

**The Official Plan  
Of The  
Township Of Cramahe**



**Office Consolidation  
December 2014**

**The Official Plan  
Of The  
Township Of Cramahe**

**Office Consolidation Including:**

**The Official Plan as Approved by the  
Minister of Municipal Affairs and Housing  
On March 26, 1998, with Modifications  
And Approved Amendment Numbers 1, 2, 4, 5, 6, 7, 8, 9, 10 and 11.**

**2014 Consolidation Prepared by the Township of Cramahe Planning Department**

**December 2014**

Notes and Disclaimer:

1. The Official Plan of the Township of Cramahe was adopted by the Council of the Township of Cramahe on November 3, 1997, and was approved by the Minister of Municipal Affairs and Housing on March 26, 1998, with modifications.
2. This Office Consolidation has been prepared for the purposes of convenience only, and for accurate reference recourse should be had to the original copy of the Official Plan and Amendments thereto, as approved by the Minister of Municipal Affairs and Housing. Since this Official Plan has not been certified, the Township cautions that users should not rely on the information enclosed herein to their detriment.
3. Certified copies of the official documents should be obtained from the Township office.
4. This Office Consolidation includes the following Amendments:

<b>Official Plan Amendment (O.P.A.) Number</b>	<b>Date Adopted By The Council Of The Township Of Cramahe</b>	<b>Date Approved By The Minister Of Municipal Affairs And Housing</b>
O.P.A. No. 1	Adopted as O.P.A. No. 5 to the former Cramahe Township Official Plan, August 15, 1988	Approved by the Ontario Municipal Board as O.P.A. No. 1 to the 1998 Plan, September 1, 1998.
O.P.A. No. 2	November 4, 2003	January 21, 2005
O.P.A. No. 4	October 21, 2003	May 11, 2005
O.P.A. No. 5	December 21, 2004	July 14, 2005
O.P.A. No. 6	September 19, 2006	January 11, 2007
O.P.A. No. 7	April 17, 2007	September 5, 2007
O.P.A. No. 8	January 16, 2007	May 29, 2007
O.P.A. No. 9	March 2, 2010	Approved by the Ontario Municipal Board as O.P.A. No. 9, March 14, 2011
O.P.A. No. 10	April 16, 2013	March 11, 2014
O.P.A. No. 11	March 20, 2012	August 8, 2012

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## Official Plan Schedules

Schedule “A”	Land Use Plan
Schedule “A-1”	Oak Ridges Moraine - Land Use Plan
Schedule “B”	Transportation Plan
Schedule “C”	Colborne Secondary Plan
Schedule “D”	Oak Ridges Moraine - Land Use Designations
Schedule “D1”	Oak Ridges Moraine - Natural Heritage Features
Schedule “D2”	Oak Ridges Moraine - Aquifer Vulnerability
Schedule “D3”	Oak Ridges Moraine - Landform Conservation
Schedule “E”	Oak Ridges Moraine Conservation Plan

## **1.0 Title and Components**

- 1.1 This Plan when approved by the Minister of Municipal Affairs and Housing, shall be known as "The Official Plan of the Township of Cramahe".
- 1.2 The text of this Plan and the attached Schedules "A", "A-1", "B", "C", "D", "D1", "D2", "D3" and "E" constitute The Official Plan of the Township of Cramahe.
- 1.3 The Official Plan is based on background study data. This supplementary information does not form part of the Official Plan.
- 1.4 Except as expressly set out in this Plan, the lands within the Oak Ridges Moraine as delineated on Schedules "D", "D1", "D2" and "D3" shall be subject only to the policies of Section 9.2 of this Plan. Where there is a conflict with any policy of Section 9.2 and any other policy of this Plan, the policies of Section 9.2 shall prevail.

## 2.0 Purpose of the Plan

This Official Plan is a statement of public policies, set out by means of text and land use schedules intended to provide a framework for the future growth and development of the Township of Cramahe. The policies set out in this plan are designed to provide guidance for the physical development of the Township, having regard for relevant social, economic and environmental matters, during the planning period to the year 2016.

Although this plan has been prepared for a twenty year time period based on the Township's historic growth patterns, its policies shall be reviewed by Council at five year intervals to determine if there is a need for revision of the Official Plan. This review process will ensure the continued applicability of individual policies as factors change.

This Plan will serve as a guide to the municipal council, the private sector and public agencies in all aspects of land use within the Township, in accordance with sound and reasonable planning principles. It will provide direction for orderly and consistent development which will not compromise the Township's environmental, recreational, agricultural and aggregate resource potential, and the natural aesthetics of the Township. It is intended that the policies contained in this plan will ensure the continuity of the Township's established quality of life.

This Official Plan is not considered as a means of restricting the use of land, such as a zoning by-law, but it directs the Council in its use of the relevant provisions of Provincial legislation and policy.

Notwithstanding any other general or specific Act, no public work shall be undertaken and no by-law shall be passed for any purpose that does not conform to the Official Plan, except as specifically provided in Section 24 of the *Planning Act*, R.S.O., 1990, as amended from time to time.



### 3.0 Basis of the Plan

The Township of Cramahe and the Village of Colborne were subject to a municipal amalgamation, which took effect on January 1, 2001.

The Official Plan for the Township of Cramahe was originally approved by the Ministry of Municipal Affairs and Housing on March 26, 1998. The Plan was prepared and approved having regard to the Provincial Policy Statement.

The Official Plan of the (former) Village of Colborne was approved by the Ministry on November 10, 1993, and was amended a number of times, mainly for site-specific situations. The original Plan pre-dated the 1996 Provincial Policy Statement, however, the Village completed a general official plan review and update through Official Plan Amendment (OPA) No. 5, which was approved in October 2000, and had regard to the applicable provisions of the Provincial Policy Statement.

This official plan is based on the comprehensive background information that was prepared for the former official plans. Where required, the background information has been updated. In particular, this official plan reflects a priority of the Council of the Township of Cramahe of promoting commercial and industrial growth in designated areas, and policies pertaining to these land uses have been updated.

The following factors have provided overall direction in the formulation of this Plan's policies that will direct future land use and development in the Township of Cramahe:

1. This Plan applies to the entire area that comprises the Township of Cramahe.
2. The Township of Cramahe is largely a rural agricultural municipality situated in the central portion of the County of Northumberland.
3. The soils in the planning area are typically of a sandy loam texture and generally very deep except in the extreme southern areas bordering Lake Ontario. Aside from the relatively low-lying flat area adjacent to Lake Ontario, the frequent presence of moraines, drumlins and eskers has resulted in a rather hilly topography. Although in many areas soil conditions and rolling topography cause moderate to serious constraints with respect to agriculture, general farming is the most common land use. The areas of prime agricultural lands should be preserved and protected, wherever possible, from the intrusion of scattered non-farm residential development.
4. Large areas in the Township where the land is not suited to agriculture due to the terrain or soil conditions are, in many cases, ideal settings for estate or rural residential development.
5. The largest settlement area in the Township is the Village of Colborne, situated in the southwest part of the Township, south of the 401 Highway.

Other designated settlement areas include the hamlets of Castleton, Dundonald and Salem Corners. The predominant form of land use in Colborne and other settlement areas is residential.

6. The other predominant land use in the Township includes an extensive seasonal resort development along the shore of Lake Ontario and Little Lake.
7. Colborne is a main service centre for local residents in the village and surrounding areas, providing goods and services required by residents on a day-to-day basis.
8. The village of Colborne is serviced by municipal water and sewage systems. Historically, the village has had limited available reserve capacity. As such, the effective management of available reserve sewage capacity is a priority. Recent remedial works and the removal of draft approval from older draft-approved plans of subdivision have provided additional uncommitted capacity, which may be allocated for future development proposals. The Township Council continues to consider servicing capacity for commercial and industrial growth to be a priority.
9. Cobourg, Peterborough and Belleville as well as larger centres such as the cities of Oshawa and Toronto along the Highway 401 corridor are all within commuting distance of Cramahe Township and offer opportunities for employment.
10. Lake Ontario possesses good potential for water-oriented residential recreational development. At the same time, future development along the Lake Ontario waterfront should have regard to flooding, erosion and dynamic beach hazards along the shoreline.
11. Future growth and trends within the Colborne Urban Area will be in conformity with Section 5.1.2 of this Plan. The population of the Township of Cramahe is forecast to reach 6,990 by 2031; an increase of approximately 1000 residents. Furthermore, eighty-five percent (85%) of growth will be directed to the Colborne Urban Area with the remaining fifteen percent (15%) to be accommodated in the rural areas of the Township.
12. By 2015 and each year thereafter forty-two percent (42%) of residential growth occurring within the Colborne Urban Area will be through intensification within the built boundary.
13. The majority of residential development in the rural parts of the Township will be directed to the hamlet areas of Castleton, Salem Corners and Dundonald. Any residential development outside of the hamlet areas will be primarily directed to existing lots of record. New lot creation by Consent in Rural areas shall be in accordance with section 6.2.2 of this Plan. Fragmentation of land in the rural area will be discouraged.

14. Future waterfront residential and recreational development should have regard for the ability of water, adjacent land resources and ground water resources to support this development.
15. The preparation of this Plan has placed certain emphasis in the need for the municipality to encourage the enhancement of the commercial and industrial base of the Township in order to strengthen the assessment base. The Township wishes to encourage a diversification of industrial areas in the municipality to encourage the development of a range of compatible commercial uses within these areas, and to promote the Township of Cramahe Industrial Park as a “business park.”
16. The protection and conservation of environmentally sensitive areas, or areas with natural heritage features including significant wetlands and local water quality, will be protected to promote the quality of life for Township residents.
17. The identification, management and protection of lands within defined floodplains have been given due consideration in the preparation of this Plan.
18. Part of the Oak Ridges Moraine extends into the northwest part of the Township. The Township has enacted an amendment to the Official Plan in accordance with the requirements of the *Oak Ridges Moraine Conservation Act, 2001* to implement the applicable provisions of the Oak Ridges Moraine Conservation Plan. The policies for the Oak Ridges Moraine are contained in the Official Plan as a Secondary Plan.
19. The Township is located within the Outer Ring of the Greater Golden Horseshoe and as such decision-making regarding growth management within the Township of Cramahe must be in conformity with the policies of the Growth Plan for the Greater Golden Horseshoe, prepared under the *Places to Grow Act*. Decisions affecting planning matters shall have regard to the OP and the corresponding policies of this Plan.

## 4.0 Goals and Objectives

The following goals and objectives provide the basis and direction for more detailed policies contained in this Official Plan.

The goals reflect, as much as possible, the present and future needs and values of the Township.

The objectives are policy statements upon which the general development policies, the land use policies, the land use designations and the implementation policies for the municipality are based.

### 4.1 Development Areas

#### 4.1.1 Goal

To direct development to the Colborne urban area and existing hamlet areas of Castleton, Salem Corners and Dundonald

#### 4.1.2 Objectives

- a) To require adequate and comprehensive study of any new proposals to ensure that such development will be within the overall best interests of the Township and that proper cost effective land use patterns result.
- b) To discourage residential development in rural areas other than existing hamlet areas.

### 4.2 Residential Development

#### 4.2.1 Goal

To direct the location and type of future residential development within the Township.

#### 4.2.2 Objectives

- (a) Eighty percent (80%) of new residential growth will be directed to the Colborne Urban Area;
- (b) Direct forty-two percent (42%) of residential growth annually to lands within the built boundary of the Colborne Urban Area by 2015 and for each year thereafter; and
- (c) Achieve a density target of at least twenty-five (25) residents and jobs combined per hectare.

- (d) To allow for seasonal residential development which preserves and protects the natural environment. This type of development should be encouraged in clusters away from the shoreline rather than in strips along the shoreline.
- (e) A limited amount of future residential development, through non-farm residential infilling by consent in the rural areas is permitted, subject to the County of Northumberland Growth Management Strategy and the Township of Cramahe Official Plan severance policies.
- (f) To permit a limited amount of development within existing Registrar Compiled Plans and/or Reference Deposit Plan areas subject to appropriate conditions and where economic and environmental impacts are minimal.

### **4.3 Commercial and Industrial Development**

#### **4.3.1 Goal**

To encourage commercial and industrial development in the Township to provide a well-balanced and varied economy that will best serve the needs of the residents of the Township as well as the travelling public.

#### **4.3.2 Objectives**

- (a) To maintain and strengthen the residential/farm to commercial/ industrial assessment ratio.
- (b) To promote future commercial/industrial development within close proximity to existing designated commercial and industrial development.
- (c) To promote development on the lands traditionally designated for industrial uses for a broader range of industrial and compatible commercial uses so as to promote economic diversity and strength in the Township.
- (d) To ensure that new commercial and industrial development is not located where it would jeopardize existing and future residential applications, disrupt recreational, or impact environmentally sensitive areas.
- (e) To establish adequate separation distances between industrial uses and sensitive land uses.
- (f) To encourage commercial and industrial activities of a home occupation or home industry nature, throughout the Township.

(g) To develop the existing local recreational facilities of the Township to their potential and to encourage the development of additional, suitable shoreline areas for commercial recreation opportunities.

(h) To encourage the growth of extractive industries where there would be little potential for detrimental effects on residential areas or environmentally sensitive areas, in accordance with Provincial standards and regulations.

(i) To achieve designated greenfield area density target of at least 25 residents and jobs combined per hectare.

#### **4.4 Agricultural Lands**

##### **4.4.1 Goals**

To identify and protect lands which display high agricultural potential for present and future agricultural uses. Detailed land use policies and designations will comprise a dual designation approach, being "Agricultural" and "Rural".

##### **4.4.2 Objectives**

- (a) To designate those areas of high priority agricultural lands in a separate agricultural designation to ensure that their potential is recognized and protected.
- (b) To implement the guidelines of the Minimum Distance Separation Formulae when considering proposals for development within the Township.
- (c) Severances in the Agricultural designation will be prohibited unless consistent with the policies of Section 6.2.2.

#### **4.5 Environmental Lands**

##### **4.5.1 Goal**

To properly monitor, manage and maintain the quality of the natural environment in the Township to protect floodplains, wetlands and environmentally sensitive or unique areas and their environs.

##### **4.5.2 Objectives**

- (a) To identify lands subject to natural hazards such as erosion and flooding and to restrict development in these areas so as to minimize the risk to life and property. Development can only take place when it is demonstrated through the completion of appropriate environmental and/or engineering

studies, that there will be no negative impacts on natural features or the ecological functions of the area.

- (b) To identify and encourage the conservation and management locally significant wetlands and to protect provincially significant wetlands in the Township.
- (c) To ensure that it is demonstrated that there will be no negative impacts to wildlife habitat areas for those animal and bird species considered significant.
- (d) To ensure that new development does not negatively impact habitat and spawning environments either during or after construction which are essential to the health of flora, fauna and fish populations within the Township and abutting lands.
- (e) To not permit development on lands which are environmentally sensitive or where development may negatively impact the function of these lands.
- (f) To establish special floodplain management policies for the Colborne urban area where engineered floodplain mapping is available, and historical development patterns have resulted in development within or in close proximity to floodplain lands.

## **4.6 Natural Resources**

### **4.6.1 Goal**

To provide for the optimum use and development of the Township's natural resources through sound management practices, having due regard to economic, social and environmental considerations.

### **4.6.2 Objectives**

- (a) To ensure that new development does not impact the commercial development of an existing natural resource including mineral aggregate deposits and woodlots.
- (b) To assist in the determination and development of existing natural resources which have commercial value.
- (c) To encourage the use of sound management practices which will ensure the protection of wildlife, wildlife habitat, fish habitat and populations, and woodlots.
- (d) To recognize lands with high aggregate resource potential.
- (e) To encourage the conservation and long term management of significant

woodland areas in the Township.

- (f) To protect ground and surface water resources by requiring the submission of hydrogeological assessments and surface water assessments which verify that new development or changes in land use will not adversely impair water quality and quantity.

## **4.7 Recreational Development and Parklands**

### **4.7.1 Goal**

To promote the use of existing parkland and open space areas for both active and passive recreational activities and to encourage the establishment of new parkland and open space areas to adequately serve the residents of the Township.

### **4.7.2 Objectives**

- (a) To prepare a Recreational Master Plan for the Township and monitor the recreational needs on a regular basis.
- (b) To establish new parkland areas in the Township to satisfy local neighbourhood needs, both by direct acquisition and by receipt of land dedication or payment in lieu of land, for residential subdivisions or lots created by consent.
- (c) To generally establish community recreational and social facilities within the Township's settlement areas.

## **4.8 Transportation**

### **4.8.1 Goal**

To provide an adequate and integrated transportation network to facilitate the efficient and safe movement of people and goods within, to and from the Township.

### **4.8.2 Objectives**

- (a) To recognize the importance of Provincial Highway 401 as a regional access route and to encourage commercial and industrial development in the vicinity of this highway, with particular emphasis on land at the intersection of County Road 25 and Highway 401 where appropriate and in accordance with these policies.
- (b) To recognize the existing County Road system in its function to carry



medium volumes of traffic through the Township and link the Provincial Highway system.

- (c) To upgrade and extend, where needed, existing collector and local roads to provide satisfactory vehicular movement through the Township and to adjacent municipalities.
- (d) To recognize the significance of the scenic Apple Route to area tourism and the overall rural and agricultural character of the Township and area; and to give due consideration to this feature in evaluating development proposals in the vicinity of the Apple Route.
- (e) To incorporate adequate separation distances between roadways and railway lines and sensitive land uses.
- (f) To encourage the provision and maintenance of off-street parking facilities in settlement areas, particularly in the Colborne urban area.

## **4.9 Social and Housing Requirements**

### **4.9.1 Goal**

To create an environment which promotes the well being and safety of the residents of the Township, and which offers a range of opportunities in terms of the work place and living, recreational and cultural pursuits.

### **4.9.2 Objectives**

- (a) To encourage the provision of an adequate supply of housing accommodation, by type and tenure, in relation to the needs and demands of both present and future inhabitants of the Township in a form which generates a choice of lifestyles.
- (b) To consider the future development of institutional housing of a senior citizen and rent-g geared-to-income nature, in conjunction with neighbouring municipalities.
- (c) To co-operate with other agencies and levels of government in the provision of an adequate level of education, recreation, health and welfare facilities and services in response to the needs of the residents of the Township.
- (d) To establish targets for affordable housing units.

## **4.10 Community Improvements**

### **4.10.1 Goals**

To encourage the maintenance, development, redevelopment and rehabilitation of the physical environment to promote community improvement within the municipality. It is intended that such improvement shall increase the Township's economic and tourism base, promote job creation, and ensure the continuity of the Township's established quality of life.

### **4.10.2 Objectives**

- (a) To encourage by all possible means private sector efforts to upgrade existing properties and facilities.
- (b) Where financially feasible to continue to develop and improve municipal physical, social and recreational facilities and services.
- (c) To participate in and/or encourage projects and programs which improve the Township's physical environment and expand the economic base.

## **4.11 Archaeological, Built Heritage, and Cultural Heritage Resources**

### **4.11.1 Goals**

To ensure that Cultural Heritage Resources in the municipality are managed in a responsible manner which perpetuates their use while maintaining the heritage value and benefit to the community.

### **4.11.2 Objectives**

- (a) To identify and conserve heritage resources through appropriate means.
- (b) To consult with Heritage Cramahe in the identification and conservation of heritage resources.

## **4.12 Municipal Services and Utilities**

### **4.12.1 Goal**

To ensure the provision of adequate and efficient municipal services such as water supply, sewage treatment, storm sewers, solid waste disposal services and utilities in accordance with the needs of the Municipality.

**4.12.2 Objectives**

- (a) To provide for the continued development and expansion of municipal services and public utilities consistent with the needs of the Municipality.
- (b) To discourage development that would result in the premature expansion of municipal services and utilities.
- (c) To review new development proposals in terms of infrastructure requirements and assure acceptable standards prior to approval.
- (d) To manage the extension of municipal water and sewage services in Colborne to promote an efficient, convenient and economical form of urban structure and growth.
- (e) To establish special policies for Colborne regarding the management of uncommitted reserve water and sewage capacity for new development proposals and existing land uses; to ensure that allocated servicing capacity is monitored and used expeditiously so as not to limit the approval of other development proposals requiring full municipal services; and to maintain a reasonable amount of uncommitted reserve servicing capacity to provide for on-going development, particularly for infilling and intensification.

## **5.0 Land Use Policies**

### **5.1 General Development Policies**

#### **5.1.1 General**

The land resources of the Township of Cramahe shall be developed in accordance with the land use pattern shown on the Land Use Schedule and the policies contained within this plan. The General Development Policies should be read in conjunction with and do not preclude other specific policies in this Plan.

#### **5.1.2 Township of Cramahe Growth Management**

In June of 2006 the Province released the Growth Plan for the Greater Golden Horseshoe, prepared under the Places to Grow Act, 2005. The Growth Plan sets out a framework for implementing the Government of Ontario's vision for building stronger, more prosperous communities within the Greater Golden Horseshoe. As part of the Greater Golden Horseshoe, the Township of Cramahe is subject to the policy outlined in the Growth Plan document. The *Places to Grow Act* requires upper and lower-tier municipalities to bring their Official Plans into conformity with the policies of the Growth Plan. The following section outlines policy for the rate and direction of growth within the Municipality while also maintaining conformity with the Growth Plan.

Population and employment projections and density and intensification targets have been determined by the Province and the County of Northumberland based on the Northumberland Growth Management Strategy. The population and employment projections, combined with vacant land analyses, were used to determine density and intensification targets for the Township.

##### **5.1.2.1 Goals and Objectives**

###### **5.1.2.1.1 Population and Employment Forecasts**

The Township shall anticipate a population target of 6,990 and an employment forecast of 2,200 by 2031. Upon updating this Plan, the Township shall reassess population projections and adjust the above number accordingly. This projection includes a minimum of 194 jobs by 2031. Overall, the County of Northumberland anticipates a population target of 96,000 residents and an employment forecast of 33,000 by 2031.

###### **5.1.2.1.2 Residential Intensification**

Thirty-one percent (31%) of residential growth within the Colborne Urban Area shall occur through intensification. The Township shall encourage the restoration of brownfields and the utilization of Community Improvement Plan (CIP) policies, existing in Section 5.1.22 of this Plan in order to promote intensification.

Consideration for neighbourhood character and heritage must be taken when contemplating residential intensification.

### **5.1.2.1.3 Urban and Rural Settlement Areas**

The Colborne Urban Area will accommodate the majority of the forecasted growth for the Township. The Township shall direct eighty-five percent (85%) growth to the Colborne Urban Area and the remaining fifteen percent (15%) to all rural areas of the Township. Growth in the rural areas *will be encouraged to locate* in the hamlet areas of Castleton, Salem Corners and Dundonald. These hamlet areas do not possess communal sewage and water. This Plan does not encourage expansion of communal sewage and water servicing within the hamlet settlement areas. The range of uses within these areas shall be limited to those which can be supported by private services.

### **5.1.2.1.4 Settlement Area Expansion and Adjustment**

Expansion of the existing urban and rural settlement area boundaries will only be considered at the time of *a municipal comprehensive Official Plan review that applies the policies and schedules of the Growth Plan for the Greater Golden Horseshoe.*

Minor adjustments to existing urban and rural settlement area boundaries may be considered by Council through an exchange of lands where Council deems it to be in the best interest of the municipality over the long term, constitutes good planning, and is consistent with the goals and objectives of this Plan. Where minor boundary adjustments are proposed through an exchange of lands, Council will require an amendment to this Plan. The boundary adjustment must satisfy all of the following:

- a) Ensure a more orderly form of development of the settlement area;
- b) Create a more efficient use of existing or planned infrastructure/services in the community, where they exist;
- c) The lands to be exchanged must be comparable in size so there is no net gain of developable lands; and
- d) The lands to be exchanged must be adjacent to the existing settlement area boundary.

