

# OFFICIAL PLAN OF THE TOWNSHIP OF HAVELOCK-BELMONT-METHUEN

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**INTRODUCTION**

The Township of Havelock-Belmont-Methuen in the County of Peterborough was created as a result of a Minister's Order under Section 25.2(6)(b) of the Municipal Act, which was passed on July 4, 1997.

The Order amalgamated the former Village of Havelock and the Township of Belmont and Methuen into the new Township of Havelock-Belmont-Methuen; which has a total area of approximately 595 square kilometres (230 square miles).

The Township's previous Official Plan was last updated and adopted by Council in 2003. As part of the Official Plan Review, a Consultation and Background Report was prepared and received by Council in April 2012; and several opportunities for public consultation were held during the process.

## **THE STRUCTURE OF THE PLAN**

The Official Plan is divided into six parts;

### **PART ONE - THE VISION, GUIDING PRINCIPALS AND LAND USE CONCEPT**

This part of the Plan contains the vision of the Township of Havelock-Belmont-Methuen.

This

vision was developed by Council and is based on an understanding of past and future trends

and public goals and expectations. The principles that form the foundation for this Plan evolve

from the vision. These principles establish the framework for the planning policies contained in

the Plan. This section of the Plan also describes how the vision is to be implemented.

### **PART TWO - GENERAL DEVELOPMENT POLICIES**

This part of the Plan contains policies which may have applicability to the entire Township, such as public uses, servicing, and policies governing the division of land.

### **PART THREE - LAND USE DESIGNATIONS AND POLICIES**

This part of the Plan contains policies which are applicable to specific land use designations as created by the Official Plan.

### **PART FOUR - PUBLIC SERVICE AND TRANSPORTATION POLICIES**

This part of the Plan contains policies that identify public services and define the transportation network in the Township and how it is intended to be utilized and managed.

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### **PART FIVE - IMPLEMENTATION**

This part describes how the vision and policies of the Plan are to be implemented. It contains

the identification and an explanation of the various mechanisms that may be utilized in order to assist in ensuring that the objectives of this Plan can be attained.

### **PART SIX - INTERPRETATION AND ADMINISTRATION**

This part of the Plan provides policy guidance for applying the Plan; requirements for future reviews.

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## **PART ONE - THE VISION, GUIDING PRINCIPALS AND LAND USE CONCEPT**

### **1.1 VISION**

1.1.1 The Township of Havelock-Belmont-Methuen is a predominately rural Municipality comprised of a vast amount of rural land, key settlement areas, extensive and predominately developed shoreline; and a strategic transportation network.

1.1.2 Permanent and seasonal residents are attracted to the Township by a desirable quality of life attributable to the natural character and identity of the Township of Havelock-Belmont-Methuen.

1.1.3 Havelock-Belmont-Methuen will emphasize the continued protection of the natural environment and will encourage new residents and visitors to share community attractions.

1.1.4 The Township of Havelock-Belmont-Methuen will also encourage enhanced economic development in order to provide greater employment opportunities to existing and future generations.

1.1.5 The Township will be promoted as an -

“Economic Development and Tourism Destination - A Caring Community, Bridging Past and Present, Working Together, Making

Dreams Come True...”.

## **1.2 GUIDING PRINCIPLES**

The following principles are provided to further articulate the vision and provide a basis for the

policy framework contained in this Plan.

### **1.2.1 Economy**

1.2.1.1 The economy of the area has traditionally been based on forestry, mining and aggregate extraction, tourism and agriculture where conditions are conducive to farming. Employment statistics indicate that these sectors continue to drive the local economy; although forestry and agriculture have experienced continued decline over the past two decades. On this basis, the Township will encourage and promote a diversified local economy focussed on rural land uses, which includes resources and service industries, recreation and tourism; as well as commercial opportunities catering to the needs of the local, visiting and travelling public. This Plan is intended to encourage new development which will improve economic and employment conditions in the Township while ensuring that the quality of the environment is maintained.

1.2.1.2 Given the trends in regional and Provincial demographics

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toward an aging population and the retirement of the ‘baby-boomer’ generation, this Plan views these changes as an opportunity for the Township to strive toward achieving a higher degree of long-term economic prosperity.

### **1.2.2 The Rural Area**

1.2.2.1 Rural lands within the Township will retain their natural character and will be utilized primarily for a compatible mix of resource uses, resource-based recreation uses, limited residential development, and other land uses.

While certain non-agricultural uses are recognized as being permitted, emphasis is placed on having such uses locate in the various hamlet areas of the Township in order to concentrate growth, minimize Township investment in services scattered over large areas and to assist in the creation of complete communities. At the same time, the Township recognizes the need for continued residential growth in the Rural Area in order to ensure the availability of housing alternatives in the Municipality; and locational efficiencies.

1.2.2.2 Every effort should be made to permit the continued functioning of the natural systems throughout the countryside, to maintain the rural pattern of large land holdings, to preserve a landscape dominated by open space, wooded areas, agricultural lands, and encourage the conservation and maintenance of natural habitat conditions.

1.2.2.3 The Township will encourage the Ministry of Natural Resources to ensure good stewardship of Crown land resources.

### **1.2.3 Growth and Settlement**

1.2.3.1 The Township’s resident population is predicted to increase by 9.2% or approximately 375 persons over the next twenty (20) years, being the planning horizon for this Official Plan. This modest population increase will be accommodated primarily within existing settlement areas as designated

in the Plan as well as within the Rural area.

Recognizing that growth pressures and market conditions can change, it will be important to monitor and re-evaluate land supply and undertake monitoring to population projections. The Township will endeavour to maintain an on-going collection of data on growth, development densities, building permits and related information and evaluate such data at least every five years to assure that there is an adequate supply of buildable land to accommodate projected growth and meet local and country-wide planning policy objectives.

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1.2.3.2 Rural residential development in the form of individual lots created by the consent granting process may be permitted in the rural area of the Township, outside the shoreline areas. The development of new residential subdivisions in the rural area shall not be permitted.

1.2.3.3 The population growth projection in Section 1.2.3.1 does not account for new housing and population growth that is attributed to resource-based recreational use of the extensive shoreline and rural areas in the Township and which comprise residents who do not consider Havelock-Belmont-Methuen to be their place of permanent residency. This Plan encourages further growth and re-development of the resource based recreation community.

1.2.3.4 Cottage conversion is anticipated to have an impact on the dynamics of growth management in the Township; however not to a significant extent. The areas that are expected to experience a higher rate of cottage conversion will be lake communities which have year round road access.

#### **1.2.4 The Natural Environment and the Lakes**

1.2.4.1 The natural environment and the lakes have and will continue to contribute significantly to defining the social and economic character of Havelock-Belmont-Methuen. It is a priority for this Plan to protect the natural resources of the Municipality in order to allow their continued use and enjoyment by future generations. Council will respect the environment and will follow the principle of sustainability, and will consider the cumulative impacts of planning decisions, while recognizing that development proposals cannot be addressed on an individual basis in isolation from past and future decisions. Council will place high priority on the protection of lands with significant environmental features and their associated functions.

1.2.4.2 The quality of the Township's water bodies and its natural environment are two of its greatest assets. These factors are essential to the quality of life as well as the Municipality's continued viability as a tourist area. Policies in this Official Plan will assist in the evaluation and impact assessment of proposed land use development and site alteration to ensure the maintenance and protection of water quality, natural resources, wetlands, wildlife, fisheries and fish habitat in the Township.

1.2.4.3 Changes to water quality and hydrological and hydrogeological characteristics of watercourses, which include the headwaters, as well as lakes, aquifers and wetlands are to be minimized and no development is permitted that will result in a negative impact to the functions and processes of these features.



1.2.4.4 Land uses in proximity to the shoreline area of inland lakes and rivers will be regulated in an effort to minimize impacts upon lake water quality and to protect shoreline and riparian areas from degradation.

1.2.4.5 In order to improve and protect waterfront areas as a significant recreational and natural environment resource and enhance land areas adjacent to the shore; it is the intent of this Plan to:

- a) Preserve public access to waterfront areas where possible.
- b) Minimize the intensity of shoreline development to prevent:
  - Significant detracton from the natural landscape;
  - Significant environmental degradation; or
  - A hazard to navigation.
- c) Preserve and enhance fish and wildlife habitat areas within and along waterbodies.
- d) Maintain shorelines in their natural state and promote property stewardship in developed or developing areas.
- e) Protect and, where possible, enhance water quality.
- f) Recognize and preserve to the greatest extent possible the character of waterbodies and lands adjacent to the shoreline by forbidding backlot development.
- g) Ensure development of small lots is compatible with development in the area.

### **1.2.5 Sustainability**

The policies of this Plan are founded on the premise that a sustainable community is composed of the following three principle elements in balance:

- a) The Environment: a connected system of environmental features that support a healthy ecosystem;
- b) The Economy: a strong, diversified and resilient economy that provides a variety of employment opportunities for citizens and is attractive to commercial and industrial investment; and;
- c) The Socio-Cultural Fabric: a strong sense of culture and heritage and the provision of affordable public services and amenities.

1.2.5.1 This Plan identifies a number of defining environmental and topographical features that contribute to the Township's extensive natural heritage system. The protection of these features is a key underlying principle in this Plan.

This Plan contains policies that recognize the character of the Municipality's forested area, water resources, and terrestrial landscape as resources that contribute to the natural character of Havelock-Belmont-Methuen.

The policies of this Plan also recognize the challenges created by Provincial interests in resource extraction in natural area and attempts to manage these issues.

1.2.5.2 A sustainable economic future will be more achievable if Council maintains a stable and sound fiscal position for the Township to support programs and services for citizens.

The need for economic sustainability is strongly articulated through the

vision and guiding principles of this Plan that encourage entrepreneurial spirit and diverse employment opportunities based in resources, recreation and tourism and technology. Also critical to economic sustainability is to retain a skilled and adaptable work force through opportunities for higher education and skills training.

1.2.5.3 Social sustainability addresses the basic community need for housing, education, health care, employment, food, safety, security and cultural and diverse recreational opportunities. The policies of this Plan support citizen efforts to achieve a healthy and respectable quality of life through the development of a healthy community and the provision of necessary human services and programs.

Individual needs vary with age, income, ability, skills, background and interests. As communities change and grow, there is additional pressure to provide for these needs and ensure communities remain healthy and that a high quality of life is maintained.

The provision of human services comes from several agencies including the Province (medical and health care facilities), school boards (education) while the Municipality is responsible for fire services, libraries, community facilities, parks, and recreational amenities. In addition, human services are provided by other private sector or quasi-public institutions, such as places of worship, and community service groups. Continued coordination and partnership among all human service providers is essential to the socialcultural health of the residents of Havelock-Belmont-Methuen.

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### **1.2.6 Municipal Infrastructure**

1.2.6.1 New public works within the Township will be guided by the policies of this Plan. Council may provide additional services through community improvement initiatives as long as the benefits, financial or otherwise, of adding services outweighs the direct cost to the Municipality.

## **1.3 LAND USE CONCEPT**

A total of eight (8) designations have been applied to lands throughout the Township of Havelock-Belmont-Methuen; inclusive of a Crown Land land use category. These land use designations are illustrated on Schedules 'A1', 'A2', 'A3', 'B1' and 'B2' attached hereto and forming part of this Plan.

An introduction to the various land use designations comprising this Plan, are as follows:

### **1.3.1 Hamlet Areas**

The Hamlet area designation applies to settlements which have been identified for accommodating future growth; and consist of the following:

- Havelock Urban Area
- Cordova
- Blairton

### **1.3.2 Rural**

The Rural designation applies to all lands in the open countryside which are not characterized by the presence of significant environmental features or aggregate resources. The Rural designation includes lands identified as a 'Rural Employment Area' which is intended to accommodate future non-residential uses in proximity to existing major industrial operations.

### **1.3.3 Mineral Mining and Aggregate Extraction**

The Mineral Mining and Aggregate Extraction designation applies to existing mining and pit operations and areas of high potential for future extraction purposes.

#### **1.3.4 Highway Commercial**

The Highway Commercial designation applies to lands within the Highway No. 7 corridor which include existing commercial uses and provide a high degree of visibility or exposure to the travelling public; and which present access opportunities via an existing Township road.

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#### **1.3.5 Shoreline**

The Shoreline designation identifies all lands which share an association with the lake or the waterfront. This area is generally defined as all land within a 150 metre (492 feet) proximity of a lake or watercourse but may vary depending on topographic features, roads, and existing development that is characterized by an orientation to or interaction with the lake. Lands in the Shoreline designation may be developed or may remain in a natural state.

#### **1.3.6 Environmental Protection**

The Environmental Protection designation is intended to include the following significant features as identified by the Ministry of Natural Resources through their Natural Resource Verification Information System (NRVIS):

- Provincially significant wetlands;
- Locally significant wetlands;
- Areas of Natural and Scientific Interest;
- Significant portions of habitat of endangered or threatened species;
- Significant wildlife habitat areas; and,
- Other areas that have been determined to be environmentally sensitive as a result of a development review process

Schedules 'B1' and 'B2' to this Plan identify the above-mentioned features as well as a number of other features of environmental significance which should be protected from incompatible development. These features include:

- Deer wintering areas
- Fish spawning areas.

#### **1.3.7 Disposal Industrial**

The Disposal Industrial land use designation applies to lands which have been identified for licensed or former licenced waste disposal, waste management or processing, recycling, salvage, or sewage treatment facilities.

#### **1.3.8 Crown Land**

The Crown Land designation applies to lands which remain in the ownership and jurisdiction of the Province of Ontario and to which the policies of this Plan do not directly apply. The policies of this Plan are not directly binding upon the Crown Lands; unless such lands are transferred to private ownership.

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## **PART TWO - DEVELOPMENT POLICIES**

### **2.1 GENERAL DEVELOPMENT POLICIES**

#### **2.1.1 Public Uses**

Public utilities, public road and railway right-of-ways, public parks and other essential public or institutional uses shall be permitted within all land use designations with the exception of Environmental Protection provided that the use is necessary in the area and measures are taken to ensure compatibility with the surrounding land use and

the natural environment. Electric power facilities may be permitted in all designations provided that all the planning of such facilities is carried out having regard for the other policies in this Plan.

### **2.1.2 Housing**

The Township will encourage a range of housing types to meet the varied needs of residents in settlement areas, waterfront areas and rural areas.

Medium and high density residential development will be directed to the Havelock Urban Area, where the public infrastructure is available to service the development.

The Township will encourage affordable housing opportunities. Affordable housing projects will be directed to Havelock where services are available to support residents. In order to encourage and support affordable housing projects, the Municipality may consider increased densities, smaller dwellings units, reduced parking requirements, alternative forms of tenure, as well as relief from the municipal approval fee. The Municipality will discourage the conversion to condominium ownership of rental accommodation that provides affordable housing opportunities. The Township will seek to improve access to housing for people with special needs by supporting appropriate applications and proposals for special needs housing. Housing for people with special needs will be directed to Havelock, where services are available to support residents.

The Municipality will consider new and innovative approaches to providing housing targeted specifically to the seniors population.

Group homes, which are licenced and/or approved under Provincial statutes, will be permitted in the Hamlet Areas designation, and where appropriate given the needs of the residents, in the Rural designation. Group homes may have features that require special regulations such as servicing, parking, compatibility and buffering considerations and will be placed in a separate zone category.

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### **2.1.3 Accessibility**

The Municipality will seek to improve accessibility for persons with disabilities and the elderly by removing and/or preventing land use barriers which restrict their full participation in society. The decisions and actions of the Municipality will be consistent with the Ontarians with Disabilities Act and the Accessibility for Ontarians with Disabilities Act.

### **2.1.4 Lot Size and Configuration**

Any lot to be created or further developed will be of a size and configuration suitable:

- to accommodate the proposed use in accordance with the relevant lot area and lot frontage provisions of the applicable zoning by-law; and
- to accommodate the proposed use in accordance with corresponding servicing requirements as may be identified by the completion of technical studies as determined by the relevant policies of this Plan.
- to permit the siting of any buildings, structures, and other on-site amenities (including landscape, buffer planting or other appropriate screening, entrances, parking, delivery, loading, and open storage) in accordance with the relevant provisions of the applicable zoning by-law.

Any lot to be created or further developed, but not to be immediately served by full municipal or communal sewage and water services, will be of a size and shape that meets all requirements of the applicable approval authority for the design, location, and use of individual on-site water supply and sewage disposal systems. These

requirements will be on the basis of year-round use.

Environmental Protection Areas may be included as part of a lot; however the creation of a new lot is not permitted to encroach into a Provincially Significant Wetland.

## **2.1.5 Road Access**

### **2.1.5.1 General Policy**

Where development is permitted, it will have direct access onto a Provincial Highway, a County Road, or a Municipal Road that is fully maintained year-round by a public road authority. However, Council may permit the following exceptions to this policy.

### **2.1.5.2 Unassumed Roads in Partially Developed Subdivisions**

In a registered plan of subdivision, residential development may be permitted with direct access by an unassumed road only if the subdivision is covered by the Municipality's Standard Form Subdivision Agreement, which requires the road to be brought up to municipal standards and assumed when deemed appropriate by Council.

### **2.1.5.3 Roads in Condominium Developments**

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In a registered plan of condominium, development may be permitted with direct access from a road that is a common element of the condominium development and is managed by a condominium corporation.

### **2.1.5.4 Private Roads in Waterfront and Rural Areas Private Roads**

Private roads were historically developed to provide seasonal access to cottage development in waterfront areas of the Township. At the time these private roads were developed, there was a generally prevailing view that the standard level of access to public services was not necessary in waterfront residential areas. As a result, an extensive network of private roads was constructed in the Township. Where access by a private road exists or is proposed, the Township shall not assume any liability for such road.

New development **in the shoreline area** - **along shorelines** should generally occur on lots containing frontage on a municipally maintained road. However, many private roads exist in the Township, and limited development is expected to occur on an infill or minor extension to existing private roads basis. The development of new private roads will not be permitted.

The Township is committed to maintaining its current policy with respect to private roads. Where access to properties is provided by private roads, municipal services such as snow plowing or road maintenance and improvement are neither available nor the responsibility of the Township.

Additionally, in some cases other public services such as school bussing and protection to persons/property from services including police, fire and ambulance may be unavailable or limited in nature. The implementing zoning by-law provides the provisions for lands that have public road access, private road access and water only access.

The creation of new private roads is not permitted. Lot creation may be permitted on a private road existing as of the date of adoption of this Plan.

Minor extensions not exceeding a total of 180 metres (591 feet) may be permitted to existing private roads from the last lot on the road. Any extension to a private road shall be designed and constructed by a professional engineer or other person competent in road construction. **Any extension to a private road shall be designed by a professional engineer and constructed by a person competent in road construction** The construction and maintenance of the road may be governed by an agreement which may be registered on title against the lands to which it applies.

~~Residential development in Shoreline Areas and Rural Areas may be permitted with direct access by private road, limited to single-unit dwellings not part of cluster development. The subject lands may be placed in a separate waterfront residential two zone by the implementing zoning by-law.~~

**Residential development along shorelines may be permitted with direct access by private roads provided that development is limited to single-unit dwellings provided that development is limited to single unit dwellings not part of more intensive forms of development such as plans of subdivision or condominium. The subject lands may be placed in a separate zone by the implementing by-law.**

~~Non-residential development in the Rural Area may be permitted with direct access by private road, only if the following conditions are met.~~

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- ~~• Development is limited to conservation, forestry, agriculture, and private recreational uses that are not open to the public~~
- ~~• If the development is creation of a lot, the minimum lot area is 20 hectares (49 acres).~~

~~The subject lands may be placed in a separate limited services, open space or rural zone by the implementing zoning by-law.~~

~~In addition, the following conditions must be met for any development permitted in Waterfront Areas or Rural Areas with direct access by private road.~~

**“Non-residential development in the Rural designation is encouraged to locate on a public road. However, development may be permitted with direct access by private road, only if the following conditions are met:**

- Development is limited to conservation, forestry, agriculture, private recreational uses that are not open to the public;**
- If the development is creation of a lot for conservation, forestry or private recreational uses, the minimum lot area of the severed and retained parcels are each 20 hectares (49 acres);**
- If the development is the creation of a lot for agriculture uses, the minimum lot area of the severed and retained parcels are each 35 hectares (86 hectares);**
- The subject lands may be placed in a separate limited services, open space or rural zone by the implementing zoning by-law that prohibits residential uses.**

**In addition, the following conditions must be met for any development permitted with direct access by private road:”**

- The private road will have direct access to a public road.
- It will be a condition of development approval that the private road is

constructed, maintained, and managed in accordance with Township requirements

- The development approval or approvals will in no way be construed as an obligation on the Municipality ever to assume, construct, improve, or maintain the private road.

Prior to deciding on the assumption of a private road, Council may require such studies as appropriate in order to determine **of if** the subject lands should be part of the municipal road system.

Notwithstanding the policies contained in this section, the creation of a new private condominium road shall be permitted in the Township insofar as it is within a Plan of Condominium created under the Condominium Act, 1998 as amended. A new private condominium road may not be created by way of extension or addition to an existing private road. A new private condominium road may only be permitted if the new road directly connects to a public road and where the subject land has legal frontage on the same public road. The design and construction of a private condominium road shall be to a standard acceptable to the Township, and the maintenance and ownership of such roads shall be governed and administered in accordance with the Condominium Act, 1998 as amended.

Known private roads are shown on the Schedules 'A1', 'A2', 'B1', and 'B2' for information purposes.

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## **2.1.6 Recreation Camps**

### **2.1.6.1 Definition**

A Recreation Camp is defined as a building or structure used for the purpose of providing short term accommodation for persons engaged in hunting, fishing, birdwatching and other forms of rural recreation. A recreation camp may consist of one or more rooms which is at least partially furnished and may include facilities for the preparation of food and overnight accommodation on a temporary basis. A recreation camp may not be occupied for more than 90 days in any twelve month period. A recreation camp does not include for profit commercial facilities.

### **2.1.6.2 Lot Area**

The minimum lot area for a "recreation camp" shall be 20 hectares (49 acres).

### **2.1.6.3 Access**

Notwithstanding the policies of Section 2.1.5.4, the Township acknowledges that recreation camps existing throughout the Municipality may or may not be accessible via a roadway.

The development of any new recreation camps will be encouraged to provide, where possible, vehicular access from a public road.

## **2.1.7 Source Water Protection**

Clean and plentiful drinking water is essential for maintaining human health, economic prosperity and a high quality of life in Havelock-Belmont-Methuen. It is critical to protect our municipal drinking water system, drawn from ground water resources, from contamination and from land uses that could hinder groundwater recharge. It is the objective of the Township to:

a) Protect the quality and quantity of existing surface and ground water **quality**

- from degradation and to improve **and** **the** restore water quality where degraded;
- b) Manage the water resources in a manner that ensures a sustainable supply of clean water for both human use and the natural environment;
  - c) Incorporate source protection objectives into the land use planning process to ensure that the sources of water are not compromised in the future as a result of land use decisions;
  - d) Protect existing and future sources of drinking water from incompatible land uses;
  - e) Encourage the establishment of water conservation measures as a way to
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meet water supply needs in the same manner that alternatives to create new supplies are investigated; and,

- f) Educate the public on the value of protecting the resource and how they can contribute to its protection.

In order to achieve these objectives, it will be necessary for the Municipality to monitor development and existing activities within the Well Head Protection Areas.

- a) New development proposals shall have regard for water modelling as presented in the Assessment Report, approved October 6, 2011.
- b) Enable property owners, tenants and businesses in the Municipal Well Head Protection Areas to understand the proper handling and storage of the 20 significant threats to the municipal water sources through education and outreach information.
- c) Encourage property owners with existing significant threats found on their property to seek alternative methods, where possible.
- d) Implement the Source Water Protection Policies as approved by the Ministry of the Environment.

The Township supports the preparation of a Source Water Protection Plan by Trent Conservation Coalition for the Crowe Valley and Otonabee-Peterborough Source Protection Areas, as mandated by the Clean Water Act, 2006. Council recognizes that the Source Protection Plan may necessitate changes to the Official Plan in regard to risk management of significant drinking water threats. Changes to mapping or policy will require an amendment to this Plan at such time as the Source Water Protection Plan is approved by the Province.

## **2.1.8 Conversion from Seasonal to Permanent Occupancy**

### **2.1.8.1 General Policy**

In areas where year-round services such as school busing, garbage collection, police and fire protection and road maintenance etc., are being provided or can be readily provided to a site, conversion to permanent residential use may occur if the property is rezoned to an appropriate residential zone and if a Certificate of Occupancy has been issued. Prior to the approval of an amending by-law and/or prior to the issuance of a Certificate of Occupancy the applicant shall prepare a report which demonstrates to the satisfaction of Council that the subject property complies with all relevant policies of the Official Plan including the following.

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### **2.1.8.2 Access**

That the property fronts on an improved public road or has access to an



improved public road via a private or unassumed public road.

#### **2.1.8.3 Water Supply and Sewage Disposal**

Confirmation from the applicable approval authority will be required confirming that the individual on-site water supply and sewage disposal systems are designed for year-round use, and meet the standards and best management practices that would apply to new development on the lot.

#### **2.1.8.4 Land Use Compatibility**

Council will ensure that there is satisfactory compatibility between the proposed permanent occupancy and the existing land uses in the surrounding area.

#### **2.1.8.5 Building Condition**

The subject buildings will be of adequate size and construction for permanent occupancy and will comply with other applicable building, fire, health, and safety regulations.

#### **2.1.8.6 Zoning**

If the proposed permanent occupancy does not conform to the applicable zoning by-law, a Certificate of Occupancy will not be issued until an appropriate implementing zoning by-law has been passed by Council and is in force.

#### **2.1.9 Land Use Compatibility**

In reviewing any development application, the Township shall be satisfied that the proposed use will be, or can be made to be compatible with surrounding uses. Compatibility may be achieved in a variety of ways. It may be a separation distance which is appropriate to the particular uses. It may be buffering features such as a berm, wall, fence or landscaping or a combination of these features. It may also consist of an intervening land use which would be compatible with both the conflicting uses. Where buffering provisions are the means to be used to ensure compatibility, such provisions will be determined through the implementing Zoning By-law and site plan approval process. Buffering may also be achieved by the natural physical features of the land. Ministry of Environment guidelines for land use compatibility should be used to determine appropriate setbacks and other buffering techniques.

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#### **2.1.10 Development Policies and Standards**

##### **2.1.10.1 General**

To ensure orderly, economic and aesthetically pleasing development the Township of Havelock-Belmont-Methuen has been divided into land use classifications thereby separating activities which have conflicting requirements and functions. It is the intent of this Plan that all development within the Municipality occur in accordance with these land use classifications and the policies contained within the Plan's text.

