by the Growth Plan for the Greater Golden Horseshoe and the County of Northumberland Official Plan.

12.3 METRIC UNITS

Metric units have been used throughout this Official Plan. Approximate Imperial equivalent for all metric units used in this Plan are set out in Appendix I to this Plan.

12.4 TERMINOLOGY AND DEFINITIONS

The following definitions shall be used in the interpretation and administration of this Plan where the terms are shown in italics:

Adjacent lands means:

- a) For the purposes of Section 9.7 of this Plan, those lands contiguous to existing or planned corridors and transportation facilities where *development* would have a negative impact on the corridor or facility. The extent of the adjacent lands may be recommended by the Province or based on municipal approaches which achieve the same objectives;
 - b) For the purposes of Sections 5.12 and 8.0 of this Plan, 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 land may be recommended by the Province or based on municipal approaches which achieve the same objectives;
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- c) For the purposes of Section 3.10 of this Plan, those lands contiguous to lands on the surface of known petroleum resources, *mineral deposits*, or *deposits of mineral aggregate resources* where it is likely that *development* would constrain future access to the resources. The extent of the adjacent lands may be recommended by the Province; and
 - d) For the purposes of Section 7.4.2 of this Plan, those lands contiguous to a protected heritage property or as other defined in this Plan.

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

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

Affordable: means

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

Agricultural condition: means

- a) In regard to *specialty crop areas*, a condition in which substantially the same areas and same average soil capability for agriculture are restored, the same range and productivity of specialty crops common in the area can be achieved, and, where applicable, the microclimate on which the site and surrounding area may be dependent for specialty crop production will be maintained or restored; and
- b) In regard to *prime agricultural land* outside of specialty crop areas, a condition in which substantially the same areas and same average soil capability for agriculture are restored.

Agricultural uses: means the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including but not limited to livestock facilities, and accommodation for full-time farm labour when the size and nature of the operation requires additional employment.

Agri-tourism uses: means those farm-related tourism uses, including limited accommodation such as a bed and breakfast, that promote the enjoyment education or activities related to the farm operation.

Agriculture-related uses: means those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.

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

Alternative energy system: means a system that uses sources of energy or energy conversion processes to produce power, heat and/or cooling that significantly reduces the amount of harmful emissions to the environment (air, earth and water) when compared to conventional energy systems.

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

Areas of archaeological potential: means areas with the likelihood to contain *archaeological resources*. Methods to identify archaeological potential are established by the Province, but municipal approaches which achieve the same objectives may also be used. The *Ontario Heritage Act* requires archaeological potential to be confirmed through archaeological fieldwork.

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

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

Built heritage resources: means a building, structure, monument, installation or any manufactured remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Aboriginal community. Built heritage resources are generally located on property that has been designated under Parts IV or V of the *Ontario Heritage Act*, or included on local, provincial and/or federal registers.

Coastal wetland means:

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

Comprehensive rehabilitation: means rehabilitation of land from which *mineral aggregate resources* have been extracted that is coordinated and complementary, to the extent possible, with the rehabilitation of other sites in an area where there is a high concentration of *mineral aggregate operations*.

Comprehensive review: means

- a) for the purposes of Section 3.1.2.3 of this Plan, an official plan review which is initiated by a planning authority, or an official plan amendment which is initiated or adopted by a planning
-

authority, which:

1. Is based on a review of population and employment projections and which reflect projections and allocations by upper-tier municipalities and *provincial plans*, where applicable; considers alternative directions for growth or development; and determines how best to accommodate the development while protecting provincial interests;
2. Utilizes opportunities to accommodate projected growth or development through *intensification* and *redevelopment*; and considers physical constraints to accommodating the proposed development within existing *settlement area* boundaries;
3. Is integrated with planning for *infrastructure* and *public service facilities*, and considers financial viability over the life cycle of these assets, which may be demonstrated through asset management planning;
4. Confirms sufficient water quality, quantity and assimilative capacity of receiving water are available to accommodate the proposed development;
5. Confirms that sewage and water services can be provided in accordance with Section 3.2 of this Plan; and
6. Considers cross-jurisdictional issues.

In undertaking a *comprehensive review* the level of detail of the assessment should correspond with the complexity and scale of the settlement boundary or development proposal.