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

- a) Protection of environmental and cultural resources;
- b) The potential impact of the expansion/adjustment on the function and character of the community;

- c) The expansion/adjustment as a logical and contiguous addition to the existing settlement;
- d) The adequacy of municipal services and related municipal financial costs;
- e) The need and demand for development;
- f) An examination of reasonable alternative locations which avoid Prime Agricultural Areas, and availability of lands with limited agricultural potential;
- g) The preparation and conclusions of watershed and sub-watershed studies;
- h) Compliance with minimum distance separation formulae;
- i) The provisions of the Provincial Policy Statement;
- j) The provisions of the Growth Plan for the Greater Golden Horseshoe;
- k) The provisions of the Oak Ridges Moraine Conservation Plan; and,
- l) The Goals, Objectives and Policies of this Plan.

#### **5.1.2.1.5 Employment Areas**

Employment areas are designated for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices and associated retail and ancillary facilities. Within all employment areas the Township shall:

- a) Encourage the conversion of residential lands to commercial lands in locations within traditional or emerging commercial or mixed use areas. This includes the Core Area designation and commercial nodes. However, conversion of residential areas must consider neighbourhood character and heritage;
- b) Provide an appropriate mix of employment uses including industrial, commercial and institutional uses to meet long-term needs;
- c) Provide opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future business; and the Township at this time possesses adequate employment lands within the Colborne Urban Area for future growth. If, at the time of review of this Plan, the amount of employment land is not sufficient to accommodate forecasted employment growth, the Township may consider a boundary expansion to include lands on the fringe of the urban boundary that are best suited for employment designation.

#### **5.1.2.1.6 Designated Greenfield Areas**

Designated greenfield areas are areas within the Colborne Urban Area that are not part of the existing built-up area. A minimum of forty-two percent (42%) of growth annually in the Colborne Urban Area will take place through intensification by 2015 and each year thereafter. Greenfield development areas are all those areas within the former Village of Colborne outside the Built Boundary and inside the Colborne Settlement Area Boundary shown on Schedule “C” to the Official Plan of the Township of Cramahe. Within greenfield areas, priority shall be given to those areas with the greatest short-term development potential and access to servicing. The Township shall establish a target of 25 residents and jobs combined per hectare within greenfields. Mixed use, live/work environments are encouraged within greenfield developments.

#### **5.1.2.1.7 Growth in Agricultural and Rural Lands**

Agricultural and Rural lands must be protected for the long term. Provisions within Sections 5.2 and 5.3 (Agricultural and Rural designations) speak to the uses permitted and restrict overdevelopment of Agricultural and Rural lands. In addition to Section 6 of this Plan (Land Division Policies), the following shall apply to the Agricultural and Rural designations:

- a) The creation of new lots in the Agricultural designated lands is prohibited with the exception of lots that are consistent with Section 6.2.2.
- b) The creation of new lots in the Rural designation is generally discouraged, however, limited rural consents may occur under the policies outlined in Section 6.2.3.

#### **5.1.2.1.8 Affordable Housing**

In the case of ownership housing, affordable housing is defined as the least expensive of:

- a) Housing for which the purchase price results in annual accommodation costs which do not exceed thirty percent (30%) of gross annual household income for low and moderate income households; or
- b) Housing which the purchase price is at least ten percent (10%) below the average purchase price of a resale unit in the Township.

In the case of rental housing, affordable housing is defined as the least expensive of:

- a) A unit for which the rent does not exceed thirty percent (30%) of gross annual household income for low and moderate income households; or

- b) A unit for which the rent is at or below the average market rent of a unit in the Township.

For the purposes of the above Section, “low and moderate income household” means, in the case of ownership housing, households with incomes in the lowest sixty percent (60%) of the income distribution for the Township. In the case of rental housing, households with incomes in the lowest sixty percent (60%) for income distribution for renter households for the Township are considered a “low and moderate income household.”

The Township shall provide proper and readily available affordable housing units for current and potential residents. Policies for affordable housing are discussed in greater detail within Section 4.10.2.

#### **5.1.2.1.9 Protection of Neighbourhood Character**

While intensification, redevelopment and renewal are encouraged, all development within the Township shall have regard for the character and quality of established neighbourhoods. Neighbourhood character must be considered at all times, in all neighbourhoods. Council shall consider developing a wide-scale study identifying buildings within the Township that are of historical, cultural or social significance in order to direct development surrounding these buildings in an appropriate manner.

#### **5.1.2.1.10 Brownfield Development**

A brownfield site is an undeveloped or previously developed property that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant. The Township shall encourage the restoration, reuse and resale of brownfield sites throughout the Township. This may be achieved with implementation tools found in Community Improvement Plan policies (Section 5.1.22).

### **5.1.3 Liaison With Other Boards**

The municipality shall maintain liaison with School Boards in order to ensure that there is consistency between new development and the area's educational facilities.

### **5.1.4 Unserviced Development**

All development that is not to be serviced with municipal sewer and water must have the approval of the appropriate authorities before proceeding. The minimum lot size for any unserviced development shall be in accordance with the relevant sections of this Plan, although the approval authorities 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.



**5.1.5 Public Uses**

Except as specifically provided elsewhere in this Plan, public parks, playgrounds, water access sites, playfields, public utilities and other public, community, institutional or quasi-institutional uses which provide services to the general community shall be permitted, in all areas designated on Schedules "A" and "C" provided that:

- a) Such use is necessary in the area, that it can be made compatible with its surroundings and that adequate measures are taken to reduce an environmental impact or incompatibility with surrounding uses;
- b) Adequate off-street parking is provided;
- c) The erection of buildings and structures, with the exception of flood and/or erosion control works, will be prohibited in floodplains without the written approval of the governing Conservation Authority;
- d) No development shall be permitted within provincially significant wetlands; and
- e) Such uses shall be directed away from lands where Classes 1 to 3 soils predominate as defined by the Canada Land Inventory for Agriculture.

Solid waste landfill or waste disposal sites and sewage lagoons and sewage treatment plants shall not be considered to be "public use" for the purposes of Section 5.1.5 of this Plan.

**5.1.6 Electric Power Facilities**

- a) An undertaking of Hydro One Inc. or Ontario Power Generation Inc., as defined in subsection 2(1) of the *Electricity Act 1998*, that has been approved under the provisions of the *Environmental Assessment Act*, shall be permitted in any land use designation without an amendment to this Plan. This policy shall include local public utility service providers. Other electric power facilities including buildings and facilities not used directly for the generation and supply of power, shall comply with the provisions of this Plan and the implementing Zoning By-law.
- b) Private electric power generation facilities such as wind farms, wind turbines and solar energy systems shall be permitted within the Rural and Agricultural lands use designations, subject to an amendment the Zoning By-law. This policy is intended to apply to large-scale facilities of a commercial nature, and not to small-scale facilities for private use, for example, to provide energy for homes or accessory buildings or structures on a single property.
- c) The above policies, however, do not preclude the Municipality's right to participate in discussions on the location criteria of new electric power facilities.

### **5.1.7 Development Abutting Public Highways**

When lands located in close proximity to a public highway are proposed for residential development, it is anticipated that conditions of draft approval for a plan of subdivision will address matters of noise, vibration, dust, safety, drainage and aesthetics. In addition, noise studies may be required to the satisfaction of the Township and the appropriate approval authority for sensitive land uses located within 250 metres of a Provincial Highway and within 100 metres from other roads. Feasibility studies will be required when a proposed land use is within 50 metres of a Provincial Highway right-of-way.

### **5.1.8 Development Abutting Railway Lines**

Rail lines operated by CN Rail and CP Rail extend through the southern portion of the Township and are delineated on Schedules “A”, “B and “C” of this Plan.

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

All proposed development within 300 metres of a railway right-of-way may be required to undertake noise studies, to the satisfaction of the Municipality in consultation with the appropriate railway, and shall undertake appropriate measures to mitigate any adverse effects from noise where identified.

All proposed development within 75 metres of a railway right-of-way may be required to undertake vibration studies, to the satisfaction of the Municipality in consultation with the appropriate railway, and shall undertake appropriate measures to mitigate any adverse effects from vibration where identified.

All proposed development adjacent to railways shall ensure that appropriate safety measures such as setbacks, berms and security fencing are provided, to the satisfaction of the Municipality in consultation with the appropriate railway.

Where an application is received for the development or redevelopment of lands abutting or adjacent to a rail line, the municipality shall require the applicant to consult with the Ministry of the Environment and the appropriate Rail authority prior to approving the application.

### **5.1.9 Development Abutting Pipelines**

The location of pipelines operated under the regulations of the National Energy Board are delineated on Schedules `A' and `B' to this Plan.

No excavation or structure shall be permitted within 10.0 metres of any pipeline right-of-way limits.

Excavation within 30.0 metres of a pipeline right-of-way shall require the approval of the appropriate pipeline company.

**5.1.10 Accessory Uses**

- a) Wherever a use is permitted in a land use designation, it is intended that uses, buildings or structures normally incidental, accessory and essential to that use be also permitted.
- b) Home occupation uses shall generally be permitted as an accessory use in conjunction with permanent low density residential development and shall be appropriately regulated to ensure that they are compatible with surrounding uses.
- c) Notwithstanding the provisions of (a) and (b) above, it is not the intention of this policy to permit the location of accessory structures within flood plain areas.

**5.1.11 Environmental Review**

To ensure that development will not be subject to risk from natural hazards, nor have adverse impacts on natural features, or ground or surface water resources, Council may require applicants to prepare and submit an environmental report (as outlined in Section 5.1.11.1) when considering the following types of proposals:

- a) Plans of Subdivision;
- b) Major development proposals requiring an Official Plan Amendment;
- c) Proposals where the cumulative effects of the proposed and past development in an area should be considered; and,
- d) Proposals on or adjacent to environmentally sensitive areas.

Environmentally sensitive areas include lands that contain inherent biological values as significant wildlife habitat of endangered and threatened species, watercourses, Areas of Natural and Scientific Interest, significant valley lands, provincially or locally significant wetlands, significant woodlands and other locally significant natural areas. Environmentally sensitive areas may also possess one of the following characteristics: flood susceptibility, poor drainage, organic soils, erosion prone soils or steep slopes.

Where possible, the approximate extent and location of these Environmentally Sensitive Areas have been identified and designated as “Environmental Protection” on Schedules “A”, “A-1” and “C”. All such lands are subject to the policies of Sections 5.1.11.1 and 5.13 of this plan. Other lands in the municipality may exhibit similar environmental features, but due to their size, degree of environmental hazard, lack of data etc., such lands are not identified on Schedules “A”, “A-1” and “C”. An application to develop on or adjacent to such lands is subject to the requirements of Section 5.1.11.1.

No development and/or site alteration is permitted within significant wetlands or within significant portions of endangered or threatened species habitat.

For the purposes of this section, the lands “adjacent” to an environmentally sensitive area or a natural heritage feature shall mean the following:

- a) lands within 120 metres of a significant wetland;
- b) lands within 50 metres of an Area of Natural and Scientific Interest (ANSI);
- c) lands within 50 metres of significant wildlife habitat;
- d) lands within 50 metres of the significant portions of the habitat of endangered and threatened species; and
- e) lands within 30 metres of fish habitat.

The scope of an environmental report shall be determined by Council in consultation with the local Conservation Authority and the appropriate provincial ministry. Said report shall also include the preliminary comments from agencies and organizations identified by Council.

**5.1.11.1** The environmental report should include consideration of the following matters:

- a) The impact of proposed development on groundwater resources and the availability of potable water supplies identified by a hydrogeological analysis;
- b) The existing water quality of the affected waterbody(ies), its ability to absorb nutrients, the present level of water pollution from both natural and man-made sources, and the suitability of the water quality for swimming, fishing and other activities and as a source of drinking water;
- c) The capacity of shorelands to support further development;
- d) Fish and wildlife resources and habitat;
- e) Wetlands;
- f) Forest resources;
- g) Unique natural features, including Areas of Natural Scientific Interest;
- h) The need for stormwater management practices to protect surface water resources, both during and after construction;

- i) The impact of proposed development on the cultural heritage features of the affected environment;
- j) Any such other matters deemed necessary by Council in consultation with the Ministry of Natural Resources, the local Conservation Authority or any other ministry or agency deemed by Council to have an interest in the review.

**5.1.11.2** An environmental report shall include:

- a) A description of the project;
- b) A description of the environment which may be affected;
- c) A documentation of the cultural heritage features of the affected environment;
- d) A description of the potential impacts on the environment which may be caused by development;
- e) Remedial measures to prevent or mitigate anticipated effects on the environment.

An environmental report shall not be accepted by the Municipality until appropriate consultation and/or reviews have been undertaken by relevant ministries and agencies.

Council may require additional studies, special engineering works or design controls to ensure that a resulting development or land use will not be adversely affected by the environmental and/or physical hazards, or will not adversely affect sensitive or significant natural features or cultural heritage features prior to making any final decisions on any application or proposal.

**5.1.11.3** Council may require that a site plan or development agreement, as outlined in Section 8.8 of this Plan, be entered into between the developer and the municipality to ensure that the recommendations of the Environmental Review are implemented.

**5.1.12**        **Servicing**

**5.1.12.1**        **General Servicing Policies**

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

- a) Full municipal sewage and water services are the preferred form of servicing for urban and rural settlement areas;
- b) Communal services are the preferred means of servicing multiple lots/units in areas where full municipal sewage and water services are not or cannot be provided, where site conditions are suitable over the long term; and
- c) Lot creation may be serviced by individual on-site systems where the use of communal systems is not feasible and where site conditions are suitable over the long term.

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

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

Partial servicing will generally be discouraged, except where necessary to address failed services or because of physical constraints, and except in the Township Industrial Park, which is presently serviced with municipal water services.

Unless on full municipal services or approved communal services, industrial and commercial uses will be restricted to those of a dry nature only. Those commercial or industrial uses of a dry nature will be permitted on private services on lands designated to permit industrial uses, or on partial services (i.e., municipal water services only) in the Township Industrial Park.

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

Where communal servicing for new, or expansions to existing, multi-lot/unit residential development is appropriate, the Municipality shall be responsible for the ownership, maintenance and operation of the systems.

Where communal water services are required for residential development, such as plans of subdivision, condominiums, mobile home parks and park model trailer parks, the *Safe Drinking Water Act* requires written consent from the Municipality for the establishment of non-municipal communal wells serving six or more private residences. The Municipality may require financial assurance as a condition of consent.

Where communal sewage services are required for permanent residential freehold development (more than five residential lots/units), Council shall assume ownership and operation of the communal sewage services.

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

#### **5.1.12.2 Servicing Policies for Colborne**

Full municipal water and sewage services are available only in the Colborne urban area of the Township. It is the intent of this Plan that new development in Colborne and the provision and extension of municipal services shall occur in an orderly sequence, with the objective of promoting an efficient, convenient and economical form of urban structure and growth.

Except where specifically permitted by this Plan, development shall take place on full municipal sewage and water services. Partial servicing, meaning development on municipal water services and private sewage disposal systems, will generally be discouraged, except for the following situations:

- a) Limited infilling;
- b) Where a dwelling is to be located on a new or existing lot that is directly adjacent to existing lots with partial services and zoned for residential purposes (i.e., the direct extension of a built up area);
- c) Where necessary to address failed services or because of physical constraints.

Where full municipal water and sewage services are available, development on partial services or private services shall not be permitted. Development on municipal sewage services and private water services shall not be permitted.

Where municipal water services are not available, the creation of lots for residential uses or the development of existing lots for residential uses shall not be permitted.

In all cases, the proposed servicing shall be approved by the appropriate approval authority.

The following policies shall apply with respect to the staging and phasing of new development in the Colborne urban area, and the management of municipal water and sewage services:

- a) Council shall ensure that the timing, location and type of new development are such that the existing or future municipal services are not excessive in relation to the taxable assessment that would be provided. New residential development that would create an appreciable increase in the demand for existing or future services shall not be permitted unless it can be demonstrated that the overall ratio of municipal debt to taxable assessment would not be adversely affected.
- b) On lands that are currently undeveloped and which cannot be serviced by existing gravity flow sanitary sewers or feasible extensions of such sewers, development proposals shall be considered premature unless the developer is prepared to construct the required services, including pumping stations, to the satisfaction of and at no cost to the municipality.
- c) Council shall encourage and give priority to new development that:
  - (i) Provides for the type of development that is in accordance with the Growth Plan for the Greater Golden Horseshoe and Section 4.0 (Goals and Objectives) and Section 5.1.2 (Growth Management) of this Plan.
  - (ii) Helps achieve density and intensification targets. ;
  - (iii) Provides for the development of land through infilling, intensification, or the rounding-off of existing built-up areas;
  - (iv) Provides for the development of land as a contiguous extension of existing built-up areas that avoids the leap-frogging of large undeveloped tracts of land;
  - (v) Will not result in a premature demand for urban services; and
  - (vi) Will contribute to the most efficient and economical use or extension of existing municipal services and other public services.



If it is deemed that lands that are suitable and appropriate for development in accordance with the Official Plan are being withheld from immediate development, the extension of municipal services through or beyond such lands to other lands for development may be permitted. The extension of services to other lands and the by-passing of intervening lands shall only be considered if such lands are satisfactory for development in respect of the other relevant policies of this Plan.

- d) Council shall ensure that servicing capacity, once allocated, is not indefinitely committed to an individual development proposal that does not proceed within a reasonable period of time, and that final approval of the proposal occurs in an expeditious manner. This policy shall be implemented in the following ways:
- (i) Council may require that plans of subdivision/condominium or other large developments proceed in phases.
  - (ii) Lot creation will only be permitted if sufficient uncommitted reserve water and sewage plant capacity is available to accommodate the development. Council shall recommend the approval of only the number of lots or dwelling units for which Council is prepared to allocate servicing capacity, taking into account the uncommitted reserve capacity of the sewage and water treatment plants and the policies of this Plan.
  - (iii) Servicing allocation for subsequent phases of a plan of development or other development shall only be considered when the preceding phase has been registered and a substantial number of the lots or units have been developed.
  - (iv) Council shall require that the approval of a draft plan of subdivision or condominium be subject to a condition that provides for the lapsing of approval after an allotted period of time, typically being three years, in accordance with Section 51(32) of the *Planning Act*.
  - (v) Where a subdivision or condominium proposal has been allocated water and/or sewage capacity and has not proceeded to final approval within the time period set out in the conditions of approval, Council may recommend to the approval authority that draft approval not be extended for a further period of time.
  - (vi) Before recommending that draft plan approval not be extended, Council will provide the applicant with an opportunity to explain why the plan has not proceeded and the possible need for an extension of draft plan approval beyond the original allotted time period.

- (vii) Provided that Council is satisfied with the merits of an extension to draft approval, Council may recommend to the approval authority that an extension of draft approval be granted.
- (viii) Upon the lapsing of approval of a draft plan of subdivision or condominium, Council may re-allocate the servicing capacity to another development proposal when Council is satisfied that the new proposal complies with the applicable policies of this Plan, or, Council may hold the capacity in reserve.
- e) When unallocated servicing capacity does not exist for a proposed development, Council shall refuse or defer the processing of the planning application until such capacity is available, or until a servicing agreement is in place to ensure that such capacity will be available to service the development within one year of the granting of the preliminary planning approval.
- f) The phasing of a plan of subdivision or other major development shall be in accordance with the policies of the land use designations of this Plan, and shall be based on the progressive and sequential extension of services.
- g) Council will monitor the status of uncommitted reserve water and sewage capacity on an ongoing basis. Council shall attempt to maintain a reasonable amount of uncommitted reserve of water and sewage capacity to provide for the on-going development of the Colborne urban area, particularly for infilling, land severances and intensification within the built boundary.
- h) Provided that there is uncommitted reserve water and sewage capacity and there are existing development rights on the lands, the extension of municipal sanitary sewer services and/or municipal water services may be permitted beyond the boundaries of the Colborne Urban Area without an amendment to this Plan in the following circumstances:
  - (i) Where the extension of municipal services is justified as the preferred servicing option through an approved environmental assessment process to address failed private services or public health or safety concerns, or;
  - (ii) For new or existing dwellings that are outside of and adjacent to the Colborne Urban Area boundary, and may be serviced with municipal sanitary sewer and municipal water without requiring extensions of the service mains, i.e., that require only local lateral connections to existing service mains that abut the property;

- (iii) Consistent with the policies of Section 5.5 (Colborne Periphery Area) and Section 8.12.3 (Amendments) of this Plan."
- i) Notwithstanding the provisions of paragraph (h) above, where such services currently extend beyond the boundaries of the Colborne Urban Area, proposals for the further extension of water services for industrial or commercial uses only may be considered on their own merit. Further, the extension of municipal water and/or sanitary sewer facilities may be permitted for the following areas of the municipality:
  - (i) Properties in the Township of Cramahe Industrial Park, including developed and vacant lands, located adjacent to Purdy Road, Industrial Park Road and the west side of Elgin Street;
  - (ii) Lands zoned for commercial or industrial uses situated north of Purdy Road, east of Big Apple Drive, west of the northerly extension of Elgin Street, and south of Highway 401 (located immediately north of the Township of Cramahe Industrial Park);
  - (iii) The existing Big Apple commercial establishment, located north of Orchard Road and west of Big Apple Drive (in part of Lot 33, Concession 3); and
  - (iv) The existing residential, commercial and industrial lots abutting Big Apple Drive situated between the northern boundary of the Colborne Urban Area and Purdy Road.

#### **5.1.13 Stormwater Management**

It shall be the policy of this Plan that for any development or redevelopment proposal, stormwater runoff shall be controlled and the potential impact on the natural environment shall be minimized.

No development or redevelopment proposal, including a registered plan of subdivision or a block of land that is being developed for residential, commercial, institutional or industrial purposes, shall be permitted if such development will have a significant adverse impact on local and area-wide drainage patterns. A suitable method of accommodating surface water run-off shall be developed and implemented as a condition of approval according to the following policies:

- a) Stormwater management facilities shall be designed and constructed to protect the receiving watercourse and adjacent lands from potential adverse impacts resulting from stormwater runoff including the degradation of water quality, increase in flood potential, interference or reduction of the drainage capacity of an existing watercourse, erosion and sedimentation, and damage or destruction of fish habitat or other environmentally sensitive area.

- b) The Municipality may participate in the preparation of watershed and subwatershed management plans with other adjacent municipalities as deemed necessary by Council.
- c) The Municipality may undertake the preparation of a comprehensive Master Drainage Plan for a specific watershed area or development area within the Township of Cramahe, in consultation with the local Conservation Authority and any other approval authority. Upon the completion and approval of a Master Drainage Plan by Council, site-specific stormwater management plans for development or redevelopment proposals within the area covered by the Master Drainage Plan shall conform to the policies and requirements of the Master Drainage Plan.
- d) In the absence of a comprehensive Master Drainage Plan, the post-development rate of stormwater flow from a development or redevelopment site should not exceed the pre-development rate. Council may consult with the local Conservation Authority and the Ministry of Natural Resources to determine the most appropriate means to implement this policy for a specific site.
- e) The preparation of a stormwater management plan for a development proposal shall be the responsibility of the developer, and such a plan shall be prepared by a professional engineer. Prior to approving a stormwater management plan, Council shall request comments from the local Conservation Authority, other approval authority, and any other applicable agency with respect to the suitability of the proposed stormwater management measures.
- f) An open drainage channel, stormwater detention/retention facility and adjacent lands which form part of a stormwater management system for a subdivision or other development proposal shall not necessarily be acceptable as part of the parkland dedication requirements under the Planning act. Such lands shall be landscaped to the satisfaction of Council, and shall be a suitable width and grade to permit maintenance operations.
- g) The retention of existing tree cover or natural vegetation, particularly along watercourses and valleys, and the provision of significant grassed and open space areas, shall be encouraged to facilitate absorption of stormwater into the ground.
- h) A residential development or redevelopment proposal involving minor infilling on an existing lot of record or on a new lot created by consent, or the minor extension of an existing built-up residential area not involving a plan of subdivision or a project which is subject to Site Plan Control, generally will not require the preparation of a stormwater management plan. Prior to the issuance of a building permit, Council must be satisfied that drainage from the development will not adversely affect adjacent properties or an existing watercourse.