Furthermore, this Plan intends that Council ensure:

- a) That no by-law is passed which does not conform to the intent of this Plan;
- b) That the natural environment is protected and enhanced;
- c) That new development does not hinder the Township's financial situation;
- d) That no public works are undertaken which do not comply with the intent of this Plan;

- e) That new development is protected from flooding or other environmental hazards; and
- f) That new development is adequately serviced by water supply and sanitary sewage disposal facilities.

#### 2.1.10.2 Dwelling Per Lot

Only one dwelling is permitted on each lot, or each unit as defined in the Condominium Act, 1998, with the following exceptions:

- accessory dwellings as otherwise permitted in this Plan or an implementing zoning by-law.
- medium density residential development.
- lifestyle residential development (eg. linked or cluster forms of development).

Some existing lots may presently accommodate two or more existing single-unit residential dwellings. No additional dwellings will be permitted on such lots.

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#### 2.1.10.3 Development Standards

Through the adoption of an implementing zoning by-law Council shall ensure that adequate standards are required for regulating the height, bulk, location, size, floor area and spacing of buildings; off-street parking and loading and landscaping and buffering. In developing these standards particular attention shall be focussed on the buffering of incompatible land uses one from the other.

#### 2.1.10.4 Development Staging

In order to protect the ratepayers of the Township of Havelock-Belmont-Methuen from undue financial hardship, Council shall ensure that the timing, location and nature of new development is such that the demand for municipal services is not excessive in relation to the taxable assessment provided. New larger scale development which would create an appreciable increase in the demand for municipal services shall not be permitted unless it can be demonstrated that the overall ratio of municipal debt to taxable assessment will not be adversely affected.

#### 2.1.10.5 Development Process/Approvals

All types of future development shall occur on the basis of the submission and approval of registered plans of subdivision, registered plans of condominium, land severances ~~by consent of the Land Division Committee~~ and/or amendments to the implementing zoning by-law.

Residential development should primarily occur by registered plan of subdivision. However, development may occur by consent in accordance with the applicable policies of this Plan when a plan of subdivision clearly is not necessary to ensure orderly development.

#### 2.1.10.6 Development Agreements

Development shall not create a financial burden on the Township of Havelock-Belmont-Methuen. Individuals proposing to develop lands may be required, pursuant to the relevant provisions of the Planning Act, as amended from time to time, to enter into subdivision agreements and/or site plan control agreements with the Municipality in order to ensure that the Townships' position remains stable.

#### 2.1.10.7 Settlement Area Boundaries

A municipal comprehensive review is required in order to expand settlement area boundaries. However, where a proposal to change existing settlement area boundaries does not result in a net increase of settlement area within a Township, the Municipality may consider such a proposed adjustment as a component of a municipal comprehensive review at the time of application, to ensure targets and forecasts contained in this Plan are achieved.

**A municipal comprehensive review is required in order to expand settlement area boundaries. However, where proposals to change the settlement area boundaries do not result in a net increase of settlement area within the Township, planning justification shall be required for the adjustment at the time of application to ensure targets and forecasts contained in this Plan are achieved.”**

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#### 2.1.10.8 Community Structure and Density

In order to create complete communities, make efficient use of infrastructure, promote sustainable alternative modes of transportation, plan walkable communities having a range of housing types, the careful development of greenfield areas is necessary. Greenfield Targets for the Township will be realized through municipally-serviced developments that include a range of housing including singles, semis and multiple dwellings and condominiums. The Greenfield Target will be implemented on a phased-in approach with a density target of 35 persons/job per hectare being implemented immediately and that this number moves to 40 persons/jobs per hectare with the next 5-year review required by the Planning Act or by 2015, whichever is sooner. The achievement of a Greenfield Target is calculated at the upper tier on an average basis. Where possible, but especially for development on full services, mixed-use developments, narrowing of streets, reducing parking requirements, incorporation of pedestrian walkways/linkages, open spaces, variations of lot sizes, unit types, and a mix of storefront retail and residential zoning are encouraged in order to ensure more complete and livable neighbourhoods for residents. Smaller driveways, wider sidewalks, curbside parking and narrower streets are also encouraged.

#### 2.1.10.9 Residential Intensification

Settlement Area boundaries have been identified for Havelock and are illustrated on local land use schedules for permitting more concentrated forms of development. Built Boundaries have been identified through consensus among the Province, the County and the Township. For the purposes of the Provincial Growth Plan and this Plan, areas within the Built Boundaries shall be considered intensification areas where brownfields, infilling and underutilized properties should be targeted for new development. Also within the Built Boundary, Policy 2.2.3.1 of the Growth Plan requires that by the year 2015 and for each year thereafter, a minimum of 40% of all residential development will be within the built-up

areas however an alternative target may be approved by the Province. The County will recognize the 40% Intensification Target of the Growth Plan, commit to monitor development within the Built Boundary of Havelock and all the unserviced settlement areas. The County will also undertake to perform an Intensification Analysis within 2 years of the approval of the Growth Plan Official Plan Amendment No. 7 to develop a case for an alternative target for approval by the Minister of Energy and Infrastructure.

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### **2.1.11 Property Standards**

It is a policy of this Plan to maintain an efficient and pleasant environment for living, working, shopping, and other activities. To further this policy, Council will encourage appropriate standards of property maintenance and occupancy in the Municipality. This will be achieved through public education, extensive public consultation and if deemed appropriate and necessary by Council, the passage of a Property Standards or Yard By-law and the appointment of a Property Standards Committee in accordance with the Ontario Building Code Act. The Municipality will also encourage and complement private property improvement through the development of public projects that enhance the appearance and livability of Havelock and the hamlets.

### **2.1.12 Condominium Conversion**

When considering proposals to convert residential buildings that provide rental accommodation to condominium ownership the Municipality will require proponents to provide background information to support and justify the proposal. The Municipality will consider, among other matters, the following:

- the vacancy rate for rental units in the planning area;
- the demographics of the tenants of the building;
- the existing building condition; and
- the condition of the water and sewage disposal systems.

Conversion of a building from rental tenancy to condominium ownership will require that the building be upgraded to meet current Ontario Building Code and Ontario Fire Code standards. The Municipality may require the completion of a building condition study.

Conversion of a building from residential rental tenancy to condominium ownership will require that the private communal water system be upgraded to meet all requirements of the Safe Drinking Water Act. The Municipality will require a hydrogeology study to confirm the quality and quantity of the water supply; an engineering report on the water treatment system; and a responsibility agreement with the Municipality.

### **2.1.13 Dry Industrial and Commercial Uses**

Full municipal sewer and water servicing is the preferred alternative for large scale industrial and commercial uses. However, the Municipality anticipates that primarily smaller industrial and commercial uses of a 'dry' nature will be accommodated in the Municipality. Generally a 'dry use', reflects those uses which produce domestic sewage only, do not use water for processing and typically handle less than 10,000 litres per day of sewage effluent. Where a use is proposed which will produce more than 10,000 litres per day of sewage effluent, a Reasonable Use Assessment will be required to be completed to the satisfaction of Council and the Ministry of the Environment prior to the approval of such a use.

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#### **2.1.14 Group Homes and Community Care Facilities**

Group homes and community care facilities may be permitted in the Hamlet Area and Rural designations that permit residential development, subject to the provisions of the Zoning By-law. The Zoning By-law may define specific terms and classes of group homes and establish locational and size criteria for such facilities.

#### **2.1.15 Mining of Mineral Resources**

2.1.15.1 For the purpose of this Official Plan, mining includes above ground and underground work, pits and quarries used for mineral extraction as well as associated processing, transportation, stockpiling, waste and tailings storage, loading/shipping and other directly related ancillary activities. However, mining excludes pits and quarries used for aggregate extraction authorized under the Aggregate Resources Act.

2.1.15.2 Mineral exploration and mine development will be encouraged, where compatible with adjacent land uses, through the identification of mineral deposits and areas of mineral potential. An amendment to the Official Plan and Zoning By-law will be required to identify areas of mining potential and/or to establish a new mining operation. Prior to the establishment of new mining operations, Council may require the owner(s) to enter into agreements with respect to issues such as haul route usage and maintenance.

2.1.15.3 The establishment of a mining operation shall be subject to applicable environmental legislation including the Rehabilitation of Mining Lands under the Mining Act as administered by the Ministry of Northern Development and Mines.

#### **2.1.16 Substandard System Improvements**

The improvement of existing substandard individual on-site water supply and sewage disposal systems will be encouraged by all means available to the Municipality.

#### **2.1.17 Contaminated Sites**

Council will consider an application for development on a contaminated site, only if the applicant demonstrates to Council's satisfaction that the contaminated subject lands will be restored before development to a condition free from adverse effects and suitable for the proposed use. Council will require the applicant to provide a Record of Site Condition in accordance with the Environmental Protection Act.

#### **2.1.18 Environmental Remediation and Mitigation**

If any proposed development requires remedial works to overcome any environmental problem or mitigate any adverse effect identified through the application of the policies of this Plan, Council may require as a condition of approval that the applicant enter into an agreement with the Municipality whereby the applicant is responsible for the full cost of the remedial or mitigative works.

#### **2.1.19 Noise Assessment Studies**

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~~Any development proposals within 500 metres (1,640 feet) of an operational rail line shall require a noise study and where required, incorporate suitable noise control measures to reduce the effects of noise generated from the highway and/or rail line in accordance with MOE guidelines. The appropriate noise control measures will be recommended as part of a noise impact study prepared by a qualified professional. Any residential development may require a noise assessment and impact study prior to the approval of the development proposal by the Municipality. The study should~~

take into account the form of development anticipated and the appropriate noise and attenuation measures to be implemented. Specific noise control measures will be established, to the satisfaction of the Municipality, on a case-by-case basis, according to applicable Noise Guidelines.

**“Any development proposing sensitive land uses in close proximity to rail, highway and/or aggregate operations may require a noise assessment and impact study prior to the approval of the development proposal by the Municipality. The study should take into account the form of development anticipated and the appropriate noise and attenuation measures to be implemented. Specific noise control measures will be established, to the satisfaction of the Municipality, on a case-by-case basis, according to applicable MOE Noise Guidelines.”**

#### 2.1.19.1 Rail Noise, Vibration and Safety Impact Policy

Noise and vibration sensitive areas may be considered to be those areas of land abutting or adjacent to rail right-of-ways having a passive recreation, public assemblage, or residential component. Sensitive areas for noise generally include lands lying within 500 metres (1,640 feet) of rail rights-of-way and for vibration, generally include lands lying within 75 metres (246 feet) of rail rights-of-way.

Specific land use controls respecting rail impacts shall be exercised on lands abutting or adjacent to rail rights-of-way and the following policies shall apply:

a) Prior to approval of applications for Official Plan or Zoning By-law Amendments, consents, subdivisions or condominium ~~control~~ that result in or permit the creation of a new residential unit or lot or the conversion of rental residential units to freehold, co-operative or condominium ownership.

i) Said application(s) shall be circulated to the appropriate rail company for comments with regard to the recommended noise, vibration and impact mitigation measures; and

ii) The Township may require that the owner/developer engage a consultant to undertake an analysis of noise and/or vibration and to recommend abatement measures necessary to achieve the maximum noise level limits set by the Ministry of Environment to the satisfaction of the Municipality and in consultation with the appropriate rail company and the Ministry of the Environment.

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b) As a condition of approval of applications as detailed in i) above, provisions shall be made where possible, for the registration on title and insertion in Agreements of Purchase and Sale or Lease of a warning clause with regard to the existence of and potential impacts of rail use and operations and mechanisms to ensure the ongoing maintenance of the required measures.

As a condition of approval of application as detailed in i) and as outlined hereafter, setbacks to address rail safety concerns shall be required for any

new residential dwelling or building, an addition to an existing residential structure or a place of public assemblage from the railway right-of-way. The appropriate safety setback will be determined in consultation with the railway company and will take into account provision for safety berms, topography and intervening structures between the railway right-of-way and the new residential dwelling or building, addition to an existing residential structure or place of public assemblage.

#### **2.1.20 Non-Conforming Uses**

Any existing use which does not conform to the relevant policies contained in this Official Plan will be deemed non-conforming in terms of this Plan.

Such uses may be zoned in any implementing Zoning By-law in accordance with their present use provided that:

- a) The zoning will not permit any change of use or performance standard that will aggravate any situation detrimental to adjacent complying uses;
- b) They do not constitute a danger to surrounding uses and persons by virtue of their hazardous nature or the traffic flow they generate;
- c) They do not pollute the air, water or soil to the detriment of health, comfort and property; and
- d) They do not interfere with the development or enjoyment of adjacent areas in accordance with this Plan.

Where an existing use does not meet with the criteria set out above, it may not be zoned in accordance with its present use.

Where an existing non-conforming use is discontinued, any rezoning may only take place in conformity with this Official Plan.

Where an existing use has been zoned as a non-conforming use, but there is merit in granting permission to extend or enlarge the use either within the lands held in ownership or on adjacent properties, the Township may amend the Zoning By-law or approve a minor variance to permit such extension or enlargement without the necessity of amending the Official Plan if it complies with the general intent and

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purpose of this Plan. The Committee of Adjustment also may, based on merit, permit the extension or enlargement of a non-conforming use on lands owned at the time of passing of the By-law, provided that the intent and purpose of the Official Plan are maintained.

The Committee of Adjustment shall use the following guidelines when assessing any application for an extension or enlargement of a use which is zoned as a non-conforming use:

- a) The extension or enlargement should not aggravate the non-conforming situation for neighbouring uses.
- b) The extension or enlargement should be in reasonable proportion to the existing use and to the land on which it is to be located.
- c) Any extension or enlargement involving land should be minor in relation to the total property. Any major change shall require an amendment to the Plan.
- d) The compatibility of the extension or enlargement to surrounding uses with regard to noise, vibration, fumes, smoke, dust, odours, lights and traffic generation will be examined carefully.
- e) Adequate buffering, setbacks and any other measures necessary to reduce the nuisance will be required and where possible shall be extended to the existing



use.

- f) Proper access to the site will be provided to ensure that no traffic hazards are created.
- g) Adequate on-site parking and loading space will be provided.
- h) Applicable services such as storm drainage, water supply, sewage disposal and roads, etc. are adequate or will be made adequate.
- i) Neighbouring uses will be notified of the proposed extension or enlargement of the non-conforming use before the final decision on the application is made. The Committee of Adjustment may permit a change in use to a similar use or more compatible use.

Where an existing building or structure which has been zoned as a non-conforming use is destroyed, such building or structure may be reconstructed to its former dimensions and location. An existing building or structure which is zoned as a non-conforming use may be reconstructed or strengthened to a safe condition provided the external dimensions and use of the building or structure are generally not changed.

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The development of existing undersized lots on private services may be permitted in accordance with the relevant provisions of the Zoning By-law and this Plan provided that the lot is of an adequate shape and size with soils appropriate for a well and sewage disposal system approved by the appropriate authority. The minimum lot size for development on private water and sewage will be 2,000 **sure square** metres (21,528 square feet). A lot addition or enlargement to an existing undersized lot may be permitted even though the addition does not lose its non-conformity status and may be developed in accordance with the relevant provisions of the by-law.

### **2.1.21 Cultural Heritage and Archaeological Resources**

#### **2.1.21.1 General Policy**

The Municipality's cultural heritage resources include its:

- archaeological sites, burial sites, and cemeteries;
- heritage properties and conservation districts designated under the Ontario Heritage Act;
- other historically or architecturally significant buildings, structures, monuments, and remains; and
- areas of heritage significance modified by human activity and valued by the community.

The Municipality recognizes the importance of its cultural heritage resources and will encourage the identification, conservation, protection, restoration, and enhancement of these resources. In considering development applications and undertaking public works, Council will ensure that significant cultural heritage resources in the Municipality are managed in a responsible manner which perpetuates their functional use while maintaining their heritage value and benefit to the community.

Council may require as a condition of a development approval that:

- development incorporate significant cultural heritage resources, and not demolish, destroy, or inappropriately alter those resources;
- development be of a scale and character appropriate to nearby significant cultural heritage resources.



Pursuant to the Ontario Heritage Act, Council may establish a Municipal Heritage Committee. Council, by by-law and in consultation with an established Committee, may:

- designate properties to be of historical or architectural value or interest;
- define part or all of the Municipality as an area to be examined for designation as a heritage conservation district;
- designate part or all of the Municipality as a heritage conservation district.

#### 2.1.21.2 Archaeological Resources

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Council may require as a condition of development approval that before construction or site alteration, an archaeological assessment of the subject lands be conducted if at least one of the following applies:

- there is a Recorded Archaeological Site, or there are other cultural heritage resources with which in the Municipality's opinion archaeological remains may be associated, within 300 metres (984 feet) of the lands to be affected by construction or site alteration.
- the development involves site alteration or the construction of buildings and structures, the development is located on shorelands that have not been intensively disturbed by past development, the subject shorelands are 0.8 hectare (2 acres) or more in area, and the development, if residential lot creation, will create three or more new lots or units.
- the Municipality has received confirmation from the Ministry of Tourism, Culture and Sport with respect to this specific application that the subject lands are areas of archaeological potential.

Council may by zoning by-law prohibit or further restrict development on any lands on which significant archaeological resources are located, including lands where it has been determined through an archaeological assessment that significant archaeological resources are to be preserved on site.

If in the course of the development application and approval process, the applicant becomes aware that the subject lands include a burial site as defined in the Cemeteries Act (Revised), the applicant will advise the Municipality, the Ministry of Tourism, Culture and Sport, and the Ministry of Consumer and Business Services at the earliest opportunity.

All development that could affect cemeteries must comply with the requirements of the Cemeteries Act.

#### **2.1.22 Private Individual Services**

Within the majority of the Hamlet Areas, Shoreline and Rural designations with the exception of the Havelock Urban Area, development has taken place and will continue to take place on the basis of private individual services. All development on private services must receive approval from the appropriate approval authority. The minimum lot size for such development will be in accordance with any relevant Sections of this Plan and the Zoning By-law although the municipality or the subdivision approval authority may increase these minimum standards and impose other conditions or restrictions where necessary in the interests of the health and

safety of the residents of the Township. Any required servicing studies, including servicing options report and hydrogeological reports, will be provided by the developer to the satisfaction of the Municipality and appropriate approval agency.

### **2.1.23 Stormwater Management**

Stormwater management is an important part of the Township's broader interest in  
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protecting water quality. Due to the fact that development affects the quality and quantity of storm run-off, the Township will ensure that adequate consideration is given to stormwater management, including off-site impacts.

The Township acknowledges the need to plan on a watershed basis. To this end, the Municipality shall co-operate with other agencies in the preparation of appropriate watershed studies for those areas deemed by the Township requiring such. The Municipality will also have regard to the recommendations and conclusions of these studies in making planning decisions. Specifically, the Municipality may use the development of master drainage plans as a mechanism to co-ordinate the installation of new and the improvement of existing stormwater management facilities.

a) Prior to approval of any development concept, the Municipality may request that stormwater plans be prepared for review by the local Conservation Authority, the Township **and if applicable the County of Peterborough and/or Ministry of Transportation**, ~~if located within the Ministry of Transportation permit control area~~. The plan will include a statement of the design objectives to be applied and a description of the stormwater management practices to be applied, in accordance with the relevant Provincial policies and guidelines.

Applicants are encouraged to consult with the relevant ministries and agencies prior to submitting a draft plan of subdivision.

b) Prior to approving any development proposal, the Municipality, in consultation with the local Conservation Authority, **and where applicable the County of Peterborough and/or Ministry of Transportation** shall be satisfied that adequate stormwater management and drainage to a suitable outlet are provided.

c) For any development proposal, increases in runoff from the development shall be minimized. The impact of any proposed development on local and area-wide drainage patterns shall be identified. An appropriate method of managing surface runoff shall be developed in consultation with the local Conservation Authorities and implemented as a condition of approval according to the following policies:

i) Developments shall incorporate methods of on-site stormwater best management practices in accordance with the quality and quantity standards of the Municipality and the local Conservation Authority to ensure that post- development flow rates do not exceed pre-development rates;

ii) In order to meet stormwater quality objectives, 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 and erosion and siltation control measures will be incorporated into any grading and drainage scheme;

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iii) Developments which could have a significant impact on surface drainage shall provide comprehensive drainage plans showing methods of surface

water disposal and any impacts on adjacent or affected properties; and  
iv) Prior to approving an Official Plan amendment, Zoning By-law amendment or entering into a site plan control agreement, the Municipality may circulate the proposal to the following agencies for review: the local Conservation Authority, the County of Peterborough Public Works Department and the Ministry of Transportation, where required. This review should determine the degree to which the proposal meets the above policies. In reviewing the proposal, the Ministry, **the County** the Conservation Authority and the Township may recommend additional specific requirements on a case-by-case basis.

Where development is proposed adjacent or in the vicinity of a Provincial highway, the submission of a stormwater management report to, and approval of the Ministry of Transportation shall be required.

**“Where development is proposed adjacent to or in the vicinity of a County road, the submission of a stormwater management report to, and approval of the County of Peterborough may be required.”**

d) In the long term, the Township may complete a master drainage plan for the urban serviced area. A master drainage plan is a comprehensive plan for handling stormwater runoff for the whole or part of a watershed. The master drainage plan will provide policies for the management of stormwater quality and quantity in order to control flooding, erosion, sedimentation and pollution; to minimize impacts from designated growth on the natural environment; and will ensure that a co-ordinated approach is adopted for the planning and approval of new development in accordance with appropriate stormwater management principles.

e) The following policies shall apply when developing and implementing a master drainage plan:

i) The Municipality shall consult with the local Conservation Authority, as appropriate;

ii) Prior to the preparation of a master drainage plan, the terms of reference will be reviewed by the Municipality, in consultation with the Conservation Authority, if required, and master drainage plans will, when completed, be reviewed by all relevant agencies;

iii) Once a master drainage plan has been approved by the Municipality and adopted for a watershed, proposals for plans of subdivision and new industrial and commercial development will be required to include a stormwater design plan showing layout of ditches, drainage channels and retention ponds in conformity to the requirements of the master drainage plan and master drainage plans will be implemented through draft plans of subdivision, consents to land severance and site plan approval; and

iv) 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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f) Prior to final approval of any development plan, detailed stormwater design plans will be required. Such plans will be prepared in accordance with the requirements of the local Conservation Authority, **The County of Peterborough** the Ministry of the Environment, the Township and the Ministry of Transportation, as applicable.

Design criteria will be based upon methods and procedures contained in the relevant Provincial planning and design manuals used by these agencies. This policy will apply to all commercial, industrial and institutional development and residential development of five units or more and to all forms of development proposed within or adjacent to a Natural Heritage designation.

#### **2.1.24 Principal and Accessory Uses, Buildings, and Structures**

Whenever this Plan permits a use, it is intended that buildings and structures normally associated with that use be permitted, subject to definition and regulation in the implementing zoning by-law, unless the policies of this Plan applicable to that use specify otherwise.

Whenever this Plan permits uses, buildings, or structures, it is intended that accessory uses, buildings and structures also be permitted that are normally incidental or subordinate to the principal uses, buildings, and structures permitted on the same lot, only if the accessory uses, buildings, and structures comply with the policies of this Plan.

#### **2.1.25 Community Improvement**

##### **2.1.25.1 Goals and Objectives of Community Improvement**

###### **2.1.25.1.1 Goals**

The Municipality will:

- continue to encourage the maintenance, development, redevelopment, and rehabilitation of the Municipality's built environment, so as to enhance the image of the Municipality as an attractive place to live, work in, and visit; and
- maintain and improve the economic and tourism base through the promotion of employment, new capital investment, and increases in the municipal tax base while minimizing increases in the Municipality's long-term capital debt.

###### **2.1.25.1.2 Objectives**

The Municipality will:

- encourage by all means available to the Municipality private sector efforts to upgrade and rehabilitate existing properties and facilities;

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- where financially feasible, continue to develop and improve municipal services, public utilities, and community facilities and services;
- participate in and/or encourage projects, programs, and volunteer efforts which improve the Municipality's built environment and expand the economic base; and
- encourage expansion and new development by both the private and public sectors to improve the Municipality's property and business tax base, providing such development conforms with all other applicable policies of this Plan.

###### **2.1.25.1.3 Community Improvement Areas Designation**

The Community Improvement Areas consist of the following designations as shown on Schedule 'C':

- Havelock
- Cordova Mines
- Blairton

The boundaries of the Community Improvement Areas will be considered flexible, and minor extensions may be permitted in specific by-laws designating Community Improvement Project Areas without an amendment to this Plan.

The addition of completely new areas or the deletion of existing areas will require an amendment to this Plan.

#### 2.1.25.2 Community Improvement Project Areas

Council may undertake community improvement through the designation of Community Improvement Project Areas, as the Municipality's resources and other funding sources may allow. Priority will be given to areas where service deficiencies are the most critical.

Circumstances such as the unforeseen necessity to upgrade services and abutting development, or property changes, may also be considered in the designation of Community Improvement Project Areas.

#### 2.1.25.3 Implementation of Community Improvement

In order to achieve the Community Improvement goals and objectives outlined in Section 2.12.5, Council intends to use a variety of implementation methods, including but not limited to the following:

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- Use of municipal authority under the Planning Act to
  - designate community improvement project areas by by-law;
  - adopt community improvement plans;
  - acquire, grade, service, and otherwise improve land; and
  - assist the Municipality by any other means possible.
- Participation in community improvement programs funded by other agencies.
- Enforcement of the Municipality's property standards by-law at such time as a by-law is passed by Council.
- Encouragement of infill development.
- Encouragement of the redevelopment of private property and facilities, by providing owners with information concerning government financial subsidies and programs.
- Cooperation with school boards, other educational institutions, community and business associations, and individual businesses to provide new facilities, redevelopment projects, or new services in the Municipality.
- Use of the provisions of the Ontario Heritage Act, to encourage the preservation of buildings, structures, and features of historical significance.
- Encouragement of public input in the development of community improvement plans.

#### 2.1.25.4 Interpretation

It is intended that the policies of Section 2.1.25 be considered flexible. A broad interpretation of these policies may be applied where such interpretation is deemed necessary for the desirable development of the

Municipality, provided the general intent of the Plan is maintained.

#### **2.1.26 Garden Suites**

A garden suite shall be defined as a one-unit, detached residential building containing bathroom and kitchen facilities that is accessory to an existing residential building, and that is designed to be non-permanent. Garden suites are intended for people who are largely capable of living independently but who, by virtue of their age or abilities, require some support to live on their own.

**“A garden suite is only permitted by means of a site specific Temporary Use Zoning By-Law, approved in accordance with Section 39.1 of the Planning Act and as outlined in Section 5.6 of this Official Plan**

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#### **2.1.27 Uses Prohibited**

The temporary or permanent placement or storage of such items or materials as tires, plastic or paper sludge or other toxic goods shall not be permitted on any lands within the Township of Havelock-Belmont-Methuen. Notwithstanding, industrial operations may be permitted to store chemicals and similar materials on site which are incidental to the principle industrial activity provided that the necessary approvals have been obtained and applicable standards are adhered to.