Conserved: means the identification, protection, management and use of *built heritage resources*, *cultural heritage landscapes* and *archaeological resources* in a manner that ensures their cultural heritage value or interest is retained under the *Ontario Heritage Act*. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment. Mitigative measures and/or alternative development approached can be included in these plans and assessments.

Cultural heritage landscape: means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Aboriginal community. The area may involve features such as structures, spaces, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Examples may include, but are not limited to, heritage conservation districts designated under the *Ontario Heritage Act*; villages, parks, gardens, battlefields, mainstreets and neighbourhoods, cemeteries, trailways, viewsheds, natural areas and industrial complexes of heritage significance; and areas recognized by federal or international designation authorities (e.g. a National Historic Site or District designation, or a UNESCO World Heritage Site).

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

Designated and available: means lands designated in the official plan for urban residential use. For municipalities where more detailed official plan policies (e.g. secondary plans) are required before

development applications can be considered for approval, only lands that have commenced the more detailed planning process are considered to be *designated and available* for the purposes of this definition.

Designated growth areas: means lands within *settlement areas* designated in an official plan for growth over the long-term planning horizon provided in Sections 3.1.2.3 and 3.11.3 of this Plan, but which have not yet been fully developed. *Designated growth areas* include lands which are *designated and available* for residential growth in accordance with Section 3.13 of this Plan, as well as lands required for employment and other uses.

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

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

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

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

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

Endangered species: means a species that is listed or categorized as an “Endangered Species” on the Ontario Ministry of Natural Resources’ official Species at Risk list, as updated and amended from time to time.

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

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

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

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

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

- a) along the shorelines of the *Great Lakes - St. Lawrence River System* and *large inland lakes*, the *flooding hazard* limit is based on the *one hundred year flood level* plus an allowance for *wave uprush* and *other water-related hazards*;
 - b) along *river, stream and small inland lake systems*, the *flooding hazard* limit is the greater of:
-

1. the flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954) or the Timmins storm (1961), transposed over a specific watershed and combined with the local conditions, where evidence suggests that the storm event could have potentially occurred over watersheds in the general area;
2. the *one hundred year flood*; and
3. a flood which is greater than 1. or 2. which was actually experienced in a particular watershed or portion thereof as a result of ice jams and which has been approved as the standard for that specific area by the Minister of Natural Resources; except where the use of the *one hundred year flood* or the actually experienced event has been approved by the Minister of Natural Resources;

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

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

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

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

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

Habitat of endangered species and threatened species: means

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

Hazardous lands: means property or lands that could be unsafe for development due to naturally occurring processes. Along the shorelines of the *Great Lakes - St. Lawrence River System*, this means the land, including that covered by water, between the international boundary, where applicable, and the

furthest landward limit of the *flooding hazard, erosion hazard* or *dynamic beach hazard* limits. Along the shorelines of *large inland lakes*, this means the land, including that covered by water, between a defined offshore distance or depth and the furthest landward limit of the *flooding hazard, erosion hazard* or *dynamic beach hazard* limits. Along *river, stream and small inland lake systems*, this means the land, including that covered by water, to the furthest landward limit of the *flooding hazard* or *erosion hazard* limits.

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

Heritage attributes: means the principal features or elements that contribute to a *protected heritage property's* cultural heritage value or interest, and may include the property's built or manufactured elements, as well as natural landforms, vegetation, water features, and its visual setting (including significant views or vistas to or from a *protected heritage property*).

High quality: means primary and secondary sand and gravel resources and bedrock resources as defined in the Aggregate Resource Inventory Papers (ARIP).

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

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

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

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

Institutional use: for the purposes of policy 8.10, means land uses where there is a threat to the safe evacuation of vulnerable populations such as older persons, persons with disabilities, and those who are sick or young, during an emergency as a result of flooding, failure of floodproofing measures or protection works, or erosion.

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

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

Legal or technical reasons: means severances for purposes such as easements, corrections of deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new lot.

Low and moderate income households: means a) in the case of ownership housing, households with incomes in the lowest 60 percent of the income distribution for the *regional market area*; or b) in the case of rental housing, households with incomes in the lowest 60 percent of the income distribution for renter households for the *regional market area*.

Mineral aggregate operation: means

- a) lands under license or permit, other than for *wayside pits and quarries*, issued in accordance with the *Aggregate Resources Act*;
- b) associated facilities used in extraction, transport, beneficiation, processing or recycling of *mineral aggregate resources* and derived products such as asphalt and concrete, or the production of secondary related products.