**5.1.14 Site Re Use - Soil Quality Assessment**

Sites that may be contaminated should be identified in advance of development proposals.

Where sites have been identified as being potentially contaminated, an analysis prepared by the developer will be required prior to accepting an application for development or redevelopment to determine the nature and extent of contamination.

All sites identified that may be contaminated must be investigated thoroughly and a clean-up plan prepared in accordance with Ministry of the Environment policies and guidelines prior to approval in principle being granted. A legally binding commitment to implement the clean-up plan will also be required.

**5.1.15 Housing**

In reviewing proposed residential developments, regard shall be had for the need for the provision of a full range of housing types and densities including housing that is designed to be affordable to moderate and lower income households.

Limited housing intensification may be considered providing such uses conform to the specific land use policies of this Plan; and suitable services exist or may be provided, to accommodate the use.

The Township shall establish and implement minimum housing targets in accordance with Section 1.4.3 of the Provincial Policy Statement. These targets should be established through housing studies conducted in conjunction with the County.

**5.1.16 Mobile Homes**

Mobile homes and mobile home parks shall be discouraged as a form of housing in the Township of Cramahe.

**5.1.17 Condominiums**

Notwithstanding all other provisions of the Plan, development involving condominium ownership shall generally adhere to the following:

- a) A condominium is defined as a building or structure wherein the owner holds title to his own individual unit while sharing title to the land and other common areas of the project and maintenance/operating costs with other owners through a condominium corporation.
- b) New condominium projects shall be encouraged as providing additional opportunities for residential and commercial/industrial development, ownership and private equity participation. In this regard, the Township will consider new forms of condominium developments under the *Condominium Act*, 1998, such as

vacant land condominiums, having regard to the following matters:

- (i) the ownership of common facilities such as access roads, open space and recreation areas, stormwater management systems, water and sewage systems, and common-use buildings and other facilities, including standards for the design, operation and maintenance of these facilities;
  - (ii) the provision of municipal services such as garbage collection and snow removal;
  - (iii) where applicable, the provision of adequate financial securities to ensure that common facilities and services do not become a financial burden on the Municipality; and
  - (iv) all applicable policies of this Plan.
- c) Conversion to condominium ownership shall require that the building be upgraded to meet the current standards of the Ontario Building Code and regulations of the Fire Code.
- d) In considering an application for condominium conversion, the following should be considered:
- (i) the area vacancy rate;
  - (ii) social or financial characteristics of the tenants;
  - (iii) existing building conditions; and
  - (iv) geographic location.
- e) Adequate provisions should be made for storage, work and meeting areas and other common areas for owners and tenants.
- f) Adequate off-street parking areas and delivery and loading facilities shall be provided as required by the implementing zoning by-law.
- g) Condominium development proposals shall be subject to the requirements of Sections 5.1.11, 5.1.12 and 8.8 of this Plan.

**5.1.18 Group Homes**

Group homes may be permitted in accordance with the following:

- a) For the purpose of this Plan, a Group Home shall be defined as a residence that is licensed or approved under one or more Provincial statutes, and is in compliance with all Municipal By-laws, for the

accommodation of three to ten persons, exclusive of staff, living under supervision in a single housekeeping unit, and who by reason of their emotional, mental, social or physical condition or legal status, require a group living environment. (This shall not include foster homes.)

- b) For the purposes of this section, group homes may be categorized by type. In general, such types shall be established by reference to the appropriate provincial legislation and may form the basis for zoning regulations.
- c) The Council of the Township of Cramahe may pass a by-law pursuant to the provisions of the *Municipal Act* requiring the registration of group homes within the municipality.
- d) Existing group homes which do not meet the requirements of the implementing zoning by-law may continue to operate subject to the maintenance of the required licenses, but will not be permitted to expand without municipal approval.
- e) In order to prevent an undue concentration of group homes in specific areas of the municipality, the implementing zoning by-law may incorporate standards including the minimum distance between these facilities, the maximum number of group home clients based on municipal population, and other specific location requirements.
- f) Council shall generally encourage the establishment of group homes in the Township of Cramahe intended to accommodate the needs of local residents of the Township and County of Northumberland.
- g) Group homes, with the exception of those group homes which are licensed under the *Charitable Institutions Act* or the *Ministry of Correctional Services Act*, shall be permitted on any lands designated for residential purposes.

Group homes licensed under the *Charitable Institutions Act* or the *Ministry of Correctional Services Act*, or secure custody children's residences, shall only be permitted in a specific Institutional designation.

#### **5.1.19 Day Nurseries**

It is the intent of this Plan where a day nursery is conducted in a residential unit as a permitted use that it will be carried on within the dwelling unit by the owner of the dwelling, that only members of the immediate family who occupy the dwelling will be employed, that no more than 5 children be in care at any one time and, that the day nursery use shall not detract from the residential character of the area. Day nurseries for more than 5 children at any one time shall be a permitted use in community halls, schools, places of worship or buildings specifically designed for day nursery use. Day

nurseries and private home day care facilities shall be provided in accordance with the *Day Nurseries Act*, as amended from time to time.

**5.1.20 Bed and Breakfast Establishments**

It is the intent of this plan where a bed and breakfast establishment is located in a residential unit as a permitted use that it will be carried on within the dwelling unit by the owner of the dwelling, that only 3 bedrooms may be used for bed and breakfast and that the bed and breakfast establishment shall not detract from the residential character of the area.

**5.1.21 Infilling**

For the purposes of this Plan, "Infilling" means the creation of a residential lot between two existing non-farm residential uses which are on separate lots of a similar size and which are situated on the same side of the road and are separated by not more than 100 metres. Residential uses shall mean dwellings for the purpose of conducting this separation distance.

**5.1.22 Community Improvements**

**5.1.22.1 General**

Community improvement policies provide the mechanism for integrating improvement activities with the overall planning process by establishing a framework for the identification and assessment of areas requiring rehabilitation and/or redevelopment, or both.

**5.1.22.2 Criteria for the Selection of Community Improvement Areas**

- a) When selecting community improvement areas Council shall have regard to the criteria described below:
  - (i) The physical appearance of the area, and the condition of buildings, landscaping, and other site features;
  - (ii) The encroachment of conflicting land uses, or uses of the land within the subject area in conflict with the Township's Official Plan and/or Zoning By-law;
  - (iii) The condition and adequacy of municipal physical services such as:
    - roads
    - drainage
    - street lighting
    - hydro services



- off-street parking
  - sidewalks and curbs
  - waterfront access (wherever appropriate)
  - signs (directional, traffic, advertising, etc.)
  - water and sewage systems (where applicable)
- (iv) The condition and adequacy of municipal recreational and tourism facilities such as parks, community centres, snowmobile, hiking and skiing trails;
- (v) the condition and adequacy of municipal social and cultural facilities such as libraries, meeting rooms and historical buildings and features.
- b) When commercial areas are considered for inclusion in community improvement areas, in addition to the requirements of Section 5.1.22.2(a), the following factors shall be reviewed:
- (i) the amount of vacant land and the number of vacant buildings and commercial establishments;
  - (ii) an evaluation of the economic viability and recent retail activity in the subject area;
  - (iii) the existing loading areas, parking requirements, and outdoor storage space associated with the commercial facilities and the need for upgrading of such facilities;
  - (iv) the accessibility of buildings and structures to pedestrians, senior citizens and the handicapped (ie. stairs, ramps, and elevators).
- c) When industrial areas are considered for inclusion in community improvement areas, in addition to the requirements of Section 5.1.22.2(a), the following factors shall be reviewed:
- (i) the suitability of the area to accommodate current and future industrial uses taking into account such matters as the extent of vacant land and the number of vacant buildings and industrial operations;
  - (ii) the suitability of the site with respect to the nature of the industrial establishment specifically with regard to any environmental concerns such as noxious odours, waste disposal, waste discharge, by-products and noise;
  - (iii) the availability of the site for the type of use such as the lot size, neighbouring uses and serviceability;

- (iv) the access to and within the industrial area, the appropriateness of the loading areas and the parking facilities provided for both employees and visitors.

#### **5.1.22.3 Definition of Community Improvement Areas**

The Community Improvement Areas shall be considered to be the existing built-up areas of the “Hamlet” designation on Schedule “A” and the lands within Colborne as identified on Schedule “C” of this Plan. The boundaries of the Community Improvement Areas shall be considered flexible and minor extensions may be permitted in special By-laws designating Community Improvement Areas without an amendment to this Plan. The addition of completely new areas or the deletion of existing areas would require an amendment to this Plan.

#### **5.1.22.4 Phasing of Community Improvements**

Priority Community Improvement Areas defined in Section 5.1.22.3 are as follows (no ranking of priority is intended):

- Village of Colborne
- Hamlet of Castleton
- Hamlet of Dundonald
- Hamlet of Salem Corners
- Colborne Periphery

#### **5.1.22.5 Implementation of Community Improvements**

The goals and objectives of the Community Improvement policies of this Plan shall be implemented by various methods including the following:

- a) Section 28 of the *Planning Act*, R.S.O., 1990, shall be utilized to designate community improvement plans; acquire, grade, service and otherwise improve land; and assist the municipality by any other means possible;
- b) Participate in publicly funded municipal, provincial, and federal community improvement programs;
- c) The preparation and enforcement of property standards and occupancy By-laws;
- d) Encouraging the redevelopment of private property and facilities by providing property owners with information concerning government funded subsidies and programs;
- e) Encouraging infilling development where appropriate;

- f) Cooperation with service clubs, recreational organizations, ratepayer groups, business groups, conservation authorities, school boards, etc. to provide new services in the Township;
- g) Designation under, and utilization of the provisions of the *Heritage Act* to encourage the preservation of buildings, structures, and features of historical significance;
- h) Encouraging public input in the development of community improvement plans.

#### **5.1.22.6 Interpretation**

It is intended that the Community Improvement policies of the Plan be considered flexible. A broad interpretation of these policies may be applied where such interpretation is deemed necessary for the desirable development of the Planning Area provided the general intent of the Plan is maintained.

#### **5.1.23 Cultural Heritage and Archaeological Resource Conservation**

Heritage resources include but are not necessarily restricted to archaeological sites, buildings and structural remains of historical, architectural and contextual value, and human-made rural, village and community landscapes of historic and scenic interest.

Council shall recognize the importance of cultural and heritage resources within the Township, and encourage the identification or recognition, restoration, protection, maintenance and enhancement of such resources.

All new development permitted by the land use policies and designations of the Plan, shall have regard for heritage resources and shall, whenever possible incorporate these resources into any plans which may be prepared for such new development. In addition, all new development will be accommodated in a manner which preserves and enhances the character of the context in which heritage resources are situated.

Council may utilize the *Ontario Heritage Act* to conserve, protect and enhance the cultural heritage resources of the community through the designation of individual cultural heritage features under Part IV, and through the designation of a group or groups of features or properties as a Heritage Conservation District (Part V).

Council may consult with Heritage Cramahe to assist in the identification and method of conservation of any significant heritage features.

Council may require the preparation of a Heritage Impact Statement when a development proposal is identified as potentially having an adverse impact on previously identified built heritage or cultural heritage landscapes, and that the Township will manage cultural heritage resources present on its own properties in a conscientious and responsible manner.

Council may wish to establish various incentives for property owners to conserve cultural heritage resources through means such as bonusing, density exemptions, or density transfers.

In addition, Council may seek to obtain funding for the conservation of cultural heritage resources through grants, partnerships and other means.

The Municipality shall have regard for significant cultural heritage resources in the undertaking of municipal public works, undertakings or municipal class environmental assessment projects. When necessary, Council will require satisfactory measures and assessments to mitigate any negative impacts on significant cultural heritage resources.

The Municipality recognizes that there may be archaeological remains of prehistoric and historic habitation, or areas containing archaeological potential within the boundaries of the municipality. Archaeological resources are provincially registered archaeological sites, locally identified sites, and/or sites listed in a municipal resource register.

Archaeological potential areas are determined through the use of provincial screening criteria, or criteria developed based on the known archaeological record within the Township and developed by a licensed archaeologist. This criteria includes features such as proximity to water, current or ancient shorelines, rolling topography, unusual landforms, and any locally known significant heritage areas such as portage routes or other places of past human settlement.

Council may, in consultation with the approval authority or Ministry of Culture, 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:

- a) There is a locally known or provincially registered archaeological resource site within 250 metres of the lands to be affected by construction or site alteration;
- b) The development involves site alteration or the construction of buildings and structures, or the development is located on shorelines which have not been extensively or intensively disturbed by past development, and areas considered to have archaeological or cultural heritage potential; or
- c) The Municipality, using archaeological potential criteria as set out in Ministry of Culture guidelines, has determined the area to have archaeological and/or cultural heritage resource potential. If requested by the Municipality or if more information is required, the Ministry of Culture may assist occasionally in determining areas of archaeological potential related to a specific development application.

If the area is determined to be of low archaeological potential with the use of provincial potential criteria by the Municipality, no archaeological assessment will be required.

The Municipality may consider archaeological preservation on site to ensure that the integrity of the resource is maintained. To maintain integrity of archaeological resources, the municipality may adopt zoning by-laws under Section 34(1) 3.3 of the *Planning Act* to prohibit any land use activities or the erection of buildings or structures on land which is a site of a significant archaeological resource.

Council shall ensure adequate archaeological assessment and consult appropriate government agencies, including the Ministry of Culture and the Ministry of Consumer and Business Services, when an identified marked or unmarked cemetery is affected by land development. The provisions of the *Heritage Act* and the *Cemeteries Act* shall apply.

#### **5.1.24 Parkland**

It shall be the intent of this Plan that the municipality will attempt, primarily by means of parkland dedication on plans of subdivision to provide parkland on a ratio of 2 hectares per 1,000 population, in accordance with Section 8.8.9 of this Plan.

#### **5.1.25 Significant Wildlife Habitat and Endangered and Threatened Species**

Council shall recognize that a limited amount of significant wildlife habitat and areas of endangered and threatened species exist in the Township.

Council shall, in consultation with the Ministry of Natural Resources, have regard to the potential impact of any development or change in land use in or adjacent to areas of significant wildlife habitat and areas of endangered and threatened species and ensure that such change will not negatively impact the natural features or the ecological functions for which the area is identified.

Development may be permitted in significant wildlife habitat if it has been demonstrated that there will be no negative impacts on the natural features or the ecological functions for which the area has been identified.

Development and site alteration will not be permitted in significant portions of the habitat of endangered or threatened species in consultation with the Ministry of Natural Resources or via endangered/threatened species information/mapping provided by the Ministry of Natural Resources.

#### **5.1.26 Areas of Natural and Scientific Interest (ANSI's)**

Significant Areas of Natural and Scientific Interest (ANSI's) are privately or publicly owned lands and associated waters that have been selected on the basis of earth or life science features that have provincially significant heritage, scientific or educational values. At the present time both the Oak Heights-Salt Creek ANSI and the Salt Creek ANSI are recognized as candidate provincially significant ANSI's. The candidate ANSI's are shown on Schedule "A" as an overlay to the underlying designation. Prior to the occurrence of any development and/or site alteration, the Ministry of Natural Resources

should be consulted.

Upon the Township receiving written confirmation from the Ministry of Municipal Affairs and Housing that these areas have provincially significant status, the following policies shall apply:

- a) Development and/or site alteration may be permitted in or adjacent to identified provincially significant ANSI's where it has been demonstrated through the completion of an Environmental Review in accordance with Section 5.1.11 of this Plan, that the proposed development and/or site alteration will have no negative impacts on the natural features or the ecological functions for which the specific area has been designated. Established agricultural uses and normal farm practices will be permitted without an Environmental Review.
- b) For the purposes of this Plan, adjacent lands shall mean those lands within 50 metres of an identified ANSI.
- c) Any proposed changes to the status of an ANSI shall be done in consultation with, and receive concurrence from, the Ministry of Natural Resources.

#### **5.1.27 Forest Resources**

In lands designated Agricultural, Rural and Environmental Protection on Schedule "A", landowners shall be encouraged to recognize forest resources as an integral part of their total agricultural operation, both as a source of income from various forest products, and as an important agent in providing essential soil and water conservation benefits. In this respect, landowners will be encouraged to:

- a) Manage forest resources in accordance with proper forest management practices, in consultation with the Ministry of Natural Resources;
- b) Retain existing tree cover, insofar as it is practical;
- c) As appropriate, maintain and establish tree and shrub cover on low agriculture capability soils and in hazardous areas such as steep slopes, major drainage swales, and flood prone areas, in order to reduce runoff rates and minimize soil erosion;
- d) Encourage the retention and establishment of wind breaks to reduce wind erosion;
- e) Encourage reforestation on non-productive farmland;
- f) Maintain tree and shrub cover to promote erosion and sediment control to watercourses during construction.

**5.1.28 Alterations to Waterways**

The straightening, changing, filling, diverting or interfering with the existing channel of any watercourse within the Township shall not occur without the written consent of the local Conservation Authority and/or Ministry of Natural Resources.

**5.1.29 Separation of Incompatible Uses**

Council shall generally require that potentially conflicting land uses be adequately separated for the purpose of minimizing or reducing adverse effects of one land use upon another. This separation or buffer area may include open space, berms, walls, fences, vegetation plantings, or another land use different from the two conflicting ones but compatible with both. The buffer area may be of variable size, shape and composition to produce the desired results. Council may consult with the Ministry of the Environment or any other ministry or agency with respect to requirements for buffer areas. Council may have regard to guidelines of the Ministry of the Environment pertaining to *Land Use Compatibility* and *Compatibility Between Industrial Facilities and Sensitive Land Uses*.

**5.1.30 Minimum Distance Separation - Agriculture**

All new or expanding development and agriculturally related industrial and commercial uses shall comply with the Minimum Distance Separation I (MDS I) formulae and criteria as established by the Ministry of Agriculture, Food and Rural Affairs and the Ministry of the Environment.

All new or expanding livestock facilities shall comply with the Minimum Distance Separation II (MDS II) formulae and criteria as established by the Ministry of Agriculture, Food and Rural Affairs and the Ministry of the Environment.

**5.1.31 Wayside Pits and Quarries**

Wayside pits and quarries are temporary pits or quarries opened and used by a public road authority solely for the purpose of a particular project or contract of road construction or maintenance. The following policies shall apply to the establishment and operation of wayside pits and quarries in the Township:

- a) Wayside pits and quarries may be permitted in all land use designations without the need for an Official Plan or Zoning By-law amendment except in areas of existing development designated for residential uses or areas designated Environmental Protection.
- b) Wayside pits and quarries must conform to the requirements of the Aggregate Resources Act, as amended, repealed or replaced from time to time.
- c) Prior to the establishment of any such wayside pit, with the exception of Ministry of Transportation operations, the Council will be advised that such a pit qualifies

as a wayside pit or quarry, in the opinion of the Ministry of Natural Resources. In addition, when no longer in use, any wayside pit or quarry must be rehabilitated to the standards required by the Aggregate Resources Act.

- d) On lands designated as Agricultural and comprised of class 1, 2 and 3 soils as defined by the Canada Land Inventory for Agriculture, aggregate extraction (including wayside pits/quarries) may occur, if agricultural rehabilitation of the site is carried out, and substantially the same acreage and average soil capability for agriculture are restored.
- e) Wayside pits and quarries shall be prohibited in the area of the Village of Colborne, as defined by the lands shown on Schedule “C”.

### **5.1.32 Portable Asphalt Plants**

Portable asphalt plants, used by a public road authority or their agents, shall be permitted throughout the Township without an amendment to this plan or the zoning by-law except that portable asphalt plants are not permitted in areas of existing development and in environmentally sensitive areas designated Environmental Protection.

Wherever possible, attempts should be made to locate the portable plant in a wayside pit, vacant industrial site, the highway right-of-way, or on inactive or less productive agricultural lands.

Portable asphalt plants are subject to the following provisions:

- a) Portable asphalt plants will be removed from the site upon completion of the project;
- b) All portable asphalt plants must have a Certificate of Approval from the Ministry of the Environment and must meet the minimum separation distance of that ministry;
- c) Sites used for portable asphalt plants within the agricultural area shall be rehabilitated to their former agricultural capability.

For the purposes of this plan a portable asphalt plant shall mean 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 is designed to be dismantled and moved to another location as required.



**5.1.33      Re-Use of Contaminated and Potentially Contaminated Sites**

Where site reuse or redevelopment is proposed, Council will request the proponent to undertake a Phase I and if necessary a Phase II Environmental Site Assessment (ESA) to determine whether the environmental condition of the site is suitable for the proposed use. A site which is contaminated, or may be potentially contaminated, should be assessed and Council shall be in receipt of a record of site condition, acknowledged by the Ministry of the Environment, outlining the requirements for restoration before approval for the reuse or redevelopment of the site is granted.

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

Planning for the use or redevelopment of a contaminated or potentially contaminated site shall be undertaken in accordance with the Ministry of the Environment's *Guideline for Use at Contaminated Sites in Ontario*.

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

**5.1.34      Issues That Cross Municipal Boundaries**

Issues such as infrastructure and public service facilities that cross municipal borders should be co-ordinated between the involved municipalities and upper and lower tier governments.

## **5.2 Agricultural**

The Agricultural designation is intended to recognize the existing agricultural land use patterns and areas of high agricultural potential and to protect large blocks of agricultural land without interruption from other non-agricultural designations. Lands within the Agricultural designation are identified as lands which have a high capability for the production of speciality crops due to special soils or climate; lands where soil classes 1, 2 and 3 predominate, as defined by the Canada Land Inventory for Agriculture; additional areas where farms exhibit characteristics of ongoing viable agriculture; and areas where local market conditions ensure agricultural viability where it might not exist otherwise. Lands designated with class 1 to 3 soils are considered provincially significant.

The intent of this designation is to preclude uses which would jeopardize the ongoing agricultural use in those areas. The following principles are to be considered in the development and control of lands designated Agricultural.

### **5.2.1 Permitted Uses**

The uses permitted may include all forms of agricultural and farming operations including animal and poultry farms, forest uses, orchards, market and nursery gardens, kennels and facilities for the raising of fur bearing animals and commercial and industrial uses clearly oriented to either farm service or production, such as a feed mill, a farm implement dealer, a farm product sales outlet and a livestock salesbarn. Agri-tourism activities accessory to an agricultural or farming operation may also be permitted. Activities concerning the conservation and management of soil, water and wildlife and passive park and open space areas and wayside pits and quarries, shall also be permitted. Secondary uses to the principle use of the property, including home occupations, home industries and uses that produce value added agricultural products such as maple syrup from the farm operation.

A bunkhouse for the temporary lodging of seasonal farm help may be permitted on a property in the Agricultural designation, but a bunkhouse shall not be used for permanent residential occupation. Where possible, a bunkhouse should be located on lands that do not have high agricultural capability. The establishment of a bunkhouse shall require an amendment to the Comprehensive Zoning By-law.

Limited residential uses in the form of one single detached dwelling on a lot existing as of the date of approval of this Plan in accordance with Section 6.2.2 may also be permitted in the Agricultural designation.

This policy does not have the effect of permitting a dwelling on a remnant lot that precluded residential development as a condition of a previous severance resulting from a farm consolidation.