In addition, this policy is not intended to prevent the stocking of vehicle tires by service establishments for customer purchase.

#### **2.1.28 Ministry of Transportation Approval**

In addition to all the applicable Township requirements, all proposed development located adjacent to and in the vicinity of a Provincial highway within the Ministry of Transportation's permit control area under the Public Transportation and Highway Improvement Act (PTHIA) will also be subject to Ministry of Transportation approval. Early consultation with the Ministry of Transportation 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 Ministry of Transportation's permit control area will be subject to Ministry of Transportation's policies, standards and requirements. Direct access will be discouraged and often prohibited.

#### **2.1.29 County of Peterborough**

The Township of Havelock-Belmont-Methuen recognizes that the jurisdiction of certain matters, authorities, and initiative lies with the County of Peterborough including the delegated authority for certain approvals under The Planning Act, as amended from time to time.

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## **2.2 DIVISION OF LAND**

### **2.2.1 General**

This Plan intends that the creation of new lots within the Township will primarily take place by plan of subdivision or plan of condominium; with the exception of consents granted in accordance with the policies as set out in Section 2.2.2 as well as other applicable policies of this Plan.

Normally, a plan of subdivision shall be required when:

a) The total number of proposed lots to be created exceeds provisions specified in

Sections 2.2.2, 2.2.2.2 and 2.2.2.3.

b) Access to the lots proposed to be created requires the construction of a new public road or an extension to an existing public road; or

c) The lots proposed to be created requires the provisions or extension of municipal servicing (water and/or sewers).

Prior to recommending a plan of subdivision or a plan of condominium to the County of Peterborough, Council will ensure the lands can be provided with all required services and amenities; and that the ~~propose~~ **proposed** development will not adversely affect the financial position or the environment of the Township.

A plan of subdivision or plan of condominium shall be assessed in accordance with the land use policies of this Plan; in addition to the specific policies of Section 2.2.3.

## **2.2.2 Consents**

### 2.2.2.1 General Consent Policies Applicable to All Land Use Designations:

a) Assessment of an application for consent to a land severance should only be considered where Council is satisfied that a plan of subdivision or plan of condominium is clearly not necessary for the proper and orderly development of land and efficient use of utilities and public services.

When making an application for consent to sever land, an applicant will provide to Land Division all information required under Section 53 of The Planning Act and Ontario Regulation 197/96, as amended.

#### b) Pattern of Development

In an effort to discourage scattered development throughout the Municipality, Hamlet Areas will be the preferred locations for consents for permanent residential occupancy. Additionally, continued residential growth in the Rural Area is recognized by the Township.

#### c) Extension of Development

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Residential land severances ~~outside Hamlet Areas~~ are encouraged as infilling within or adjacent to existing residential development ~~or areas designated Hamlet~~; in an effort to promote orderly and controlled development within the Township.

#### d) Economic Impact

An application for consent should only be considered when Council is satisfied that approval of the proposed lot will not have a detrimental impact on the Township's financial status.

#### e) Compatibility with Adjacent Uses

The proposed use of the lot should represent compatibility with adjacent land uses.

Where the proposed development is not considered compatible with adjacent or neighbouring uses, then a consent application may be refused.

Proponents may be required to undertake studies/assessments deemed necessary to determine compatibility with adjacent or neighbouring uses.

#### f) Lot Character

The size and configuration of any new lot created by consent shall be appropriate for the intended use; and the proposed use shall be



specified at the time an application is submitted-

~~Where a consent is granted for a residential purpose and private services are proposed; the new lot and the lot to be retained shall each have a lot area of not less than 0.4 hectares (1 acre)-~~

g) Frontage on a Public Road

Except in accordance with the policies of Section 2.1.5 of this Plan, all lots created by consent as well as the retained parcel shall front on and have access from a public road which is maintained year round and which is of a reasonable standard of construction.

h) Future Access

A consent shall not be granted where creation of the proposed lot would result in the landlocking of any parcel of land; and where access to or use of backlands would otherwise be compromised or restricted.

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i) Traffic Hazard and Drainage

A consent shall not be granted where access may create a traffic hazard or serve further an existing traffic hazard due to limited sight lines, curves or grades; or where drainage issues may result.

j) Conformity to Zoning By-law

~~A consent for the creation of a new building lot shall only be granted which complies with the established minimum lot area and frontage requirements of the Zoning By-law.~~

**“A consent for the creation of a new lot shall only be granted where the severed and retained lot comply with the established minimum lot area and frontage requirements of the Zoning By-law.”**

Any granting of a consent to the contrary, shall be deemed not to conform to the policies of this Plan.

Zoning by-law amendments may be utilized in order to permit the legally intended use and/or specify any site-specific building restrictions.

When a zoning by-law amendment is imposed as a condition of granting a consent; then a separate zoning by-law amendment application shall be required for **each lot being created. both the severed and retained parcels**

k) Provincial and County Jurisdiction

The intended creation of lots with proposed access on to Provincial or County roads shall only be approved where the Ministry of Transportation or the County of Peterborough respectively, advises that an entrance permit will be issued.

Wherever possible the creation of lots fronting on and having direct access to a Provincial Highway or County Road should be discouraged where an alternative access is available from a local road.

l) Water Supply and Sewage Disposal

If the proposed lot is to be serviced by an individual on-site water supply and sewage disposal system, then the applicant may be required to substantiate that soil, drainage and groundwater conditions



are suitable to provide for an adequate supply of potable water and the installation and satisfactory operation of a private sewage disposal system.

No lot shall be created where it has been identified that;

i) Municipal services for water and/or sewer cannot be provided due to capacity limitations, physical constraints or where services do not exist.

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

m) Merged Properties

Existing lots which have inadvertently merged due to common ownership may be separated to reflect the original lot configuration provided that the subject property has remained in the same ownership as when the merger occurred and the application is deemed to be in conformity with the relevant policies of this Plan and the regulations of the Township's Zoning By-law.

n) Easements

Consents for easements shall generally be preferred to a consent for severance where a linear right-of-way is being created.

o) Application Limits

An application for consent 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 being created, an additional application shall be required.

p) Minimum Distance Separation – Agriculture

A consent shall not be granted where the proposed use would contravene the Minimum Distance Separation Formulae requirements.

q) Technical Consents

Consents for technical or legal reasons which have the effect of creating an easement, right-of-way or adjusting a lot boundary (e.g., minor lot additions) for the purpose of enhancing the serviceability, functionality and aesthetics of the property to which the severed lands are to be added, may be permitted.

Notwithstanding the policies of Section 2.2.2.1(u), this Plan does not intend for lots created for the purpose of a minor lot addition, together with the existing property receiving the lot addition, to in turn be re-severed. This policy is not intended to preclude the assembly of lands for the purpose of development by plan of subdivision.

**Consents for technical or legal reasons which have the effect of creating an easement, right-of-way or adjusting a lot boundary (e.g., minor lot additions) for the purpose of enhancing the serviceability, functionality and aesthetics of the property to which the severed lands are to be added, may be permitted.**

**This policy is not intended to preclude the assembly of lands in the Havelock Urban Area or the Hamlet designation for the purpose of future development approvals. For clarity, this policy is intended to preclude the assembly of lands in all other designations, not otherwise listed above.”**

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r) Monitoring

The cumulative effect of development and the resulting financial implications for the Township will be monitored on an on-going basis.

s) Extension of Roads and Services

Consents should not be considered which would create a need for the undue extension of major roads and/or public services.

t) Dual Designations

Where more than one land use designation has been applied to a land holding, a maximum of three (3) severed and one (1) retained lot may be created by consent per total land holding, provided the policies of each respective designation are otherwise adhered to.

**“However, where one of the land use designations is Hamlet, a maximum of four (4) severed lots and one (1) retained lot may be created subject to Section 2.2.2.2 hereof.”**

u) Consent Eligibility

A land holding may be eligible for consent if it has been recorded as a separate parcel in the Land Registry Office as of February 15, 1990; and/or a lot encompassing no less than 35 hectares (86 acres).

A parcel of land may also still be eligible if its boundaries have changed more recently, provided that the boundary change resulted from an expropriation or other government acquisition, or technical severance.

**“Notwithstanding Section 2.2.2.3 a), consents granted for technical or legal purposes, or where the land holding or severed parcels are not less than 35 hectares (86 acres); will not be included in the determination of a maximum number of eligible consents.”**

Consents granted for a technical or legal purpose, or where the land holding or severed parcels are not less than 35 hectares (86 acres); will not be included in the determination of a maximum number of eligible consents.

In all designations other than the Hamlet Area designation, the number of new lots created by consent shall be limited to three (3) severed and one (1) retained per land holding.

Special policies for lands in the Hamlet Area and Rural designations are set out in Sections 2.2.2.2, and 2.2.2.3.

v) Conditions

Conditions as authorized by The Planning Act, R.S.O. 1990 may be attached to the granting of a consent which may include but not be

limited to the following:

- i) Any dedication of land for road widening purposes and/or required entrance improvements;
- ii) Any dedication of land for park purposes or alternatively cash in lieu of parkland;

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- iii) Rezoning of the severed and/or retained parcels, as may be required in order to recognize a use;
- iv) Registration of any notices on title;
- v) Preparation, execution and registration of agreements on title, as may be required;
- vi) Payment of all application fees and property taxes;
- vii) Responsibility for surveying and fencing.
- viii) The preparation and approval of a site plan.

#### ~~2.2.2.2 Special Consent Policies for Lands Within the Hamlet Area Designation~~

**“2.2.2.2 Special Consent Policies for Lands within the Hamlet Designation as shown on Schedules ‘A1’ and ‘A2’ and within the Havelock Urban Area as shown on Schedule ‘A3’”**

#### a) Maximum Number of Consents

Consideration may be given to the granting of a maximum of four (4) severed residential lots in addition to the retained parcel.

#### b) Development Patterns

Consents in the Hamlet Area designation should be primarily granted on the basis of infilling or as a logical extension of existing development.

~~c) As a condition to the granting of multiple consents Council may require the execution of a development agreement intended to address such matters as lot grading/drainage, servicing, road improvements and other matters customarily addressed in a subdivision or condominium agreement.~~

#### **“c) Consent Criteria**

**Severances for the creation of new lots shall only be permitted in accordance with the policies of Section 2.2.2.1 and the relevant land use designations.”**

#### **“d) Development Agreement**

**As a condition to the granting of multiple consents, Council may require the execution of a development agreement intended to address such matters as lot grading/drainage, servicing, road improvements and other matters customarily addressed in a subdivision or condominium agreement.**

Severances for the creation of new lots for non-residential uses in the Hamlet Area designation shall only be permitted in accordance with the policies of Section 2.2.2.1 and the relevant policies of the Hamlet Area designation.

#### 2.2.2.3 Special Consent Policies for Lands Within the Rural Designation

a) Maximum Number of Consents

~~A maximum of three (3) severed residential lots or a maximum of two non-residential lots, in addition to the retained parcel may be permitted in the Rural designation.~~

**Maximum Number of Consents**

**The maximum number of consents shall be as outlined in Section 2.2.2.1 u)."**

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b) Development Patterns

The pattern of development in the Rural designation shall be governed by the policies of Sections 2.2.2.1, 2.2.2.3 as well as the relevant policies of the Rural designation.

c) Preferred Location

An application for consent will be encouraged to locate:

- i) As a form of infilling;
- ii) Adjacent to an existing developed lot, or vacant lot created for a residential purpose;
- iii) Adjacent to a lot boundary (e.g., fence corner);
- iv) On lands which are not low-lying nor exhibit poor drainage conditions; and where the **extension** **extensive** importation of fill material is not required in order to create a developable lot.

**"v) In accordance with the entrance policies of the applicable road authority."**

d) Conditions

As a condition of the granting of multiple consents Council may require the execution of a development agreement intended to address such matters as lot grading/drainage, servicing, road improvements and other matters customarily addressed in a subdivision or condominium agreement.

2.2.2.4 Consent Policies for Lands Within Environmental Protection Areas

Consents may only be permitted within or adjacent to the Environmental Protection designation in accordance with the policies of Section 3.7 of this Plan.

2.2.2.5 Consent Policies for Lands Within the Aggregate and Mineral Resource Designation

Consents shall generally not be permitted in areas designated **of** Mineral Mining and Aggregate Resource **Extraction** ; which would preclude the future extraction of the resource.

Consideration of any consent application will require confirmation from the Ministry of Natural Resources that granting the consent would not result in future extraction being compromised. Supporting studies may be necessary for the Ministry to make such a determination.

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**2.2.3 Policies for Plans of Subdivision and Plans of Condominium**

2.2.3.1 The proposed development shall be at a scale which is compatible with the existing or anticipated scale of development in the area.

2.2.3.2 Access roads shall have the capability to support the additional traffic loads anticipated from the proposal. Where upgrading and additional maintenance may be required, the Municipality will assess the financial impact of these additional expenditures and may request a contribution from the developer to offset these costs.

2.2.3.3 In areas utilizing private services, lots shall have sufficient area so that a private well for water supply can be located without danger of contamination ~~by the sewage system~~ (**ie sewage system, road salt etc**) and so that a draw down of groundwater levels beyond the boundaries of the lot itself can be avoided.

An application for a privately serviced plan of subdivision or plan of condominium shall be accompanied by a detailed hydrogeological study and terrain analysis and impact assessment of septic system effluent on the groundwater completed in accordance with Ministry of the Environment guidelines, all of which shall be prepared by a qualified professional and satisfactory to the Municipality **and County of Peterborough**.

An application for a privately serviced plan of subdivision shall be in accordance with the Ministry of the Environment's guidelines.

2.2.3.4 ~~Lots shall have access on an interior road, developed to standards satisfactory to the Municipality.~~ A limited number of lots may be permitted access on an existing road of an appropriate standard where the Municipality and the authority having jurisdiction is satisfied that such access is appropriate. Nothing in the aforementioned shall be construed as encouraging access to existing roads. Generally, new power and telecommunication services will be located underground.

2.2.3.5 As many trees as possible shall be preserved, particularly mature and healthy stands of trees and reforestation shall take place where appropriate.

2.2.3.6 Topography and/or vegetation shall be maintained and augmented to create an appropriate or desirable environment and buffering may be requested to ensure compatibility with adjacent uses.

2.2.3.7 Plans of subdivision and plans of condominium shall be designed to allow for the appropriate integration of the subject lands with the adjacent lands.

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2.2.3.8 The proposal shall be appropriately served by existing levels of municipal services such as fire protection, police protection, waste collection and school facilities. Any proposal requiring substantial upgrading to existing services will generally not be permitted unless it is determined by the Municipality and any pertinent agencies to be appropriate.

2.2.3.9 The Municipality shall enter into a subdivision or condominium agreement with each developer as a condition of the approval of a Plan of Subdivision or Plan of Condominium. This agreement will set out the internal and

external services and obligations that shall be required of the developer.

2.2.3.10 Plans of subdivision and plans of condominium shall be compatible with adjacent areas and the general intent of this Plan.

2.2.3.11 Subdivision and condominium proposals will also be reviewed in terms of the policies set forth in Section 2.1.22 regarding Stormwater Management.

2.2.3.12 A cultural heritage resource assessment may be required for any lands to be subdivided. Any recommendations for the conservation of significant cultural heritage resources identified through the assessment may be a condition of subdivision approval and may be included in the subdivision agreement.

2.2.3.13 The specific provisions of Section 51(24) of The Planning Act relating to plans of subdivision and plans of condominium will apply in addition to the policies set out in this Plan.

2.2.3.14 Where a draft plan of subdivision or plan of condominium is proposed adjacent to a Provincial Highway or County Road, the layout of the subdivision should be designed such that the lots back onto the Provincial Highway or County Road and front onto a local internal street.

2.2.3.15 Land comprising a plan of subdivision or plan of condominium proposal shall be zoned for their intended use as a condition of draft approval. A Holding provision (H) may be applied to the zoning; which will remain until an agreement is in place.

**“2.2.3.16 Generally new power and telecommunication services will be located underground.”**

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## **PART THREE - LAND USE DESIGNATIONS AND POLICIES**

### **3.1 RURAL**

#### **3.1.1 Purpose**

Lands designated Rural are characterized by a rural landscape which reinforces the historical relationship between hamlet areas, shoreline communities and the surrounding farm and rural community to which the hamlet areas provide basic services. The amount and type of development in the Rural designation shall be consistent with maintaining its rural, natural heritage and cultural landscape including the retention of forested areas and open spaces.

#### **3.1.2 Permitted Uses**

Lands in the Rural designation are not intended to be the focus of rural residential or commercial/industrial development; however a variety of land uses will be permitted including agricultural uses, limited residential, small-scale commercial, industrial, and outdoor recreational uses. The policies contained in Sections 3.1.3 and 3.1.4 are intended to govern residential, commercial, industrial and outdoor recreation development in the Rural designation.

This Plan recognizes that not all lands in the Rural designation may be appropriate for development. Site specific conditions such as shallow or organic soils, exposed bedrock, poor drainage, steep slopes or an elevated water table may render certain lands undesirable for development. Therefore, the Township may discourage the development of lands that would require substantial site alterations and

improvements that are incompatible with the rural landscape before development could occur.

### 3.1.3 Development Policies

**“Development outside settlement areas may be permitted only where necessary for development related to the management of, or use of resources, resource-based recreational development, limited residential and rural land uses that, due to their nature, require location outside settlement areas.”**

#### 3.1.3.1 Residential

a) Residential uses shall be limited to one single detached dwelling per lot.

b) The conversion of existing single detached dwellings to two unit dwellings may be permitted specifically in accordance with the provisions of the Zoning By-Law.

c) Home occupations, home industries, private home daycare facility, and bed and breakfast establishments may be permitted in the Rural designation, in accordance with the provisions of the Zoning By-Law.

d) New development shall conform to the relevant policies of this Plan and shall comply with the Minimum Distance Separation Formula 1, as amended.

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e) Secondary suites or conversions shall be permitted subject to meeting criteria as established in the Zoning By-law and applicable Health Unit standards

**“f) Development, including the construction of new structures, adjacent to a waterbody shall be subject to the policies of Section 3.3.4.1 Development Considerations, and 3.3.4.2 Marine Facilities**

#### 3.1.3.2 Commercial and Industrial

a) It is anticipated that there will be a need for small scale commercial and industrial development in the Rural area.

~~Development outside settlement areas may be permitted only where necessary for development related to the management of, or use of resources, resource-based recreational development, limited residential and rural land uses that, due to their nature, require location outside settlement areas.~~

b) Commercial uses shall be permitted in the Rural designation which provide for immediate needs of the rural population, tourists and the travelling public. Such commercial uses may include, but not limited to, agricultural-related uses such as livestock sales facilities, feed supply business, equipment sales and services, building supply yard, auction barns, greenhouses and landscaping supply businesses, nurseries or garden centres, self storage facilities; and commercial uses existing as of the date of the approval of this Plan, and similar uses.

c) Permitted industrial uses in the Rural designation may include, but not



limited to, contractor yards, bulk storage yards, warehousing, small scale manufacturing, sawmills and wood processing, abattoirs, forestry uses; and other similar industrial uses.

d) The following specific policies shall apply to commercial and industrial uses in the Rural designation, in addition to conforming to the relevant policies of this Plan

:

i) The intended use shall be appropriate for the proposed location and compatible with surrounding land uses;

ii) Commercial and industrial uses will be encouraged to locate in clusters adjacent to other non-residential development;

~~iii) Direct access shall be to either a County or collector road;~~

**“iii) No access will be permitted from a Municipal “Local” road and any access shall be in accordance with the policies of Section 4.2.1 of this Plan**

iv) Adequate off-street parking and loading spaces shall be provided;

v) ~~Advertising~~ **Advertising** and signage will be appropriately controlled;

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vi) Outdoor storage of goods and materials shall be adequately screened or buffered;

vii) Standards and requirements of the Ministry of Environment shall be maintained in respect of odour, noise or smoke emissions;

viii) All new development shall comply with the Minimum Distance Separation Formula 1, as amended;

ix) Commercial and industrial uses may be subject to site plan control.

### 3.1.3.3 Outdoor Recreation

Outdoor Recreation shall be permitted in the Rural designation in accordance with the relevant policies of this Plan in addition to the following specific policies:

a) Outdoor recreation uses may include recreation camps, golf courses, country clubs, sports and recreation clubs, public and private parks, picnic areas, recreational trails, and similar uses;

b) Outdoor recreation uses shall be appropriate for the proposed location and be compatible with surrounding uses;

c) Adequate office-street parking shall be provided;

d) Advertising, signage and outdoor storage of goods and materials shall be appropriately controlled.



**“e) All new development shall comply with the Minimum Distance Separation Formula 1, as amended**

3.1.3.4 Rural Employment Area

The development of lands illustrated as Rural Employment Area on Schedule ‘A1’ may consist of a range of commercial, industrial and community facility uses and support services which create employment opportunities in the Township; and shall conform to the policies of Section 2.1.22 (servicing) of this Plan.

Uses may include processing secondary to an aggregate extraction operation, office and business facilities, industrial, manufacturing and/or assembly, research and development, and highway commercial uses. Businesses providing a support service to other uses in the Rural Employment Area may also be permitted.

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3.1.3.4.1 Future Development

a) In order to promote the efficient use of land and minimize parking for employment lands, the Township will identify situations, where feasible, that make use of shared parking areas and common access points.

b) Where applicable, proposals for future development of lands in this designation will comply with setback requirements established in Section 3.5 of this Plan.

c) Prior to development proceeding an application to rezone lands shall be accompanied by a completed Hydrogeological Assessment which demonstrates that the lands are capable of providing an adequate source of potable water and sewage disposal.

shall comply with the Minimum Distance Separation Formula 1, as amended.”

**d) All new development shall comply with the Minimum Distance Separation Formula 1, as amended.”**

3.1.3.4.2 Conversion

Lands within the Rural Employment Area may be converted to a non-employment use only through a municipally-initiated comprehensive review; and when it has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion.

**“3.1.3.4.3 Access**

**a) Provincial Highways are under the jurisdiction of the Province of Ontario and includes Highway No.7, which is a controlled access highway and as such direct access will be restricted. All development or redevelopment along Provincial Highways is subject to the policies outlined in Section 4.2.1.1.2 of this Plan.**

**b) County Roads are under the jurisdiction of the County of Peterborough. Whenever possible, direct access to development on or near County Roads will be provided from Municipal Roads or private roads. There should be as few as possible points of direct access from County Roads to adjacent development. All development or redevelopment along County Roads is subject to the policies outlined in Section 4.2.1.1.3 of this Plan**

**b) Accessory uses such as home occupation and home industries; bed and breakfast establishments, agri-tourism activities and similar may also be permitted. Roadside retail outlets for the purpose of the sale of agricultural produce produced on the lands upon which the retail use is situated may be permitted by amendment to the implementing zoning by-law providing it is demonstrated that the use will not create a traffic hazard.**

**c) All new development shall conform to the relevant policies of the Minimum Distance Separation Formula, as amended**

#### “3.1.3.5 Agricultural

a) Uses permitted shall include agricultural uses and related value-added activities, associated on-farm buildings and structures, an accessory dwelling, woodlots, forestry and related activities, conservation and related activities which generally maintain the existing parcel size. In addition, uses directly related and necessary in proximity to agricultural operations such as greenhouses, cold storage or grain-drying or storage facilities, livestock assembly/shipping areas and facilities, livestock auction facilities; and animal husbandry services may be permitted.

#### **3.1.4 Implementing Zoning By-Law**

Uses permitted in the Rural designation may be zoned in separate categories in the implementing Zoning By-Law and may be subject to the policies of Section 5.15. The Township may apply a holding provision (H) to the zoning of lands within Rural Employment Area.

#### **3.1.5 Special Policy Areas**

a) Carnegie Property **Roll No 1531 010 001 02600**

Notwithstanding any other provision of Rural designation and associated policies of this Plan, those lands located in Part Lot 5, Concession 9 (Belmont) and appropriately zoned for mixed land uses as of the date of the adoption of this Plan are hereby recognized for development in accordance with the relevant policies of this Plan.

**“b) Kawartha Ethanol Inc. (Roll No. 1531-010-002-20350)**

**The policy provisions as set out in this section have specific application to certain lands located in Lots 6 and 7, Concession 6 of the Belmont Ward. It is the intent of this Plan that these lands be utilized primarily for industrial purposes, while retaining provisions which would alternatively allow the property to be utilized for the purposes related to aggregate extraction.**

**Within this context, if industrial type uses are being conducted within the "Kawartha Ethanol Inc." area as identified on Schedule 'A1', then the policies of Section 3.1.3.2 (Commercial and Industrial) shall prevail, except where otherwise specifically prohibited in this section. Conversely, if aggregate extraction type uses are being conducted within the "Kawartha Ethanol Inc." area as**

identified on Schedule 'A1', then the policies of 3.5 (Mineral Mining and Aggregate Resource Extraction) shall prevail except where otherwise specifically prohibited in this section."

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## **3.2 HAMLET AREAS**

### **3.2.1 Purpose**

The Hamlet designation recognizes the mixed land use character of the hamlet communities existing within the Township of Havelock-Belmont-Methuen.

Growth centres and hamlets, as identified on Schedules 'A1', 'A2' and 'A3', include the Havelock Urban Area, Cordova Mines and Blairton; and are intended to compliment the Rural designation of this Plan. A full range of land uses are permitted within hamlets; thereby alleviating pressure for new lot creation and development beyond identified settlement areas.

Commercial, small-scale industrial, residential, and community facility uses may generally be permitted provided that Council is satisfied that the nature and scale of the proposed use is appropriate, and will not result in land use incompatibility.

It is intended by this Plan that the majority of future residential shall be directed to the Havelock Urban Area, being a designated growth centre; and that residential growth in hamlets be limited to lands within the existing hamlet designation.

The establishment of new settlement areas or hamlet areas will not be permitted. A municipal comprehensive review is required in order to expand existing settlement area boundaries. However, where proposals to change the settlement area boundaries do not result in a net increase of settlement areas within a Township, planning justification as opposed to a municipal comprehensive review shall be required for the adjustment to ensure policies contained in this Plan are maintained. Policies, as contained in Section ~~3.2.8~~ **3.2.9** (Growth Centre Policies), apply specifically to the Havelock Urban Area.

The following policies apply to the Hamlets of Cordova Mines and Blairton.

### **3.2.2 Permitted Uses - Cordova Mines and Blairton**

Predominant uses permitted within the Hamlet designation shall be for single detached residential dwelling units; together with a limited amount of duplex or semidetached

residential development. Non-residential uses also forming a community node function may include service and retail commercial uses, small scale industrial, institutional and community facilities.