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

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

Minimum distance separation formulae: means formulae and guidelines developed by the Province, as amended from time to time, to separate uses so as to reduce incompatibility concerns about odour from livestock facilities.

Municipal Comprehensive Review: means an official plan review, or an official plan amendment, initiated by a municipality that comprehensively applies the policies and schedules of this Plan.

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

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

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

Natural heritage system: means a system made up of *natural heritage features and areas*, and linkages intended to provide connectivity (at the regional or site level) and support natural processes which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species, and ecosystems. These systems can include *natural heritage features and areas*,

federal and provincial parks and conservation reserves, other natural heritage features, lands that have been restored or have the potential to be restored to a natural state, areas that support hydrologic functions, and working landscapes that enable *ecological functions* to continue. The Province has a recommended approach for identifying *natural heritage systems*, but municipal approaches that achieve or exceed the same objective may also be used.

Negative impacts: means

- a) in regard to Sections 3.2.2, 3.2.3 and 3.2.4 of this Plan, degradation to the *quality and quantity of*

water, sensitive surface water features and sensitive ground water features, and their related hydrologic functions, due to single, multiple or successive development. Negative impacts should be assessed through environmental studies including hydrogeological or water quality impact assessments, in accordance with provincial standards;

- b) *in regard to Section 2.3.3 of this Plan, degradation to the quality and quantity of water, sensitive surface water features and sensitive ground water features, and their related hydrologic functions, due to single, multiple or successive development or site alteration activities;*
- c) *in regard to fish habitat, any permanent alteration to, or destruction of fish habitat, except where, in conjunction with the appropriate authorities, it has been authorized under the Fisheries Act; and*
- d) *in regard to other natural heritage features and areas, degradation that threatens the health and integrity of the natural features or ecological functions for which an area is identified due to single, multiple or successive development or site alteration activities.*

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

On-farm diversified uses: means uses that are secondary to the principal agricultural use of the property, and are limited in area. *On-farm diversified uses* include, but are not limited to, home occupations, home industries, *agri-tourism uses*, and uses that produce value-added agricultural products.

Partial services: means

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

Portable asphalt plant: means a facility

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

Portable concrete plant: means a building or structure

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

Prime agricultural area: means areas where *prime agricultural lands* predominate. This includes areas of *prime agricultural lands* and associated Canada Land Inventory Class 4 through 7 lands, and additional areas where there is a local concentration of farms which exhibit characteristics of ongoing agriculture. *Prime agricultural areas* may be identified by the Ontario Ministry of Agriculture and Food using

guidelines developed by the Province as amended from time to time. A *prime agricultural area* may also be identified through an alternative agricultural land evaluation system approved by the Province.

Prime agricultural land: means *specialty crop areas* and/or Canada Land Inventory Class 1, 2, and 3 lands, as amended from time to time, in this order of priority for protection.

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

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

Protected heritage property: means property designated under Parts IV, V or VI of the *Ontario Heritage Act*; property subject to a heritage conservation easement under Parts II or IV of the *Ontario Heritage Act*; property identified by the Province and prescribed public bodies as provincial heritage property under the Standards and Guidelines for Conservation of Provincial Heritage Properties; property protected under federal legislation, and UNESCO World Heritage Sites.

Provincial and federal requirements: means

- a) in regard to Section 3.23.2 of this Plan, legislation, regulations, policies and standards administered by the federal or provincial governments for the purpose of protecting the environment from potential impacts associated with energy systems and ensuring that the necessary approvals are obtained;
- b) in regard to Section 8.8 of this Plan, legislation and policies administered by the federal or provincial governments for the purpose of fisheries protection (including *fish* and *fish habitat*), and related, scientifically established standards such as water quality criteria for protecting lake trout populations; and
- c) in regard to Section 8.9 of this Plan, legislation and policies administered by the provincial government or federal government, where applicable, for the purpose of protecting species at risk and their habitat.

Provincial plan: means a provincial plan within the meaning of section 1 of the *Planning Act*.

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

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

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

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

Regional market area: refers to an area that has a high degree of social and economic interaction. The upper or single-tier municipality, or planning area, will normally serve as the *regional market area*. However, where a *regional market area* extends significantly beyond these boundaries, then the *regional market area* may be based on the larger market area. Where *regional market areas* are very large and sparsely populated, a smaller area, if defined in an official plan, may be utilized.