### **5.2.2 Residential Development**

Farm related residential development will be directed to lands which do not have high agricultural capability. To this end, where possible, farm related residences shall be located on lands which are rated as Class 4 to 7 for agricultural capability, or in the poorer portions of the farm holding where no Class 4 to 7 lands exist.

Other factors to be considered for residential development are outlined in Section 6.2.2 of this Plan.

### **5.2.3 Farm Related Commercial and Industrial Uses**

Commercial and industrial uses which are clearly oriented to either farm service or farm production and require close proximity to farming operations may be permitted within the Agricultural designation provided that the lot has frontage on a publicly maintained road, and the proposed use is compatible with adjacent uses. Where possible such farm related uses will be directed to lands with limited agricultural capability.

### **5.2.4 Secondary Uses**

The establishment of secondary uses to the principle use of the property, including home occupations, small scale home industries or commercial uses and uses that produce value added agricultural products such as maple syrup from the farm operation may be permitted at the home of the proprietor or in a separate building on the same lot, or both, within the Agricultural designation provided that the lot has frontage on a publicly maintained road, and the proposed use is compatible with adjacent uses. Where possible, new structures for such uses will be directed to lands with limited agricultural capability.

Appropriate regulations shall be established in the implementing Zoning By-law to control the nature and size of these business establishments.

### **5.2.5 Agricultural Separation Requirements**

New and expanding livestock facilities and new farm and non-farm development shall comply with the minimum distance separation setbacks as determined by the Minimum Distance Separation Formulae (MDS I and MDS II) in accordance with the provisions of Section 5.1.30 of this Plan.

### **5.2.6 Wayside Pits and Quarries**

A wayside pit or quarry may be established in the Agricultural designation, subject to the provisions of Section 5.1.31 of this Plan.

### **5.2.7 Zoning**

Agricultural uses may be zoned in a separate classification in the Township's Zoning

By-law. Uses accessory or subordinate to the main uses which are permitted in the Agricultural designation may be zoned in separate classifications in the Township's Zoning By-law.

### **5.3 Rural**

The "Rural" designation recognizes lands which are of marginal value for agriculture and have potential for non-agricultural development. The main purpose of this designation is to protect these lands from indiscriminate and haphazard development and by directing low intensity rural uses into these areas, thereby protecting agricultural development.

#### **5.3.1 Permitted Uses**

Permitted uses shall include agricultural uses and commercial and industrial uses clearly oriented to either farm service or production as defined in Section 5.2.1, forestry management, resource management uses, passive recreational uses, parklands, community and institutional facilities, wayside pits and quarries, and existing uses. Secondary uses to the principle use of the property including home occupations, home industries and uses that produce value added agricultural products such as maple syrup from the farm operation are also permitted. Agri-tourism activities accessory to an agricultural or farming operation may also be permitted.

A bunkhouse for the temporary lodging of seasonal farm help may be permitted on a property in the Rural designation, but a bunkhouse shall not be used for permanent residential occupation. The establishment of a bunkhouse shall require an amendment to the Comprehensive Zoning By-law.

Limited residential uses in the form of one single unit per lot may also be permitted in the Rural designation.

#### **5.3.2 Commercial and Industrial Uses**

The establishment of small scale commercial or industrial uses at the home of the proprietor, or in a separate building on the same lot, or both, shall be permitted in the Rural designation. The following matters shall be considered prior to the establishment of such uses:

- a) The compatibility of the proposed use with surrounding land uses;
- b) The siting and design of the proposed use to ensure the provision of an acceptable driveway location, adequate off-street parking and loading facilities, appropriate building setbacks from property boundaries and other uses, landscaping and buffering, and that any lighting or signs are arranged to blend in with the character of adjacent uses;
- c) Such development shall comply with the provisions of the Minimum Distance Separation Formulae, where required; and
- d) The provisions of Section 5.2.4 of this Plan.

These business establishments shall be regulated as home industries or home occupations within the Township's Zoning Bylaw.

Commercial and industrial uses clearly oriented to either farm service or farm production may be permitted in accordance with the provisions of Section 5.2.3 of this Plan.

### **5.3.3 Agricultural Separation Requirements**

New and expanding livestock facilities and new farm and non-farm development shall comply with the minimum distance separation setbacks as determined by the Minimum Distance Separation Formulae (MDS I and MDS II) in accordance with the provisions of Section 5.1.30 of this Plan.

### **5.3.4 Wayside Pits and Quarries**

A wayside pit or quarry may be established in the Rural designation, subject to the provisions of Section 5.1.31 of this Plan.

### **5.3.5 Zoning**

Rural uses may be zoned in a separate classification in the Township's Zoning By-law. Uses other than those which are specifically rural, but which are permitted in the Rural designation, may be zoned in a separate zone in the Zoning By-law.

### **5.3.6 Special Rural Policies**

#### **5.3.6.1 Part Lots 25, 26 and 27, Concession X - R.D. Plan No. 23**

Notwithstanding any provisions of this Plan to the contrary, on those lands described as comprising Reference Deposit Plan No. 23, located in part of Lots 25, 26 and 27, Concession X, in the Township of Cramahe, a maximum of fifteen (15) single detached dwelling houses only shall be permitted and the implementing Zoning By-law shall:

- a) Incorporate appropriate Zone Provisions to limit total residential development to fifteen (15) single detached dwelling houses;
- b) Prohibit development on any lots on the Plan which would abut the Township Road to the immediate south of Reference Plan 23, until such time as the road is upgraded to the standards of the Township and the Ministry of Transportation to permit year-round motor vehicle access;
- c) Accurately delineate lands identified by the Lower Trent Region Conservation Authority as exhibiting constraints for development.

**5.3.6.2 Part Lots 15, 16, 17, Concession IV -  
R.D. Plan Nos. 58 and 66**

Notwithstanding any other provisions of this Plan to the contrary, on those lands described as comprising Reference Deposit Plans 58 and 66, located in part of Lots 15, 16 and 17, Concession IV, in the Township of Cramahe, a maximum of ten (10) single detached dwelling houses only shall be permitted and the implementing Zoning By-law shall:

- a) Incorporate appropriate Zone Provisions to limit total residential development to ten (10) single detached dwelling houses;
- b) Require that motor vehicle access to each of the proposed ten (10) building lots only be from County Road No. 21. No access to the Township Road to the immediate west of the subject lands shall be permitted;
- c) Preclude development on lands which have been identified by the Lower Trent Region Conservation Authority as exhibiting constraints for development;
- d) Require that all dwelling houses comply with the Minimum Distance Separation requirements of the MDS I formulae.

**5.3.6.3 Part Lot 33, Concession II**

In addition to the uses permitted within the Rural land use designation, for the property located in Part Lot 33, Concession II, the display and sale of used motor vehicles shall be permitted.

**5.3.6.4 Part Lot 29, Concession VII**

In addition to the uses permitted within the Rural land use designation, for the lands located in Part Lot 29, Concession VII, an electrical contracting business and a building, or portion of a building, for the storage of electrical stock inventory with a small workshop area shall be permitted. The implementing zoning by-law shall put into place regulations regarding the scale of the operation and any other site specific regulations that are appropriate.

**5.3.6.5 Part of Lot 23, Concession I**

In accordance with Section 5.3.2 of this Plan, on those lands located in Part of Lot 23, Concession I, as shown on Schedule “A”, a residential plan of subdivision of not more than 8 lots for single detached dwellings shall be permitted.

In accordance with the Ministry of the Environment’s guidelines, a noise study shall be completed prior to issuing final approval on the subdivision.”

**5.3.6.6 Part of Lot 11, Concession I**

In addition to the uses permitted in the Rural land use designation, on those lands located in part of Lot 11, Concession I, as shown on Schedule “A”, the permitted uses shall include a maximum of three (3) self-storage rental buildings.

For the purposes of this policy, a self-storage rental building shall mean a non-residential building containing separate self-storage units divided by a wall from the floor to the ceiling, each storage unit having an independent entrance from the exterior of the building, and designed to be rented or leased on a short-term basis to the general public strictly for the private storage of goods, materials or equipment.

The implementing zoning by-law may include a Holding (“H”) provision in accordance with Section 36 of the Planning Act. Where a Holding provision is applied, the by-law shall set out the conditions for the removal of the Holding (“H”) symbol, which may provide for a development agreement between the owner and the Municipality, and site development conditions by agencies such as the Count of Northumberland and Lower Trent Conservation.



## **5.4 Hamlet**

Lands designated "Hamlet" apply to small settlement areas in the Township and recognize the essential mixed use character of these communities and the important role they play as residential, commercial and social centres within the Township of Cramahe. The hamlets identified under this designation include Castleton, Salem Corners and Dundonald.

In order to protect and enhance these community centres, the following principles are to be considered in the development and control of these lands.

### **5.4.1 Permitted Uses**

Permitted uses shall include residential dwellings, commercial, and industrial uses, parkland and recreational uses, and institutional and community facilities.

### **5.4.2 Pattern of Development**

The future development of hamlets will take place through intensification and infilling within the hamlet settlement boundary. The division of land within hamlets is permitted in accordance with the policies of Section 6 (The Division of Land) of this Plan. All new development shall make adequate provisions for roadway access to permit the further future expansion of development which may be proposed at a later date.

Infilling between existing development either on existing vacant lots or severed lots shall be permitted provided that the new uses are compatible in type and density with the adjacent existing development. All future development in hamlet areas will occur in accordance with the servicing policies (Section 5.1.12) of this Plan.

All future development in hamlet areas will occur in accordance with the servicing policies (Section 5.1.12) of this Plan.

### **5.4.3 Services**

Servicing new development and the infilling of vacant lots and severed lots shall occur in accordance with the policies contained in Section 5.1.12 of this Plan. Where individual sewage disposal and water supply systems are to be used, they must be approved by the local Health Unit or other approval authority.

The installation of a municipal water supply system and/or sewage disposal system to serve residential areas will be encouraged when the density of residential areas is sufficient to economically permit the construction of such systems.

### **5.4.4 Residential Uses**

Single detached dwellings shall be the primary form of residential development in the hamlet areas. However, apartments over commercial uses, duplexes, semi-detached

dwelling units and multiple unit dwellings such as tri-plexes and quad-plexes may be permitted provided the provisions of Section 5.4.5 can be satisfied.

The minimum lot area for a residential dwelling shall be of an adequate size for the use proposed, having regard to the topography of the land, the siting of the proposed buildings and the existing or proposed points of ingress and egress. Specific regard shall be had to the suitability of the soil and ground water conditions to provide for an adequate potable private water supply and for the installation and operation of a satisfactory private sewage disposal system which complies with the current standards of the Ministry of the Environment and as administered by the local Health Unit.

#### **5.4.5 Multiple Residential Development**

The establishment of multiple residential uses shall be subject to the following:

- a) Where development occurs on privately owned and operated water and sanitary sewer systems, a detailed hydrogeological study shall be required and approved by the Township and other approval authorities so as to ensure that the site can satisfactorily accommodate the proposed use without jeopardizing the quantity and quality of ground and surface water;
- b) The maximum density for multiple residential development shall generally not exceed 4 units per acre on private services or as determined by the results of a hydrogeological assessment;
- c) Multiple family dwellings shall be encouraged to include good landscaping standards, and sited so as to minimize their effect on adjacent uses, particularly single dwellings;
- d) The proposed development shall have direct access to collector streets or front upon a local street of adequate standard which connects directly to a collector street in order to prevent congestion on local streets.

#### **5.4.6 New Residential Subdivisions**

Proposals for new residential developments in the Hamlet designation shall be evaluated based on the following:

- a) The provisions of Section 5.1.11, 6.1.1 and 6.1.2 of this Plan;
- b) The site fronts directly on a public road and internal roads are public roads maintained on a year round basis;
- c) The site has a sufficient number of satisfactory access points for the units proposed;
- d) The site is adequately buffered from adjacent uses particularly those of a

commercial or industrial nature.

#### **5.4.7 Commercial Uses**

Commercial uses generally supplying local commercial needs and the needs of the travelling public such as convenience stores, restaurants and retail stores will be permitted in the Hamlet designation, where compatible with surrounding land uses and the general character of the hamlet. Provisions shall be made for adequate off-street parking and loading facilities together with appropriate buffer planting or screening where commercial uses abut residential uses.

#### **5.4.8 Industrial Uses**

Industrial uses generally of a limited extent may be permitted in hamlets. Provision shall be made for adequate off-street parking and loading facilities together with adequate buffer planting or screening, where industrial uses abut residential uses.

#### **5.4.9 Location and Requirements of Commercial and Industrial Uses**

Care shall be taken that the commercial and industrial uses permitted in the hamlet areas are compatible with the residential nature of the hamlets. The degree to which these uses should be separated from sensitive land uses and the adequacy of buffer planting or screening or other mitigating measures will depend on the nature of the uses involved. Regard should be had to the Ministry of the Environment's guidelines on *Land Use Compatibility* and *Compatibility Between Industrial Facilities and Sensitive Land Uses*.

Commercial uses, wherever possible, should be grouped with existing commercial establishments to form a commercial core.

New industrial uses will not be permitted in areas which have developed as predominantly residential or in the path of logical residential expansion, but they will be encouraged to locate with other industrial uses or in areas where any adverse effects on surrounding uses will be minimized.

New commercial and industrial development or major expansions to existing uses shall require the prior submission and approval of a detailed hydrogeological study, by the Township and other approval authorities.

#### **5.4.10 Zoning**

Hamlet uses may be zoned in separate classifications in the Township's Zoning By-law.

## **5.5 Colborne Periphery Area**

The “Colborne Periphery Area” designation applies to areas generally located on the northern and southern fringe areas of the Village of Colborne. This designation includes both existing residential and commercial areas, and areas which have potential for future development on municipal water and/or sewer service.

### **5.5.1 Permitted Uses**

Permitted Uses shall include residential dwellings, commercial uses, parkland and recreational uses and institutional and community facilities.

### **5.5.2 Pattern of Development**

Development within the Colborne Periphery Area will proceed primarily in the form of infilling through the consent to sever process. Single detached dwellings shall be the primary form of residential development in the Colborne Periphery Area. Infilling of existing residential development or the development of existing lots of record shall be permitted on septic tanks and private wells, provided that approval is received from the approval authority. The consent granting authority should ensure that in granting consents, the future potential for a comprehensive pattern of development that could occur on full municipal services will not be jeopardized.

New development comprising multi-lot and multi-unit developments shall only be permitted on full municipal water and sewer services, in accordance with Section 5.1.12.2 of this Plan.

### **5.5.3 Zoning**

Uses within the Colborne Periphery Area designation may be zoned in separate classifications in the Township's Zoning By-law.

## **5.6 Rural Residential**

The Rural Residential designation recognizes lands outside of the Colborne Urban Area and the Hamlet areas where there are large residential clusters that were designated Estate Residential in the previous Official Plan. This designation shall apply only to existing Estate Residential development as of March 1, 2005. No lands shall be re-designated as Estate Residential. The intention of the Rural Residential designation is to recognize existing residential uses or lands with existing residential development rights within the rural areas of the Township.

### **5.6.1 Permitted Uses**

Uses permitted in the Rural Residential designation shall include single detached dwellings, home occupations and accessory uses.

### **5.6.2 Residential Development in the Rural Residential Designation**

New residential development may take place in the Rural Residential designation on existing lots of record or lots. The Rural Residential designation will also recognize existing developed plans of subdivision, existing draft approved plans of subdivision and lands designated for such development in the Township's previous official plan that occur outside of designated settlement areas.

Division of land in the Rural Residential designation is not permitted.

### **5.6.3 Official Plan Amendment**

No additional lands shall be re-designated Rural Residential by way of amendment to this Plan.

### **5.6.4 Services**

Development shall take place on private individual sewage disposal and water supply facilities. However, consideration should also be given to servicing policies outlined in Section 5.1.12 of this Plan.

### **5.6.5 Zoning**

Rural Residential uses may be zoned in a separate classification in the Township's Zoning Bylaw.

## **5.7 Resort**

The "Resort" designation recognizes those areas of the Township which have historically been developed for recreational dwelling and commercial recreational purposes. Permitted uses shall include seasonal residential, tourist accommodation and resort commercial uses. In addition, a limited amount of permanent residential uses, as well as uses which are complementary to, or serve the basic resort uses, home occupation uses and public parks shall be permitted.

### **5.7.1 Permitted Uses**

The predominant form of residential development permitted shall be seasonal dwelling houses not requiring year-round services. New permanent single detached dwellings and conversions of existing dwellings to permanent use may be permitted which are in compliance with the Zoning By-law regulations and the policies of Section 5.7.2 below.

The recreational commercial uses permitted shall be limited to those commercial uses which serve primarily a recreational function. This shall include tourist accommodation uses such as motels, lodges or cabins, as well as accessory residential uses, tourist camps or parks, marinas, retail commercial establishments catering to the day to day needs of the seasonal residents and eating establishments.

### **5.7.2 Conversions from Seasonal Dwellings to Permanent Dwellings**

The seasonal residential dwelling proposed to be converted to permanent residential use shall meet the following requirements:

- a) The lot shall be of adequate size and frontage as specified in the Zoning By-law;
- b) There is an adequate source of potable water that has been sampled and analysed to ensure that the quality is acceptable, whose year-round use will not impair the supply to other buildings, and which will be to the satisfaction of the Township and other approval authorities;
- c) There is a sanitary waste disposal system suitable for year-round operation installed and working so as not to result in any pollution to the environment and which will be to the satisfaction of the Township and other approval authorities;
- d) The existing building(s) is of adequate size and construction for permanent occupation as specified in the Zoning By-law;
- e) The lot fronts on a public road which is constructed to appropriate standards;
- f) The proposed location of the residence is provided with adequate year-round services, including road maintenance, school bus service, garbage disposal, fire and police protection;

- g) The proposed use does not contribute singly or with associated uses, in the pollution or other deterioration of the natural environment;
- h) The proposed use does not contribute singly or with other uses, to a demand for services which are not feasible or economic to provide or improve or maintain and shall not result in the creation of any additional financial burden on any public authority; and
- i) Each application for conversion shall be the subject of a specific by-law amendment. The application for rezoning shall be accompanied by a report which shall include information on the above noted standards and criteria, comments from the School Board, and a copy of the Certificate of Occupancy.

### **5.7.3 Policies for New Seasonal Residential Development**

New Seasonal Residential development shall take place primarily by registered plan of subdivision. An application for development shall be accompanied by a report in accordance with Section 5.1.11, 5.1.12, 6.1.1 and 6.1.2 of this Plan. In depth cluster development will be encouraged as will public waterfront parks or focal points held in common ownership.

Although no lands have been designated as "Resort" in the Township other than those already existing, first priority shall be given to such resort oriented development in areas adjacent to lakes, rivers, and streams.

All parcels of land shall be of an adequate size for the use proposed, having regard to the topography of the land, the siting of the proposed buildings and the existing or proposed points of ingress and egress. Specific regard shall be had to the suitability of the soil and ground water conditions to provide for an adequate potable private water supply that has been sampled and analysed to ensure that the water quality is acceptable, and for the installation and operation of a satisfactory private sewage disposal system which complies with the standards of the Ministry of the Environment and Energy, and as administered by the local Health Unit. Lot size shall be determined by appropriate hydrogeological information. In no case however, shall any parcel of land be created which does not conform with the minimum requirements of the implementing Zoning By-law.

The minimum lot area shall vary but in most cases shall not be less than 0.4 hectares (1 acre). Under certain exceptional circumstances, an alternative minimum lot area for a single detached seasonal residential dwelling may be permitted if the overall density is not greater than 1 seasonal residential dwelling unit per 0.4 net hectares. In calculating the net area all lands within a plan of subdivision for the proposed seasonal residential use shall be included except those lands which are roads, Environmental Protection lands, recreational commercial and parkland.

Where lot areas are less than 0.4 hectares, a piped water supply and sanitary sewage disposal system that meets with the approval of the Ministry of the Environment and the

Township must be provided. Requirements for the ownership, maintenance and responsibility for such communal water and sewage disposal systems shall be established in accordance with Section 5.1.12 of this Plan.

A reduction in minimum lot hectarage below 0.4 hectares shall be considered only when the developer has furnished the Township with a study which clearly supports the development proposal. Such a study will include details on the physical characteristics on the site, the serviceability of the site including both on-site and off-site impacts and the aesthetic quality of the surrounding natural environment.

#### **5.7.4 Policies for Recreational Commercial Development**

Recreational Commercial development shall be located in such a manner that the road pattern provides for the adequate movement of vehicular traffic.

Recreational Commercial development proposals may be supported by studies which assess the suitability of the site (i.e., water quality, soils, road and servicing requirements, vegetation, existing recreational commercial development, boating facilities, etc.) to sustain the impact of further recreational commercial use. Such studies will be compulsory for tourist camps or parks, motels, lodges or cabins and marinas. Additional studies may be required in accordance with Sections 5.1.11 and 5.1.12 of this Plan.

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

All commercial uses shall provide adequate on-site parking facilities and shall be buffered by planting and by substantial spatial separation from adjoining residential uses. No marina shall be established closer than 60 metres (196 ft.) to any lands zoned for residential uses.

#### **5.7.5 Zoning**

Seasonal Residential areas and Recreational Commercial areas may be zoned in separate classifications in the implementing Zoning By-law. Zoning provisions shall ensure that all buildings are set back from the water sufficiently to protect this important environmental feature. Commercial buildings on Lake Ontario should be set back approximately 38 metres (125 ft.) from the high water mark. This setback may be increased in instances where it is required to maintain the scenic attributes and environmental quality of lakes, rivers and streams within the Township.



## **5.8 Commercial**

The following policies apply to lands designated as Commercial on Schedule “A.”

The Commercial designation is intended to recognize commercial establishments located throughout the Township outside of Colborne, serving both the general and transient public. Commercial policies for Colborne are contained in Section 9.1, the Colborne Secondary Plan.

### **5.8.1 Permitted Uses**

The commercial uses permitted are those local and highway commercial type uses which are oriented to serve the needs of the general public on both a day to day, and occasional basis. Such uses include existing uses, offices, retail stores, restaurants or other eating establishments, hotels or motels, auto service stations, service uses, auto sales establishments, builders supply outlets, local commercial uses such as a convenience store, a general store, a farm implement dealer, a public garage and institutional type uses. A residence for a caretaker or owner shall be permitted as an accessory use.

### **5.8.2 Location**

Commercial uses shall be encouraged to locate within designated settlement areas.

### **5.8.3 Off Street Parking**

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

### **5.8.4 Buffer Planting**

Adequate buffering, to include noise attenuation and visual screening measures, may be required between a commercial and any adjacent residential uses.

### **5.8.5 Services**

In the absence of complete municipal services the enlargement or redevelopment of existing commercial activities as well as the development of new commercial establishments shall be contingent upon the provision of an adequate supply of potable water that has been sampled and analysed to ensure that water quality is acceptable, and the installation of an appropriate sewage disposal system, as approved by the approval authority.

### **5.8.6 New Commercial Development Criteria**

New proposed commercial development which is not already designated as

Commercial and which is not a small scale commercial use to be regulated as a home occupation or home industry shall require an amendment to this Plan. Such development shall only take place after the following factors have been given consideration:

- a) The compatibility of the proposed use with adjacent land uses;
- b) The impact of the proposed development on the natural environment, the open space character and the scenic qualities of the Township;
- c) The provisions of Section 5.1.11 of this Plan;
- d) The physical suitability and soil capability of the site for the proposed use;
- e) The convenience and accessibility of the site for vehicular and pedestrian traffic and the traffic safety in relation thereto, and the provision of adequate off-street parking facilities as required by the Township's Zoning By-law;
- f) Buffering and building setbacks;
- g) Water and sewage servicing requirements in accordance with the provisions of Section 5.1.12 of this Plan;
- h) Site design; and
- i) Provision of interior street design and possible exterior street realignment.