An existing mobile home park in the Hamlet of Blairton shall also be a permitted use.

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### **3.2.3 Specific Residential Development Policies - Cordova Mines and Blairton**

Residential uses shall be permitted on lands with the Hamlet designation, subject to the following:

#### **3.2.3.1 Uses Permitted**

The uses permitted shall be limited to detached single dwellings: semi-detached or duplex dwellings, multiple dwellings, single dwellings converted to multiple dwelling and home occupations. Other uses considered necessary to serve residential areas may be permitted including open space and community facilities such as parks and playgrounds, places of worship, cemeteries, libraries and local commercial uses.

#### **3.2.3.2 Development Criteria for Single Semi-detached**

## Duplex and Semi-detached Dwellings

The relevant development policies set forth in this Plan shall apply to low density residential development within the hamlet in addition to the following specific policies:

### 3.2.3.2.1 Development Process and Dwelling Mix

Development shall primarily occur by registered plan of subdivision. However where residential uses are compactly grouped or where Council is satisfied that development will proceed in accordance with all applicable municipal and provincial development regulations and standards, development may be permitted in accordance with the policies of Section 2.2.2 of this Plan.

Development may proceed in phases or on an infilling basis.

### 3.2.3.2.2 Access

Development shall be serviced by a municipally assumed internal road network constructed to municipal standards.

### 3.2.3.2.3 Servicing

The servicing of new low density residential development shall only be permitted in accordance with the policies of Section 2.1.23 of this Plan. Such private water and sanitary sewage disposal systems shall be located and constructed as required by the Ministry of the Environment and/or its agents.

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### 3.2.3.2.4 Lot Area

#### a) Private Servicing

The minimum lot size requirements for a single detached dwelling, semi-detached dwelling or duplex dwelling unit shall be in accordance with the requirements of the implementing Zoning By-law or as determined from the results of an investigation of servicing options and a site servicing analysis, if required, whichever is greater, and in accordance with the policies contained in Section 2.1.23 of this Plan.

### 3.2.3.2.5 Floor Area

The minimum gross floor area of living space within a detached single detached dwelling shall be established in the Township's Zoning By-law.

### 3.2.3.2.6 Parking

Adequate off-street parking shall be provided for all permitted uses.

Development shall be designed to preserve, as much as possible, a site's physical attributes such as tree coverage, varying topography, scenic views etc. for the benefit of future residents.

### 3.2.3.3 Development Criteria for Residential Conversions

The relevant development policies set forth in this Plan shall apply to residential conversions within the hamlet in addition to the following specific policy:

#### 3.2.3.3.1 Uses Permitted

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

#### 3.2.3.3.2 Eligible Buildings

Criteria establishing the buildings eligible for conversion shall be included in the implementing zoning by-law.

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#### 3.2.3.3.3 Servicing

The proposed water supply and sanitary sewage disposal systems shall be approved by the Ministry of the Environment or its agents in accordance with the policies contained in Section 2.1.23 of this Plan.

#### 3.2.3.3.4 Unit Facilities

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

#### 3.2.3.3.5 Floor Area

The minimum gross floor area of living space for each dwelling unit shall be established in the Township's Zoning By-law.

#### 3.2.3.3.6 Construction Criteria

The converted dwelling shall comply with all pertinent provincial and municipal regulations and by-laws relevant to such matters as fire, health, safety and occupancy.

#### 3.2.3.3.7 Buffering

Adequate buffering and screening shall be provided between the converted dwelling's parking areas and adjacent uses, particularly adjacent single residential uses. Such buffering may include the provision of grass strips, screening and the planting of trees or shrubs and the location of a berm or fence.

#### 3.2.3.3.8 Parking

Adequate off-street parking as specified in the implementing zoning by-law shall be provided.

### 3.2.3.4 Development Policies for Mobile Home Residential Uses

#### 3.2.3.4.1 Uses Permitted

It is the intent of this Plan that mobile homes only be situated within the Hamlet of Blairton in a mobile home park development existing as of the date of adoption of this Plan. Mobile home park development shall be subject to the development policies set forth in Section 5.0 of this Plan in addition to the specific policies of this section.

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The uses permitted shall include single and double wide detached mobile homes, home occupations, and accessory uses such as administrative office, recreational and open space facilities and general and individual storage facilities or areas. Supporting commercial uses exclusively servicing the residents of the mobile home park such as a convenient store or laundromat may also be permitted as an accessory use.

#### 3.2.3.4.2 Ownership and Management

a) A Mobile home park shall be owned and managed as a single development unit. The responsibility for the maintenance and management of the park including such matters as the responsibility for internal roads, recreational buildings or park areas, snow removal, and garbage collection shall rest solely with the park management.

b) Where a mobile home park consists of permanent residences, ownership and maintenance of the water and sewage systems shall be in accordance with Ministry of the Environment Guidelines.

c) The park management which includes the developer and/or owner shall be solely responsible for the installation and on-going maintenance of water and sewage systems subject to the approval of Council and the Ministry of the Environment and Energy. Council will require that the developer enter into an operating agreement which will provide for continuity of service.

3.2.3.4.3 A mobile home park shall be serviced by a private internal road network constructed to municipal standards and no mobile home shall front on a provincial, county or municipal road.

3.2.3.4.4 The minimum site area for a mobile home park shall not be less than 4.0 hectares (10 acres), with a minimum of 100 metres (328 feet) of frontage on a public road.

3.2.3.4.5 A minimum of five percent of the gross area of a mobile home park shall be improved for recreational or open space uses.

3.2.3.4.6 Tenant and visitor parking facilities shall be provided at a ratio of not less than 1.25 parking space per mobile home.

3.2.3.4.7 The maximum density of a mobile home park shall not exceed 15 mobile homes per gross hectare.

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3.2.3.4.8 Individual mobile home sites shall encompass an area of not less than 1400 square metres (15,069 square feet) where the sites are serviced by private water and sanitary sewage disposal facilities and not less than 450 square metres (4,844 square feet) where the sites are serviced by communal water and sanitary sewage disposal facilities, subject to the approval of the Ministry of the Environment or its agents and Council.

3.2.3.4.9 Adequate buffering which shall include landscaping and/or other forms of screening acceptable to Council shall be provided between mobile home parks and adjacent uses. The area maintained for buffering purposes shall not be considered part of the five percent area required for recreational or open space uses as set out in Section 3.2.3.5.4.

#### 3.2.3.4.10 New or Additional Mobile Home Parks

Either the expansion or establishment of a new mobile home park development shall require amendments to each of the Township's Official Plan and Comprehensive Zoning By-law.

#### 3.2.3.4.11 Site Plan Control

Mobile home park residential uses may be designated as a Site Plan Control Area.

#### 3.2.3.4.12 Zoning

Mobile Home Park Residential uses shall be zoned in a separate category in the implementing zoning by-law.

### **3.2.4 Local Commercial Uses - Cordova Mines and Blairton**

The relevant development policies set forth in this Plan shall apply to local commercial development within the hamlet in addition to the following specific policy:

#### 3.2.4.1 Uses Permitted

The uses permitted shall include those commercial establishments offering goods and services, which serve the residents of the hamlet or the market area as a whole such as retail commercial establishments, personal service shops, banks and financial institutions, recreational uses, motels and hotels, places of worship, places of entertainment, taverns, business and professional offices, eating establishments, funeral homes, motor vehicle service stations, motor vehicle dealerships, service shops, convenience stores, building supply outlets, tourist homes, and medical clinics. In addition, residential uses shall be permitted to locate in either the upper stories **of or** in the rear half of the ground storey of buildings in 49

which commercial uses are permitted. With the exception of restaurants and other eating establishments, uses will be restricted to those of a dry nature producing only the domestic wastes of employees and customers. No uses involving washing processing, or cooling/heating of water etc. will be permitted.

#### 3.2.4.2 Lot Area

The lot area of local commercial uses shall be of an appropriate size and frontage to ensure minimal disruption to the adjacent residential areas and adequate provision for parking and access. In addition the lot shall be of sufficient size to support private water and sanitary sewage disposal systems.

#### 3.2.4.3 Location Criteria

Local commercial uses shall be located so as to minimize their impact on adjacent residential uses. Generally, local commercial uses should be either located on the fringes of residential development, or as a cluster to form a community core.

Wherever possible, commercial uses shall be grouped with existing commercial establishments to form a commercial core.

#### 3.2.4.4 Compatibility

Local commercial buildings, signs and parking areas shall be designed and arranged to ensure minimal disruption to adjacent residential areas. All on-site lighting shall be directed away from adjacent residential areas.

#### 3.2.4.5 Buffering

Adequate buffering shall be provided between local commercial uses and adjacent land uses and roadways. Such buffers may include the provision of grass strips, screening and planting of trees and shrubs and the

location of a berm or fence.

Small neighbourhood parks may be located in conjunction with local commercial uses to serve both as a buffer from adjacent land uses and as convenient relaxation areas for residents utilizing the commercial facilities.

#### 3.2.4.6 Parking, Loading and Access

Adequate off-street parking and loading areas shall be provided for permitted uses. Access points to parking and loading areas shall be limited in number and designed in a manner that provides for the adequate and safe movement of vehicular and pedestrian traffic.

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#### 3.2.4.7 New Commercial Development Criteria

The establishment of new commercial uses within the Hamlet designation shall require an amendment to the zoning by-law. Prior to the approval of such a zoning amendment appropriate studies shall be prepared which demonstrate to the satisfaction of Council that the matters contained within this section in addition to all other pertinent Official Plan criteria has been addressed.

In addition, where deemed necessary by Council, applications shall be accompanied by a site plan which shall include:

- a) The boundaries of the land to be developed;
- b) The locations and widths of proposed access points, parking areas and parking sites;
- c) A small key plan showing the extent of the applicant's holding and adjacent land uses;
- d) All natural and artificial features, including buildings, water courses etc;
- e) The locations and dimensions of all proposed buildings or structures;
- f) Existing and proposed contours and elevations;
- g) Any easement affecting the lands;
- h) The proposed landscaping approach, where applicable;
- i) The proposed method of surface water drainage; and
- j) Any other information deemed necessary by Council.

#### 3.2.4.8 Zoning and Site Plan Control

~~Residential uses, residential conversions and~~ local commercial uses shall be zoned in separate categories in the implementing zoning by-law and the site plan control policies of Section 5.15 of this Plan may apply.

~~New commercial uses shall only be permitted by an amendment to the Implementing Zoning By-law.~~

### **3.2.5 Industrial Policies - Cordova Mines and Blairton**

Industrial uses shall be permitted on lands designated Hamlet subject to the following policies:

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#### 3.2.5.1 Uses Permitted

The uses permitted shall be limited to those light industrial uses such as workshops; service shops; small scale manufacturing, processing and assembly operations; concealed storage and warehousing facilities; motor vehicle repair garages and research establishments. In addition uses accessory to the various permitted uses may be permitted including



commercial uses servicing an industrial area; business offices; a residence for a caretaker or a watchman and a retail commercial outlet for the purpose of the sale of goods or materials produced on the premises providing the accessory retail use is located within the industrial building or structure. No uses involving washing processing, or cooling/heating of water etc. will be permitted.

#### 3.2.5.2 Location Criteria

Industrial uses shall be encouraged to locate on a municipally assumed internal road network which has direct access to an arterial or collector road and is situated within an approved industrial plan of subdivision. In the case of individual development proposals industrial uses generally shall be located on arterial or collector roads, although Council may give consideration to the use of other public roads where they are satisfied that no suitable alternate locations are available. In all cases it shall be demonstrated that the proposed use will not create a traffic hazard and that the impact of the proposed use on adjacent land uses, particularly residential uses, will be minimal.

#### 3.2.5.3 Development Criteria

The relevant development policies set forth in this Plan shall apply to industrial development within the hamlet in addition to the following specific ~~policy~~: **policies**

##### 3.2.5.3.1 Lot Area

Industrial uses shall occur on lots of an appropriate size in accordance with the requirements of the implementing Zoning By-law or as determined from the results of a site servicing analysis, if required, whichever is greater, in accordance with the policies of Section ~~2.1.23~~ **2.2,22** of this Plan. Industrial development which is proposed on private water and sanitary sewage disposal services shall have such services located and constructed as required by the Ministry of the Environment and/or its agents.

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##### 3.2.5.3.2 Environmental Impact

No industrial use shall be permitted which creates an adverse impact on adjacent land uses as the result of the emission of contaminants into or onto the air, water or land. Adjacent uses shall be adequately protected from industrial emissions in accordance with and subject to the regulations of the Ministry of the Environment and Council.

Where deemed necessary a report(s) shall be prepared by a professional engineer(s), biologist or other qualified professional(s) indicating the anticipated impact of the proposed operation on the environment, including air and water pollution, noise, changes in the water table, changes in surface drainage both on and off site and the effectiveness of the proposed ameliorative measures.

##### 3.2.5.3.3 Parking and Loading

Adequate off-street parking and loading facilities shall be

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

#### 3.2.5.3.4 Buffering and Setbacks

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

#### 3.2.5.4 Existing Uses

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

#### 3.2.5.5 Amendment Criteria

The establishment of new industrial uses within the Hamlet designation shall require an amendment to the zoning by-law. Prior to the approval of a zoning amendment to permit an industrial use appropriate studies shall be prepared which demonstrate to the satisfaction of Council that the matters contained within this Section 3.2.5 in addition to all other pertinent Official Plan criteria has been addressed.

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In addition where deemed necessary by Council, applications shall be accompanied by a plan of subdivision or a site plan which shall include:

- a) The boundaries of the land to be developed;
- b) The locations and widths of proposed access points, parking areas and parking sites;
- c) A small key plan showing the extent of the applicant's holding and adjacent land uses;
- d) All natural and artificial features, including buildings or structures, fences, water courses etc.;
- e) The locations and dimensions of all proposed buildings or structures;
- f) Existing and proposed contours and elevations;
- g) Any easement affecting the lands;
- h) The proposed landscaping approach, where applicable;
- i) The proposed method of surface water drainage; and
- j) Any other information deemed necessary by Council.

#### 3.2.5.6 Zoning

Industrial uses shall be zoned in a separate category in the implementing zoning by-law. In addition commercial uses which are accessory to a permitted industrial use or which service an industrial area may be zoned in separate categories. The policies of Section 5.15 of this Plan shall apply.

### **3.2.6 Community Facility Policies - Cordova Mines and Blairton**

Community Facility uses shall be permitted on lands designated Hamlet subject to the following policies:

#### 3.2.6.1 Uses Permitted

The uses permitted shall be limited to public, separate and private schools, places of worship, municipal government facilities, community

centres, libraries, public or private clubs or association halls, cemeteries, nursing homes, hospitals, public parks and similar community oriented uses.

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#### 3.2.6.2 Lot Area

Community facility uses shall occur on lots of an appropriate size for a specific community facility use and the lot shall be of sufficient size to support private water and sanitary sewage disposal services.

#### 3.2.6.3 Buffering

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

#### 3.2.6.4 Parking and Access

Adequate off-street parking shall be provided as required by the implementing zoning by-law. Access points to parking areas shall be limited in number and designed in such a manner so as to minimize the danger to vehicular and pedestrian traffic.

#### 3.2.6.5 Zoning

Community Facility uses shall be zoned in a separate category in the implementing zoning by-law.

### **3.2.7 Open Space Policies - Cordova Mines and Blairton**

Open Space uses shall be permitted on lands designated Hamlet subject to the following policies:

#### 3.2.7.1 Uses Permitted

The uses permitted shall be limited to forestry uses, conservation uses, agricultural uses but not intensive agricultural uses, wood lots and recreational uses including public and private parks, passive and active recreational activities, picnic areas, recreational trails, golf courses and other similar open space activities. In addition open space accessory uses may be permitted including commercial establishments to serve the user needs of the open space area and a residence for a watchman or caretaker.

#### 3.2.7.2 Lot Area

Open space uses shall occur on lots of an appropriate size for a specific open space use and where applicable the lots shall be of sufficient size to support private water and sanitary sewage systems.

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#### 3.2.7.3 Buffering

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

#### 3.2.7.4 Parking and Access

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

movement of vehicular and pedestrian traffic.

#### 3.2.7.5 Zoning

Open Space uses shall be zoned in a separate category in the implementing zoning by-law.

### **3.2.8 Development Criteria - Cordova Mines and Blairton**

The development policies set forth in this Plan shall apply to the hamlet area in addition to the following specific policies:

#### 3.2.8.1 Access

In considering development applications Council shall ensure that provision is made to permit access from the main road to lands located behind the existing and/or proposed built-up areas.

#### 3.2.8.2 Servicing

Development shall occur on the basis of private water supply and sanitary sewage disposal systems. Such systems shall be located and constructed as required by the Ministry of the Environment and/or its agents.

Where deemed necessary by the Ministry of the Environment and/or Council development applications shall be accompanied by soils and hydrology studies which demonstrate to the satisfaction of the Ministry of the Environment and Council that soil conditions are suitable for the installation of septic systems and that an adequate supply of potable water is available for the proposed use.

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### **3.2.9 Growth Centre Policies - Havelock Urban Area**

#### 3.2.9.1 General

The Hamlet of Havelock has been designated as the primary growth centre within the Municipality; and is intended to accommodate the majority of growth during the planning period.

It is the intent of the plan that, as a designated growth centre, Havelock shall provide for a mix of land uses, including low, medium and high **density** residential uses, commercial, industrial, community facility, and open space uses.

Any proposed expansion of the boundaries of the existing growth centre in order to accommodate new growth or development, will only be permitted following a comprehensive municipal review initiated by the Municipality, and which justifies the proposed boundary expansion.

#### 3.2.9.2 Residential

Areas designated as Residential are intended primarily for single detached residential and two unit residential land uses and multiple residential uses where compatible with the existing pattern and mix of land uses.

The following corresponding policies are intended to guide the development and control of such lands.

##### 3.2.9.2.1 Uses Permitted

The uses permitted within the Residential Designation predominately include single detached, semi-detached or duplex dwellings. Medium and high density residential uses, such as multiple dwelling units (triplexes, fourplexes, rowhouses and walk up apartments) will be permitted on a sitespecific basis.

Other permitted uses include home occupations, recreational uses such as schools, places of worship, senior citizen homes, nursing homes, group homes, local commercial uses, bed and breakfast establishments, private home day care facilities and public uses.

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### 3.2.9.2.2 Development Considerations

#### a) Existing Infill Development

In areas where no municipal sanitary sewer service is available, infilling lots may be permitted on municipal water supply and individual septic systems (i.e partial municipal services). In such cases, infilling shall only be permitted if the proposed lot is located between existing residential lots on partial municipal services.

In addition, residential development, as infilling between existing residential lots or as a minor extension to an existing residential area, may also be permitted on individual septic systems and water supply where no municipal services are presently available or is anticipated to be made available in the foreseeable future subject to the policies of section 4.1.2 of this Plan.

However, prior to the issuance of a building permit by the Municipal Building Inspector, the Owner of the subject parcel of land shall be required to enter into an agreement with the Township. This agreement shall require the said Owner, his/her heirs, executors, administrators, successors and assigns to "hook-up" to the municipal sanitary sewer system and/or municipal water supply when either become available or at a time determined by Council.

Prior to development on an individual septic system taking place, the property owner shall obtain a certificate of approval from the Peterborough County-City Health Unit approval approving the proposed sewage disposal system.

#### b) Future Development

It is intended that large scale residential development within this area shall occur by registered plan of subdivision, and serviced by municipal water and sanitary sewer.

#### **"b) Plans of Subdivision/Condominium**

**It is intended that the predominant form of development within this area shall occur on full municipal services by registered plan of subdivision and/or plan of condominium."**

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#### c) Lot Size

The minimum lot size requirements for the permitted uses shall be in accordance with the requirements of the implementing Zoning By-law or as determined from the

results of an investigation of servicing options and a site servicing analysis, if required, whichever is greater, and in accordance with the policies contained in Section ~~2.1.23~~ **2.1.22** of this Plan.

d) Multiple Dwelling Units

The following policies shall apply to ~~multiple dwellings~~ **dwelling units** within this designation:

- i) ~~Multiple dwellings~~ **dwelling units** shall be located adjacent to an arterial or a collector road, or on a local road that connects directly to an arterial or collector road.
- ii) Medium and high density residential uses shall be dispersed throughout the designation to avoid a concentration of any one type of multiple dwelling unit, in any given area.
- iii) Care shall also be taken to ensure a gradual transition between adjacent residential areas.
- iv) In cases where multiple dwelling units are adjacent to single-detached dwelling, buffer strip planting may be required to provide spatial separation and privacy.

3.2.9.2.3 Densities

For the Havelock Urban Area, the average greenfield residential density shall be 35 person/hectare. The following residential densities shall generally apply to the following different types of residential development:

- a) Approximately 12 dwellings per gross hectare for single detached dwellings.
- b) Approximately 21 dwelling units per gross hectare for semidetached dwellings. The design shall include parkland, a comprehensive walkway system and school sites as required.

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- c) Approximately 30 dwelling units per gross hectare for plexes and row housing. Row housing complexes should be limited to about 6-8 dwelling units in any single grouping.
- d) Approximately 45 dwelling units per gross hectare for walkup apartments. The building height should not exceed approximately three (3) floors.

3.2.9.2.4 Zoning

Uses permitted in the Residential designation shall be zoned in separate classifications in the Municipality's Comprehensive Zoning By-law.

**3.2.10 Commercial - Havelock Urban Area**

Areas designated as Commercial are intended primarily for General and Highway Commercial uses. The policies to be considered in the development and control of such lands shall be as follows:

3.2.10.1 Uses Permitted

The uses permitted include those uses which are normally associated with

the downtown area which provide for the sale of goods and services to meet the needs of the Community, as well as the surrounding market area and those uses which primarily serve the travelling public and which rely heavily upon such traffic for their economic existence.

The predominant land uses permitted within the Commercial designation may include retail commercial establishments, personal service shops, hotels, motels, places of entertainment, business and professional offices, eating establishments, service stations, medical clinics, vehicle sales and service establishments, day care facilities, nursery schools, churches, financial institutions, funeral homes, car washes and service shops, existing uses. Other uses include automobile, trailer, boat or farm machinery sales or dealership and similar uses.

A residence in part of a permitted use, or an apartment above a commercial use, except when the use is a service station or vehicle sales and service establishment, shall also be permitted.

#### 3.2.10.2 Development Considerations

a) Commercial uses shall be primarily restricted to the existing **businesses business** areas, providing a fairly compact form of development in order to more efficiently serve pedestrian traffic.

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b) Any new proposed commercial development should be an extension of the existing business area or as 'infilling' to the existing 'business area'. The general intent of this Plan is to avoid the unnecessary extension of commercial uses into established proposed residential areas, wherever possible.

c) The following shall be given consideration during the development and/or expansion of commercial areas:

- C the compatibility of the proposed use with adjacent land uses;
- C the overall accessibility of the site for vehicular and pedestrian traffic, including the safety and effective movement of such traffic;
- C the availability of adequate off-street parking and loading facilities, as required by the Township's Comprehensive Zoning By-law; and
- C the provision of adequate buffer planting between commercial uses and any adjacent residential uses.

~~d) The provision of adequate buffer planting between commercial uses and any adjacent residential uses.~~

#### 3.2.10.3 Zoning and Site Plan Control

Commercial uses may be zoned in a separate classification in the implementing zoning by-law and the policies of Section 5.15 of This Plan shall apply.

#### **3.2.11 Industrial - Havelock Urban Area**

The intent of the Industrial designation is to recognize existing industrial service-type uses and to promote the expansion of existing industry and encourage the development of new industry and ancillary service type uses.

##### 3.2.11.1 Permitted Uses

The uses permitted within this designation are those types of industrial uses which do not use large quantities of water and do not generate large quantities of liquid waste ~~include~~ **including** workshops, service shops, processing,

manufacturing, assembly uses with concealed storage, construction yards, lumber yards, warehousing, truck or transportation terminals, repair garages, the open storage of goods or materials and an office and/or a retail outlet in a part of the industrial use and similar uses.

### 3.2.11.2 Development Considerations

Applications involving ~~proposal~~ **proposals** for new industrial development shall be given the following consideration:

a) The physical suitability (ie. size, location) and soil capability of the site for the proposed industrial uses.

b) The accessibility of the site from existing and proposed arterial and

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collector roads. Proposed industrial uses which will generate traffic on local roads and through residential areas will be discouraged.

c) The compatibility of the proposed industrial uses with surrounding land uses.

d) New industrial development or the redevelopment of existing industrial uses in close proximity to residential areas, shall generally be restricted to light industrial and ancillary uses, in order to minimize the impact on the residential area.

Industrial uses which are considered to be 'noxious' in nature shall not be permitted within close proximity to any approved or established residential uses.

e) The provision of adequate off-street parking and loading to serve the proposed industrial use, as per the requirements of the Township's Comprehensive Zoning By-law, parking and loading facilities are to be provided so that there is no danger to pedestrian or vehicular traffic.

f) Industrial development shall be fully serviced by municipal water supply and sewage disposal systems. Where full municipal services have not been extended into an industrial area, Council may consider allowing an industrial development based on private services; conditional upon that industry agreeing to connect to municipal services when they become available.

If a proposed industrial development is to proceed on the basis of private services, a hydrogeological report will be required to be submitted to the Township, indicating the adequacy of ground water supplies and the ability of the soils to sustain development on the basis of private services.

Any such private water and/or sewage system will be approved by the Peterborough County-City Health Unit and /or the Ministry of the Environment.

~~h) Site design including setbacks from property line, appropriate offstreet parking and loading areas, landscaped open space and buffer planting/screening and outdoor storage of good and materials.~~

**“h) Site design which includes setbacks from property lines, appropriate off-street parking and loading areas, landscaped open space and buffer planting/screening and outdoor storage of goods and materials.”**



i) Adequate buffer planting and/or screening shall be provided between any industrial area and any adjacent residential, institutional or open space areas to eliminate or reduce the adverse effects of an industrial use on the aforesaid sensitive land uses.

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Buffer planting may include the provision of grass strips, planting of trees and shrubs and low berms and screen fencing, or any combination of the feature which would achieve the intended purpose.

#### 3.2.11.3 Zoning

Industrial uses may be zoned in a separate classification in the implementing zoning by-law and the policies of Section 5.15 of this Plan shall apply.

#### **3.2.12 Community Facility - Havelock Urban Area**

It is the intent of this Plan to ensure the adequate lands are available for community uses including institutional, educational and cultural facilities.

Areas designated as ~~institutional~~ **Community Facility** are intended primarily for Institutional Land Uses.

The policies to be considered in the development and control of such lands are as follows:

##### 3.2.12.1 Uses Permitted

Permitted uses shall include a municipal office, police stations or ~~file~~ **fire** halls, senior citizen home, community centre, arenas, schools, boarding or training schools, daycare facilities, public libraries, places of worship, places of assembly, and club halls.