Renewable energy source: means an energy source that is renewed by natural processes and includes wind, water, biomass, biogas, biofuel, solar energy, geothermal energy and tidal forces.

Renewable energy system: means a system that generates electricity, heat and/or cooling from a *renewable energy source*.

Reserve sewage system capacity: means design or planned capacity in a centralized waste water treatment facility which is not yet committed to existing or approved development. For the purposes of Sections 3.2.3 and 3.2.4 of this Plan, reserve capacity for *private communal sewage services* and *individual on-site sewage services* is considered sufficient if the hauled sewage from the development can be treated and land-applied on agricultural land under the *Nutrient Management Act*, or disposed of at sites approved under the *Environmental Protection Act* or the *Ontario Water Resources Act*, but not by land-applying untreated, hauled sewage.

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

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

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

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

Rural areas: means a system of lands within municipalities that may include rural *settlement areas*, *rural lands*, *prime agricultural areas*, natural heritage features and areas, and resource areas.

Rural lands: means lands which are located outside *settlement areas* and which are outside *prime agricultural areas*.

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

Sensitive land uses: means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more *adverse effects* from contaminant discharges generated by a nearby *major facility*. *Sensitive land uses* may be a part of the natural or built

environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities.

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

- a) built up areas where development is concentrated and which have a mix of land uses; and
- b) lands which have been designated in an official plan for development over the long-term planning horizon provided for in Section 3.1.2 of this Plan.

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

Significant: means

- a) in regard to *wetlands*, *coastal wetlands* and *areas of natural and scientific interest*, an area identified as provincially significant by the Ontario Ministry of Natural Resources using evaluation procedures established by the Province, as amended from time to time;
- b) in regard to *woodlands*, an area which is ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history. These are to be identified using criteria established by the Ontario Ministry of Natural Resources;
- c) in regard to other features and areas in Section 3.6 and 8.2 of this Plan, ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or *natural heritage system*;
- d) in regard to *mineral* potential, an area identified as provincially significant through evaluation procedures developed by the Province, as amended from time to time, such as the Provincially Significant Mineral Potential Index; and
- e) in regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, an event, or a people.

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

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

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

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

Specialty crop area: means areas designated using guidelines developed by the Province, as amended from time to time. In these areas, specialty crops are predominantly grown such as tender fruits (peaches, cherries, plums), grapes, other fruit crops, vegetable crops, greenhouse crops, and crops from

agriculturally developed organic soil, usually resulting from:

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

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

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

Two zone concept: means an approach to *flood plain* management where the *flood plain* is differentiated in two parts: the *floodway* and the *flood fringe*.

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

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

Waste management system: means sites and facilities to accommodate solid waste from one or more municipalities and includes recycling facilities, transfer stations, processing sites and disposal sites.

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

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

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

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

Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition.

Wildland fire assessment and mitigation standards: means the combination of risk assessment tools and environmentally appropriate mitigation measures identified by the Ontario Ministry of Natural Resources to be incorporated into the design, construction and/or modification of buildings, structures, properties and/or communities to reduce the risk to public safety, infrastructure and property from wildland fire.

Wildlife habitat: means areas where plants, animals and other organisms live, and find adequate amounts

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

Woodlands: means treed areas that provide environmental and economic benefits to both the private landowner and the general public, such as erosion prevention, hydrological and nutrient cycling, provision of clean air and the long-term storage of carbon, provision of wildlife habitat, outdoor recreational opportunities, and the sustainable harvest of a wide range of woodland products. *Woodlands* include treed areas, woodlots or forested areas and vary in their level of significance at the local, regional and provincial levels. *Woodlands* may be delineated according to the *Forestry Act* definition or the Province's Ecological Land Classification system definition for "forest."

APPENDIX I

Appendix I contains the imperial equivalents of metric units of measurement used throughout the plan.

Metric Units

10.0 metres
20.0 metres
30.0 metres
38.0 metres
90.0 metres
100.0 metres
150.0 metres
300.00 metres
500.00 metres
0.4 hectares
0.6 hectares
36 hectares
40 hectares
3,000.0 square metres
4,000.0 square metres

Imperial Units

32.8 feet
65.61 feet
98.42 feet
124.67 feet
295.27 feet
328.08 feet
492.13 feet
984.25 feet
1640.41 feet
0.98 acres
1.48 acres
88.95 acres
98.84 acres
32,292.78 square feet
43,057.05 square feet