Any new Commercial development shall front on an assumed public road which is currently maintained on a year-round basis.

Council may require the applicant to prepare and submit a market study for any major commercial development as deemed necessary.

### **5.8.7 Expansion of Existing Commercial Designation**

The expansion of existing Commercial designations shall be permitted by amendment to this Plan in accordance with the provisions of Section 5.8.6, "New Commercial Development Criteria," provided that all other requirements of the Commercial designation can be met and that such expansion is compatible with surrounding land uses and the general character of the subject area.

### **5.8.8 Development Plan**

Prior to the development or extension of any commercial lands, an overall site development plan shall be submitted by the owner in accordance with Section 8.8 of this Plan.

### **5.8.9 Zoning**

Commercial uses shall be zoned in one or more separate classifications in the Township's Zoning By-law.

### **5.8.10 Special Commercial Policies**

#### **5.8.10.1 Part Lot 33, Concession III**

In addition to the uses permitted in the Commercial designation, on those lands generally located west of County Road No. 25, and south of Highway No. 401, in part of Lot 33, Concession III, in the Township of Cramahe, activities which promote the local agricultural industry, such as facilities and areas for the sale of agricultural produce and souvenirs, demonstrations, information centres, guided tours, the growing of agricultural products, as well areas where animals can be kept for viewing by visitors, shall also be permitted.

#### **5.8.10.2 Part Lot 26, Concession VII**

In addition to the uses permitted in Section 5.8.1 herein, on those lands located in Part of Lot 26, Concession VII, an establishment for making candles shall be permitted.

## **5.9 Employment Areas**

The “Employment Areas” designation is intended to provide for the maintenance and reinforcement of the Township’s employment base through the retention and expansion of existing industry, and to encourage the diversification and expansion of the Township’s employment base where possible through the establishment of new businesses and related ancillary type of uses, including a range of compatible commercial uses.

It is anticipated that the predominant form of land uses within the Employment Lands designation will be clusters of businesses and economic activities including, but not limited to, manufacturing, warehousing, offices, associated retail and ancillary facilities. However, the Township wishes to encourage a broad range of compatible business uses where site conditions and surrounding land uses permit. The form of development within the Employment Areas designation may include separate, stand-alone establishments, and businesses located in two or more units in a single building similar to a mall complex.

On certain Employment Lands, particularly those in close proximity to railway lines, the Township may restrict land uses to only industrial uses so as to promote land use compatibility.

The Township will promote the clustering together of new industrial uses and other compatible business uses.

### **5.9.1 Permitted Uses**

The uses permitted in Employment Areas shall include the following:

a) Industrial Uses:

Permitted industrial uses shall include workshops, service and repair shops, processing, manufacturing, assembling, a water treatment plant, railway uses, storage and warehousing, transportation terminals, builders’ supply establishments, dry cleaning establishments, equipment sales and rentals, motor vehicle repair garage, motor vehicle body shop, agricultural uses and agriculturally-related industry, sawmills, contractors yards, recycling facilities handling non-hazardous or non-toxic materials, public works yards, a business office accessory to a permitted use, a retail and wholesale outlet accessory to a permitted use, and similar uses.

b) Commercial and Other Business Uses:

Permitted commercial and other business uses shall include service stations, service centres, auto sale establishments, recreational vehicle sales and service establishments, farm equipment sales and service establishments, garden centres, commercial greenhouses, professional and business offices, data

processing centres, call centres, commercial or technical schools, research facilities, athletic clubs, restaurants including drive-through restaurants, and retail sales outlets associated with permitted industrial uses.

No use shall be permitted in the Employment Areas designation which, from its nature of operation or materials used therein, will have an “adverse effect” as defined by the *Environmental Protection Act*.

Notwithstanding this policy, Employment Areas designated on Schedule “A” within part of Lots 12 to 16, Concession 1 shall be restricted to industrial uses listed in paragraph (a) of this section.

### **5.9.2 Services**

In the absence of municipal water and sewage services, only those uses that are of a dry nature and which do not require municipal water and sewage services will be permitted, provided that a satisfactory engineering report is completed to this effect in accordance with Section 5.1.12 of this Plan.

Where municipal water and/or sewage services are available, new development proposals shall make provision for connection to these services.

Where municipal services are anticipated but have not yet been constructed, development may be permitted prior to the availability of municipal water and sewage services, provided the type of development does not require such services and that an engineering report is completed to this effect and approved by the Township and the appropriate approval authority.

In areas where municipal water and/or sewage services are available, but there may be insufficient uncommitted reserve servicing capacity to service some or all of those lands, the Township may apply a holding provision in the implementing zoning by-law in accordance with Section 8.9 of this Plan. Notwithstanding the provisions of Section 8.9.3(a), “Interim Uses,” the holding zone provisions for those lands may permit commercial or industrial uses of a dry nature on municipal water and private sewage services without removal of the holding provision. The holding provision in this case shall be intended primarily to control new development that requires the allocation of municipal sewage capacity.

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

### **5.9.3 Waste Disposal**

Notwithstanding Sections 5.1.12 and 5.9.2 of this Plan to the contrary, permitted commercial or industrial uses in the Employment Areas designation that require services for other than domestic waste may be permitted if an agreement has been reached with the Township for the disposal of such waste.

### **5.9.4 Development Policies**

New development, the expansion of existing development, or redevelopment within the Employment Areas designation shall require the submission of a site development plan by the developer in accordance with Section 8.8 of this Plan. Such development shall have regard for proper site planning considerations and performance, including the following:

- a) Adequate off-street parking and loading facilities shall be required for all permitted uses in accordance with the requirements of the Township's Zoning By-law;
- b) Landscaping shall ensure visual compatibility with adjacent properties and streets, and fencing may be required for safety or security purposes;
- c) Access points shall be limited in number and designed in such a manner so as to minimize traffic congestion, and ensure safe ingress and egress at the site, and shall be approved by the appropriate authority having jurisdiction;
- d) Standards for open storage areas, including maximum area, location and screening, shall be established in the Township's Zoning By-law and implemented on the site; and
- e) Adequate buffering, to include noise attenuation and visual screening measures shall be provided for the purpose of reducing or eliminating the impacts of a permitted use on any adjacent sensitive land use. Regard shall be had to the provisions of Section 5.1.29 of this Plan, the Separation of Incompatible Uses.

### **5.9.5 New Employment Areas**

The designation of new Employment Areas on lands not already designated as such in this Plan shall require an amendment to this Plan. In considering such an amendment, Council shall have regard to the matters outlined in Sections 5.9.4 and 8.12.3 of this Plan, and to the following:

- (a) The physical suitability and soil capacity for the proposed use;
- (b) The provisions of Section 5.1.2 of this Plan (Growth Management).

- (c) The impact of the proposed development on the natural environment, the rural character and the scenic qualities of the Township;
- (d) The provisions of Section 5.1.11 of this Plan;
- (e) The compatibility of the proposed use with surrounding land uses;
- (f) Servicing requirements having regard to the provisions of Section 5.1.12 and 5.9.2 of this Plan;
- (g) Provision of interior street design and possible exterior street improvement and realignment; and
- (h) New Employment Areas shall be located outside of lands with inherent natural hazards, including flooding and erosion hazards along watercourses, steep slopes, and Lake Ontario hazard lands relating to flooding, erosion and dynamic beaches.

#### **5.9.6 Zoning**

Lands designated Employment Areas may be zoned in a separate classification or classifications in the implementing zoning by-law. Vacant lands in these designations may be zoned rural or have a holding zone provision based on their specific location.

#### **5.9.7 Special Employment Areas Policies**

##### **5.9.7.1 Part of Lot 28, Concession 3**

Notwithstanding any other provision of this Plan to the contrary, on those lands designated Employment Areas in Part of Lot 28, Concession 3, the disposal of wastes to a septic system will be limited to domestic wastes produced by the employees.

## **5.10 Disposal Industrial**

The "Disposal Industrial" designation recognizes existing and former landfill sites and municipal sewage treatment facilities which are located within the Township.

### **5.10.1 Permitted Uses**

Permitted uses shall be limited to municipally and other government owned and operated waste disposal sites including solid waste landfill sites sewage lagoons and sewage treatment plants as authorized by the Township and certified by the Ministry of the Environment.

### **5.10.2 Disposal Industrial Area Designation**

It shall be the policy of this Plan to designate Waste Disposal Sites which are presently in operation, approved by the Township and licensed by the Ministry of the Environment.

Solid Waste landfill sites shall be designated as indicated on Schedules "A" and "A1". These designations shall indicate the actual location of the solid waste land fill site and its area of influence, a distance of approximately 500 metres radius from the boundary of the landfill site, except where otherwise indicated. The solid waste landfill site's area of influence shall be subject to the policies of Section 5.10.7 when development of such lands is considered, and when such Disposal Industrial areas are considered for redesignation.

### **5.10.3 Development Policies**

Applications for new waste disposal operations or major expansions to existing operations shall require an amendment to this Plan and shall be considered with regard to the following concerns:

- a) The physical suitability of the site for the proposed use;
- b) The compatibility of the proposed use with adjacent and surrounding land uses;
- c) Potential impacts on the natural environment, with particular emphasis on groundwater quality;
- d) The degree to which the site will be exposed to the public; and
- e) The ability of roads accessing the proposed disposal industrial site to carry traffic volumes projected to be generated by the proposed development, and the suitability of the proposed access points to the maintenance of a constant traffic flow pattern.

Any new Disposal Industrial area shall front on an assumed public road which is



currently maintained on a year round basis.

Disposal Industrial uses shall not be located within close proximity to any established or approved residential or commercial type use.

An Environmental Review in accordance with Section 5.1.11 of this plan shall be prepared and submitted with the application for an Official Plan amendment to ensure that the proposed use will have no detrimental effect on the existing environment.

#### **5.10.4      Development Plan**

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

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

#### **5.10.5      Ministry of the Environment**

All Disposal Industrial land use designations for solid waste disposal sites and sewage treatment facilities shall be approved by the Ministry of the Environment prior to the submission of an application for an Official Plan amendment.

#### **5.10.6      Buffering, Screening**

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

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

#### **5.10.7      Zoning**

Disposal Industrial uses shall be zoned in a separate zone classification in the Township's Zoning By-law, which shall include setback requirements in accordance with the appropriate guidelines and regulations of the Ministry of the Environment. Those lands affected by the "area of influence" for Disposal Industrial designated lands shall

be placed in an appropriate zone with a Holding (H) symbol added to the zone category. Removal of the Holding (H) symbol shall be subject to the provisions of Section 8.9.2(b) of this Plan.

#### **5.10.8 Former Waste Disposal Sites**

Former solid waste landfill sites shall be indicated as such on Schedules “A” and “A-1” of this Plan and shall be zoned in a Holding (H) zone classification in the Implementing Zoning By-law. These sites (and where no site related environmental information is available, lands within a 500 metre radius of the landfill site), are designated for information purposes, and may be utilized for Rural designation purposes without an Official Plan amendment, provided the Municipality in consultation with the Ministry of the Environment is satisfied that the following concerns have been satisfactorily dealt with:

- a) Written approval has been received from the Ministry of the Environment that the development satisfies their requirements;
- b) Studies have been carried out to the satisfaction of the municipality and the Ministry of the Environment that show that the development is compatible and can safely take place;
- c) The municipality shall require the construction and phasing of all development to coincide with the control of any problems identified by the engineering studies;
- d) Studies of gas, leachate and hydrogeology, shall be carried out by a qualified engineer;
- e) The municipality shall be satisfied with the required studies with respect to any matter regarding structural stability, safety, and integrity of any and all structures; and
- f) Notwithstanding the land use designations on Schedules “A” and “A-1”, residential development will not be allowed to proceed on areas identified by subsections (b) and (d) above, as containing organic or chemical wastes.

When the above described concerns have been satisfied, the Holding (H) provision on the former waste disposal site will be removed and the ultimate intended land use can occur.

Where organic or chemical wastes are present, a rezoning under Section 34 of the *Planning Act* may be required to prohibit residential uses within the zone assigned to the lands.

## **5.11 Aggregate Resources**

The Aggregate Resources designation includes all land currently licensed under the *Aggregate Resources Act*, or its successor for extractive uses as well as those lands identified as areas of high potential for aggregate extraction by the Ministry of Natural Resources.

### **5.11.1 Permitted Uses**

Permitted uses shall include sand and gravel pits and quarries licensed under the *Aggregate Resources Act*. In addition, associated operations such as drilling, blasting, crushing, screening, washing and blending aggregate, aggregate recycling, aggregate storage, weigh scales, associated buildings, and concrete and asphalt batch plants may be permitted provided these associated operations will be compatible with other uses permitted by this plan, and will in no way hamper the rehabilitation of these areas for other land uses. In addition, lands designated "Aggregate Resources" may be used for agricultural, resource management, open air recreation, or forestry purposes.

Lands designated Aggregate Resources on Schedule "A" shall be generally reserved for the purpose of aggregate extraction and the associated operations described above. However, the implementing Zoning By-law shall recognize all uses existing as of the date of passing of the By-law, as permitted uses.

Areas of high potential for aggregate extraction and designated as Aggregate Resources and lands which have soil Classes 1, 2 and 3 as defined in the Canada Land Inventory of soils capability for agriculture may be utilized for aggregate extraction provided agricultural rehabilitation of the site is progressively carried out and substantially the same acreage and average soil capability for agriculture are restored.

Complete agricultural rehabilitation is not required if:

- a) There is a substantial quantity of mineral aggregates below the water table warranting extraction; or
- b) The depth of planned extraction in a quarry makes restoration of pre-extraction agricultural capability unfeasible; and
- c) Other alternatives have been considered by the applicant and found unsuitable; and
- d) Agricultural rehabilitation in remaining areas will be maximized.

### **5.11.2 New or Expanding Aggregate Extraction Operations**

Notwithstanding the provisions of Section 5.1.31 an amendment to this Plan shall be required where new aggregate extraction operations are proposed in areas not designated Aggregate Resources. The following matters shall be considered by

Council before a decision is made to amend the Official Plan to designate new areas for aggregate extraction or to the Implementing Zoning By-law to allow a new aggregate extraction operation or for the major expansion to an existing operation:

- a) In order to protect the scenic beauty and amenity of the area, extractive operations will generally be located in a manner which allows it to be screened from public view;
- b) It shall be the policy of this plan that the Township, when considering a new or major expansion pit or quarry proposal, will have regard to the existing adjacent land use that might be affected by a pit or quarry operation. This regard or consideration may be reflected in appropriate setbacks and/or other mitigative techniques (e.g. screening, berms, location of machinery, and timing of operation, etc.) which may be established as conditions on the licence or site plan under the Aggregate Resources Act or a predecessor thereof, at the time of licencing.

Any setbacks and/or mitigative techniques being established should depend on a site by site review and in light of other policies in this section;

- c) The policy of this plan is to recognize the concept of an influence area surrounding aggregate extractive uses in order to offer mutual protection from encroachment by incompatible uses for both residential uses and extractive activities and areas of high potential for aggregate extraction as the size of such an influence area is situation specific, each proposal will be considered on its own merit, based on information regarding such matters as compatibility, ground water, noise, dust, vibration, and traffic.

The area of influence for noise, dust, air emissions, ground water and surface water impacts for quarries is 500 metres. The area of influence of a pit is 300 metres if the pit goes below the ground water table and 150 metres for noise and dust concerns. Environmental studies will be required to assess the impact if development occurs in an influence area.

- d) On lands designated Agricultural, areas which have soil Classes 1, 2 and 3 as defined in the Canada Land Inventory of Soil Capability for Agriculture, aggregate extraction may occur provided agricultural rehabilitation of the site is progressively carried out and substantially the same acreage and average soil capability for agriculture are restored.

Complete agricultural rehabilitation is not required if:

- (i) there is a substantial quantity of mineral aggregates below the water table warranting extraction; or
- (ii) the depth of planned extraction in a quarry makes restoration of pre-extraction agricultural capability unfeasible; and

- (iii) other alternatives have been considered by the applicant and found unsuitable; and
- (iv) agricultural rehabilitation in remaining areas will be maximized;
- e) Haulage routes and the traffic generated by the extractive operation;
- f) The impacts on heritage resources and, when necessary, satisfactory measures to mitigate such impacts;
- g) The establishment of all new pits and quarries shall be in accordance with the Ministry of Natural Resources, and Northern Development and Mines Report - "Aggregate Resources in Ontario, Provincial Standards".
- h) Such other matters as deemed necessary by Council.

#### **5.11.3 Information to be Provided**

An application for an amendment to this Plan to permit the establishment of an aggregate extraction operation or the major expansion of an existing operation shall be accompanied by a detailed site development plan. Site Plans and reports as required by the *Aggregate Resources Act* shall be acceptable for the purpose of this section.

#### **5.11.4 Development Agreements**

It shall be a policy of this Plan that an applicant who wishes to undertake an extractive operation must enter into a development agreement with the Municipality. This agreement shall be entered into prior to Council's enactment of the Implementing Zoning By-law. Such an agreement shall include but not necessarily be limited to the following:

- a) An exact indication of the routes to be utilized by the extractive operation and a guarantee by the operator that any and all road damage caused by haulage vehicles shall be repaired by the said operator at his own expense. In the event that the roads are not repaired by the operator the Township of Cramahe may repair the roads and invoice the said operator accordingly;
- b) Provision that no negative impacts shall be imposed on the ground or surface water resources of the area as a result of the aggregate operation; and
- c) Issues of public health, public safety and environmental impact are addressed; or
- d) Such other matters as Council may deem necessary and in the public interest.

**5.11.5 Ministry of the Environment Regulations**

All pit and quarry uses must satisfy the requirements of the Ministry of the Environment as to water supply and disposal of liquid wastes, and all emissions into the air or land including noise and vibration.

Pumping and dewatering will not be permitted in any pit or quarry unless approval is obtained from the Ministry of the Environment.

**5.11.6 Ministry of Natural Resources Licensing and Regulations**

All pit and quarry uses shall satisfy the requirements of the *Aggregate Resources Act* as to licensing and regulation.

**5.11.7 Restricted Construction**

The construction of buildings and changes of land use which are deemed to be incompatible with future aggregate extraction in and adjacent to areas designated Aggregate Resources will be discouraged, to protect such resources for development at some future time.

It is recognized by this Plan, however, that extraction may not be feasible or advisable in all areas designated Aggregate Resources. The municipality, in consultation with the Ministry of Natural Resources, may permit non-aggregate land uses or developments in areas designated for Aggregate Resources under carefully considered circumstances where it can be shown that:

- a) Extraction would not be feasible; or
- b) The proposed land use or development serves a greater long term interest of the general public than does aggregate extraction; or
- c) Issues of public health, public safety and environmental impact are addressed; or
- d) The proposed land use or development would not significantly preclude or hinder future extraction.

Where non-aggregate land uses or development are permitted within areas designated Aggregate Resources, the subject parcel of land shall be deemed to fall under the Agricultural or Rural designation depending upon its specific location and adjacent designation, and the policies of Section 5.2 or 5.3 of this Plan shall apply.

**5.11.8 Zoning**

All existing licensed extractive operations shall be recognized in the Zoning By-law and clearly distinguished from other extraction operations such as wayside pits. An amendment to the Zoning By-law shall be required for the opening of new extractive

operations or the extension or enlargement of existing operations.

It shall be the policy of this plan that concrete batching plants and asphalt plants shall be specifically restricted to those areas zoned for such purposes in the implementing Zoning By-law.

**5.11.9        Special Aggregate Resources Policies**

**5.11.9.1        Part Lot 18, Concession VI**

Notwithstanding the policies of Section 5.11.2(c) to the contrary, for the aggregate extraction operation located in Part Lot 18, Concession VI, the minimum separation distance between the area of extraction and adjacent residential uses shall be 15 metres.

## **5.12 Recreation-Conservation**

Lands designated "Recreation-Conservation" are intended primarily for recreational, conservation or agricultural purposes. These lands generally do not have inherent environmental hazards and are presently being used in some form of recreational activity or have a recreational potential.

### **5.12.1 Permitted Uses**

Permitted uses are generally limited to conservation, recreation, agriculture or similar uses, such as private or public parks, golf courses and associated recreational activities. Accessory uses may include a residence for an owner or caretaker.

### **5.12.2 Parking Facilities**

Where recreation or conservation projects are designed for public or private use, adequate automobile parking areas shall be established. Access points to parking areas and to all recreational areas shall be located in such a way that the road pattern provides for the adequate movement of vehicular and pedestrian traffic with the minimum of danger.

### **5.12.3 Land Under Private Ownership**

Where any lands designated Recreation-Conservation are under private ownership, this Plan does not intend that such lands will necessarily remain as Recreation-Conservation indefinitely, nor shall it be construed as implying that the Recreation-Conservation areas are free and open to the general public or that the lands will be purchased by the Township or other government agency. At any particular time, if proposals to develop such lands that are in private ownership are made, an application for the redesignation of such lands for other purposes will be given due consideration by the Township, after taking into consideration the policies of this Plan.

### **5.12.4 Private Parks**

The development of private parks shall require the preparation of a site plan and development agreement in accordance with the provisions of Section 41 of the *Planning Act*, R.S.O., 1990 as amended and the policies of 8.8 "Site Plan Control" of this Plan.

### **5.12.5 Agricultural Separation**

All development within the Recreational-Conservation designation shall comply with the Minimum Distance Separation Formulae (MDS I and MDS II) and be adequately buffered from adjacent agricultural operations.

### **5.12.6 Zoning**

Lands within the Recreation-Conservation designation may be zoned in separate



classifications in the Township's Zoning By-law.

### **5.13 Environmental Protection**

The "Environmental Protection" designation applies to environmentally sensitive lands having inherent physical hazards such as flood susceptibility, dynamic beaches and shoreline erosion hazards, poor drainage, organic soils, erosion-prone soils and steep slopes or any other physical condition which is severe enough to provide constraints to development. In addition, certain land or water areas possessing biological and/or ecological significance or sensitivity, as identified by the Ministry of Natural Resources have also been identified in the "Environmental Protection" designation. Such features include wetlands and significant fish habitat. Lands designated as Environmental Protection are shown on Schedules "A" and "A-1" of this Plan.

#### **5.13.1 Permitted Uses**

Lands designated as Environmental Protection are primarily intended for protection and conservation of the natural land and/or environment, and should be managed in such a fashion as to complement adjacent land uses and protect such uses from any physical hazards.

Uses such as passive outdoor recreation, forestry, agriculture, boat docking and launching facilities, the conservation and management of soil or fish and wildlife, and private or public parks may be permitted in the Environmental Protection designation, in accordance with the policies of Section 5.13.4(b).

#### **5.13.2 Buildings and Structures**

No buildings or structures shall be permitted in areas designated as Environmental Protection except where such buildings or structures are intended for flood or erosion control, or are normally associated with watercourse protection works or bank stabilization projects, or are essential utilities, and are approved by Council in consultation with the local Conservation Authority and appropriate provincial Ministry.

Where the local Conservation Authority has fill regulations in effect, 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 and Council. Where no Conservation Authority regulations exist Council may seek technical advice from the local Conservation Authority and the appropriate provincial Ministry in considering development proposals.

#### **5.13.3 Privately Owned Lands**

Where land designated Environmental Protection is under private ownership, this Plan does not mean that this land will necessarily remain in such designation indefinitely, nor shall it be construed as implying that such areas are free and open to the general public or will be purchased by the Municipality or other public agency.