##### 3.2.12.2 Adjacent Uses

Adequate precautions shall be taken so that the permitted uses will have no adverse effect on adjacent land uses. In this regard, adequate buffer planting or screening shall be provided between any ~~institutional~~ **community facility** use and any adjacent residential areas and such buffer planting may include provision for grass strips, berms, screening, and appropriate planting of trees and shrubs.

##### ~~3.2.12.3 Sewage Treatment Plant~~

~~The sewage treatment plant site for the Havelock Ward is designated as institutional. A 150 metre (492 foot) buffer zone is required by the Ministry of the Environment between the treatment plant structures and any proposed residential development.~~

~~The residential lots may extend to the plant site and other structures such as a garage and/or storage shed may be permitted within the buffer zone.~~

##### 3.2.12.4 Zoning

Community Facility uses may be zoned in a separate classification in the implementing zoning by-law.

#### **3.2.13 Open Space - Havelock Urban Area**

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Areas designated as Open Space are intended primarily for resource management and recreational land uses. The policies to be considered in the development and

control of such lands shall be as follows:

#### 3.2.13.1 Uses Permitted

The predominant use of land within the Open Space designation shall be for active and passive recreational uses.

~~The uses permitted include, recreational uses, such as public parks, pedestrian walkways, bicycled pathways, and picnic grounds. In addition associated commercial uses clearly oriented to the needs of persons using the facilities described above, an accessory residence for the owner or caretaker, existing uses, and non-habitable accessory residential uses within the buffer area adjacent to the sewage treatment plant shall also be permitted.~~

**“The uses permitted include, recreational uses such as public parks, pedestrian walkways, bicycle pathways, and picnic grounds. In addition, associated ancillary uses clearly oriented to the needs of persons using the facilities described above shall also be permitted.”**

#### 3.2.13.2 Open Space Policies

i) Where open space/recreational uses are to be provided for the public (ie parks, picnic areas) adequate parking areas shall be established and access points to those recreational areas all to be situated in such a way that the safe movement of vehicular and pedestrian traffic is provided for.

ii) The compatibility of recreational and open space uses with adjacent land uses shall be considered, and where necessary any facilities/activities shall be located/designed to provide adequate separation, buffer planting, landscaping and fencing to minimize any adverse effect with those land uses.

#### 3.2.13.3 Status of Open Space Lands

Where any lands designated for Open Space are under private ownership, this Plan does not indicate that this land will ~~necessary~~ **necessarily** remain as Open Space indefinitely, nor shall it be construed as implying that open space areas are free and open to the general public or will be purchased by the municipality. If proposals to develop any such lands that are in private ownership are made and the municipality does not wish to purchase such lands in order to maintain the open space, then an application for the redesignation of such land for other purposes will be given due consideration by the municipality.

#### 3.2.13.4 Local Parks Policies

a) Local parks will be provided on the basis of 1.0 hectare per 1,000 people.

b) The acquisition of lands for parks will include the 5% lands dedicated under Section 51.1(1) of the Planning Act and by direct purchase, which may include the 5% funds collected as a condition of consents

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granted under Section 2.2.2 of this Plan.

#### 3.2.13.5 Zoning

Open space uses may be zoned in a separate classification in the

implementing zoning by-law.

### **3.2.14 Future Development - Havelock Urban Area**

#### 3.2.14.1 Purpose

The “Future Development” designation applies to those predominantly undeveloped lands comprising the easterly section of the Havelock Urban Area. **As identified on Schedule A3**

The Township recognizes that the area presents the preferred option for accommodating the future expansion of the Havelock Urban Area.

It is therefore the intent of this Plan that lands designated Future Development be protected for the future planned and orderly growth of the Havelock Urban Area by limiting incompatible and unorganized or scattered development.

#### 3.2.14.1.1 Permitted Uses

Uses in the Future Development designation shall be limited to existing uses as well as uses permitted in accordance with the existing zoning on the subject lands; as of the date of adoption of this Plan.

#### 3.2.14.1.2 Development Policies

Development shall proceed in accordance with the policies set out in Sections 3.2.3, 3.2.4, 3.2.5, 3.2.6 and 3.2.7 of this Plan.

#### 3.2.14.2 Secondary Plans

Council recognizes that a more detailed policy direction is necessary to guide major development of the area; and will therefore consider the preparation of a secondary plan within three (3) years of the approval of this Plan which will:

a) Be guided by the intent and purpose of this Plan;

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b) Establish future land use patterns and density, and transportation systems;

c) Assess the adequacy of **an** impacts on services and utilities;

d) Determine the preferred nature and extent of development phasing;

e) Ensure a urban design standard appropriate for the efficient development of the lands, while promoting the safety of the community.

The preparation of a secondary plan shall take into consideration the following:

a) The physical suitability of the lands for development;

b) Compatibility with existing surrounding and future land uses;

c) Any potential impacts of the development on the financial well being of the Municipality;

d) The adequacy of the road system which will provide access to the development;

e) Incorporate any natural heritage features and open space into the overall long term use and design of the lands.

A Secondary Plan shall be adopted as an amendment to this Plan in accordance with the provisions of Sections 21 and 17 of The Planning Act, R.S.O. 1990, as amended.

#### 3.2.14.3 Havelock Country Jamboree

~~Lands designated 'Future Development' comprise lands which are owned and otherwise feature the Havelock Country Jamboree.~~

A portion of the lands designated 'Future Development' comprise lands which are occupied and otherwise feature the Havelock Country Jamboree

Notwithstanding, the Township acknowledges and recognizes the ongoing and continued importance of the Havelock Country Jamboree as a core component of the local and regional economy and tourism industry.

#### 3.2.14.4 Zoning and Site Plan Control

Future Development lands may be zoned in separate categories in the implementing zoning by-law and the policies of Section 5.15 of this Plan may apply.

The Township may apply a holding provision (H) to the zoning of land within the Future Development designation.

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### **3.3 SHORELINE**

#### **3.3.1 Purpose**

Those lands designated Shoreline are generally defined as extending inland 150 metres (492 feet) from any standing waterbody and held in private ownership.

#### **3.3.2 Shoreline Character**

##### 3.3.2.1 Access and Occupancy

Road access, where available has largely been by private road as is common throughout Peterborough County and much of eastern and central Ontario.

In recent years, the use of waterfront residential properties has become more intensive and on a multi-season basis. This trend has seen the enlargement and improvement of existing dwellings, private water and sewage systems and access to properties.

With undeveloped waterfront property being highly limited, there is increasing pressure on existing properties both developed and vacant. Due to this pressure, there is an ever increasing need to ensure that appropriate Official Plan policies are in place to ensure the protection of the Township's shoreline areas and their unique physical and environmental attributes.

##### 3.3.2.2 Visual, Scenic and Aesthetic Qualities

It is well known that the shoreline areas provide important habitat for plants and animals along with providing impressive views and natural landscapes. For this reason, the appropriate integration of buildings and structures must take care to ensure only minimal disturbance to the landscape.

The preservation and protection of the appearance of the shoreline in a natural vegetated state shall be encouraged. While an educational approach is the current standard, the Township has the tools in place to use Site Plan Control should the need be deemed necessary in the future. Development shall be located and designed so as to protect the character and prominence of public views and features.

The retention of trees and native vegetation shall be encouraged to uphold

the visual and environmental integrity of the shoreline.

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### 3.3.2.3 Cultural and Archaeological Heritage

The shoreline area is recognized for its contributions to cultural heritage, leisure and recreation opportunities, as well as economic and employment benefits in the service sector, resulting from tourism and recreational property development.

Development applications may also require the submission of an archaeological assessment undertaken by a licenced archaeologist.

Determination for a site's archaeological potential will be made utilizing the Ministry of Tourism, Culture and Sport's "Criteria for Evaluating Archaeological Potential" document.

### 3.3.3 Permitted Uses

Generally the Shoreline Designation will continue to be a place where people live, work and play. While the quality of the shoreline amenity remains of the utmost importance, residential and tourist commercial uses are expected to grow over the life of this Plan.

Residential uses of both a permanent and **secondary recreational** (cottage) nature are the most prevalent use that can be found in the Shoreline designation. These uses will continue to grow and change with the population. Sleeping cabins may be permitted subject to the provisions of the implementing zoning by-law.

The zoning by-law will distinguish between lots found on Township maintained roads and lots found on private roads.

Commercial uses including resorts, golf courses, marinas, tent and trailer parks, institutional uses with lodging, children's camps, churches, any existing industrial uses, and related staff accommodation may also be located in the Shoreline Designation. New commercial uses will require an amendment to the Zoning By-law to ensure the appropriateness of the proposed development.

New industrial uses are not contemplated within the Shoreline designation.

Open space uses including parks and recreational uses are encouraged to improve overall public access to the water while continuing to respect the natural environment and significant views.

### 3.3.4 Development Policies

#### 3.3.4.1 **Lot Standards Development Consideration**

a) Water frontage and setbacks are aimed at ensuring that all new development in the Shoreline Designation has minimal visual, environmental and navigational impacts. An adequate water setback serves an important function in relation to the protection of the natural and cultural heritage characteristics and water quality of the lakes and

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rivers of the Township. The intent of the water setback is to prevent the disturbance of the shoreline area and to provide a natural buffer between the shoreline area and development. The Township exudes a level of trust to its residents in regard to this policy, however should it become evident that these natural buffers are not being respected, the Township has the tools in place and may apply Site Plan Control to the Shoreline Designation for all uses.

b) **The minimum shoreline setback for any new waterfront lot shall be 30**

metres (98 feet) from the high water mark. There may be instances where this setback will be increased based on consultation with the Conservation Authority or the Ministry of Natural Resources. These instances may include locations with steep slopes, limited soil or limited vegetative cover. Development or site alteration may be permitted less than 30 metres (98 feet) from a water body in situations where vacant lots of record that were in existence prior to October 22, 2008 and preclude the reasonable possibility of achieving the setback. In these situations the greatest possible setback shall be achieved. An Environmental Impact Statement may be required in these situations to determine the appropriateness of the reduced setback.

**“b) i) The minimum shoreline setback for any new waterfront lot shall be 30 metres (98 feet) from the high water mark. There may be instances where this setback will be increased based on consultation with the Conservation Authority or the Ministry of Natural Resources. These instances may include locations with steep slopes, limited soil or limited vegetative cover.**

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

**“b) i) The minimum shoreline setback for any new waterfront lot shall be 30 metres (98 feet) from the high water mark. There may be instances where this setback will be increased based on consultation with the Conservation Authority or the Ministry of Natural Resources. These instances may include locations with steep slopes, limited soil or limited vegetative cover.**

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

**iii) Vacant lots of record that were in existence prior to October 22, 2008 shall attempt to have structures and septic systems set back a minimum of 30 metres from the high water mark. Where it is not possible to achieve the 30 metre setback, then new buildings and**

**structures shall be set back as far as possible from the high water mark. An Environmental Impact Statement (EIS) may be required in these situations to determine the appropriateness of the reduced setback. In this regard, a Minor Variance or Zoning by-law Amendment for a reduced setback for existing vacant lots of record may be permitted**

e) As a general rule new waterfront lots will require a minimum frontage of 60 metres (197 feet) and be at least 0.8 hectares (2 acres) in size.

d) Setbacks and other performance standards such as lot coverage will be more precisely defined in the implementing zoning by-law to ensure that the scale of development does not overwhelm the natural elements of the shoreline.

**“c) New waterfront lots shall comply with the minimum lot area and minimum lot frontage requirements of the applicable zone.”**

e) It is anticipated that the future development of the shoreline area will take place primarily through the consent process. Proposals for a Plan of Subdivision or Plan of Condominium in the Shoreline Designation will require an amendment to the Official Plan to a "Shoreline Special Designation." The purpose of the amendment is to consider the uniqueness of each development in the local context and to ensure all studies have been appropriately considered at the local municipal level.

Policies governing consents can be found in Section 2.2.2 of the Official Plan.

#### 3.3.4.2 Marine Facilities

Marine facilities such as marinas, pump houses, docks and boathouses require a direct access to the water and are exempt from the 30 metre (98 feet) shoreline setback. However, all marine facilities should be of a type and scale that minimizes their environmental, navigational and visual impacts.

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#### a) On-Water Structures

Certain lands within the Shoreline Designation are provincially owned. This includes the lands within the lake and river systems. Such lands are called Crown Lands and pursuant to the Public Lands Act, as amended from time to time, are administered by the Ministry of Natural Resources. By virtue of their status the ultimate use of Crown Lands can only be determined by the Province of Ontario.

Consequently, the following provisions provide the Provincial land use policies for these lands:



## **a) On-Water Structures**

**In general, the beds of most lakes and rivers are owned by the Crown and as such are subject to the Public Lands Act, as amended, and administered by the Ministry of Natural Resources. By virtue of their status, the ultimate use of Crown Lands can only be determined by the Province of Ontario. Consequently, the following provisions provide direction to the Province:"**

~~i) The uses permitted shall be limited to forestry, outdoor recreation, fish and wildlife management, mineral exploration and development and other conservation uses; and associated buildings and structures as required.~~

ii) Due to its high regard for the natural systems that occur in the Township, the Township strongly discourages and otherwise does not support the Province in approving on-water boathouse structures.

iii) In approving docks, the Township requests the Province to consider the following:

- docks should be of a type and scale that minimizes both navigational and environmental impacts.
- docks should also be located at least 4.5 metres (15 feet) from a neighbouring property line as it extends from the high water mark.
- where communal docking facilities are proposed, such facilities should be located a suitable distance from the nearest residential use.
- it shall be the developer's responsibility to obtain all necessary approvals for the location and construction of such facilities.

## **b) On-Land Structures**

On-land structures generally include boathouses, pump houses and boardwalks that assist in providing access to the water and enjoyment of one's property. Marine facilities are exempt from the 30 metre (98 feet) setback from the high water mark and as such require careful planning to ensure that over development of the waterfront does not occur. The Township generally limits the shoreline disturbed area of waterfront property to 20% of the shoreline frontage or 12 metres (39 feet), whichever is less. If additional damage to the shoreline buffer occurs during construction, it is expected that the area will be returned to a natural state using native vegetation.

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Pump houses are intended to contain water intake and/or fire suppression facilities only and are not intended for general storage. Pump houses should be built to the minimum size while allowing for



appropriate containment and maintenance of the system.

i) On-land Boathouses

To reduce natural and visual impacts new boathouses will generally be limited to lots containing at least 60 metres (197 feet) of shoreline frontage.

New boathouses will be limited to a single slip, single-storey peak roof structures.

The use of natural materials and colours for boathouse construction is encouraged.

The Zoning By-law will establish side yard and height restrictions in order to minimize visual impacts created by near water structures on adjacent properties.

No new boathouse or other marine structure shall contain a dwelling unit or any facilities for human habitation.

Boathouses may require additional permits from approval authorities such as the Ministry of Natural Resources or the Conservation Authority.

ii) Pump Houses

Pump houses are intended to contain water intake facilities only and are not intended for general storage.

Pump houses should be built to the minimum possible size while allowing for appropriate containment and maintenance of the system

iii) Boardwalks

Boardwalks include all means of providing safe access to the water but they are not intended to increase one's outdoor living space. Boardwalks could include but are not limited to both hard and soft landscaped pathways, stairs and walkways. Boardwalks are regulated by the Zoning By-law.

Boardwalks must be designed in a way to reduce natural and visual impacts.

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3.3.4.3 Road Access and New Development in the Shoreline Designation  
Policies governing development on private roads, are provided in Section 2.1.5.4 of this Plan.

3.3.4.4 Servicing

a) Potable Water and Sewage Disposal

~~i) It is not anticipated that the Shoreline Designation will be serviced by municipal water and sewer systems. Therefore, private individual on-site sewage and water systems will be utilized where on-site conditions are suitable for the long term provision of such services and where they do not service more than one legally conveyable lot.~~

**“i) It is not anticipated that the Shoreline Designation will be serviced by municipal water and sewer systems. In this regard, the policies of Section 2.1.22 and Section 4.1.2 shall apply**

ii) Hydrogeological (servicing) reports satisfactory to the Township shall be submitted in support of any proposal on private servicing systems. The requirements of the servicing report will be determined on an application basis.

b) Lake Capacity Studies

i) The Township's strong desire to protect the recreational and ecological value of the Townships' lakes and/or rivers dictates that any proponent of any major development proposals (more than 4 lots including the retained lot) adjacent to a lake or river to prepare and submit a study to determine the carrying capacity of the lake or river.

ii) Such study shall:

- demonstrate the ability of a waterbody to receive nutrients without substantially altering the trophic status of the waterbody;
- analyze the impact of the proposed development on unique and natural features above and below the high water mark.

Unique and natural features include vegetative, fish and wildlife resources. The impact of activities related to the development, such as boating and mooring facilities, on water quality and the natural environment, must also be addressed; and

- illustrate the use of remedial measures to meet water quality, natural resource and recreational objectives, as determined by the study and provincial agencies.

iii) It is the policy of this Official Plan that future major development shall only be considered having regard to the conclusions of the lake capacity study for the appropriate waterbody or waterbodies in the vicinity of major development proposals.

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### 3.3.4.5 Commercial Uses

Commercial uses in the Shoreline Designation will generally be limited to recreation and resort type uses. The Zoning By-law establishes the requirements for these uses. Newly proposed uses will respect the need to protect visual, environmental and navigational impacts.

a) Marinas

i) Marinas shall be encouraged to expand in a manner to provide additional boat storage thereby alleviating the pressure for docking facilities. Marinas should be of a type and scale that minimizes their environmental, navigational and visual impacts;

ii) New marina development shall generally meet the following criteria;

iii) A lot area of 4 hectares (10 acres);

iv) A water frontage of 100 metres (328 feet);

v) A buffer to ensure compatibility with adjacent residential uses; and

vi) Increased setbacks for boat facilities located on land

b) New marinas shall ensure buffers are maintained when they abut

lands that are zoned for residential purposes.

**“c) Zoning and Site Plan Control  
Commercial uses may be zoned in a separate classification  
in the implementing zoning by-law and the policies of  
Section 5.15 – Site Plan Control of this Plan shall apply.”**

#### 3.3.4.6 Public Access to Lakes

- a) Public access to lakes is of utmost importance to the Township.
- b) Where residential development is proposed in the Shoreline Designation that abuts a body of water, the land conveyed pursuant to Section 41 of the Planning Act (park land) must consider providing the general public with access to the body of water.
- c) Unopened road allowances also provide public access to lakes within the Township. Council will only consider applications for the closure of road allowances provided:
  - i) The road allowance leading to water is incapable of contributing to public lake access or the closure is intended as part of a land swap that will result in better environmental protection or public access;

The road allowance is in a location which is unlikely to ever perform a useful function as part of the public road system;

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- ii) The closure will not result in denial of access for other property owners;
- iii) The application includes a written agreement from all abutting owners stating how the closed road allowance will be conveyed; and
- iv) The land is conveyed at its fair market value.

#### 3.3.4.7. Backlot Development

- a) Backlot development is the creation of a lot within the Shoreline Designation, such that there are separately conveyable parcels between the lots created and either the waterbody shoreline or a shoreline road allowance if one exists.
- b) Backlot development in the Shoreline Designation is not permitted.

#### 3.3.4.8 Island Development

- a) Lakes and rivers within the Township contain numerous islands, some of which offer the opportunity for seasonal residential use. Consequently seasonal residential development may be permitted on islands providing:
  - i) That it is demonstrated to the satisfaction of Council and the authorities responsible for their approval that an adequate supply of potable water is available for each lot on the island and that soil conditions will permit the installation of individual septic tank and tile systems approved by the Health Unit;
  - ii) That permanent mainland access to the water body in which the island is situated is available to ensure the provision of appropriate services to the island. Such permanent access may be zoned in

the implementing zoning by-law;

- iii) That the applicant obtain any required written approvals and necessary permits from the local Conservation Authority and the Ministry of Natural Resources; and
- iv) Appropriate mainland mooring facilities are provided.

#### 3.3.4.9 Existing Land Uses

**Notwithstanding any policies of this Plan to the contrary, the following shall apply to the Shoreline designation:"**

##### a) General

- i) There are a number of existing land uses which are non-conforming or non-complying.

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- ii) A non-conforming use is a use which is not included as a permitted use for the zone in which the use is located, pursuant to the Zoning By-law that implements this Plan.
- iii) A non-complying use is a use which is included in the permitted uses for the zone in which the use is located, pursuant to the implementing zoning by-law, but which does not meet one or more performance standards of the zone such as those relating to yards or setbacks.

- iv) Any land use existing at the date of approval of this Plan that does not conform with the land use designations as shown in the Land

~~Use Schedules or the policies related thereto, should cease to exist in the long term notwithstanding the policies provided in b) of this section.~~ **COINFIRM THIS**

Notwithstanding any policies of this Plan to the contrary, the following shall apply to the Shoreline designation.

##### b) Changes to Non-Conforming Uses and Extensions or Enlargements

Notwithstanding any policies of this Plan to the contrary, the following shall apply to the Shoreline designation.

It is not the intent of this Plan to unnecessarily prevent the continuation, expansion or enlargement of existing uses which do not conform with the land use designations or related policies of this Plan and thereby create situations of unnecessary hardship. Thus, under certain circumstances, uses legally existing at the time of adoption of this Plan that do not conform to this Official Plan may continue to be recognized by the zoning by-law, if the Township is satisfied with respect to the following criteria:

- i) The use has achieved an acceptable level of compatibility with existing and planned uses;
- ii) The long term continuation will not detract from the general intent of this Plan;

- iii) The use does not involve hazardous activities or substances, and does not significantly contribute to water or air pollution;
- iv) The use does not perpetuate or create hazardous access or traffic conditions;
- v) That undue hardship does not result from zoning in conformity with this Plan; and
- vi) Consideration of supporting representation by residents or affected property owners.

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Prior to approving an extension to a non-conforming use/structure which has not been appropriately zoned, Council or the Committee of Adjustment shall consider the following:

- vii) The size and scale of the extension/enlargement shall not unduly aggravate the situation created by the existence of the use;
- viii) Whether the proposed extension/enlargement would create land use compatibility conflicts
- ix) The characteristics of the non-conforming use, and the proposed extension or enlargement does not create issues relating to noise, vibrations, fumes, smoke, dust, odours, lighting, and traffic generation.
- x) The appropriate mechanisms are undertaken to ensure issues relating to buffering, landscaping, and servicing are undertaken to improve the prospects for land use compatibility.

#### c) Non-complying Uses

Any use, which is a legal non-complying use may be extended or enlarged in compliance with the applicable provisions of the implementing zoning by-law. Where the proposed extension or enlargement will not comply with respect to performance standards, the Committee of Adjustment may authorize minor variances from the implementing zoning by-law provided that the following tests are met:

- i) The general intent and purpose of the Official Plan and Zoning By-law are maintained;
- ii) The variance is desirable for the appropriate development of the lands; and
- iii) The variance is minor in nature.
- iv) A proposal for a minor variance to reduce the shoreline setback will be strongly discouraged; and

v) A proposal consisting of a complete tear-down and reconstruction to a larger footprint will be required to consider how it can meet the **30 Meter** shoreline setback prior to consideration for a minor variance.

#### **3.3.4.10 Lake Trout (at capacity) Lakes**

a) The Township will identify lakes that have reached development capacity as determined by:

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- i) Tests and studies reviewed by the Ministry of the Environment and

the Ministry of Natural Resources; or

ii) A lake capacity assessment prepared by professionals and approved by the Township.

iii) This ~~policies~~ **policy** applies to all land within 300 metres (984 feet) of the high water mark of capacity reached lakes, whether or not the subject lands are part of the Shoreline designation.

b) Existing lots of record may be issued a building permit since vacant lots have been included as part of the lot inventory used to determine capacity. The greatest possible setback will be achieved. At the minimum, a 30 metre (98 foot) setback with maintenance of the vegetative buffer will be required.

c) ~~New lot creation on at capacity Lake Trout Lakes is restricted to the following situations:~~

~~i) That any conventional sewage disposal system designed to serve a new development will be setback a minimum of 300 metres (984 feet) from the high water mark; or~~

~~ii) Drainage of the proposed lot flows to a separate, non-sensitive watershed as a result of the physical features of the property or detailed site specific hydrogeological studies show that the drainage of the sewage effluent will effectively result in a circuitous flow path that extends for at least 300 metres (984 feet) before reaching the lake; or~~

~~iii) To separate existing, habitable dwellings, each having a separate septic system, provided the land use will not change;~~

~~d) An amendment to the Official Plan will be conducted by the Township listing the addition of Highly Sensitive or 'At Capacity' Lake Trout Lakes or Moderately Sensitive Lake Trout Lakes as identified by the Ministry of Natural Resources.~~

**“c) The creation of new lots within 300 metres of the shoreline of an “at capacity” lake by consent or plan of subdivision will not be considered. Council may consider the creation of new lots in unique or special circumstances where it can be demonstrated, in consultation with the Ministries of Environment and Natural Resources that one or more of the following conditions exist:**

**i) Drainage of the proposed lot flows to a separate, non-sensitive watershed as a result of the physical features of the property;**

**ii) Detailed site specific hydrogeological studies show that the drainage of the sewage effluent will effectively result in a circuitous flow path that extends for at least 300 metres before reaching the lake;**

**iii) That new technologies in sewage disposal systems intended to serve any proposed development have been accepted by the Ministry of the Environment and will result in no adverse effects on lake water quality;**

**iv) That any conventional sewage disposal system designed to serve a new development will be setback a minimum of 300 meters from the high water mark;**

**v) Detailed site specific hydrogeological and soil studies assess phosphorous distribution, migration velocity and long-term soil retention capabilities;**

vi) To separate existing, habitable dwellings, each having a separate septic system, provided the land use will not change.

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

“e) The following lake(s) have been identified as being at capacity lake trout lakes:

□ Sharpes Bay (Jack Lake) as confirmed by MNR.”

#### 3.3.4.11 Implementing Zoning By-law

Uses in the Shoreline designation may be zoned in separate classifications in the Implementing Zoning By-law, and will distinguish between uses located on publicly assumed and maintained roads from uses those located on private.

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#### 3.3.5 Implementing Zoning By-Law

Uses in the Shoreline designation may be zoned in separate classifications in the implementing Zoning By-law, and will distinguish between uses located on publicly assumed and maintained roads from those uses located on private roads.”

### 3.4 HIGHWAY COMMERCIAL

#### 3.4.1 Purpose

Those lands designated Highway Commercial are primarily intended to accommodate those commercial uses which rely on vehicular traffic and the travelling public; and require convenient access and high exposure.

#### 3.4.2 Permitted Uses

Highway commercial uses shall include motor vehicle sales and service, small engine sales and service, building supply and hardware sales, recreational equipment sales and service, motels and hotels, restaurants, retail establishment, service commercial uses, veterinary clinics, a marine facility, garden centres; and similar uses.

#### 3.4.3 Development Policies

3.4.3.1 Highway commercial uses shall be located on or in close proximity to a Provincial highway; and access via a County or collector road.

3.4.3.2 Development of lands in the Highway Commercial uses designation shall proceed on private individual on-site sewage disposal systems and private on-site water systems, save and except where existing full municipal services are available.

Servicing shall comply with the policies of Section ~~2.1.23~~ 2.1.22 and Section 4.1.2 of this Plan; and

any system shall be subject to the regulations of the Ministry of the Environment and/or Health Unit.

3.4.3.3 Highway Commercial development shall only proceed in accordance with the policies of Section ~~2.1.22~~ 2.1.23 of this Plan.

3.4.3.4 Highway Commercial uses should be grouped whenever possible and designated to facilitate site to site movement, thereby reducing the number of access points onto the adjacent public road.

3.4.3.5 Light standards and other surface utilities shall be carefully sited and signage shall be consistent with good design practices and vehicular and pedestrian visibility concerns in order to maintain the appearance and safety of the area. Combined signage shall be encouraged , so as to minimize adverse aesthetic and safety impacts.

3.4.3.6 Adequate off-street parking and loading shall be provided for proposed uses in compliance with provisions contained in the Zoning By-Law.

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In order to promote the efficient use of land and minimize parking requirements the Township **will work** to identify situations, where feasible, that make use of shared parking areas and points of access.

3.4.3.7 Highway Commercial uses shall maintain compatibility with surrounding land uses; and mitigation measures including buffering and fencing may be required in order to address any detrimental impacts created by lighting, noise and aesthetics.

3.4.3.8 Uses that are developed in close proximity to a Provincial Highway shall be developed in an orderly manner, with consideration given to the following design standards:

- a) Open storage shall be prohibited, except where appropriate landscaping and screening is provided to screen such open storage so that they will not detract from the aesthetic character of the area;
- b) Loading and other service areas will generally be restricted to those areas not facing the highway; and
- c) All activities will be encouraged to locate within enclosed buildings unless it is essential to locate outdoors, as in the case of vehicle or other product displays.

3.4.3.9 Uses that are developed adjacent to a Provincial Highway will be required to comply with all Ministry of Transportation regulations and to obtain required permits prior to development. Traffic studies may be required in this regard.

3.4.3.10 Development and redevelopment shall be subject to the Site Plan Control Policies of this Plan.

### **3.4.4 Implementing Zoning By-Law**

Highway Commercial uses may be placed in a separate zoning classification in the implementing Comprehensive Zoning By-law and subject to the policies of Section 5.15 of this Plan.

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## **3.5 MINERAL MINING AND AGGREGATE RESOURCE EXTRACTION**

### **3.5.1 Purpose**

~~The Mineral Mining and Aggregate Extraction designation recognizes existing mining, pit and quarry operations as well as identifying and protecting aggregate resources areas which are currently licenced or where a registered mining claim or mining lease exists for future extraction.~~



**“The Mineral Mining and Aggregate Resource Extraction designation recognizes existing mining, pit and quarry operations as well as identifying and protecting aggregate resource areas which are currently licenced or where a registered mining claim or mining lease exists for future extraction**

### **3.5.2 Permitted Uses**

For the purpose of this Plan, mining includes above ground and underground work, pits and quarries used for mineral extraction as well as associated processing, transportation, stockpiling, waste and tailings storage, loading/shipping along with other directly related ancillary activities; and which are subject to approval of the Ministry of Northern Development and Mines under the Mining Act.

Quarrying and the extraction of sand, gravel and other aggregates together with associated operations such as office and maintenance facilities, scales, crushing, washing, screening and stockpiling are subject to the approval of the Ministry of Natural Resources under the Aggregate Resources Act.

Asphalt plants, ready-mix concrete plants and aggregate transfer stations may also be permitted.

### **3.5.3 Development Policies**

3.5.3.1 It is a policy of this Plan that mineral extraction be a permitted use on all lands within the Township of Havelock-Belmont-Methuen where a registered mining claim or mining lease existed at the time the original Official Plan was adopted, being December 5, 1974.

3.5.3.2 The concept of an influence area is recognized as a means of protecting against incompatible land uses in the vicinity of areas designated as Mineral Mining and Aggregate **Resource** Extraction and to protect existing mining operations, pits and quarries from encroachment from other incompatible land uses. ~~In accordance with this concept, it will be the policy of the Municipality to discourage incompatible land uses in areas surrounding Mineral Mining and Aggregate areas by careful review of any severance application, rezoning application or other development proposal in consultation with the appropriate approval authority.~~ **In accordance with this concept, it will be the policy of the Municipality to discourage incompatible land uses in areas surrounding the Mineral Mining and Aggregate Resource Extraction designation by careful review of any severance application, rezoning application or other development proposal in consultation with the appropriate approval authority**

This area of influence is generally 150 metres (492 feet) for a pit above the water table, 300 metres (984 feet) for a pit below the water table, and 500 metres (1,640 feet) for a quarry. In these areas, development which would preclude or hinder the establishment of new operations or access to the resources will only be permitted if:

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- a) Resource use would not be feasible; or;
- b) The proposed land uses or development serves a greater long term public interest; and
- c) Issues of public health, public safety and environmental impact are

addressed.

3.5.3.3 The concept of an influence area will also apply to new or expanding pits and quarries to protect existing residential uses from encroachment of pits and quarries. In accordance with this concept it will be the policy of the Municipality to discourage new or expanding pits and quarries in areas of concentrated residential uses while having regard to noise, dust, traffic and groundwater issues.

3.5.3.4 The areas designated Mineral Mining and Aggregate Extraction **Resource** on Schedule 'A1' and 'A2' of this Plan comprise lands presently licensed by the Ministry of Natural Resources under the Aggregate Resources Act for mineral aggregate extraction; as well as mining operations presently regulated by The Mining Act.

Schedule 'A1' and 'A2' also place lands in the Mineral Mining and Aggregate Extraction **Resource** designation which have been identified as having known potential for future mineral mining or the extraction of sand, gravel or bedrock.

3.5.3.5 Schedule 'D1' and 'D2' of this Plan identify high potential aggregate resource areas as determined by the Ministry of Natural Resources; for the future potential extraction of sand, gravel and bedrock. **extraction.**

3.5.3.6 The High Potential Aggregate Resource areas identified on Schedule 'D1' and 'D2' are intended as an overlay; and not a land use designation.

3.5.3.7 ~~It is the intent of this Plan that, within the High Potential Aggregate Resource areas, land uses may be permitted in accordance with the underlying land use designation provided consideration has been given to the form of land use and whether the development proposal could have the effect of precluding future resource extraction.~~

:

**“It is the intent of this Plan that, within the High Potential Aggregate Resource area, land use designation changes which would preclude or hinder the establishment of new operations or access to the resources may be permitted in accordance with the underlying land use designation only if:**

**a) resource use would not be feasible; or**

**b) the proposed land use or development serves a greater long-term public interest; and**

**c) issues of public health, public safety and environmental impact are addressed.”**

3.5.3.8 Only existing licensed pit and quarry operations licensed under the Aggregate Resources Act will be zoned in the Zoning By-law to permit such uses.

~~3.5.3.9 Within the areas designated Mineral Mining and Aggregate Extraction in the Official Plan, the establishment of a new pit or quarry or the~~

~~expansion of an existing operation onto lands not currently licensed under the Aggregate Resources Act, designated or zoned for such use shall require an amendment to the Official Plan and the Zoning By-law.~~

**“3.5.3.9 The establishment of a new pit or quarry or the expansion of an existing operation onto lands not currently licensed under the Aggregate Resources Act, designated or zoned for such use shall require an amendment to the Official Plan and the Zoning By-law.”**

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3.5.3.10 The Township is designated under the Aggregate Resources Act. All pit and quarry operations must be licensed by the Ministry of Natural Resources and must meet the requirements of that Act. Through the Official Plan Amendment and Re-zoning Process, the Township may request that appropriate conditions be placed on the license and may also require the operator/owner to enter into a development agreement to address such issues as haul routes or any other issue deemed appropriate by Council.

3.5.3.11 All pits and quarries must satisfy the requirements of the Ministry of the Environment with respect to pumping and dewatering, water supply, waste water, solid and liquid waste disposal, dust and all emissions to the atmosphere including noise and vibrations.

3.5.3.12 The removal of a Mineral Mining and Aggregate Extraction designation from Schedules 'A1' or 'A2' shall require an amendment to this Plan. Such an amendment will provide justification for the change in designation and clearly demonstrate and document the need for the alternate land use. In considering such amendments, the Township shall take into account the following:

- a) Evidence provided by the applicant that aggregate extraction is not feasible due to quality, quantity or other development constraints;
- b) The necessity of the alternate land use in comparison to the necessity of the mineral aggregate resource;
- c) The reason for the choice of the location and consideration given to alternate locations on non-aggregate lands.

3.5.3.13 All new mineral mining of mineral aggregate operations and/or expansions to existing mineral aggregate operations not currently licensed or approved shall require an Amendment to the Official Plan and Zoning By-law. All such applications shall be supported by studies that address:

- a) The effect of the mineral aggregate extractive operation on:
  - i) The natural heritage features and functions on the site and in the area proximate to the proposed site. For the purpose of this sub-section, natural heritage features include lakes and major navigable waterways;

- ii) Nearby residents;
- iii) Recreational resources and activities;
- iv) The character of the area;

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- v) The quality and quantity of groundwater and surface water in the sub-watershed;
  - vi) The built or cultural heritage resources in the area including cultural heritage landscapes, archaeological sites and areas of archaeological potential as identified by Council or as confirmed by the Ministry of Tourism, Culture and Sport;
  - vii) Significant geologic formations on the site and in the area;
  - viii) Where blasting is necessary as part of the operation, the groundwater recharge functions on the site and in the immediate area assessed by a hydrogeological study;
  - ix) Surface water features in the area; and,
  - x) Nearby wells used for drinking water purposes which have the potential to be impacted by extractive activities.
- b) The location and suitability of the proposed haul routes;
  - c) The effect of the noise, odour, dust and vibration generated by the proposed use assessed in accordance with the MOE's D-Series Guidelines and other applicable Provincial regulations;
  - d) How the natural features and functions on the site and in the area can be protected and/or buffered during the operation of the facility and/or after the facility has been progressively rehabilitated;
  - e) That the proposed facility will not impact Endangered Species or the habitat of Endangered Species as required by the Endangered Species Act;
  - f) How the impacts from the proposed pit or quarry will be mitigated in order to lessen those impacts; and,
  - g) How the site will be progressively and finally rehabilitated to accommodate subsequent land uses after the extraction is complete.

#### 3.5.3.14 Conservation and Reuse of Aggregate Resources

The reuse and recycling of concrete, asphalt, brick, glass and other suitable materials should be utilized to conserve aggregate materials, provided such reuse and recycling is permitted in the Zoning By-law and the storage of such material can be accommodated in a manner that is safe and does not pose a contamination risk. Zoning provisions will limit

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the amount of recyclable material that may be brought into a licensed site to limits than can be utilized in a reasonable time frame to prevent stockpiling and the potential abandonment of such material. For the purpose of this policy, the storage of tires and plastics will not be permitted.

#### 3.5.3.15 Rehabilitation

The progressive and final rehabilitation of all mining sites, as well as pits and quarries in the Municipality is a requirement of this Plan. Wherever

possible, Council will work with pit and quarry operators and the Ministry of Natural Resources to ensure that all licenses have progressive rehabilitation plans and where applicable, are actively completing site rehabilitation and restoration.

If a site previously existed in a natural state, it is a requirement of this Plan that natural self-sustaining vegetation and hydrologic features be established and restored.

Notwithstanding that Ministry of Northern Development and Mines regulates mine closure and rehabilitation in accordance with The Mining Act.

### **3.5.4 Implementing Zoning By-law**

**Mineral Mining and Aggregate Resource Extraction lands may be placed in a separate zoning classification in the implementing Zoning By-law and the policies of Section 5.15 – Site Plan Control of this Plan shall apply.**

**The Township may apply a holding provision (H) to the zoning of lands within the Mineral Mining and Aggregate Resource Extraction area.**

**Setbacks may also be established from the applicable zone boundary depending on the nature and extent of the impact, type of proposed use; and the sensitivity of adjacent features.”**

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## **3.6 DISPOSAL INDUSTRIAL**

### **3.6.1 Purpose**

The Disposal Industrial designation recognizes the predominant use of land as being for waste disposal, management, processing and treatment.

### **3.6.2 Permitted Uses**

The uses permitted shall be limited to licenced municipally or privately operated waste disposal sites, and may include former land fill sites, management sites, transfer stations, waste processing facilities, recycling and natural recovery facilities, salvage yards, and sewage lagoons and sewage treatment plants.

### **3.6.3 Development Policies**

3.6.3.1 The types of wastes permitted shall be limited to municipal wastes and controlled wastes as defined by the Ministry of the Environment.

3.6.3.2 Waste disposal sites shall be certified by the Ministry of the Environment.

3.6.3.3 Disposal Industrial uses shall be located an adequate distance away from any natural heritage feature or any existing or proposed residential, commercial, institutional, park or outdoor recreation uses. A report from a qualified professional which establishes appropriate separation distances based on site specific considerations will be required for new waste disposal sites.

3.6.3.4 All Disposal Industrial uses shall be located and operated so that the contamination of any ground or surface water supply does not occur.

3.6.3.5 All Disposal Industrial uses shall be set back a sufficient distance from a public road so that all functions related to the operation of the site can be carried on within the site so that there is no unsightly appearance visible from the road.

3.6.3.6 All Disposal Industrial uses shall be located so that ingress and egress points do not create a traffic hazard.

3.6.3.7 All waste disposal sites no longer in use shall be rehabilitated to the standards required by the Ministry of the Environment. No use shall be made of land used as a waste disposal site within a period of twenty-five years from the year in which such land ceased to be used, without prior approval from the Ministry of the Environment.

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3.6.3.8 All waste disposal shall be operated and maintained in accordance with the standards set by the Ministry of the Environment.

3.6.3.9 The establishment of a Disposal Industrial use shall require an amendment to this Plan and the implementing Zoning By-law.

3.6.3.10 Development proposals within 500 metres (1,640 feet) around the footprint of an open or closed waste disposal site should be supported by a study, undertaken by a qualified professional that assesses landfill gases, ground and surface water contamination, odour, litter, vehicular traffic, visual impact, dust, noise, or other air emissions, vector and vermin. In some cases these studies have already been completed by the owner of the site.

3.6.3.11 ~~Any~~ **An** accessory dwelling for the owner of a salvage yard may be permitted.

3.6.3.12 Disposal Industrial uses shall be subject to the site plan control policies of this Plan

**“3.6.3.13 The sewage treatment plant site, identified as Roll No. 1531-010-001-02601, is designated as Disposal Industrial. A 150 metre (492 foot) separation distance, as shown on Schedule ‘A1’, is required by the Ministry of the Environment in accordance with Guideline D-2 between the treatment plant odour producing source-structure(s) to the property/lot line of the sensitive land use.”**

### **3.6.4 Implementing Zoning By-law**

Disposal Industrial uses may be placed in a separate classification in the implementing Zoning By-law inclusive of specific minimum setback requirements. A holding provision (H) shall be applied to lands within 500 metres (1,640 feet) around the footprint of an open or closed waste disposal site.

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## **3.7 ENVIRONMENTAL PROTECTION**

### **3.7.1 Purpose**

The Environmental Protection designation includes natural features and areas that provide ecological functions critical to the survival of all species. These ecological functions include the provision of wildlife habitat, hydrological and hydraulic functions, nutrient and energy cycling and storage, succession and disturbance functions, reproduction and dispersal, landscape linkages and others. These features include significant wetlands, significant woodlands and significant valleylands, significant portions of the habitat of endangered and threatened species, significant wildlife habitat, fish habitat and significant areas of natural and scientific interest (ANSI's) as defined this Plan.

Areas designated as Environmental Protection are characterized by one or more of the following values:

- a high level of natural community or species diversity;
- representative examples of large, high-quality vegetative communities;
- provincially rare vegetative communities;
- endangered and threatened species;
- significant wildlife habitat;
- fish habitat;
- important hydrological features.

It is the intent of this Plan that lands designated as Environmental Protection on Schedule 'B1' and 'B2' take precedence over the designations shown on land use Schedule 'A1' and 'A2'.

### **3.7.2 Permitted Uses**

Within the areas identified as Environmental Protection, generally the only permitted uses will be conservation, wildlife management and outdoor recreation activities that do not result in negative impacts to the Natural Heritage Feature or its ecological function.

### **3.7.3 Development Policies**

Presently, Provincially significant wetlands, Locally significant wetlands, nesting sites, fish spawning areas, deer wintering areas and Areas of Natural and Scientific Interest have been specifically identified within the Municipality by the Ministry of Natural Resources and designated as Environmental Protection on Schedules 'B1' and 'B2' to this Plan. The intent of the Environmental Protection policies is to identify significant features/areas within the Township where development and site alteration will not be permitted and areas where development and site alteration may be permitted, subject to an assessment of potential negative impacts.

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#### **3.7.3.1 Significant Wetlands**

No development or site alteration will be permitted within a Significant Wetland. Development and site alteration may be permitted within 120 metres (394 feet) (adjacent lands) of a Significant Wetland or wetland that has been evaluated by or on behalf of the Ministry of Natural Resources as shown on Schedules 'B1' and 'B2' if it has been determined that there will be no negative impacts to the feature or its ecological function via an Environmental Impact Study (EIS) completed in accordance with Section 3.7.4 of this Plan.

The implementing zoning by-law may establish permitted uses and appropriate setbacks from the significant wetland based on the results of the EIS.

Notwithstanding the above, on adjacent lands established agricultural activities are permitted without an Environmental Impact Study (EIS).

#### **3.7.3.2 Endangered and Threatened Species Habitat**

Significant habitat of threatened or endangered species are known to exist in the Township, although not designated on Schedules 'B1' and 'B2' for reasons of confidentiality. The municipality will review development applications or changes in designation using the best available information on Endangered/Threatened Species locations that is available from the Ministry of Natural Resources and the Natural

Heritage Information Centre, and will do so in a confidential manner so as not to disclose the location information related to the species. The municipality will also accept updates of the Endangered/Threatened Species information and apply it, as it becomes available from the Ministry of Natural Resources.

No development and site alteration will be permitted within significant habitat of endangered and threatened species. Development and site alteration may be permitted within 50 metres (164 feet) (adjacent lands) of the habitat of endangered or threatened species if it has been determined that there will be no negative impacts to the feature or its ecological function via an Environmental Impact Study (EIS) completed in accordance with Section 3.7.4 of this Plan.

The implementing zoning by-law may establish permitted uses and appropriate setbacks from the natural heritage area based on the recommendations of the EIS.

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### 3.7.3.3 Fish Habitat

~~Development setbacks from the lakes and watercourses will be in accordance with Section 3.3 of this Plan.~~

~~The implementing zoning by-law may establish permitted uses and appropriate setbacks from the natural heritage area based on the results of the EIS.~~

### 3.7.3.3 Spawning Areas

**Spawning areas are identified on Schedules 'B1' and 'B2'. Development and site alteration shall not be permitted within these areas except in accordance with provincial and federal requirements as outlined in Policy 2.1.5 of the 2005 Provincial Policy Statement, as amended.**

**Development and site alteration shall not be permitted within 30 metres of identified spawning areas unless an Environmental Impact Study (EIS) has been completed which demonstrates that there will be no negative impacts on the natural features or on their ecological functions as outlined in Policy 2.1.6 of the 2005 Provincial Policy Statement, as amended."**

### 3.7.3.4 Areas of Natural and Scientific Interest (ANSI)

ANSI's are identified on Schedules 'B1' and 'B2'. Development or site alteration may be permitted in or within 50 metres (164 feet) (adjacent lands) of significant Areas of Natural Scientific Interest (ANSI's) - Earth Science, or within 50 metres (164 feet) (adjacent lands) of significant Areas of Natural Scientific Interest (ANSI's) Life Science as shown on Schedules 'B1' and 'B2' and determined by the Ministry of Natural Resources in consultations with the Township and Conservation Authority if it has been determined that there will be no negative impacts to the feature or its ecological function via an Environmental Impact Study (EIS) completed in accordance with Section 3.7.4 of this Plan. The implementing zoning by-law may establish permitted uses and appropriate setbacks from significant areas of natural and scientific interest based on the results of the EIS.

Notwithstanding the above, on adjacent lands established agricultural



activities are permitted without an Environmental Impact Study (EIS).

### **3.7.4 Environmental Impact Study**

An Environmental Impact Study (EIS) will be completed to determine if proposed development will have a negative impact on significant features and functions of the Environmental Protection lands, and options for potential mitigation of these impacts. These include significant wetlands, significant habitat of endangered and threatened species, significant woodlands, significant valleylands, significant wildlife habitat and significant ANSI's.

The terms of reference and guidelines for Environmental Impact Study (EIS) will be determined by Council in consultation with the appropriate government agency.

A full site EIS must be prepared by a qualified professional with expertise in environmental science. The statement will:

- be conducted at the appropriate time of the year;

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- include a description of existing on-site and adjacent condition and land uses (including Official Plan designations and zoning); define the nature and the boundaries (including Mapping of any significant features and ecological functions on or adjacent to the site including the identification of vegetation communities using the Ecological Land Classification (ELC) system. A description of wooded areas if present should also be ~~include~~ **included** , and the role of these wooded areas with respect to wildlife; include species list (species at risk, plants, birds, mammals, reptiles, amphibians, other wildlife, fish habitat etc.. This requires a level of inventory throughout the growing season (spring to late summer);
- identify if suitable habitat exists on the property for know species at risk, as well as suitable habitat for any species at risk that may be observed during the preparation of the EIS; provide mapping of special features on the site including general location information regarding species at risk occurrences, important life and earth science features;
- describe the location, extent, and detailed description of development;
- describe the relationship of adjacent lands to any significant features or ecological functions;
- describe the relationship of these features and functions to the proposed development and adjacent lands;
- demonstrate how and where development can proceed without negative impact on the natural values which make the area significant, and if so, provide details regarding appropriate methods and locations for development;
- identify all land uses or activities that may negatively impact on the natural heritage features or their ecological functions;
- provide a description of stormwater management associated with the development proposal; and
- describe any mitigation or compensation proposals designed to alleviate or eliminate impacts.

The Township may consider reducing the scope of an Environmental Impact Study to Environmental Impact Statement if the proposal is:

- a) Minor in nature (impact equivalent to a single severance);
- b) Located along the edge of a feature;

c) Located in a previously disturbed area; or  
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e) Located in an area where previous studies are sufficient to provide the necessary technical information to assess a proposal.

A scoped statement will involve a checklist that can be completed by the applicant in consultation with the Township or other appropriate approval authority.

If the scoped statement indicates that there may be some potential impacts that warrant a more complete review, a full site Environmental Impact Study shall be prepared.

Where a full site Environmental Impact Study is not required, the Environmental Impact Statement must be prepared by a qualified professional with expertise in environmental science. The statement will:

a) Define the nature and the boundaries of any significant features and ecological functions on or adjacent to the site;

b) Describe the location, extent, and nature of development;

c) Describe the relationship of adjacent lands to any significant features or ecological functions;

d) Describe the relationship of these features and functions to the proposed development and adjacent lands;

e) Demonstrate how and where development can proceed without negative impact on the natural values which make the area significant;

f) Describe any mitigation or compensation proposals designed to alleviate or eliminate impacts.

Where land identified as Environmental Protection is under private ownership, there is no implication that the land is open to the general public or that it will be acquired by any public agency.

### **3.7.5 Other Natural Heritage Areas**

Nothing within this Section would preclude lands that have been deemed by the provincial government and/or the Municipality to have significant ecological functions or features that have or have not been designated on Schedules 'B1' and 'B2' from being recognized in the implementing Zoning By-law. These lands may include significant woodlands and valleylands, and significant wildlife habitat. Development in or within 120 metres (394 feet) (adjacent land) of these features may be permitted if it has been determined that there will be no negative impacts to the features or its ecological function via an Environmental Impact Study prepared in accordance with Section 3.7.4.

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The implementing Zoning By-law may establish permitted uses and appropriate setbacks from the natural heritage area based on the results of the Environmental Impact Study.

### **3.7.6 Removal and Placement of Fill**

The placing or removal of fill of any kind whether originating on the site or elsewhere shall not be permitted without the approval of the local Conservation Authority or the Ministry of Natural Resources.

### **3.7.7 Floodplain Management**

Although engineered floodline mapping has not been prepared for the waterbodies within the Municipality, it is the intent of this Plan that no development or site alteration be permitted within the floodway of a river or stream system. The following

policies shall apply to development proposed on lands susceptible to flooding under regional storm conditions:

- a) Development will generally be directed to areas outside of hazardous lands adjacent to a river or stream system that is impacted by flooding hazards.
- b) Development and site alteration will not be permitted within the floodway of a river or stream system.
- c) Development and site alteration may be permitted within the flood fringe of a river or stream system where flood depths and velocities would be less severe ~~that~~ **than** those experienced within the floodway. Generally, lands located above the 1:100 year storm elevation and below the Regional Storm Event (Timmins storm of 1961) elevation would represent the flood fringe area. Development will only be permitted within the flood fringe provided all of the following criteria can be achieved:
  - i) An engineered study by a qualified professional must be completed which demonstrates how the hazards can be safely addressed and the development and site alteration can be carried out in accordance with established standards and procedures;
  - ii) New hazards will not be created and existing hazards not aggravated;
  - iii) No adverse environmental impacts will result;
  - iv) Vehicles and people have a means of safely entering and exiting the area during times of flooding and other emergencies; and,
  - v) The development does not include institutional uses or essential emergency services or the disposal, manufacture, treatment or storage of hazardous substances.

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In the absence of regulated floodline mapping, the Municipality may apply zoning control over lands proximate to major rivers and streams in an effort to restrict development and site alteration in the floodplain. In addition, any Planning Act approval to facilitate new development in areas known to be floodprone shall be subject to the criteria set out in this Section.

### **3.7.8 Environmental Protection Boundaries**

The boundaries of the Environmental Protection lands are approximate and it is the intent of this Plan that the precise locations be determined at the time of the submission of development applications through consultation with the local Conservation Authority and the Ministry of Natural Resources. An amendment to this Plan shall not be required to make minor modifications to the boundaries of the Environmental Protection designation providing the overall intent of the Plan is maintained.

### **3.7.9 Land Dedicated Under the Planning Act**

Where new development is proposed on a site which includes areas designated Environmental Protection because of identified hazards, such lands shall not necessarily be acceptable as part of the parkland dedication provided for in the Planning Act, as amended from time to time. All Environmental Protection lands dedicated to the Township under subdivision/condominium procedures or site plan control agreements shall be conveyed in a satisfactory physical condition and if an open water course is involved, the dedication shall provide a sufficient area of land for property maintenance operations to be carried out.