**5.13.4 Development Within Areas Designated Environmental Protection**

- a) When areas designated Environmental Protection are clearly not environmentally sensitive or hazardous, as determined through an appropriate Environmental Review and are so confirmed, as required by the Ministry of Natural Resources and/or the local Conservation Authority, development consistent with the adjacent land use designation may be permitted, subject to an amendment to the Zoning By-law to reflect the revised Environmental Protection boundaries. Agricultural uses are permitted without an environmental report.
- b) Development and site alteration shall not be permitted within the floodplain or within provincially significant wetlands (Classes 1, 2, or 3 wetlands) as identified on Schedule “A” or as otherwise determined. New development may be permitted on lands within 120 metres of a provincially significant wetland subject to the "Environmental Review" policies of Section 5.1.11. The Environmental Report must demonstrate that the proposed development will not negatively impact on the existing wetland functions or features.
- c) Development and site alteration may be considered within or adjacent to all other environmental areas as identified on Schedule “A” subject to the "Environmental Review" policies of Section 5.1.11. An amendment to this plan will not be required providing the new use is permitted within the adjacent Rural or Agricultural designations. However, where applicable, the Zoning By-law shall be amended to reflect the revised Environmental Protection boundaries.

**5.13.5 Application to Redesignate**

An application to redesignate Environmental Protection lands for other purposes may be given due consideration by Council after taking into account the following:

- a) The existing environmental and/or physical hazards;
- b) The potential impacts of these environmental hazards;
- c) The potential effects of any proposed development or change in land use on the Environmental Protection lands and abutting designated lands;
- d) The proposed methods by which these impacts may be overcome in a manner consistent with accepted engineering techniques and resource management practices;
- e) The costs and benefits in monetary terms of any engineering works and/or resource management practices needed to overcome these impacts; and
- f) The policies of Section 5.1.11 of this plan.

### **5.13.6 Parkland Dedication**

Lands designated Environmental Protection may, at the discretion of Council, be accepted as part or all of the parkland dedication under the *Planning Act*. The Municipality may also choose not to accept Environmental Protection lands as part or all of the parkland dedication.

All lands dedicated to the Municipality shall be conveyed in a physical condition satisfactory to the Municipality. When an open watercourse is involved, adequate space shall be provided for maintenance, access and operations.

### **5.13.7 Coldwater Streams Including Colborne Creek**

Agricultural uses, including nurseries, will not be permitted within 15 metres (49 ft.) of Colborne Creek or any other coldwater streams. The implementing Zoning By-law will provide a separate zone along these water courses to recognize the sensitive nature of the shoreline and to limit uses in this restricted area to conservation, natural areas and public utilities or facilities concerned with flood or erosion control.

### **5.13.8 Lake Ontario Shoreline Management**

A Shoreline Management Study for the Township's Lake Ontario shorelands has defined the presence of Dynamic Beach features as illustrated on Schedule "A" - Land Use Plan.

New Development should only be permitted in accordance with the policies of Sections 5.1.11 and 5.13.4 of this Plan.

Development of existing vacant lots of record may be permitted, however, Council may consider establishing an enhanced setback in the implementing Zoning By-law for all development in order to protect the Dynamic Beach reaches.

Generally, the extent of the "Environmental Protection" designation on the Lake Ontario shoreline is the furthest landward extent of the erosion hazard limit and/or the flooding hazard limit. These limits will be defined by the Municipality in consultation with the local Conservation Authority.

### **5.13.9 Access**

Access to and from permitted new development within the Environmental Protection designation should be such that vehicular and pedestrian movement will not be prevented during times of flooding.

### **5.13.10 Zoning**

The Environmental Protection areas shall generally be zoned in a separate classification in the implementing Zoning By-law.

Building setbacks may be established from the Environmental Protection zone boundary based upon the severity of the hazard, the type of abutting use permitted, and the need for buffering.

## **5.14 Historic**

The Historic designation is intended to refer to buildings, structures and areas of land which, by reason of significant historical uses, long term importance to the Community and/or architectural or construction characteristics, are considered important to the character of the Township of Cramahe.

### **5.14.1 Permitted Uses**

Buildings designated Historic shall initially be zoned for their existing use and in a manner which regulates change to the external appearance.

### **5.14.2 External Appearance**

Such buildings shall be maintained with unaltered external appearance, except as necessitated by repairs to the structure.

### **5.14.3 Application for Rezoning**

An application for the rezoning of buildings in this designation shall be considered in accordance with the following principles:

- a) Rezoning to another use shall be compatible with the character of the building. These uses shall be of a type which can be pursued within the structure of the existing building and without altering the external appearance;
- b) An application for a rezoning of a building in this designation shall be accompanied by detailed drawings, showing any structural alterations proposed to the building; and
- c) Prior to rezoning any building in this designation, the applicant shall enter into an agreement with the Municipality concerning the preservation of the building's external appearance.

### **5.14.4 List of Designations**

The following sites have been identified as Historic areas on Schedules “A” and “C” and are referenced by the site numbers below:

- a) Site 1 Salem United Church, Lot 21, Concession 1, Salem
- b) Site 2 Keeler House, Lot 35, Concession 1
- c) Site 3 Ellis Residence, Lot 26, Concession 2
- d) Site 4 Fanin Residence, Lot 33/34, Concession 2

- e) Site 5 Shiloh United Memorial Church, Lot 16, Concession 6
- f) Site 6 Castleton United Church, Castleton
- g) Site 7 Norcutt Residence, Castleton
- h) Site 8 Former Township of Cramahe Municipal Building, Castleton
- i) Site 9 Kelly Farm, 344 Kelly Road
- j) Site 10 Victoria Square, Colborne
- k) Site 11 Registry Office Building, King Street East, Colborne
- l) Site 12 57 King Street East, Colborne
- m) Site 13 8 North Street, Colborne
- n) Site 14 9 Church Street East, Colborne

## **6.0 The Division of Land**

### **6.1 Subdivisions**

Council will only recommend the approval of Plans of Subdivision which conform to the general policies and land use designations in this Plan.

In evaluating Plans of Subdivision and the demand for such development Council will consider all information as specified in the Planning Act, R.S.O., 1990, as amended, and any additional information that is deemed by Council to be appropriate.

A Plan of Subdivision shall generally be required where:

- more than three lots will be created; or
- internal services (roads) are to be created.

#### **6.1.1 Policies for New Subdivisions**

All proposals for new plans of subdivision for lands appropriately designated or requiring an Official Plan amendment shall be evaluated based on the submission of studies identified herein, the results of which must be satisfactory to the Township. Such studies must indicate that no undue impacts will result from the proposal on the surrounding uses, the natural environment and the municipal financial situation. The requirements may be reduced depending on the scale of the application, but all studies will be carried out by the applicant, as directed by Council. The following studies shall be considered:

- a) A preliminary plan including information on lot orientation proposed road and access alignments, and any other facilities and their relationship to the natural topography and vegetation;
- b) An environmental report, in accordance with the requirements of Section 5.1.11 of this Plan; where deemed appropriate by Council;
- c) In accordance with Section 5.1.12 of this Plan, detailed hydrogeological and/or engineering reports related to the proposed water supply and sewage disposal services, stormwater drainage, and erosion and sedimentation control, which establishes the feasibility of providing municipal, communal or private services, as the case may be, in a manner which will satisfy the requirements of the Township and the approval authority;
- d) An engineering report evaluating the existing access road system and required improvements, if any; and
- e) A financial impact statement evaluating the costs and benefits of the development to the Township where deemed necessary by Council.



**6.1.2** The proposal will also be evaluated in accordance with the provisions of Section 51(24) of the *Planning Act* and the following criteria:

- a) Access and internal roads are public roads maintained on a year-round basis;
- b) Compatibility of the development with surrounding uses;
- c) The effect of the development of the proposed subdivision on matters of provincial interest;
- d) The suitability of the land for the purposes for which it is intended;
- e) The adequacy of utilities and municipal services, including the uncommitted reserve water and sewage capacity where municipal services are available;
- f) The adequacy of school services;
- g) The area of land, if any, within the subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes; and
- h) The restrictions or proposed restrictions, if any, on the land, buildings and structures proposed to be erected thereon and the restrictions, if any, on adjoining lands.

**6.1.3 Subdivision Agreements**

It shall be the policy of this Plan that Council will enter into an agreement with each developer as a condition of the approval of a Plan Subdivision or Condominium. Such an agreement shall set out among other matters the services and dedication of land for park and highway purposes, to be provided by the developer and the specifications for these services. This agreement shall also specify the financial requirements of the Municipality and the means by which the developer will satisfy these requirements.

**6.1.4** The Township shall require that approvals of draft plans of subdivisions include a lapsing date in accordance with Section 51(32) of the *Planning Act*. If approval of a draft plan of subdivision lapses, the growth management objectives of Section 5.1.2 of this Plan and the policies of Section 5.1.12 shall be considered as a key component of the development review process.

**6.1.5** If a plan of subdivision or part thereof has been registered for eight years or more, and does not meet the growth management objectives of Section 5.1.2 of this Plan, the Municipality may use its authority under Section 50(4) of the *Planning Act* to deem it not to be a registered plan of subdivision.

## **6.2 Severances**

Regard shall be had for Section 6.1 Subdivisions when determining the necessity for a plan of subdivision.

It shall be the policy of this Plan that the Municipality and the Consent Granting Authority shall follow the policies of this Official Plan when assessing severance applications.

Only those applications for severances which conform to the following consent policies, the General Development Policies, the specific policies of the affected designation and the provisions of the Planning Act, shall be considered for approval.

### **6.2.1 General Severance Policies Applicable to all Designations Except Agricultural**

#### **6.2.1.1 Number of New Lots**

In all land use designations where development is permitted, with the exception of the Hamlet designation and lands subject to the Colborne Secondary Plan, the number of new lots or parcels created by consent per land holding will be three plus the retained. For the purposes of this policy, a holding is a parcel of land as it existed January 1, 1985.

In all designations, including the Hamlet designation and the lands subject to the Colborne Secondary Plan, a holding is a parcel of land as it existed on January 1, 1985.

#### **6.2.1.2 Compatibility**

The Consent Granting Authority shall ensure satisfactory compatibility between the proposed land use and existing land uses.

#### **6.2.1.3 Lot Sizes and Dimensions**

The size of any new lot created by consent should be appropriate for the use proposed and the services available.

A consent to a land severance should be denied where the effect of the severance is to create a lot or lots of disproportionate depth or width, or an irregular-shaped lot, having regard to the established lot pattern in the vicinity of the proposed severance.

#### **6.2.1.4 Public and Private Roads**

Severances which create new lots shall only be considered when both the newly created and retained lot front on an assumed public road which is currently

maintained on a year-round basis by a public authority.

**6.2.1.5 Zoning By-law Conformity**

The parcel of land to be created and retained by severance and the proposed use shall conform to all applicable provisions of the Township's Zoning By-law, save that the consent to sever may be granted on the condition that a Zoning By-law amendment be approved, or that the condition may be varied by the Township's Committee of Adjustment, if required.

**6.2.1.6 Water Supply, Sewage Disposal and Drainage**

Severances may only be considered when it has been established by the approval authority that soil and drainage conditions are suitable to permit the proper siting of buildings, to obtain sufficient potable water and to permit the installation of an adequate means of sewage disposal for both the severed and retained parcels.

In certain situations and locations, hydrogeological studies may be required of the applicant for individual and/or multi-lot severance applications.

**6.2.1.7 Orderly and Controlled Development**

In general, residential severances shall be encouraged as infilling in Colborne, in areas designated Hamlet or clusters of houses in the Rural or Agricultural areas, in an effort to promote orderly and controlled development throughout the municipality.

Severances should not be created where such severances would result in the demand for the extension of municipal services, and the pattern of consents is leading to strip development.

**6.2.1.8 Traffic Hazard**

Severances shall not be considered for lands where access may create a traffic hazard because of limited sight lines on curves or grades. Attention should be given to the function of the road in Section 7.0 "Transportation" of this Plan.

**6.2.1.9 Access from Provincial and County Roads**

Direct access from Provincial Highways and County Roads should be discouraged. Access to new lots will be reviewed by the Consent Granting Authority as appropriate. Where proposed severances are considered which would create new lots abutting or adjacent to a Provincial Highway or County Road, the Ministry of Transportation and County of Northumberland will be consulted to ensure that their policies and guidelines for access are met.

Mutual access for two or more driveways to individual lots shall generally be discouraged.

**6.2.1.10 Parkland or Cash-In-Lieu of Parkland and Other Dedications**

In determining whether a severance is to be granted, regard shall be had for such matters as the dedication of land or cash-in-lieu for park purposes, the dedication of land for future road widenings and agreements pursuant to the *Planning Act*, R.S.O., 1990.

**6.2.1.11 Lot Lines**

Severances which have the effect of changing lot lines or which do not create additional or buildable lots may be evaluated on their own merits.

**6.2.1.12 Easements**

Consents for easements shall generally be preferred to consents for severances where linear rights-of-way are being created.

**6.2.1.13 Environmentally Sensitive Areas**

Severances in environmentally sensitive areas such as lands subject to flooding, erosion, steep slopes, wetlands, significant wildlife or biological settings or other hazardous or sensitive conditions shall not be granted unless sufficient land is available outside the sensitive area to accommodate the development and associated services in accordance with the policies of this plan related to environmentally sensitive lands. In considering severance applications in these areas, the Ministry of Natural Resources and the local Conservation Authority may be consulted.

**6.2.1.14 Aggregate Resource Areas**

Severances will not be permitted within 500 metres of a primary aggregate resource or an existing licensed aggregate area. These areas will be protected to ensure their expansion or continued use.

**6.2.1.15 Agricultural Separation**

Severances shall not be granted where the proposed use would contravene the Ministry Distance Separation requirements as determined by the MDS I formula of the Ministry of Agriculture, Food and Rural Affairs and Ministry of the Environment.

**6.2.1.16 Agency Reports**

Council may request reports from affected agencies regarding the suitability of

the consent and proposed buildings, where the Consent Granting Authority deems that there is a particular problem which requires additional technical advice.

**6.2.1.17 Additional Lot Applications**

An application for severance shall have the effect of creating only one (1) new lot in addition to the retained lot. If two (2) new lots are to be created in addition to the retained lot, an additional application shall be required.

**6.2.1.18 Merged Properties**

Notwithstanding the policies of Section 6.2.1.1 to the contrary, an application for severance involving merged properties which formerly existed as separate and distinct parcels may be permitted, provided such application is in conformity with the relevant policies of this Plan and the Township's Zoning By-law, and provided no new or additional lots are being created beyond which previously existed.

**6.2.1.19 Previous Consents and Subdivisions**

Severances will not be permitted on lots which have previously been created by consent for a non-farm use, or lands which have been the subject of a registered plan of subdivision.

**6.2.1.20 Conditions**

Conditions of consent may be established and, without limiting the foregoing, the following conditions may be applied:

- a) Registration of notices on title through a consent agreement in accordance with the policies of this Plan;
- b) Undertakings for the merging of lands on title under the same owner's name;
- c) Responsibility for surveying and fencing;
- d) Adequate provision for stormwater management;
- e) Payment of all applicable development charges, dedications and property taxes; and
- f) Responsibility for the construction of a suitable private water well source.

### **6.2.2 Special Severance Policies for the Agricultural Designation**

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

Notwithstanding any other provision of this Plan, lot creation and lot boundary adjustments in the Agricultural designation may only be permitted for the following purposes:

- a) Agricultural uses, provided that both the severed and the retained parcels have a minimum lot area of 38 hectares.
- b) For the purposes of this policy, 'agricultural uses' means the uses that are permitted in Section 5.2.
- c) Agricultural-related uses, provided that any new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services.
- d) A residence surplus to a farming operation as a result of a farm consolidation provided that the Township ensures that new residential dwellings are prohibited on any vacant remnant parcel of farmland created by the severance. This may be achieved through a zoning by-law amendment for the remnant parcel or other means that maintain the intent and purpose of this policy.
- e) For the purposes of this policy, a "residence surplus to a farming operation" means an existing farm residence that is rendered surplus as a result of farm consolidation (the acquisition of additional farm parcels to be operated as one farm operation).
- f) Infrastructure uses, where the facility or corridor cannot be accommodated through use of easements or rights-of-way.
- g) For the purposes of this policy, 'infrastructure means physical structures (facilities and corridors) that form the foundation for development, including sewage and water systems, sewage treatment systems, waste management systems, electric power generation and transmission, communication/telecommunications, transit and transportation corridors and facilities, oil and gas pipelines, and associated facilities.
- h) Lot adjustments in prime agricultural areas may be permitted for legal or technical reasons.
- i) Legal or technical reasons means severances for purposes such as easements, corrections of deeds, quit claims, and minor boundary adjustments; which do not result in the creation of a new lot.

- j) The creation of a new residential lot in the Agricultural designation shall not be permitted, except in accordance with Section 6.2.2(d) above.

### **6.2.3 Special Severance Policies for the Rural Designation**

The fragmentation of land holdings within the Rural designation shall be discouraged. Farm-related severances within the Rural designation must comply with the policies contained within Section 6.2.2 of this Plan.

#### **6.2.3.1 Non-Farm Residential Severances**

Limited non-farm residential lot severances shall be permitted in the Rural designation in accordance with the following:

- a) The proposed lot and uses will not conflict with adjacent farming activity;
- b) The creation or extension of residential strip development shall be discouraged.
- c) A residential lot severance in the Rural designation may be considered if the effect of such a severance is for residential infilling. For purposes of this section, “infilling” means the creation of a residential lot between two existing non-farm residences which are on separate lots which are situated on the same side of a public street and the non-farm residences are separated by no more than approximately 75 metres.

### **6.2.4 Special Severance Policies for the Hamlet Designation**

#### **6.2.4.1 Number of New Residential Lots**

Notwithstanding subsection 6.2.1.1 to the contrary in the Hamlet designation consideration may be given to the granting of as many as 3 consents to create new residential lots provided it can be demonstrated that the location of the severed lot(s) will neither inhibit logical growth; nor preclude future access to interior lands.

#### **6.2.4.2 Pattern of Development**

In considering a severance in the Hamlet designation consideration shall be given to the policies of Section 5.4.2 of this Plan.

#### **6.2.4.3 Development Agreements**

Prior to the granting of the severances Council and the Consent Granting Authority may require that Development Agreements be implemented to address such matters as the upgrading of roads, servicing and other matters normally covered in subdivision agreements.

## **6.2.5 Special Severance Policies for Colborne**

The following special policies shall apply to applications for consents to sever in the area that is subject to the Colborne Secondary Plan, as shown in Schedule “C” of this Plan:

### **6.2.5.1 Number of New Residential Lots**

Notwithstanding subsection 6.2.1.1 to the contrary in lands subject to the Colborne Secondary Plan, consideration may be given to the granting of as many as 3 consents to create new residential lots provided it can be demonstrated that the location of the severed lot(s) will neither inhibit logical growth, nor preclude future access to interior lands for future development.

### **6.2.5.2 Natural Hazards**

Notwithstanding subsection 6.2.1.13, consents shall not be granted where the new lot is not suitable for the proposed use because of flooding, erosion, steep slopes, or other hazardous condition. In considering severance applications, the Ministry of Natural Resources and the local Conservation Authority may be consulted.

### **6.2.5.3 Water Supply and Sewage Disposal**

Applications for consents shall be considered having regard to the policies of Section 5.1.12 of this Plan. New lots for residential uses shall be serviced by municipal water and sewage services where such services are available, and subject to the availability of uncommitted reserve servicing capacity. A residential lot created by consent to sever shall not be serviced by private water and sewage disposal systems.

Notwithstanding the above, servicing of new residential lots on partial services (i.e., municipal water services and private sewage systems) shall only be undertaken in accordance with the policies of Section 5.1.12.2.

### **6.2.5.4 Development Agreements**

Prior to the granting of a consent to sever, Council and the consent granting authority may require that a development agreement be implemented to address such matters as the upgrading of roads, the provision of services, and other matters normally covered in subdivision agreements.



### **6.3 Development On Registrar Compiled Plans And/Or Reference Deposit Plan Areas**

Development on lots located on Registrar Compiled Plans and/or Reference Deposit Plans in the rural area will generally be discouraged. Should validation of a lot be necessary, the municipality may pass a By-law and apply to the Minister for approval. All development on Registrar Compiled or Reference Deposit plans shall be subject to the following criteria:

- a) It shall be the policy of this plan to request a Minister's validation under the *Planning Act*, R.S.O., 1990, as amended, and/or permit development on lots located in Registrar Compiled or Reference Deposit plan areas and/or assume roads in plan areas only where the land that is the subject of the request conforms to the policies of this Official Plan.
- b) Disorderly growth and scattered development resulting in a demand for services which are not possible or economical to provide or maintain shall generally be discouraged. Such services include garbage collection, police and fire protection, snow removal, road maintenance, park facilities, street lights, piped services, education and transportation to and from school.
- c) Development approval shall be dependent upon prevention of ribbon development along Provincial Highways and County Roads. Direct access from County Roads should be restricted and residential lots should, where possible have access from Township Roads.
- d) Development shall not be permitted where lots do not front on an existing public road that is maintained year-round and that is of a reasonable standard of construction. A report should be obtained from the Township or County Road Superintendent.
- e) Development approval shall not be obtained where lots are adjacent to a road whereby a traffic hazard would be created by virtue of limited sight lines or curbs or grades.

## **7.0 Transportation**

### **7.1 Roads**

The Transportation network as set out on the Transportation Plan, Schedule "B", and on Schedule "C" for Colborne, generally reflects the existing inter-relationship between land use and transportation routes in the Township. The roads are classified according to the jurisdictional function they are intended to perform. Minimum rights-of-way and standards are established for each class of road. The reclassification of roads in the Township may be necessary sometime in the future to reflect changes in land use patterns or intensities of use. Improvements to the roads, such as widening, reconstruction, realignments, turning lanes, and intersection improvements, should be made according to a schedule or priorities established by the various public agencies having jurisdiction over roads. In general, priorities should be based on the nature and extent of the safety hazard where one exists and the volume of traffic on the road. The schedules of road works of each jurisdiction, provincial, county and township, should be consistent with one another.

Special Transportation policies for Colborne are outlined in Section 9.1, the Colborne Secondary Plan.

#### **7.1.1 Provincial Highways**

Provincial highways are existing roadways under the jurisdiction of the Ministry of Transportation designed to carry a high volume of traffic at relatively high speeds and connect to major traffic generators. The municipality shall cooperate with the Provincial government in establishing and maintaining the standards outlined herein.

Provincial Highway No. 401 is classified as a Controlled Access Highway and carries large volumes of traffic at high speeds, under free-flowing conditions with access restricted to grade-separated interchanges.

Where residential subdivisions abut a provincial highway, lots should back onto the highway, with no direct access to the highway. Major intersections in the Hamlet designation areas should be provided with street lighting.

Outdoor storage and loading areas associated with commercial and industrial type uses on lands that abut provincial highways and within the Ministry of Transportation's area of permit control should be appropriately screened or located in such a way as not to distract the traveling public.

All development located within the Ministry of Transportation area of permit control will require all necessary permits for land uses, buildings, entrances and signs prior to any construction being undertaken.

### **7.1.2 County Roads**

County Roads are under the jurisdiction of the County of Northumberland and are designed with the dual function of carrying medium volumes of traffic between Provincial Highways and Township Roads as well as providing land access. Access to abutting lots should be limited and in accordance with County requirements.

### **7.1.3 Township Roads**

Township Roads generally carry lower volumes of traffic which access individual properties along their length, or provide access to private roads. Township Roads serve a local traffic function and are under the jurisdiction of the Township of Cramahe.

### **7.1.4 Private Roads**

Private Roads are right-of-ways which are generally privately owned and whose maintenance and responsibility has not been assumed by the Township of Cramahe. These roads are therefore maintained privately, usually by those individuals who have legal access to their properties over the subject roadways. These roadways have originated historically and are generally capable of carrying limited volumes of traffic.