### **3.7.10 ~~Zoning~~ Implementing Zoning Bylaw**

Environmental Protection lands shall be placed in a separate zoning classification in the implementing Zoning By-law.

Setbacks may also be established from the applicable zone boundary depending on the nature and extent of the impact, type of proposed use; and the sensitivity of the feature.

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### **3.8 CROWN LANDS**

#### **3.8.1 Purpose**

The purpose of the Crown Land designation is to identify lands in the Municipality which, pursuant to the Public Lands Act, as amended from time to time are administered by the Ministry of Natural Resources.

The Municipality has no regulatory control over these lands in accordance with The Planning Act.

#### **3.8.2 Permitted Uses**

The Municipality has no authority to regulate land use on Crown Land, but encourages Federal and Provincial governments and agencies to be consistent with the policies of this Plan as it relates to the issuance of tenure, occupational authority and permitted undertakings on Crown Land.

#### **3.8.3 Development Policies**

Where lands are proposed to be patent in accordance **with** applicable legislation and regulations, an Official Plan Amendment and Zoning By-law Amendment will be required to recognize the uses or uses proposed for the patent land. In reviewing an Official Plan Amendment and Zoning By-law Amendment application in this context, Council will expect the proponent to conform to other applicable policies in this Plan.

It is the intent of this Plan that the use of lands lying adjacent to Crown Lands be limited to those activities that are compatible with the resource management practices being undertaken by the Crown or its agents.

Council acknowledges the expectation and need for the delivery of certain municipal services to Crown Land; for which the Township would expect to receive financial compensation from the Province.

#### **3.8.4 Implementing Zoning By-law**

All lands within the Crown Land designation shall be placed in a separate category in the implementing Zoning By-law.

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## **PART FOUR - PUBLIC SERVICE AND TRANSPORTATION POLICIES**

### **4.1 PUBLIC SERVICES**

#### **4.1.1 General Principles for Efficient and Cost-Effective Development**

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

When considering applications for development, the Municipality will be satisfied that all of the public services required can be provided at the appropriate level.

#### **4.1.2 Water Supply and Sewage Disposal**

##### **4.1.2.1 Municipal Servicing Strategy**

**In planning for sanitary sewage and water systems, the Municipality shall support a hierarchical approach to the provision of such services. This approach will recognize that:**

- full municipal sewage and water services are the preferred form of servicing for the Havelock Urban Area. Lot creation will only be permitted if sufficient reserve water and sewage plant capacity is available to accommodate the development;**
- individual services may be used for more than 5 lots in areas outside of the Havelock Urban Area provided the site conditions are suitable for the long-term provision of such services;**

**development on partial services (piped water supply and private individual sewage disposal) will be discouraged except in those situations where it is required to remedy existing services which have failed and within the Havelock Urban Area, to allow for infilling and rounding out of existing development on partial services provided that:**

**1) the development is within the reserve sewage system capacity and reserve water system capacity; and**

**2) site conditions are suitable for the long-term provision of such services.”**

Available municipal water and sewage systems are limited to the Havelock Urban Area; as illustrated on Schedule ‘E’ to this Plan.

Lands within the Havelock Urban Area Boundary:

- are currently provided with full municipal sewage and water services, or
- will be provided with full municipal sewage and water services within the medium term.

~~Existing~~ **Existing** water and sewage systems servicing Havelock offer ample reserve capacity for accommodating future growth. However, Council will carefully monitor on-going development demands in order to ensure operating efficiencies.

An expansion of the existing municipal water and wastewater systems should only be considered where the following conditions are met.

- i) Strategies for water conservation and other water demand management initiatives are being considered for implementation in the existing service area through source protection plans, or,
- ii) Plans for expansion or for new services are to serve growth in a manner that supports achievement of the intensification target and density targets in this Plan.

It is the policy of this Plan to protect wells which provide groundwater for municipal wells; and to restrict certain uses within a 500 metre wellhead protection area which may pose a potential threat to water quality.

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4.1.2.2 Private Communal Sewage and/or Water Services

At present, there are no existing private piped service systems in the Township, with the exception of Sama Park; which is a mobile home park. The park is currently serviced by a private communal water system, and individual septic systems.

The Township does not intend to develop any new municipal sewage or water **services systems** or approve development on private communal services outside Havelock. Development on private communal services will not be permitted anywhere in the planning area. The nature and scale of development will be consistent with this servicing strategy.

Notwithstanding, a development which is seasonal in nature may be serviced with private communal services, provided the property is held under a single ownership; and the units or vacation dwellings have a limitation on the length of time that a person may reside within the development.

#### 4.1.2.3 Private Individual On-Site Water and Sewage Disposal Systems

With the exception of Havelock, existing development throughout the remaining Hamlet Areas, Shoreline and Rural areas of the Township has proceeded and is otherwise serviced by individual private water and sewage disposal systems.

It is the policy of this Plan that new development in these areas will continue to be serviced in this manner.

Where individual on-site sewage services are proposed, the Municipality will encourage the use of innovative approved technologies that will reduce effluent impacts.

Development on the basis of private individual on-site water and sewage disposal systems shall be guided by the following:

##### a) Lot Area

Any lot, either existing or proposed to be created, shall be of an adequate size to satisfy Health Unit requirements, for the type and nature of development being proposed.

For larger multiple lot applications a site servicing assessment shall be completed by a qualified professional to the satisfaction of the Township; which will determine the ultimate acceptable density of development.

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##### b) Sewage Disposal Systems

Private sewage disposal shall preferably include a septic tank and tile bed or filter bed design. In a situation where a site exhibits unsuitable soil, poor drainage or other physical condition which may potentially impair the operation of a proposed system; then any approval by the Health Unit and/or the Ministry of the Environment shall require an investigation and design completed by a professional engineer on behalf of the property owner.

##### c) Water Supply Systems

A proposed water supply shall satisfy the requirements of the Health Unit and/or the Ministry of the Environment.

For larger multiple lot applications, a site servicing assessment shall be completed by a qualified professional to ensure that the

proposed development can be adequately supplied, without creating an adverse impact on any existing neighbouring development.

#### d) Substandard System Improvements

In accordance with Section 2.1.16 of this Plan, the Municipality will promote participation by ratepayers of the Township in any program or grant opportunity sponsored by the Province of Ontario to upgrade or replace existing substandard private individual water or sewage disposal systems.

### **4.1.3 Utilities and Public Safety**

#### 4.1.3.1 Utility Corridors

Utility corridors (major power transmission and pipeline corridors) are not shown on Schedules 'A1' and 'A2'. However, the Municipality will ensure that the residents of the Municipality are aware of any new proposals for such uses. Any development which is proposed in the vicinity of such facilities will be designated so as to reduce any potential conflicts between the proposed use and the existing facilities.

#### 4.1.3.2 Lands for Easements and Emergency Access

Where land is required for utility easements or emergency access, it will be obtained for the appropriate agency as a condition of development approval.

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#### 4.1.3.3 Lands for Public Buildings

If land is required for public buildings, such as schools, fire halls, or police stations, the applicant may be requested to set aside appropriate sites for purchase by the appropriate agency. Arrangement for the acquisition of these sites will be a condition of development approval.

### **4.1.4 Parklands**

#### 4.1.4.1 Land Conveyances

Council will require as a condition of approval of a plan of subdivision, a plan of condominium, a consent, or a site plan and agreement that the applicant convey 5% of the subject lands for park purposes, unless the application is for commercial or industrial development in which case the applicant will be required to convey 2% of the subject lands.

All lands proposed to be conveyed for park purposes are subject to approval by the Municipality. Parklands need to be of a size and shape that will accommodate the type of recreational use and development appropriate to the site, and they need to be readily accessible to their potential users. Lands having environmental constraints or that are physically unsuitable for development may not be acceptable as parklands. Outside the Hamlets, shorelands, special natural or cultural features, or lands that facilitate recreational trail connections will usually be preferred.

#### 4.1.4.2 Alternative Conveyances

Where the size, shape, location, or condition of the subject lands is unsuitable for parkland acquisition, Council may require the owner to convey cash in lieu of parklands. The determination of the payment and the use of the funds collected will be in accordance with the Planning Act.



#### 4.1.4.3 Parkland Acquisition

Due to the abundance of recreational facilities to serve the permanent population, urban-type park and open space standards are not applicable to the Township. However, the Municipality will consider feasible opportunities for acquiring parkland for public use, on its own or in partnership with other agencies, community associations, lake associations, and trail clubs.

The following types of parkland will be given priority.

- beaches and other shoreline sites.
- special natural, cultural, or scenic features.

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- lands that would facilitate recreational trail connections.
- lands that would meet demonstrated community recreation needs in the Hamlet Areas.

## 4.2 TRANSPORTATION

The transportation network illustrated on Schedule A1 through A3 reflects the interrelationship of land use and transportation in the Township of Havelock-Belmont-Methuen. The road system is designed to enable the safe and efficient movement of people and goods both within the Township as well as to facilitate through traffic movement. Roads are classified according to their predominant function and any change in function should conform with the intent and purpose of this Plan, policies of the County of Peterborough; and

criteria established by the Ministry of Transportation.

### 4.2.1 Right-Of-Way Widths

Whenever new development is proposed, the following minimum right-of-way widths should be provided:

- Provincial Highway as determined by the Ministry of Transportation
- County Road ~~30 metres (98 feet)~~ **as determined by the County of Peterborough**
- Municipal Road (collector) 30 metres (98 feet)
- Municipal Road (local) 20 metres (66 feet)

In certain circumstances, such as where an existing right-of-way is less than the width specified above, or where existing development would constrain the right-of-way, Council may permit a lesser width for municipal roads.

#### 4.2.1.1 Public Road Function and Development Controls

##### 4.2.1.1.2 Provincial Highways

Provincial Highways are under the jurisdiction of the Province of Ontario and includes Highway No.7, which is a controlled access highway and as such direct access will be restricted. All development or redevelopment along Provincial Highways will meet the access, safety, design, and signage requirements of the Ministry of Transportation and will only be approved after consultation with the Ministry. Whenever possible, direct access to development on or near Provincial Highways will be provided from Municipal Roads or private roads. There should be as few as possible points of direct access from Provincial Highways to adjacent development. All direct access will require an access permit from the Ministry of Transportation.

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Ministry of Transportation statutory authority for its permit control system, including highway access control, is set out in Sections 31, 34 (King's Highway) and 38 (controlled-access highway) of the Public Transportation and Highway improvement Act (PTHIA). Any development located within the Ministry of Transportation's permit control area under the PTHIA is subject to Ministry of Transportation review and approval prior to the issuance of entrance, building and land use permits. Note that these permits must be obtained prior to any construction being undertaken within Ministry of Transportation's permit control area.

Highway 7 was designated as a Special Controlled Access Highway January 15, 1986. Any property that did not have commercial or **Rural employment or industrial zoning** in place prior to the designation date, will not be considered for highway access.

#### 4.2.1.1.3 County Roads

County roads are under the jurisdiction of the County of Peterborough and are designed with the dual function of carrying medium to large volumes of traffic between high traffic generating areas; as well as providing limited land access. All development or redevelopment along County Roads will meet the safety, design and signage requirements of the County of Peterborough and will only be approved after consultation with the County. Whenever possible, direct access to development on or near County Roads will be provided from Municipal Roads or private roads. There should be as few as possible points of direct access from County Roads to adjacent development in accordance with the County Entrance By-law.

#### 4.2.1.1.4 Municipal Roads

Municipal roads are under the jurisdiction of the Township of Havelock-Belmont-Methuen. Collector roads are designed to collect and carry medium volumes of traffic between local and County roads or a Provincial Highway; while providing limited direct access to abutting lands. Local roads are designated to carry small volumes of traffic; while providing direct access to adjacent properties.

The Township will encourage the development and integration of a road network that ensures safe, convenient and efficient movement of people and goods, having regard for the natural and physical features of the Municipality.

The Township recognizes that the road network serves  
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pedestrian and non-motorized vehicles in addition to vehicular traffic. Planning for public infrastructure road projects will consider the needs of pedestrians, non-motorized uses, as well as, motorized uses. Development approvals will encourage good principles of active transportation in the

project design.

Development along Municipal Roads will meet the safety, design and signage requirements of Havelock-Belmont-Methuen. Where the design criteria, or the capacity of a municipal road to accommodate a proposed development is in question, the Municipality may request a traffic safety and design study when considering a development approval.

#### **4.2.2. Land Acquisition for Public Road Purposes**

Where land is required for road widenings, extensions, right-of-way, or intersection improvements, it will be obtained for the appropriate agency from the applicant as a condition of development approval.

#### **4.2.3 Municipal Road Maintenance**

All roads assumed in the Township road system are not necessarily maintained on a year-round basis. Roads which are presently maintained on a year-round basis shall continue to be so maintained. Those Municipal roads which are currently maintained on an occasional or seasonal basis shall generally continue to be so maintained.

Roads shall be improved and maintained as deemed necessary by Council.

#### **4.2.4 Development of New Private Roads**

The development of new private roads or the extension of existing private roads will generally not be permitted; unless such private road is created as a common element condominium and managed by a condominium corporation.

Additional policies governing private roads are provided in Section 2.1.5.4.

#### **4.2.5 Assumption of Private Roads**

##### **4.2.5.1 General Policy**

The Township will discourage the assumption of private roads for public road purposes. However, if Council deems it advisable to assume as a Municipal Road any private road or part of the road, the following conditions will apply to the assumption.

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##### **4.2.5.2 Conduct Survey**

The Township will have the subject lands surveyed by an Ontario land surveyor at the expense of the applicant. The surveyor will prepare a plan, suitable for registration, showing the lands to be acquired for public road purposes, and if there is an existing road, will certify that it is within those lands, consistent with the policies of Section 4.2.1. Council will require the applicant to provide a report from a professional engineer confirming that a public road, built to the Township's standards, can be provided on the lands to be acquired.

##### **4.2.5.3 Obtain Title**

The Township will be granted clear title to those lands required for public road purposes as shown on the survey plan. If any affected landowner refuses to grant clear title, the Municipality may refuse to assume the private road.

##### **4.2.5.4 Cost of Improvements**

If any reconstruction or other improvements to an existing private road are required to bring the road up to Municipality's standards, the applicant will carry out the reconstruction or improvements before assumption by the Township.

#### **4.2.6 Opening of Road Allowances**

If the Township deems it advisable to open and improve any portion of a road allowance to permit its use by public vehicular traffic, the following will apply.

##### **4.2.6.1 Payments for Improvements**

The Township will obtain appropriate agreements from owners of lands abutting that portion of the road allowance to be improved, whereby the affected landowners agree to carry out, at their sole expense, a survey of the road allowance, all improvements on the road allowance required to provide a road that meets the Municipality's standards. Such agreements may also require the affected landowners to post security, satisfactory to the Municipality, to ensure the proper and timely completion of the work.

##### **4.2.6.2 Enact By-law**

Once all necessary improvements have been accepted by the Municipality, Council will enact the necessary by-law to open the newly improved portion of the road allowance for public vehicular traffic.

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#### **4.2.7 Use of Unopened Road Allowances**

Unopened road allowances will generally be retained by the Municipality, with the exception noted in Section 4.2.8.

The Municipality may, at its sole discretion, and subject to whatever conditions are deemed appropriate, open and improve any portion of a road allowance to permit its use by the public for road purposes, recreational trail purposes, access to waterbodies, or such other uses as deemed appropriate.

The Municipality may, at its sole discretion, and subject to whatever conditions are deemed appropriate, permit use of an unopened road allowance for privately maintained roads, driveways, recreation trails, access to waterbodies, or such other uses as deemed appropriate.

Where Council permits use of an unopened road allowance, such uses will conform to the Township's operational policies.

Tree cutting within an unopened road allowance is not permitted except for a road or trail right-of-way as otherwise permitted in accordance with Section 4.2.7, or for timber harvesting, as approved by Council.

#### **4.2.8 Closing and Conveyance of Road Allowances**

Generally, it is the position of Council that the ownership of unopened road allowances will remain with the Township.

However, Council may, at its sole discretion, consider closing and conveying a road allowance if one or more of the following circumstances applies:

- a shore road allowance that abuts and is directly in front of a shoreline lot, where there are no other matters of public interest identified;
- an original road allowance or a road allowance dedicated on a plan of subdivision, only where deemed appropriate by the Municipality to specifically resolve an encroachment of a building or structure from an abutting lot and where suitable, alternative public access is provided or available;
- an original road allowance or a road allowance dedicated on a plan of subdivision to address a topographic constraint which hinders the proper development of an abutting lot, only where deemed appropriate by the

Municipality and where suitable, alternative public access is provided or available;

- an original road allowance that bisects a proposed plan of subdivision, only where deemed appropriate by the Municipality and where suitable, alternative public access is provided or available; or
- where the Municipality has negotiated an exchange of land with a property owner to provide more suitable public road or water access.

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If Council has passed a by-law to close any portion of a road allowance, the Township may retain title to the lands or may convey some or all of the lands. Any portion of a road allowance, located below the high water mark of a waterbody will be retained in public ownership.

Where the Township is requested to convey any portion of a closed road allowance, Council may as a condition of such conveyance require one or more of **the** following:

- require the exchange of other property to provide appropriate land or water access;
- limit the conveyance to a suitable envelope, as determined at the sole discretion of Council, around an encroachment from an abutting property;
- notify all abutting landowners, including the Ministry of Natural Resources, of the conveyance;
- require the removal of inappropriate located accessory buildings; or
- require the prospective owner of such lands to assume responsibility for surveying the lands and paying all costs associated with preparing any documents necessary to effect the land transfer.

The Township will normally not close and convey road allowances if any of the following apply.

- the road allowance provides suitable access to a lake or river, unless the applicant can demonstrate to Council's satisfaction that there is already adequate public access to the water body.
- closing the road allowance would restrict demonstrated existing public access and use along the road allowance, and this access and use cannot be readily relocated to another road allowance.
- a recreational trail club uses the road allowance, and the trail cannot be readily relocated.
- protection of the road allowance for possible future recreation or public service purposes is of significant interest to the Township.

#### **4.2.9 Wayside Pits and Quarries; Portable Asphalt and Concrete Plants**

Wayside pits and quarries, portable asphalt plants and portable concrete plants uses on public authority contracts shall be permitted, without the need for an official plan amendment, rezoning or development permit under The Planning Act in all areas, except those areas of existing development or particular environmental sensitivity which have been determined to be incompatible with extraction and associated activities.

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## **PART FIVE - IMPLEMENTATION**

### **5.1 GENERAL POLICIES**

This Plan will be implemented by means of the powers conferred upon Council and other public agencies by the Planning Act, the Ontario Building Code Act, the Municipal Act, and

other such statutes as may be applicable. In particular, this Plan will be implemented by zoning by-laws, building by-laws, by-laws pursuant to the Municipal Act, construction of public works, and land acquisitions.

## **5.2 LAKE PLANS**

Should a lake association undertake development of a lake plan, the Township will provide planning information and advice in support of the plan where feasible.

If a lake association wishes the Municipality to implement specific land use policies for the lake, that are different from the policies of this Plan, the following will apply:

- a) The Municipality will only accept for processing, an application to amend the Official Plan, where the lake association demonstrates that there is broad-based support for the lake plan through the results of community meetings and surveys undertaken during the lake planning process. The Township will require the Lake Association to demonstrate that 75% of residents (both members and non-members of the Association) are in favour of the lake plan.
- b) The lake association advises the Municipality of their planning exercise and involves the Municipality, as appropriate, in the lake planning process.
- c) The lake association demonstrates that it actively engaged the lake community, including both members and non-members of the association, in the lake planning process.
- d) The lake association is an incorporated body.
- e) The lake association makes application to amend the Official Plan and acts as advocate for the application. Sufficient copies of the lake plan will be provided to support the application.
- f) The policies proposed by the lake association are consistent with this Plan; do not rely on any land use designation, which is not in this Plan, and would not amend Schedules 'B1' or 'B2'.

As adopted by Council and approved by the County of Peterborough any amendment to incorporate specific land use policies for a lake will be incorporated into this Plan as a Special Area Policy.

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## **5.3 ZONING BY-LAW**

Following approval of the Official Plan, the Municipality shall enact new or revised Zoning By-law provisions in order to ensure that the Zoning By-law conforms with and properly implements this Official Plan.

Zoning shall be the primary means for implementing the Official Plan. As set out in Section 34 of the Planning Act, the Zoning By-law will regulate the use of land, the erection and use of buildings and structures, yard requirements, setbacks, parking and loading space requirements and to protect significant wildlife habitat, wetlands, hazard lands, significant woodlands, significant valleylands, significant habitat of endangered and threatened species,

and areas of natural or scientific interest.

## **5.4 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 Schedules 'A1' and 'A2' **and A3**. Any undeveloped lands to which Council has

made a commitment to development may be zoned in accordance with the zoning policies of

this Plan which pertain to the appropriate land use designation. Any such commitment to

development will normally be in the form of a signed consent, subdivision, condominium, or other development agreement with the applicant. Undeveloped lands in Rural Areas, Hamlet

Areas, and Shoreline Areas may be zoned to permit infilling and minor extension of existing development patterns. Undeveloped lands in Institutional Areas, Commercial Areas, and Industrial Areas may be rezoned to encourage the establishment of desirable land uses, only if the development of such lands can be made subject to subsequent consent, subdivision, condominium, or development agreements with the applicant. All other lands will

be placed in a development, open space, environmental protection, or rural zone to delay their development until Council approves an appropriate development application for the lands.

### **5.5 INTERIM CONTROL BY-LAWS**

The Municipality may pass Interim Control by-laws to control the use of land, buildings or structures within designated areas of the Township and in accordance with the provisions of Section 38 of the Planning Act in order to prevent or limit development until detailed planning

studies for the subject lands are completed and approved by the Municipality; wherein such lands are located within the recognized jurisdiction of the Corporation of the Township of Havelock-Belmont-Methuen. Any Interim Control by-law approved by the Municipality shall initially be in effect for a period of up to one year from the date of passing of the by-law but may extend for a maximum of one additional year.

To ensure clarity, it is the intent of Council that the applicability of an interim control by-law will be considered only after all other alternatives have been explored.

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### **5.6 TEMPORARY USE BY-LAWS**

#### **5.6.1 General**

Pursuant to Section 39 of the Planning Act, the Municipality may authorize the temporary use of land, buildings or structures for any purpose otherwise prohibited by the Zoning By-law. The temporary use may be initially authorized for a period of time up to three years from the date of the passing of the by-law, except in the case of garden suites which may be authorized for up to **ten years** **twenty years**. A Temporary Use

By-law may be extended by by-law for further periods of not more than three years each. Upon the expiry of a Temporary Use By-law, the use authorized by the by-law shall cease, unless extended by by-law.

Where deemed appropriate by the Municipality, a Temporary Use By-law may be adopted for a purpose which does not conform to the Official Plan, provided that the long-term objectives and policy direction of the Plan shall not be adversely affected by the by-law.

#### **5.6.2 Criteria**

Before passing a temporary zoning by-law, Council will be satisfied that the following principles and criteria have been met:

- the proposed use will be of a temporary nature and will not entail any major construction or investment on the part of the owner, so that the owner will not experience undue hardship in reverting to the original use upon termination of the temporary use provisions; and
- the proposed use will not be incompatible with adjacent land uses and the

character of the surrounding neighbourhood.

## **5.7 HOLDING PROVISIONS**

### **5.7.1 Objectives**

A zoning by-law amendment may include a holding provision as provided for in **Section 36 of** the Planning Act.

Holding provisions may be used at any time and anywhere to achieve the following objectives.

- to ensure that development is properly phased;
- to ensure the adequate and timely provision of services;
- to allow for the collection of additional information to ensure that the proper and appropriate land use analysis is conducted;
- to ensure compliance with the provisions of a site plan agreement, where development is subject to site plan control and certain design considerations are required;

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- to ensure that where required, the proper approvals, licenses, and permits are obtained from other agencies before the development proceeds.

### **5.7.2 Application and Removal of Holding Provisions**

Council may apply holding provisions by adding an "H" symbol to ~~the designation of~~ some or all of the lands subject to the zoning by-law amendment. The holding provisions will normally allow existing uses to continue. The holding symbol will be removed when the applicable objectives, as stated in the zoning by-law, have been achieved.

The holding provisions will address specifically the following:

- the uses permitted during the period that the holding provisions are in place;
- the conditions to be met before development is permitted to proceed;
- the time required to meet these conditions; and
- the responsibility of the applicant, the Municipality, and any other agency or party in meeting the conditions.

## **5.8 BUILDING BY-LAW**

A Building By-law has been passed by the Municipality pursuant to the provisions of the Building Code Act.

## **5.9 MAINTENANCE AND OCCUPANCY**

It is the intent of the Municipality to encourage the maintenance of the Township as a pleasant environment for living, working, shopping and recreation. Continued maintenance of

property is essential to the welfare of the Township.

It is the intention of the Township to support the private efforts of property maintenance and to eliminate any existing hazards to building occupants, and may, following extensive public consultation, give consideration to the passage of a property standards or yard by-law specifying standards for all properties within the Township for property maintenance and occupancy under Section 15.1(3) of the Building Code Act.

The Municipality will endeavour to support further property maintenance and safe occupancy

by:

- a) Utilizing available government programs, where applicable, to provide financial and administrative support to individuals seeking to improve their properties.
- b) Undertaking education and public relations programs as needed to demonstrate the

benefits of property maintenance.

c) Maintaining municipally-owned buildings, properties and community facilities, and providing or maintaining municipal services in good repair.

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Should Council elect to adopt such a by-law, the Municipality will appoint a Property Standards Officer who will be responsible for administering and enforcing the by-law. The Municipality will also appoint a Property Standards Committee in accordance with Section 15.1(3) of the Building Code Act, for the purpose of hearing appeals against an order

of the Property Standards Officer.

The by-law will be administered using a standard recording form for building or property condition to provide a clear and equitable procedure for evaluating building condition.

The maintenance and occupancy by-law will prescribe standards for the following matters and any others that may be considered necessary:

a) The keeping of yards, vacant lands, parks, waterfront areas, laneways and passageways, free from debris, rubbish, weeds, trailers, boats, barges, mechanical equipment, unlicensed vehicles or similar material.

b) The adequacy of sanitation control, including garbage disposal, sewage and drainage.

c) The maintenance of parking and storage areas.

d) The maintenance of all buildings and structures, including structural standards of walls, floors, ceilings, foundations, insulation, electrical systems, plumbing, heating, adequacy of protection from weather, natural lighting and ventilation, condition of chimneys, fire protection standards and general cleanliness and upkeep.

e) The maintenance of fences, swimming pools, accessory buildings and signs.

f) The establishment of occupancy standards including pest prevention, adequacy of food preparation facilities, access, ventilation, maximum number of persons per dwelling unit, minimum floor spaces and room heights.

#### **5.10 CONSTRUCTION OF PUBLIC WORKS**

Certain policies of this Plan will be implemented through the construction of public works.

No

public works will be undertaken that do not conform to the intent and purpose of the Official Plan.

#### **5.11 LAND ACQUISITION**

The Municipality may acquire and hold land within the Township for the purpose of developing any feature of the Official Plan. The Municipality may also sell, lease or otherwise

dispose of such land when no longer required in accordance with the Municipal Act and other

relevant provisions of this Plan.

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#### **5.12 INCREASED DENSITY (BONUS) BY-LAWS**

Section 37 of The Planning Act, allows Council to include provisions in the Zoning By-law to permit an increase in the maximum height or density of development, in exchange for the provision of such facilities, services or matters as are set out in the By-law.

**5.12.1** One or more of the following must be provided to the satisfaction of the Township, in order to be eligible for increases in the height and/or density of development beyond that otherwise permitted by the Zoning By-law:



a) The provision of affordable housing, assisted housing or housing for those with special needs;

b) The preservation of architectural, historic, archaeological and/or scenic features; and/or waterfront lands, or trail systems, provided that such lands and amenities are significantly in excess of any parkland dedication requirements of The Planning Act.

**5.12.2** The increased height and density provisions will be implemented through the implementing Zoning By-law. The Zoning By-law will identify the detailed development standards upon which the bonus provisions will be based, and identify the areas or zone classifications in which such bonus provisions shall apply.

**5.12.3** In all cases, the facilities, services or matters provided in exchange for increased height or density of a development project shall be directly linked to the nature of the development and shall be located on the lands which are being developed.

**5.12.4** The transfer of increased height and density provisions from one site to another site or from one project to another project shall not be permitted.

**5.12.5** In all cases, development resulting from the application of increased height or density provisions shall meet all other applicable Zoning By-law provisions and regulations.

**5.12.6** Before adopting a zoning by-law amendment to allow an increase in the height or density of a development project, the Township will review the implementation of increased height and density provisions of The Planning Act, having regard to the following:

a) The type or types of development to which increased height or density provisions may apply;

b) Area(s) of the Township where these provisions may apply;

c) The facilities, services, or matters which may be provided in exchange for increased height or density; and

d) The extent of the increases in height and density which may be granted.

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**5.12.7** In all cases, development resulting from the application of increased height or density provisions shall be compatible with adjacent uses and meet the general intent and purpose of this Plan.

**5.12.8** The facilities, services or matters to be provided shall be commensurate with the increased height or density which may be granted for each development project.

**5.12.9** Where an owner of land elects to provide facilities, services or matters in return for an increase in the height or density of a proposed development, the owner will be required to enter into a Site Plan Control agreement with the Township, to be registered against the title of the land. The agreement will deal with the facilities, services or matters that are provided, and the timing of their provision.

### **5.13 CASH-IN-LIEU OF PARKING**

Council may develop a policy and implementing by-law in relation to cash-in-lieu of parking, pursuant to Section 40 of The Planning Act. Cash-in-lieu of parking shall generally be discouraged and, if required, will only be considered in exceptional circumstances, such as changes in use within existing older buildings in built-up areas, where there is little potential to augment parking facilities to accommodate more intense uses.

### **5.14 OTHER BY-LAWS**

By-laws governing such uses as trailers, signs, salvage yards, and waste disposal sites will be considered to ensure that such uses are properly regulated and controlled. This may

require preparing new by-laws or amending existing by-laws.

## **5.15 SITE PLAN CONTROL**

### **5.15.1 General Policy**

Site Plan Control will be used by the Municipality to ensure that any proposed development is designed and constructed to implement the intent and principles of the Plan. The objectives of the Municipality in exercising site plan control are as follows:

- to improve the treatment of site plan details and maintain consistent municipal standards in a site plan control area;
- to ensure safe and efficient access and movement of vehicular and pedestrian traffic;
- to minimize land use incompatibility between new and existing development;
- to provide functional and attractive facilities such as landscaping and street lighting;
- to control the placement and provision of required services;
- to secure the conveyance of any easements or rights-of-ways in favour of the Municipality; and
- to ensure that the proposed development is built and maintained as approved by Council.

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### **5.15.2 Definition**

For the purposes of Section 5.15 "development" is defined in accordance with Section 41(1) of the Planning Act, rather than in accordance with the definition provided in the Glossary of Terms accompanying this Plan.

### **5.15.3 Site Plan Control Area**

The proposed site plan control area is the entire Municipality. However, the following forms of development will be exempt from site plan control:

- low density residential development containing two dwelling units or less
- farm-related development, including buildings and structures for agricultural uses;
- extractive industrial development, except the construction, erection, placing or extension of buildings or structures thereto;
- any land, building, or structure used for any public service provided by the Municipality, the County of Peterborough, the Government of Ontario, the Government of Canada, or any public authority;
- all structures and buildings accessory and incidental to the above exempted uses.

### **5.15.4 Implementation**

Within the proposed site plan control area, Council may pass a by-law to designate a site plan control area.

Before development within an area designated by by-law as a site plan control area proceeds, including construction of a residential building containing less than 25 dwelling units, Council may require one or more of the following:

- submission of plans certified by an Ontario land surveyor showing the location of all existing and proposed buildings and structures, and all works and facilities to be provided in conjunction with the development;
- submission of drawings as described in Section 41(4), paragraph 2 of the Planning Act, certified by a professional engineer or architect; and

- execution of a site plan agreement between the landowner and the Municipality to ensure that all buildings, structures, and works or matters described in the plans and drawings are completed and will be maintained to the satisfaction of Council.

Council may obtain and consider public input before approving a site plan. A site plan and agreement may address the following as appropriate:

- the requirements of Section 5.15.3
- road widenings;
- vehicular access points;
- loading, parking and driveway locations;

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- the surfacing of loading, parking and driveway areas;
- the location and design of walkways and walkway ramps;
- the location, massing and conceptual design of any buildings and structures, including the exterior design (eg. character, scale, appearance and design features, including sustainable design features);
- the location and type of lighting, landscaping and preservation or restoration of natural vegetation;
- the location and type of garbage storage;
- the location and nature of easements including easements for drainage works, watercourses, roadways, or other public utilities and similar undertakings;
- the grade and elevation of land;
- the type and location of storm, surface and waste water disposal facilities;
- the requirements for snow removal facilities; and
- the accessibility of facilities for person with disabilities.

#### **5.16 COMMITTEE OF ADJUSTMENT**

Council may appoint a Committee of Adjustment in accordance with Section 44 of the Planning Act to consider and/or grant minor variances to the implementing Zoning By-law.

In

determining whether to approve an application for a minor variance, The Committee of Adjustment will need to be satisfied that the application meets all of the four tests:

- a) That the requested variance conforms with the general intent of the Official Plan;
- b) That the requested variance is in keeping with the spirit and intent of the Municipality's Zoning By-law;
- c) That the requested variance is appropriate for the desirable development of the lot; and,
- d) That the requested variance is minor in nature.

In making a determination of whether a variance is minor as required in item four, the Committee of Adjustment should have greater regard for the degree of impact which could result from the variance and less regard to the magnitude of numeric or absolute relief sought

by the applicant. In addition, applicants who request a minor variance should be prepared to demonstrate a need for the requested relief on the basis that the subject zoning provision is not warranted in a particular circumstance, causes undue hardship, or is otherwise impossible or not reasonable to comply with.

#### **5.17 PUBLIC INVOLVEMENT**

##### **5.17.1 Public Notification Requirements**

5.17.1.1 The Planning Act, requires notification to the public of planning applications,

with requirements defined through Ontario Regulations. The objective is to provide a public participation process which allows individuals and organizations affected by an Official Plan, a Community Improvement Plan, Zoning By-law and amendments thereto, to be made aware of planning

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proposals and to be provided an opportunity to express their views to Council. The requirements of The Planning Act, will apply to the public notification process.

5.17.1.2 Council shall make planning documents and by-laws such as the Official Plan, Community Improvement Plan and Zoning By-law available to the public to foster a greater awareness and knowledge of planning matters.

5.17.1.3 In order to facilitate public participation in planning issues, Council will employ appropriate consultation methods at various stages of the decision making process. These may include, but are not limited to, delegations to Committee of Council, formal and informal public meetings, open houses, workshops, displays, municipal-wide advertising, working committees, task forces, consultation with neighbourhood/rate-payers associations, and posting of affected properties.

#### **5.17.2 Public Meeting Not Required**

Council may decide that no public meeting is required for an Official Plan or zoning by-law amendment of a technical nature.

An Official Plan amendment of a technical nature consists entirely of one or more of the following:

- the creation of a consolidated Official Plan, provided that only existing approved amendments are added to the Plan;
- the updating of references to the Planning Act or any other Act;
- the translation of measurements from one unit to another, or the correction of imperial equivalents, provided that no change to the metric standard results;
- the renumbering of sections in the Plan;
- the correction of clerical, grammatical, or typographical errors, provided that they do not result in a change in policy;
- the addition of cross-references to assist in the consistent interpretation of the Plan, provided no new policies are introduced.

A zoning by-law amendment of a technical nature consists entirely of one or more of the following:

- the creation of a consolidated Comprehensive Zoning By-law, provided that only existing approved amendments are added to the Comprehensive By-law;
- the updating of references to the Planning Act or any other Act;
- the translation of measurements from one unit to another, provided that no change to the standard results;
- the renumbering of sections in the Comprehensive By-law;
- the correction of clerical, grammatical, or typographical errors, provided the intent of the Comprehensive By-law is not altered;
- the addition of cross-references to assist in the consistent interpretation of the Comprehensive By-law, provided no new regulations are introduced.

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#### **5.18 PRE-CONSULTATION AND COMPLETE APPLICATIONS**

In order to ensure that all the relevant and required supporting information pertaining to a

planning application is provided at the time of submission, Council may, by By-law, require a

proponent to attend a pre-consultation meeting with staff prior to the submission of a planning application. Council may also establish a fee under Section 69 of the Planning Act to be paid by an individual requesting a pre-consultation meeting.

The purpose of pre-consultation is to ensure a prospective applicant is provided with a basic understanding of the local planning policy and regulation that may be applicable to a planning

approval. Prior to attending any pre-consultation application, Council places a responsibility on the proponent to have reviewed applicable Provincial policy, regulation and legislation that

may impact a planning application. Council also requires a proponent to attend a pre-consultation with clear and concise information, concept sketches, mapping and/or reference plans to assist in effectively communicating a proposal. The intent of pre-consultation discussions is not to provide an approval, nor certainty of approval. Subsequent to a pre-consultation meeting, the Municipality will determine what supporting information (i.e. reports and studies) is required as part of the complete application submission and inform the proponent of these requirements. Where the proponent requires pre-consultation comments to be provided in writing, such communication shall be circulated

to Council as information and become part of the public record.

The following information, at a minimum, shall be required as part of a complete application:

- a) Prescribed application fee;
- b) Completed application form together with requisite authorizations;
- c) Prescribed information and material as required by Planning Act Regulations;
- d) Covering letter, which outlines the nature of the application and details of the pre-consultation meeting (if applicable);
- e) Concept plans and/or drawings; and,
- f) Any studies as identified as necessary through pre-consultation. The following supporting information may be required as part of a complete application, to be determined through pre-application consultation with staff:

The following supporting information may be required as part of a complete application, to be

determined through the pre-application consultation with staff:

- a) Transportation Impact Study;
  - b) Functional Servicing Report;
  - c) Stormwater Management Plan;
  - d) Tree Preservation Report and Plan;
  - e) Hydrogeological Assessment;
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- f) Watershed or Subwatershed Study;
  - g) Floodline Delineation Report;
  - h) Architectural/Urban Design Study;
  - i) Environmental Site Assessment;
  - j) Planning Justification Report;
  - k) Ministry of the Environment (MOE) Record of Site Condition (RSC);
  - l) Contaminant Management Plan;

- m) Environmental Impact Study;
- n) Lake Impact Study;
- o) Archaeological Assessment;
- p) Heritage Impact Assessment;
- q) Wind Study;
- r) Noise Study;
- s) Vibration Study;
- t) Geotechnical Study;
- u) Slope Stability Study;
- v) Market/Retail Impact Study or Analysis;
- w) Viewscape or Shadow Impact Assessment;
- x) Conceptual Site Plan and Building Elevations;
- y) Erosion and Sediment Control Plans; or
- z) Municipal Financial and Servicing Impact Assessment.

### **5.19 OFFICIAL PLAN AMENDMENTS**

Notwithstanding the provisions of The Planning Act, where changing conditions necessitate the need for an amendment to this Plan, the following notification procedure shall apply.

**5.19.1** Prior to adopting any amendment to this Plan, Council shall prepare the amendment, notify affected ratepayers and hold a public meeting, or meetings, to present the amendment and request comments or discussion of the amendment.

**5.19.2** In the event that the amendment affects a large number of ratepayers, or is of a general nature, the notice of the public meeting, or meetings, shall be given by advertisement in the local newspaper.

**5.19.3** A record shall be made of the public involvement and it shall be appended to the amendment prior to its submission to the County of Peterborough for approval.

**5.19.4** When considering amendments to this Plan, Council shall have regard to, among other things, the following criteria:

- a) The need for the proposed change, except in the case of aggregate extraction applications where the demonstration of need shall not be required;
- b) The impact of the proposed change or the achievement of goals, objectives and policies expressed in this Plan and in other municipal policies;
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- c) The effect of the proposed change on the need for municipal services and facilities;
- d) Whether there is a need to add the lands to lands already within the proposed designation;
- e) The physical suitability of the lands for the proposed use;
- f) The impact on adjacent lands or the community, as applicable, having regard to land use compatibility and other relevant considerations;
- g) Conformity with the County Official Plan; and
- h) Conformity with applicable Provincial policies.

### **5.20 MINIMUM DISTANCE SEPARATION**

All new farm and non-farm development shall comply with the Minimum Distance Separation

Formulae I and II as amended from time to time.

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## **PART SIX - INTERPRETATION AND ADMINISTRATION**

## **6.1 SCOPE AND PURPOSE OF THE PLAN**

### **6.1.1 Scope and Purpose of the Plan**

Upon approval by the County of Peterborough, this Official Plan may be cited as “The Official Plan for the Township of Havelock-Belmont-Methuen”, and may also be hereafter referred to as “The Plan” or “This Plan”.

### **6.1.2 Scope**

The Official Plan for the Township of Havelock-Belmont-Methuen covers all lands within the corporate limits of the Township of Havelock-Belmont-Methuen (which may also be hereafter referred to as “The Township” or “The Municipality”, which is comprised of the former geographic Townships of Belmont and Methuen and the Village of Havelock.

### **6.1.3 Purpose**

It is intended that the Plan serve as a guide to the Council, Committee of Adjustment and the ~~Land Division Committee~~ **County of Peterborough** in their future decisions with respect to land use matters such as applications for amendments to this Plan and/or the Zoning By-law;

and proposed plans of subdivision or condominium.

It is also intended that the Plan serve as a guide to both the public and private sectors with respect to land use and development principles.

## **6.2 AUTHORITY**

**6.2.1** Pursuant to The Planning Act, R.S.O., 1990, Chapter P.13, as amended, Council is charged with the responsibility of preparing and adopting an Official Plan for the Township of Havelock-Belmont-Methuen. In addition, Council shall consider matters of Provincial interest, including the Provincial Policy Statement, in reviewing all types of planning applications (e.g., Official Plan Amendment, Zoning By-law Amendment, Subdivision, Consent, Minor Variance, etc.).

**6.2.2** The Planning Act further provides that where an Official Plan is in effect, no public work shall be undertaken and no by-law shall be passed for any purpose, with certain exceptions as provided by Section 24 of The Planning Act, that do not conform to the Official Plan.

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## **6.3 INTERPRETATION OF THE PLAN**

### **6.3.1 Land Use Boundaries and Roads**

It is intended that the boundaries of the land use designations shown on Land Use Schedules ‘A1’, ‘A2’, ‘A3’, ‘B1’ and ‘B2’ be considered as approximate, and absolute only where bounded by roads, railways, rivers, lakes, or other similar clearly defined physical features. It is also intended that the location of roads as indicated on the Land Use Schedule be considered as approximate and not absolute. Amendments will not be required in order to make minor adjustments to the land use boundaries or the location of roads, provided the overall intent of the Plan is preserved.

### **6.3.2 Quantities**

It is intended that all figures and quantities contained in this Plan be considered in the metric and imperial equivalent. Amendments will not be required for any reasonable variation from these figures and quantities, provided such variations meet the intent of this Plan.

## **6.4 PLAN REVIEW**

### **6.4.1 Continuing Review**

This Plan will be subject to continuing review by Council. Should environmental,

economic, or social conditions change so as to significantly affect the principles or objectives of this Plan, the Plan will be amended to reflect the altered conditions.

#### **6.4.2 Five-Year Review**

Every five years from the date this Plan is approved, Council will undertake a complete review of the policies and designations of this Plan.

~~As part of each five-year review, the following provisions of this Plan will be reviewed and if deemed necessary, amended and updated for the next five-year period, and will not normally be amended at any other time.~~

- ~~• the boundary of Havelock~~
- ~~• all designations on Schedule 'A1', 'A2', 'A3', and 'B1', 'B2'~~

#### **6.4.3 Municipal Comprehensive Review**

Certain policies or situations enunciated in the Official Plan make reference to a Municipal Comprehensive Review. This is generally required when:

- a 5-year update to the Official Plan is being undertaken
- a settlement area boundary expansion is being considered
- the built boundary of Havelock is being considered or
- industrial or commercial land is being considered to be redesignated so as to not accommodate employment growth.

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A Municipal Comprehensive Review is a municipally-initiated review of the Official Plan which:

- achieves the targets and forecasts in this Plan; considers alternative directions for growth; and determines how best to accommodate this growth while protecting Provincial interests;
- utilizes opportunities to accommodate projected growth through intensification and redevelopment;
- is integrated with planning for infrastructure and public service facilities; and considers cross-jurisdictional issues.

#### **6.5 AGENCY NAMES AND RESPONSIBILITIES**

From time to time names of various government agencies may change. In addition, responsibilities may shift from agency to agency. The names of agencies in this Plan are as of the date of adoption of this Plan. It is not intended to amend this Plan each time a name changes or a function shift occurs. Rather, this Plan will be interpreted so as to refer to those

agencies named, or their successors, as conditions dictate.

#### **6.6 LEGISLATION AND POLICIES**

Provincial legislation, regulations, policies, and guidelines are amended, renumbered, renamed, or replaced from time to time. It is not intended to amend this Plan each time an Act or other Provincial instrument referred to in this Plan is amended, renumbered, renamed,

or replaced. Rather, references to Acts and other Provincial instruments will be to those documents as amended from time to time, or to their successors, as conditions dictate.

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### **GLOSSARY OF TERMS**

**Adjacent Lands:** means those lands contiguous to a specific natural heritage feature or area

where it is likely that development or site alteration would have a negative impact on the feature or



area.

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

- a) impairment of the quality of the natural environment for any use that can be made of it;
- b) injury or damage to property or plant or animal life;
- c) harm or material discomfort to any person;
- d) an adverse effect on the health of any person;
- e) impairment of the safety of any person;
- f) rendering any property or plant or animal life unfit for human use;
- g) loss of enjoyment of normal use of property; and
- h) interference with normal conduct of business.

**Agricultural Uses:** means the growing of crops, including nursery and horticultural crops; raising

of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture;

apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures,

including accommodation for full-time farm labour when the size and nature of the operation requires additional employment.

**Agriculture-related Uses:** means those farm-related commercial and farm-related industrial uses

that are small scale and directly related to the farm operation and are required in close proximity to the farm operation.

**Areas of Archaeological Potential:** means areas with the likelihood to contain archaeological

resources. Criteria for determining archaeological potential are established by the Province. Archaeological potential is confirmed through archaeological fieldwork undertaken in accordance

with the Ontario Heritage Act.

**Areas of Natural and Scientific Interest (ANSI):** means areas of land and water containing

natural landscapes or features that have been identified as having life science or earth science

values related to protection, scientific study or education.

**Backlot Development:** means tiered development in depth; where such development would be

located directly behind existing shoreline development or separate conveyable shoreline lots.

**Comprehensive Review:** means an official plan review which is initiated by the Township, or an

official plan amendment which is initiated or adopted by the Township, which:

- a) is based on a review of population and growth projections and which reflect projections and allocations by the County of Peterborough and Provincial plans, where applicable; considers alternative directions for growth; and determines how best to accommodate this growth while protecting provincial interests;
- b) utilizes opportunities to accommodate projected growth through intensification and

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redevelopment; ;

c) is integrated with planning for infrastructure and public service facilities; and  
d) considers cross-jurisdictional issues.

**Condominium:** means the ownership of individual units in a multiple unit building or multiple unit

development with common elements in which:

a) the unit comprises not only the space enclosed by the unit boundaries but all material parts of the land within the space;

b) the common element means all the property within the development except the units; and

c) the common element is owned by all of the owners as tenants in common.

**Deposits of High 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.

**Development:** means the creation of a new lot, a change in land use, or the construction of buildings and structures or a significant addition thereto, requiring approval under The Planning

Act, or site alteration/grading but does not include:

a) activities that create or maintain infrastructure authorized under an environmental assessment process; or

b) works subject to the Drainage Act.

**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 the Official Plan for clusters of business and

economic activities including, but not limited to, manufacturing, warehousing, offices, retail, institutional 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.

**Fish:** means fish, shellfish, crustaceans, and marine animals, at all stages of their life cycles.

**Fish Habitat:** 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 processes.

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**Floodplain:** 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 river, stream systems and lakes, the flooding hazard limit is the greater of:

i) 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;

ii) the one hundred year flood; and

iii) 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 as the standard for a specific watershed (where the past history of flooding supports the lowering of the standard).

**Ground Water Feature:** refers to 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.

**Hazardous Substances:** means substances which, individually, or in combination with other

substances, are normally considered to pose a danger to public health, safety and the environment. These substances generally include a wide array of materials that are toxic, ignitable, corrosive, reactive, radioactive or pathological.

**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 individual, autonomous sewage disposal systems

within the meaning of s.8.1.2, O.Reg. 403/97, 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.

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**Infilling:** means the development of vacant land between existing development where the purpose is to integrate the surrounding existing development and the vacant land into one contiguous development area. For the purposes of this plan the existing development must be on

the same side of a public **or private road** and side lot lines not separated by more than 100 metres (328 feet).

**Infrastructure:** means physical structures (facilities and corridors) that form the foundation for

development. Infrastructure includes: sewage and water systems, septage treatment systems, waste management systems, electric power generation and transmission, communications/telecommunications, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities.

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

- a) redevelopment, including the reuse of brownfield sites;
- b) the development of vacant and/or underutilized lots within previously developed areas;
- c) infill development; and
- d) the expansion or conversion of structures formerly used for other purposes.

**Legal or Technical Reasons:** for the purposes of Section 2.2.2 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.

**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, or successors thereto; and
- 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 developed by the Province to separate uses so as to reduce incompatibility concerns about odour from livestock facilities.

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**Mine or Mining** means:

- a) any opening or excavation in, or working of, the ground for the purpose of winning any mineral or mineral bearing substance,
- b) all ways, works, machinery, plant, buildings and premises below or above the ground relating to or used in connection with the activity referred to in clause (a),
- c) any roasting or smelting furnace, concentrator, mill, work or place used for or in connection with washing, crushing, grinding, sifting, reducing, leaching, roasting, smelting, refining or treating any mineral or mineral bearing substance, or conducting research on them,
- d) tailings, wasterock, stockpiles of ore or other material, or any other prescribed substances, or the lands related to any of them, and
- e) mines that have been temporarily suspended, rendered inactive, closed out or abandoned,

but does not include any prescribed classes of plant, premises or works.

**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.

**Negative Impacts:** means

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

b) in regard to fish habitat, the harmful alteration, disruption or destruction of fish habitat, except where, in conjunction with the appropriate authorities, it has been authorized under the Fisheries Act, using the guiding principle of no net loss of productive capacity; and

c) in regard to other natural heritage features and areas, degradation that threatens the health and integrity of the natural features or ecological functions for which an area is identified due to single, multiple or successive development or site alteration activities.

**One Hundred Year Flood:** for river, stream systems and lakes, means that flood, based on an

analysis of precipitation, snow melt, or a combination thereof, having a return period of 100 years

on average, or having a 1% chance of occurring or being exceeded in any given year.

**Partial Services:** means

a) municipal sewage services or private communal sewage services and individual onsite water services; or

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

**Pit:** means land or land under water from which unconsolidated aggregate is being or has been

excavated, and that has not been rehabilitated, but does not mean land or land under water excavated for a building or other work in the excavation site or in relation to which an order has

been made under the Aggregate Resources Act.

**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.

**Quality and Quantity of Water:** is measured by indicators such as minimum base flow, depth to

water table, aquifer pressure, oxygen levels, suspended solids, temperature, bacteria, nutrients

and hazardous contaminants, and hydrologic regime.

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

**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.

**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;

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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, secondary suites and rooming houses.

**River, Stream and Small Inland Lake Systems:** means all watercourses, rivers, streams, and small inland lakes or waterbodies that have a measurable or predictable response to a single runoff event.

**Rural Areas:** means lands in the rural area which are located outside settlement areas and that are not prime agricultural areas.

**Secondary Uses:** means uses secondary to the principal use of the property, including but not limited to, home occupations, home industries, and uses that produce value-added agricultural products from the farm operation on the property.

**Sensitive:** in regard to surface water features and ground water features, means areas that are

particularly susceptible to impacts from activities or events including, but not limited to, water

withdrawals, and additions of pollutants.

**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.

**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 the habitat of endangered species and threatened species, means the habitat, as approved by the Ontario Ministry of Natural Resources, that is necessary for the maintenance, survival, and/or the recovery of naturally occurring or reintroduced populations of endangered species or threatened species, and where those areas of occurrence are occupied or habitually occupied by the species during all or any part(s) of its life cycle;

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c) 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;

d) in regard to other features and areas in Section 3.7 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;

e) in regard to mineral potential, means an area identified as provincially significant through comprehensive studies prepared using evaluation procedures established by the Province, as amended from time to time, such as the Provincially Significant Mineral Potential Index; and

f) in regard to cultural heritage and archaeology, resources that are valued 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)-(f) 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.

**Surface Water Feature:** refers to 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.

**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 groundwater that can be easily changed or impacted by activities

or events, either by virtue of their vicinity to such activities or events or by permissive pathways

between such activities and the surface and/or groundwater.

**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.

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**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.

**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.

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