## **7.2 Minimum Right-Of-Way Widths**

Highway No. 401	-	determined by the Ministry of Transportation
County Roads	-	30 metres
Township Roads	-	20 metres

### **7.2.1 Road Widening Requirements**

Based upon the above Minimum Right-of-Way road widths, appropriate dedications for purposes of road widening shall be required as a condition of granting consents or approval of plans of subdivision or plans of condominium, and site plan approval.

### **7.2.2 Setback Requirements**

Zoning By-law setback requirements shall be established from the limit of right-of-way widths to ensure that sufficient separation distances are maintained between buildings and traffic flows. The setback requirements of the Ministry of Transportation and the County of Northumberland shall be taken into consideration in the determination of such setback regulations.

## **7.3 Road Assumptions**

The Township shall not assume any roadway which does not meet minimum acceptable

standards, as defined by the Ministry of Transportation for subsidy purposes. The assumption of such a road must be clearly in the public's interest. No roadway shall be assumed by the Township which would place an undue financial and/or servicing burden on the Municipality.

#### **7.4 Road Maintenance**

Township Roads which are presently maintained on a year-round basis shall continue to be so maintained and shall take priority when improvements to the Township's roads are considered.

#### **7.5 Road Inventory**

It is intended that the Township of Cramahe undertake an inventory of all assumed roads within its jurisdiction. The Municipality should then determine which roads are required within the road system to meet existing and future needs. If possible, all other roads should be legally closed. It is intended that if a road which has fallen into disrepair through non-use cannot be legally closed, the Municipality should resist pressure to re-establish maintenance.

## **8.0 Implementation**

### **8.1 Existing Land Uses**

The use of any land, building or structure which is legally established on the date that this Official Plan is adopted by Council shall be allowed to continue for as long as the land, building or structure continues to be used for that purpose. Any existing uses which are in conformity with the provisions of the implementing Zoning By-law as it exists on the date of adoption, but not in conformity with the Official Plan shall be allowed to be extended or enlarged provided that no amendment to the Zoning By-law is required. Where an amendment to the Zoning By-law is required to permit an extension or enlargement of an existing use then the policies of 8.2 for non-conforming uses shall apply.

### **8.2 Non-Conforming Land Use**

Any land use existing at the date of approval of this plan that does not conform with the land use designations as shown on Schedules “A” and “A-1” or on Schedule “C” or the policies related thereto should as a general rule, cease to exist in the long run and shall not be allowed to resume at some later date. In special instances, however, it may be desirable to permit the extension or enlargement of such a non-conforming use in order to avoid unnecessary hardship. It is the intention of this Plan that extensions and enlargements shall be dealt with pursuant to Sections 34(10) and 45 of the *Planning Act*, R.S.O., 1990.

### **8.3 Enlargements Or Extensions**

In considering applications for enlargements or extensions, such matters as the possible acquisition of the land by the municipality, the possibility of relocating the non-conforming use and improvements to make the use more compatible with surrounding uses should be evaluated.

### **8.4 Existing Lots Of Record**

Where a lot having a lesser lot area, lot depth and/or lot frontage than that required herein, or a lot lacking frontage on a public road, or a lot which is deficient in any other way according to the policies of this Plan, is held under distinct and separate ownership from abutting lots as shown by a registered conveyance in the records of the Registry or Land Titles Office at the date of adoption of this Plan, or where such a lot is created as a result of an expropriation, such deficient lot may be used and a building or structure may be erected, altered or used on such smaller lot, provided that the owner complies with all other requirements of this Plan, subject to the following:

- a) The lot has a frontage on an existing public road maintained year-round by the Municipality and developed to a standard that meets the requirements of the Ministry of Transportation for subsidy purposes; or
- b) The owner of said lot can provide to the municipality at the time of application for a building permit proof that there is a registered right-of-way for the lot giving access to an existing public road maintained year-round by the municipality and developed to a standard acceptable to the Ministry of Transportation for subsidy purposes, in which case only a seasonal use building shall be permitted.

## **8.5 Property Maintenance And Occupancy Standards**

**8.5.1** Council may enact a By-law pursuant to Section 15.1 of the *Building Code Act* setting forth minimum standards for maintenance and occupancy for all buildings and structures and properties in the Township. The By-law should have regard for any or all of the following matters or related items and set appropriate standards or conditions:

- a) The physical conditions of yards and accessory buildings, including the accumulation of debris and rubbish;
- b) The adequacy of sanitation including drainage, sewage and garbage disposal;
- c) The maintenance of walks, passages and fences;
- d) The physical condition and maintenance of residential and non-residential buildings and properties with regard to the following:
  - (i) Pest control
  - (ii) basement floors
  - (iii) foundations
  - (iv) structural standards
  - (v) exterior walls
  - (vi) roofs
  - (vii) dampness
  - (viii) doors and windows
  - (ix) stairs and porches
  - (x) egress
  - (xi) balustrades and handrails
  - (xii) walls and ceilings
  - (xiii) floors
  - (xiv) cleanliness
  - (xv) water and plumbing
  - (xvi) toilets, kitchen and bathroom facilities
  - (xvii) heating systems
  - (xviii) electrical service
  - (xix) lights

- (xx) ventilation
- (xxi) basement or unheated crawl spaces
- (xxii) occupancy standards.

**8.5.2** The establishment of a Property Standards By-law permits an appointed property standards officer to administer the By-law. A property standards committee composed of a number of ratepayers in the Municipality (no fewer than three) shall hear appeals and may grant extensions to the time limits required to make improvements.

**8.5.3** The Township, upon entering into a property maintenance and occupancy standards by-law may wish to obtain financial support for the improvement of the structures by utilizing available government programs.

**8.5.4** The Township, upon enacting such a By-law, may wish to further support the By-law by undertaking an education and public relations program to demonstrate the benefits of continued property maintenance together with information showing that improvements can be made without increasing assessment as well as maintaining Municipally-owned buildings, property and community facilities at a high standard and providing or maintaining in good repair such municipal services as roads, sidewalks, and water and sewage facilities (where applicable).

## **8.6 Zoning By-Law**

Council will amend the Township's Zoning By-law to reflect the principals, policies and land use designations contained in this Plan. The amendment By-law shall make provision for adequate development standards and establish specific zones and permitted uses which reflect the policies and designations of this Plan. Within each designation, separate zones may be established to ensure that compatible uses will be appropriately grouped.

While the Zoning By-law will normally implement the Official Plan directly, it is not intended to zone all land at the outset for the uses established in order to achieve orderly development and ensure that policies established in this Plan have been met prior to zoning. Council may pre-zone for infilling and draft approved plans of subdivision in accordance with the policies of this Plan.

## **8.7 Committee Of Adjustment**

Council may appoint a committee of adjustment in accordance with Section 44 of the *Planning Act*, R.S.O., 1990 which may authorize minor variances from the provisions of the implementing Zoning By-law pursuant to Section 45 of the *Planning Act*, R.S.O., 1990, as amended, provided the general intent and purpose of this Official Plan and the Township's Zoning By-law are maintained.

## **8.8 Site Plan Control**

Township Council may, in a By-law passed pursuant to the provisions of Section 41 of the *Planning Act*, R.S.O., 1990, as amended, designate a Site Plan Control Area where Site Plan Control provisions are to be in effect in accordance with the policies set out below:

### **8.8.1 Site Plan Control Area**

The entire Township of Cramahe is designated as a site plan control area in accordance with subsection 41(2) of the *Planning Act*, R.S.O., 1990, as amended.

### **8.8.2 Development**

Section 41(1) of the *Planning Act*, R.S.O., 1990, defines development, in part, as meaning the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or useability thereof.

### **8.8.3 By-laws to Exempt Development and Delegate Approval Authority**

It shall be the policy of this Official Plan that the Council shall enact a by-law in accordance with Section 41(13) of the *Planning Act*, R.S.O. 1990, which shall define the class or classes of development that may be exempted from the provisions of Section 41 of the *Planning Act*.

Council may enact a by-law under the provisions of Section 41(13) of the *Planning Act*, R.S.O. 1990, to delegate to either a committee of the Council or to an appointed officer of the Municipality identified in the by-law, any of the Council's powers of authority under Section 41 of the *Planning Act*, except the authority to define any class or classes of development mentioned above in this subsection.

### **8.8.4 Exempted Uses**

It shall be the policy of this Official Plan that a By-law passed in accordance with Section 41(13) shall exempt the following from the provisions of Section 41 of the *Planning Act*, R.S.O., 1990 namely:

- a) All single detached dwellings;
- b) All duplexes, semi-detached or two unit dwellings;
- c) All additions to commercial or industrial buildings under 100 square metres, providing there is an existing site plan agreement;
- d) All farm buildings save and except for:



- (i) buildings and structures used for the sale of agricultural goods or agricultural related goods or services that are made available to the public at the site, if greater than 100 square metres in size; and
  - (ii) livestock barns or manure storage facilities for an Intensive Livestock Farm as defined in the Municipality's Nutrient Management By-law.
- e) All structures and buildings accessory to and incidental to the above exempted uses including renovations and minor extensions, thereto; and
  - f) Council may, by By-law, under subsection 41(13)(a) of the *Planning Act*, R.S.O., 1990, as amended, exempt any class or classes of development which would normally be subject to site plan control.

#### **8.8.5 Developments Subject to Site Plan Control**

- a) All forms of development as defined in Section 41 of the *Planning Act*, R.S.O., 1990, which are not exempted by Section 8.8.4 are subject to site plan control.
- b) Site plan control is to be applied to the development of sites for two or more trailers as defined in Section 210(95)(a) of the *Municipal Act*, as amended.
- c) Site plan control is to be applied to the development of sites for two or more mobile homes as defined in subsection 46(1) of the *Planning Act*, R.S.O., 1990, as amended.
- d) Site plan control is to be applied to any development of more than two dwelling units per lot.
- e) Council may require a site plan agreement for the construction, placing, or extension of buildings or structures in association with a pit or quarry. For the purposes of site plan control, Council may generally accept a site plan prepared in accordance with the requirements of the *Aggregate Resources Act* modified as necessary as a site plan within the meaning of this Official Plan.

#### **8.8.6 Objectives**

The objectives of the Township of Cramahe in exercising Site Plan Control are as follows:

- a) To improve the treatment of site plan details and maintain a consistent municipal standard in a site plan control area;
- b) To ensure safe and efficient access and movement of vehicular and pedestrian traffic;
- c) To minimize land use incompatibility between new and existing development

having regard to the massing and conceptual design of proposed buildings or structures and the streetscape or intended character of the area;

- d) To provide functional and attractive on site facilities such as landscaping and lighting;
- e) To control the placement and provision of required services such as driveway, walkways, parking areas, loading facilities and garbage collection areas;
- f) To secure the conveyance of any easements or right-of-ways in favour of the Municipality for the maintenance or improvement of drainage works, watercourses, roadways or other public utilities and similar undertakings; and
- g) To ensure that the proposed development is constructed and maintained in accordance with the plans and specifications approved by Council.

#### **8.8.7 Requirements for Development Proposals**

Development proposals subject to site plan control require the submission of plans and drawings which provide, where applicable, the following information:

- a) Plans showing the location of all buildings and structures to be erected, as well as all related facilities and works to be undertaken;
- b) Plans showing the massing and conceptual design of each building;
- c) Plans showing the relationship of each proposed building to adjacent existing buildings, street and exterior public areas;
- d) Plans showing the provision of interior walkways, stairs, elevators and escalators to which members of the public have access;
- e) Vehicle access facilities including access ramps, curbs, traffic direction signs, off-street loading and parking facilities, driveways, and emergency access provisions;
- f) Pedestrian access facilities including walkways, ramps and related facilities;
- g) Exterior lighting facilities;
- h) Site landscaping, including measures for the protection of adjoining lands;
- i) Garbage storage and collection facilities;
- j) Site grading and provisions for the disposal of storm, surface and waste water from all land, buildings and other structures within the proposed development;

- k) Easements for the construction, maintenance or improvement of services and utilities related to the proposed development;
- l) Any other matters which may be considered as part of the site plan approval process by the Municipality in accordance with Section 41 of the *Planning Act*, R.S.O., 1990, as amended.

#### **8.8.8 Site Development Agreement**

A development agreement may be required between the developer and municipality concerning the provisions and future maintenance of all facilities and works described above in Section 8.8.7 of this Plan, as well as the terms and conditions under which the proposed development is to be undertaken. This agreement should be registered against the lands to which it applies in accordance with Section 41(10) of the *Planning Act*, R.S.O., 1990, as amended.

#### **8.8.9 Conveyance of Land for Public Uses**

Council may, by By-law, require as a condition of development or redevelopment the conveyance of land from the developer to the Municipality, in accordance with the provisions of Section 42 of the *Planning Act*, R.S.O., 1990, as amended. The amount of land to be conveyed is not to exceed 2 percent of the lands proposed for commercial or industrial development or 5 percent of lands for any other proposed uses. The conveyed lands are intended to be used for park or other public recreational purposes. Alternatively, Council may require the payment of money in lieu of the conveyance of land as specified in subsection 42(6) of the *Planning Act*, R.S.O., 1990, as amended.

#### **8.8.10 Ministry and Agency Consultation**

Council may provide to such ministries or agencies as Council considers may have an interest in the development, an opportunity to review and comment on submitted draft site plans, as described in Section 8.8.7 above, up to such time as specified by Council.

### 8.8.11 Road Widenings

In accordance of Section 41(9) of the *Planning Act*, R.S.O. 1990, the following are roads within the Village of Colborne for which a maximum of a five metre road widening may be required from each side of said road as a condition of the approval of plans and drawings identified in subsection 8.8.7. For the purposes of this section, the terms “North, West and East Village Boundary” shall mean the corresponding north, west and east limits of the lands covered by Schedule “C” of this Plan.

<b>STREET</b>	<b>FROM</b>	<b>TO</b>
Durham Street North	King Street East	North Village Boundary
King Street East & West	East Village Boundary	West Village Boundary
Division Street	King Street East	Earl Street
Earl Street East & West	Victoria Street	Ontario Street
Elgin Street North	King Street East	North Village Boundary
Percy Street	Church Street East	North Village Boundary
Victoria Square	King Street East	Church Street East

## 8.9 **Development Holding Provisions**

Council may, in a by-law passed pursuant to the provisions of Section 36 of the *Planning Act*, R.S.O. 1990, zone lands for their intended use, and further impose a holding provision to generally prevent or limit the use of those lands until such time as Council is satisfied that further development may take place.

### 8.9.1 Objectives to Holding Provisions

Council may pass a holding by-law to achieve one or more of the following objectives:

- a) To allow for the orderly phasing of development or redevelopment of land;
- b) To ensure that the design criteria established by the Township have been met prior to removal of the holding symbol;
- c) To allow for the provision of adequate municipal water and sewage services, or other municipal services;
- d) To allow for the incorporation and implementation of special design features in specific locations or developments.

### **8.9.2 The Application of Holding Provisions**

a) Locational Criteria:

Holding provisions may be applied in the following circumstances:

- (i) where lands are designated for residential use and a plan of subdivision or plan of condominium has received draft plan approval, or, where lands are designated for residential use and a medium-density development is proposed (for example, triplexes, fourplexes, row or townhouses, or apartment buildings) or other development which will be subject to the Site Plan Control policies of this Plan;
- (ii) where lands are designated for a commercial or industrial use and are presently undeveloped but may be readily served by municipal water supply and/or sanitary sewer services;
- (iii) where lands are designated for commercial or industrial uses and development is to occur by registered plan of subdivision;
- (iv) where lands are identified as "areas of influence" of the "Disposal Industrial Sites" indicated on the land use schedules of this Plan.

b) Removal of Holding Provisions:

The holding provisions shall not be removed from the lands so zoned, and no development shall be permitted until such time as the necessary agreements have been registered on title to ensure that all the provisions of this plan and, if applicable, the conditions of draft plan approval have been or will be complied with; and the general objectives of the holding provisions have been achieved.

For lands identified as "areas of influence" of the "Disposal Industrial" designation and "Former Waste Disposal Sites", the holding provision may be removed when the provisions of Section 5.10.8 of this Plan have been met by the developer.

### **8.9.3 Implementation**

a) Interim Uses

In the interim period until the holding provision is removed by Council in accordance with the provisions of Section 36(4) of the *Planning Act*, as amended, the uses permitted shall be restricted to those existing as of the date of adoption of the holding by-law, public uses, agricultural uses, open space uses and other uses which are deemed compatible with surrounding land provided they would not adversely affect the future development potential of the land or do not conflict with the intent of the holding provision.

- b) Lands subject to holding provisions shall be identified in the implementing zoning by-law by the placement of the suffix "H" (or "h") adjacent to the zone category.

## 8.10 Temporary Use By-Laws

Council may pass By-laws where appropriate, under Section 34 of the *Planning Act*, R.S.O., 1990, in accordance with Section 39 of the *Planning Act*, R.S.O., 1990, to authorize the temporary use of land, buildings or structures for any purpose set out therein that is otherwise prohibited by the Township's Zoning By-law. Such By-laws apply to specific areas defined by the subject By-laws and shall apply for a period of time prescribed by the subject By-laws not to exceed ten years for a garden suite and three years in all other cases from the date of the passing of the By-law as specified by the *Planning Act*, Section 39, R.S.O., 1990. Council may by By-law extend the temporary use periods by as much as three years at any one time. When a Temporary use By-law expires such a use will not be considered to be an existing non-conforming use.

Notwithstanding the foregoing, Council may pass said By-law to permit temporary uses which may not conform to the Official Plan if deemed appropriate.

## 8.11 Interim Control By-Laws

Council may pass By-laws where appropriate under Section 38 of the *Planning Act*, R.S.O., 1990, placing a temporary restriction on land uses for a specified period of time as set out in the subject By-laws, in order to permit a review of land use planning policies. Such By-law shall apply to a specific area or areas defined in the subject By-law. The period of time that an Interim Control By-law may be in effect shall not exceed one year from the date of passing thereof, with an extension of up to one year, for a total time of two years.

## 8.12 Interpretation

### 8.12.1 General

The Plan provides a long range development strategy to guide the future growth of the Township of Cramahe. As a result of changing circumstances Council may consider amending the Official Plan.

In determining whether or not an amendment to this plan is required, special regard shall be had to the Purpose and Basis of the Plan and the policies of each land use designation of this document.

### **8.12.2 Land Use Boundaries**

The boundaries between land uses designated on Schedules “A” and “A-1” and Schedule “C” are approximate except where they coincide with major roads, railway lines, rivers, transmission lines or other clearly defined physical features. Where the general intent of the plan is maintained, minor adjustments to boundaries will not require an amendment to this Plan.

All numerical figures in the plan should not be interpreted as being absolute and rigid. Minor adjustments will be permitted provided that the intent and spirit of the plan is maintained.

### **8.12.3 Amendments**

An amendment to Schedules “A”, “A-1”, “B” or “C” of the Official Plan is required to permit the establishment of areas for uses other than those included in the Land Use Plan. Each Official Plan amendment shall contain background studies and a complete justification for the proposed change.

Amendment procedures as outlined in specific designations shall also apply. All amendments should conform to the goals and objectives contained herein.

It is intended that all figures and quantities contained in this Plan be considered as approximate only. Amendments will not be required for any reasonable variation from these figures.

When considering an amendment to this plan Council shall have regard for the following:

- a) The need for the proposed use;
- b) The suitability of the site for the proposed use;
- c) The compatibility of the proposed use with adjacent and surrounding uses in the Township and adjacent Municipalities, where applicable;
- d) The physical suitability of the land and water area to sustain itself in relation to the proposed use giving consideration to:
  - (i) the existing environmental and/or physical hazards;
  - (ii) the potential impacts of these hazards; and
  - (iii) the proposed methods by which these impacts may be overcome in a manner consistent with accepted engineering techniques and resource management practices;

- e) The location of the area under consideration with respect to:
  - (i) the adequacy of the existing and proposed highway system in relation to the development of such proposed areas;
  - (ii) the convenience and accessibility of the site for vehicular and pedestrian traffic and the traffic safety in relation thereto;
  - (iii) the adequacy of the potable water supply, sewage disposal facilities, and other municipal services in accordance with technical reports or recommendations which the Council shall request from any appropriate authority such as the Ministry of the Environment or its agencies deemed advisable;
- f) The potential effect of the proposed use on the financial position of the municipality;
- g) Site design and development criteria;
- h) Impacts on natural resources including mineral aggregates, environmentally sensitive lands, fish and wildlife habitat and areas of natural and scientific interest;
- i) Integration with future development opportunities on abutting lands;
- j) The agricultural capability of the subject lands and the effect such a change in land use would have on these lands and similarly abutting agricultural lands;
- k) The criteria of the Agricultural Minimum Distance Separation Formula I (MDS I); and
- l) Such other matters as may be required by the Municipality.

#### **8.12.3.1 Ministry and Agency Participation**

Ministries and agencies with legislative responsibility for the above criteria shall be advised of the nature of the proposal and offered the opportunity to comment on areas of concern.

#### **8.12.3.2 Public Participation**

Council shall encourage the active participation of Township residents during the preparation of amendments to the Official Plan in accordance with the requirements of the *Planning Act*, R.S.O., 1990.



### **8.13 Public Works**

The construction of all public works within the Township of Cramahe shall be carried out in accordance with the policies of this Plan.

### **8.14 Zoning By-Law Amendments**

All amendments to the Township of Cramahe Zoning By-law shall be in conformity with the Official Plan.

### **8.15 Alternative Public Notification Procedures**

In accordance with Section 17(18) and 34(14) of the *Planning Act*, R.S.O., 1990 Council may forego public notification and public meeting(s), with respect to a technical Official Plan Amendment or Zoning By-law Amendment if such amendment will not affect the provisions and intent of the Official Plan or Zoning By-law or an amendment previously enacted to either document, in any material way, and may include the following matters:

- a) Altering the number and arrangement of any provision;
- b) Correcting punctuation or altering language to obtain a uniform mode of expression;
- c) Correcting clerical, grammatical, dimensioning or typographical errors; and
- d) Changes in format.

**8.15.1** Where the procedures outlined herein are exercised by Council in respect of a Technical Official Plan Amendment, adequate information regarding the power of the approval authority to refuse to refer a proposed decision and the power of the Ontario Municipal Board to dismiss an appeal or a referral request shall be made available to the public prior to Council's adoption of such amendment in conjunction with the fulfilment of the requirements of Section 17(19) of the *Planning Act*, R.S.O., 1990.

### **8.16 Official Plan Review**

Council shall not less frequently than every five years, hold a special meeting, open to the public, to determine the need for revisions to this Plan and in determining the need for revisions Council shall have regard to Provincial Policy Statements issued under Section 3(1) of the *Planning Act*, R.S.O. 1990.

## **8.17 Provincial Legislation**

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

## 9.0 Secondary Plans

Secondary Plans are intended to provide more detailed land use planning policies for specific areas within the Township of Cramahe. Secondary Plans are intended to be complementary and supportive of the Township Official Plan policies, and should maintain the purpose and intent of the Goals and Objectives of the Official Plan. Secondary Plans may also be added to the Official Plan to implement specific legislation, regulations and plans of the Province of Ontario. Secondary Plans shall be added to this Plan by amendment.

### 9.1 Colborne Secondary Plan

The Colborne Secondary Plan applies to the area covered by Schedule “C” of this Official Plan.

The following policies shall apply to lands designated as *Village Residential, Commercial, Employment Areas, Community Facility, Development, and Environmental Protection* on Schedule “C”. In addition, the policies of Sections 4.0, 5.1, 6.0, 7.0 and 8.0 of this Plan shall apply, except as specifically provided below.

#### 9.1.1 Village Residential

Lands designated as Village Residential are located within the Colborne Urban Area, and are intended primarily for low density and medium density residential uses including single detached and two-unit dwellings, and multiple-unit dwellings.

##### 9.1.1.1 Permitted Uses

The predominant land uses in the Village Residential designation shall be low and medium density residential uses, including single detached dwellings, duplex and semi-detached dwellings, triplexes, fourplexes, row or townhouses, converted dwellings and apartment dwellings.

Uses accessory to residential uses, home occupations, public and private parkland, places of worship, and local commercial uses in accordance with Section 9.1.1.6 may also be permitted.

Group homes may be permitted in the Village Residential designation in accordance with the policies of Section 5.1.18 of this Plan.

##### 9.1.1.2 Services

Development within the Village Residential designation shall comply with the policies of Section 5.1.12.2 and Section 6.2.5.3 of this Plan.

### **9.1.1.3 Residential Infilling**

Residential development as infilling between existing lots shall be encouraged in order to achieve density targets set out in Section 5.1.2 (Growth Management) of this Plan, provided such development maintains neighbourhood character and meets the requirements of the Zoning By-law or where such requirements are varied by the Committee of Adjustment. Infilling lots shall be serviced in accordance with the policies of Sections 5.1.12.2 and 6.2.5.3

### **9.1.1.4 Plans of Subdivision and Condominium**

New residential development shall generally take place by registered plan of subdivision. If the lands are not already designated as Village Residential, an amendment to this Plan shall be required. New residential development in the form of plans of subdivision or condominium shall comply with the applicable policies of Sections 5.1 and 6.1 of this Plan. Plans of condominium may be considered in accordance with the policies of Section 5.1.17.

### **9.1.1.5 Development Density**

Within the Village Residential designation new development shall be in accordance with intensification and density targets set out in Section 5.1.2 (Growth Management).

#### **9.1.1.5.1 Low Density Residential Development**

Low density residential uses shall include single detached dwellings, duplex or semi-detached dwellings, or similar low-profile dwellings not exceeding two dwelling units per lot.

The maximum development density within a low density residential area, or the low density residential portion of a plan of subdivision or condominium should not exceed 20 dwelling units per net hectare.

#### **9.1.1.5.2 Medium Density Residential Development**

Medium density residential development shall include triplex dwellings, fourplex dwellings, row dwellings, townhouses, converted dwellings containing more than three dwelling units, or apartment buildings. Medium density residential development may be permitted in the Village Residential designation subject to the following:

- a) The maximum development density should not exceed 50 units per net hectare;
- b) New medium density developments shall have regard to the density, height and character of adjacent land uses;

- c) Development shall have direct access to collector or arterial streets, or front upon a local street of adequate standard which connects directly to an arterial or collector street in order to prevent traffic congestion of local streets;
- d) Off-street parking shall be provided in accordance with the requirements of the implementing Zoning By-law;
- e) On-site recreational facilities such as playground equipment should be provided to service the development where such facilities are not available in close proximity to the site; and
- f) The development shall be designed and landscaped, and buffering shall be provided as necessary, to ensure that the visual impact of the development on adjacent uses is minimized.

#### **9.1.1.6 Local Commercial Uses**

Small-scale local commercial uses that provide a range of goods and services, generally required on a daily basis within or adjacent to residential areas, may be permitted in the Village Residential designation. Permitted local commercial uses include convenience retail stores (excluding the sale of gasoline), personal service shops, video rental shops, small-scale offices, studios, and clinics (excluding veterinary clinics). Local commercial uses within the Village Residential designation shall be subject to the following:

- a) Local commercial uses should be designed and located so as to be compatible with adjacent residential uses and not detract from the residential character of the area;
- b) Off-street parking shall be provided in accordance with the implementing Zoning By-law;
- c) The development shall be designed and landscaped, and buffering or fencing shall be provided as necessary, to ensure that the visual impact of the development on adjacent uses is minimized;
- d) Local commercial uses should generally be located at a street intersection, or be integrated with medium density residential development. Local commercial uses should not be located mid-block in residential neighbourhoods;
- e) Street access shall be located to minimize the danger to vehicular and pedestrian traffic;
- f) A single local commercial use should not exceed a gross floor area of 230 square metres;

- g) No more than two local commercial uses should be located in a single building;
- h) Local commercial uses shall be subject to site plan control in accordance with the policies of Section 8.8; and
- i) Local commercial uses shall be zoned in a separate zone category in the implementing Zoning By-law.

#### **9.1.1.7 Conversions to Commercial Uses**

Single detached dwellings in the immediate vicinity of lands zoned for Village Commercial uses in the implementing Zoning By-law may be converted to allow commercial uses such as business and professional offices, handicraft, antique or clothing shops and similar type uses, provided the residential character of the building is retained. Multiple commercial uses on the same property shall not be permitted.

Parking shall be directed to the rear or side yards. No commercial development should be permitted where adequate off-street parking cannot be provided, however, Council may accept cash-in-lieu of off-street parking in accordance with Section 40 of the *Planning Act* where the provision of adequate off-street parking is not feasible or desirable. The Municipality may enter into an agreement with an owner or occupant of a building to exempt the owner or occupant, to the extent specified in the agreement, from the requirement of providing or maintaining parking facilities. Such an agreement shall provide for the making of one or more payments of money to the municipality as consideration for the granting of the parking exemption. All money received by the Municipality under such an agreement shall be paid into a special account in accordance with Section 40(3) of the *Planning Act*, and may be used by the Municipality to acquire lands for and/or develop or upgrade off-street parking facilities.

The conversion of residential buildings to commercial uses in accordance with this section shall be subject to site plan control in accordance with Section 8.8 of this Plan. Landscaping, buffering or fencing shall be required as necessary to promote compatibility with adjacent residential uses.

An amendment to the Zoning By-law shall be required to permit the conversion of all or part of a dwelling to a commercial use.

**9.1.1.8 Home Occupations**

A home occupation shall not significantly change the appearance of a dwelling as a residence, and such use shall be compatible with the surrounding residential uses.

**9.1.1.9 Parking**

Off-street parking shall be provided for all permitted uses within the Village Residential designation in accordance with the implementing Zoning By-law.

**9.1.1.10 Zoning**

Low and medium density residential uses and other uses permitted in the Village Residential designation may be included in separate zone classifications in the implementing Zoning By-law.

**9.1.2 Commercial**

The Commercial designation on Schedule “C” consists of two types of commercial uses: Village Commercial and General Commercial. Uses permitted in the following sections will be regulated in the implementing Zoning By-law.

**9.1.2.1 Permitted Uses**

**9.1.2.1.1 Village Commercial**

Village Commercial uses consist of those commercial uses that are normally associated with the downtown core or central business district of the Village, providing for the sale of goods and services to meet the needs of the local community as well as the surrounding market area. Permitted uses may include retail commercial establishments, financial institutions, personal service shops, business and professional offices, restaurants, hotels, gas bars, places of entertainment, and existing uses. A residence in part of a permitted uses or apartments above commercial uses may also be permitted.

**9.1.2.1.2 General Commercial**

General Commercial uses provide goods and services to meet the needs of the local community and the surrounding market area, as well as those commercial uses that rely on vehicular traffic. General Commercial uses are primarily oriented to businesses that provide a service function and benefit from direct access and exposure to traffic. Permitted uses include all Village Commercial uses plus uses such as motels, automobile sales and service businesses, recreational vehicle sales and service

businesses, building supply outlets, gas bars and service stations, garden centres and commercial greenhouses. An accessory dwelling may be permitted, however, in the case of a service station, residential uses shall be prohibited. Apartments above commercial uses may be permitted where such dwellings are secondary to the main commercial use, are compatible with the main commercial use, and will not detract from the use of the property for commercial operations.

#### **9.1.2.2 Locations**

The Village Commercial area primarily recognizes existing commercial establishments within the core area of the Village. New commercial development will generally be encouraged as infilling or intensification within the existing Commercial designation.

General Commercial uses should generally be located along major roadway approaches to the central part of the Village.

#### **9.1.2.3 Parking and Loading Facilities**

Off-street parking and loading spaces shall be provided in accordance with the provisions of the implementing Zoning By-law. Parking, loading and access locations should be located and designed to facilitate the efficient movement of vehicles and to minimize danger to vehicular and pedestrian traffic.

Within Village Commercial areas, Council may accept cash-in-lieu of off-street parking in accordance with Section 40 of the *Planning Act* where the provision of adequate off-street parking is not feasible or desirable. The Municipality may enter into an agreement with an owner or occupant of a building to exempt the owner or occupant, to the extent specified in the agreement, from the requirement of providing or maintaining parking facilities. Such an agreement shall provide for the making of one or more payments of money to the municipality as consideration for the granting of the parking exemption. All money received by the Municipality under such an agreement shall be paid into a special account in accordance with Section 40(3) of the *Planning Act*, and may be used by the Municipality to acquire lands for and/or develop or upgrade off-street parking facilities.

#### **9.1.2.4 Services**

The development of new commercial uses within Village Commercial or General Commercial areas shall be in accordance with the policies of Section 5.1.12.2 of this Plan.



**9.1.2.5 Development Criteria**

New commercial development that is not already designated Commercial on Schedule “C” shall require an amendment to this Plan, except as provided by Section 9.1.1.7. New commercial development or redevelopment shall be subject to site plan control in accordance with Section 8.8 of this Plan.

**9.1.2.6 Condominium Development**

Development or redevelopment involving condominium ownership shall have regard to the policies of Section 5.1.17 of this Plan.

**9.1.2.7 Zoning**

Village Commercial and General Commercial uses may be placed in separate zone categories in the implementing Zoning By-law.

**9.1.3 Employment Areas**

Lands designated as Employment Areas on Schedule “C” shall be subject to the policies of Section 5.9 of this Plan, except as outlined below.

**9.1.3.1 Services**

Servicing of new development or the redevelopment of existing uses within the Employment Areas designation shall be in accordance with the policies of Section 5.1.12.2 of this Plan.

Notwithstanding the above policy, development for new Industrial uses as defined in Section 5.9.1(a) of this Plan may take place on municipal water services and private sewage disposal systems if approved by the Municipality and the appropriate approval authority. Industrial uses that may be permitted on municipal water services and private sewage disposal systems shall be of a dry nature.

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

**9.1.3.2 Condominium Development**

Development or redevelopment involving condominium ownership shall have regard to the policies of Section 5.1.17 of this Plan.

#### **9.1.4 Community Facility**

Lands designated as Community Facility are intended primarily for public and private community uses that serve and benefit the residents of the Township.

##### **9.1.4.1 Permitted Uses**

Permitted uses within the Community Facility designation shall include municipal and other government offices, museums, community centres, arenas, public libraries, fraternal association halls, hospitals, clinics, homes for the aged or retirement lodges, nursing homes, public and private schools, boarding or training schools, places of worship, police stations, fire halls, public or private parks, open space and resource management uses, public works buildings, public parking lots, cemeteries, and similar uses.

##### **9.1.4.2 Services**

Servicing of new development or the redevelopment of existing uses within the Community Facility designation shall be in accordance with the policies of Section 5.1.12.2 of this Plan.

##### **9.1.4.3 Parking and Loading Areas**

Off-street parking and loading facilities shall be provided for all permitted uses within the Community Facility designation in accordance with the implementing Zoning By-law.

##### **9.1.4.4 Public Parkland and Open Space Areas**

Council shall endeavour to provide public parkland areas to achieve a minimum standard of two hectares of public open space per 1,000 population within the Colborne Urban Area. The Municipality may acquire parkland as appropriate lands become available to facilitate recreational needs of the residents.

Council shall require the dedication of park purposes in accordance with the percentages or amounts established by Section 42 and Section 51.1 of the *Planning Act*. Cash-in-lieu of parkland will generally only be accepted where it can be determined that adequate parkland facilities are available or are being provided elsewhere in the area, or the lands available for parkland are not considered suitable for park development.

Parklands servicing local residential neighbourhoods should generally be in the size range of one to three hectares.

Council will, wherever feasible and practical, encourage the location of new parkland adjacent to existing or proposed school sites, and in centrally-located areas of new or existing development.

#### **9.1.4.5 Status of Open Space Lands**

Where any lands designated Community Facility are under private ownership, this Plan does not intend that such lands will necessarily remain as Community Facility indefinitely, nor shall it be construed as implying that the Community Facility areas are free and open to the general public, or that the lands will be purchased by the Township or any other government agency. If proposals to develop such lands that are in private ownership are made, an application for the redesignation of such lands for other purposes will be given due consideration by the Township after taking into consideration the policies of this Plan.

#### **9.1.4.6 Zoning**

Lands within the Community Facility designation may be included in a separate zone classification in the implementing Zoning By-law.

### **9.1.5 Environmental Protection**

Lands designated as Environmental Protection on Schedule “C” shall be subject to the policies of Section 5.13 of this Plan, except as outlined below.

#### **9.1.5.1 Boundaries of Environmental Protection Designation**

The boundaries of the Environmental Protection designation shown on Schedule “C” are based on detailed engineered floodplain mapping by the Lower Trent Region Conservation Authority, and by air photo interpretation and site analysis. Schedule “C” shows the limits of the Regional Storm floodlines that have been mapped by the Conservation Authority.

#### **9.1.5.2 Definitions**

For the purposes of Section 9.1.5, the following definitions shall apply:

- a) “Development” means the creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the *Planning Act*, but does not include activities that create or maintain infrastructure authorized under an environmental assessment process; or works subject to the *Drainage Act*. This definition shall include the making of an addition to alteration to a building or structure that has the effect of increasing the size or usability thereof, and includes site alterations such as site grading, excavating and the placing or dumping of fill.
- (b) “Floodplain” means the area, usually low lands adjoining a watercourse, which has been or may be subject to flooding hazards.

- c) “Floodproofing” means a combination of structural changes and/or adjustments incorporated into the basic design and/or construction or alteration of individual buildings, structures or properties subject to flooding, so as to reduce or eliminate flood damages.
- d) “Minor alteration/addition” means construction that is less than 50 percent of the market value or floor area of an existing building, structure or work.
- e) “Major alteration/addition” means construction that is equal to or exceeds 50 percent of the market value or floor area of an existing building, structure or work.

### **9.1.5.3 Permitted Uses**

In addition to the uses permitted in the Environmental Protection designation as listed in Section 5.13.1 of this Plan, uses existing at the date of approval of this Official Plan shall be recognized as permitted uses on the individual properties where they are situated.

No development shall be permitted in areas designated Environmental Protection except in accordance with the regulations of the local Conservation Authority and the policies of this Plan and the implementing Zoning By-law.

#### **9.1.5.3.1 Exception**

Notwithstanding the provisions of Section 9.1.5.3, an art gallery, an art studio, a crafts workshop, and related uses including retail sales shall be permitted in an existing building located in part of Lot 29, Concession 2, municipal address 139 King Street East. Outside display and sales and accessory uses may be permitted on the subject property. Residential uses shall be prohibited. These lands will be placed in a separate zone classification in the implementing Zoning By-law that will recognize the susceptibility of the lands to flooding.

### **9.1.5.4 Minor Alterations/Additions to Existing Buildings or Structures**

It shall be the policy of this Plan to generally discourage the expansion of existing buildings or structures within the Environmental Protection designation.

Minor alterations/additions in the floodplain are to be carried out in accordance with established standards and procedures set forth by the Conservation Authority’s Fill, Construction and Alteration to Waterways Regulation.

Minor alterations/additions should incorporate floodproofing measures to the extent and level possible, based on site-specific conditions. As a minimum, the alteration/addition should not be more vulnerable to flood damage than the existing structure. The onus will be on the landowner to provide sufficient

information to the Municipality and to the local Conservation Authority to demonstrate that the new development and other properties will not be susceptible to flood-related damage.

Any alterations or additions to existing buildings or structures shall comply with the applicable provisions of the implementing Zoning By-law and the regulations of the Conservation Authority.

#### **9.1.5.5 Major Alterations/Additions to Existing Buildings or Structures**

It shall be the policy of this Plan to prohibit major alterations or additions to existing buildings or structures that are located within the Environmental Protection designation. The exception to this policy is where it can be shown to the satisfaction of the Township Council and the local Conservation Authority that the alteration or addition will not be subject to flood-related damages, and will not cause or increase the potential for flood-related damages to existing uses or lands on the site or upstream or downstream of the site, and will not result in any negative environmental impacts.

Any alterations or additions to existing buildings or structures shall comply with the applicable provisions of the implementing Zoning By-law and the regulations of the Conservation Authority.

#### **9.1.5.6 Replacement or Reconstruction of Existing Buildings or Structures**

Notwithstanding the intent of Sections 9.1.5.4 and 9.1.5.5, where an existing building or structure within the Environmental Protection designation is destroyed or severely damaged by an event beyond the control of a property owner, permission may be granted by Council to permit the reconstruction or repair of the building or structure, subject to the regulations of the local Conservation Authority and the applicable provisions of the implementing Zoning By-law. Floodproofing measures should be implemented to the extent and level possible, taking into account the potential impact on other properties and the nature of neighbouring properties.

#### **9.1.5.7 Zoning**

Lands within the Environmental Protection designation shall generally be zoned in separate classifications in the implementing Zoning By-law.

Existing uses, together with an amount of land sufficient for the siting of such uses at their existing extent, may be recognized as permitted uses within the Zoning By-law.

Where applicable, requirements for floodproofing or other special provisions may be included in the implementing Zoning By-law.

Building setbacks from Colborne Creek and its tributaries and/or the margins of the Environmental Protection designation may be established in the implementing Zoning By-law in order to protect fish habitat and the water quality of the creek or to recognize the extent or severity of environmental hazards.

#### **9.1.6            Development**

The Development designation applies to lands within the Colborne Urban area that are not designated or used for urban or open space uses, and are not part of the Environmental Protection designation. The Development designation is not necessarily a permanent designation. Its main purpose is to prevent uncontrolled and scattered development, and to maintain the rural character of these lands until such time as appropriate development proposals for the lands may be brought forward for Council's consideration.

##### **9.1.6.1            Permitted Uses**

Uses permitted in the Development designation shall include those uses existing at the date of approval of this Plan, agricultural uses, accessory residential uses, low intensity recreational and open space uses, public uses which do not detract from the rural character, limited non-agricultural residential uses occurring as residential infilling, and home occupations.

A bunkhouse for the temporary lodging of seasonal farm help may be permitted on a property in the Development designation, but a bunkhouse shall not be used for permanent residential occupation. The establishment of a bunkhouse shall require an amendment to the Zoning By-law.

For the purposes of this section "infilling" shall have the meaning as defined in Section 5.1.21 of this Plan.

##### **9.1.6.2            Restricted Land Uses**

Notwithstanding Section 9.1.6.1, intensive animal farming operations or any other land use or form of development that could hinder or preclude the future extension of services and development in the Colborne Urban Area shall not be permitted.

##### **9.1.6.3            Minimum Distance Separation**

All development proposals and applications for changes in land use shall comply with the Minimum Distance Separation (MDS) I or II formulae, as the case may be, to ensure a sufficient distance between an agricultural livestock facility and another land use. New land uses, including the creation of lots and new or expanded livestock facilities, will comply with the MDS formulae.

##### **9.1.6.4            Zoning**

Lands within the Development designation may be included in separate zone classifications in the implementing Zoning By-law.

Council may adopt Holding zones under Section 36 of the *Planning Act* to ensure that development will not preclude future growth opportunities in the Colborne Secondary Plan area.

### **9.1.7            Transportation**

The street network as set out on Schedule “C” reflects the existing inter-relationship between land use and road transportation in Colborne. The street network in the Colborne Secondary Plan is intended to be consistent with the Transportation policies of Section 7.0 and Schedule “B” of the Cramahe Township Official Plan.

The street network is intended to be compatible with the abutting land use form and to serve orderly growth in the secondary plan area. The street pattern is intended to facilitate the safe and efficient movement of people and goods within Colborne and the Township as a whole.

#### **9.1.7.1            Street Classifications**

The street network is comprised on three categories: Urban Arterial, Urban Collector and Local Street. The function of the streets as set out below should be considered in the assessment of development proposals and amendments to this Plan and the implementing Zoning By-law, and the approval of site plans under Section 8.8 of this Plan.

Urban Arterial Streets are intended to function as strategic links in the overall road network, and carry relatively high volumes of traffic through the secondary plan area. Toronto Street and King Street East shall be classified as Urban Arterial Streets, in accordance with Schedule “C.” These streets form part of County Road 2, which is a significant east-west route through the Township.

Urban Collector Streets have the function of carrying moderate volumes of traffic to arterial streets and providing access to abutting properties. County Road 25 (Percy Street and Victoria Square), County Road 31 (Division Street, Earl Street West, and Ontario Street south of Earl Street West), Victoria Street, Durham Street North, and Durham Street South shall be classified as Urban Collector Streets, in accordance with Schedule “C.”

Local Streets typically carry lower volumes of traffic in and through neighbourhoods, and provide direct access to abutting properties along their length.

### **9.1.7.2 Minimum Right-of-Way Widths**

Urban Arterial Streets	- 2 lanes	right-of-way width as required
	- 4 lanes	right-of-way width as required
Urban Collector Streets - County Roads		30 metres
Urban Collector Streets - Non-County Roads		26 metres where possible
Local Streets		20 metres

### **9.1.7.3 Road Widening Requirements**

Based on the above minimum right-of-way widths, appropriate dedications for purposes of road widening may be required as a condition of granting consents or approval of plans of subdivision or plans of condominium, and site plan approval.

### **9.1.7.4 Setback Requirements**

Setback requirements in the implementing Zoning By-law shall be measured from the limit of right-of-way widths to ensure that sufficient separation distances are maintained between buildings and traffic flows. The setback requirements of the County of Northumberland shall be taken into consideration in the determination of such setback regulations.

### **9.1.7.5 Patterns of Development**

Development adjacent to Urban Arterial, Urban Collector and Local Streets shall have sufficient setback requirements to afford a measure of compatibility with surrounding land uses. Development adjacent to County Roads shall be in accordance with the County of Northumberland guidelines for development on County roads.

Ribbon or strip development requiring direct access to an Urban Arterial or Urban Collector street should be discouraged where possible.

For Urban Arterial Streets, the adequacy of sight distances related to road alignment and the avoidance of multiple individual access points should be addressed when reviewing development applications.

On-street parking may be permitted on Urban Collector streets, although locations and time restrictions may be enforced at specific locations.

Wherever possible, through traffic should be discouraged on Local Streets by means of geometric design and control of new development such as commercial and industrial uses.



**9.1.7.6 Road Assumptions**

The Township shall not assume any roadway that does not meet minimum acceptable standards as defined by the Municipality. The assumption of such a road must be clearly in the public interest. No roadway shall be assumed by the Municipality that would place an undue financial and/or servicing burden on the Municipality.

## **9.2 Oak Ridges Moraine**

### **9.2.1 The Oak Ridges Moraine Conservation Plan In Relation to the Municipal Official Plan**

#### **9.2.1.1 The Oak Ridges Moraine Conservation Plan**

The Oak Ridges Moraine Conservation Plan (ORMCP) is a complex set of policies and regulations, which provides the basis for the policies in Section 9.2 of this Official Plan. The ORMCP is Schedule “E” to the Official Plan of the Township of Cramahe, and must be referred to in determining the relevant land use policies that apply to any parcel of land within the lands identified as subject to the policies of this Section of the Official Plan.

#### **9.2.1.2 How to Use the Policies of This Section**

To determine how the Policies of this Section of the Official Plan apply to a specific area or land use, this Section and the ORMCP must be read in its entirety as follows:

- i) Consult Schedule “D”, the Oak Ridges Moraine Land Use Designations Map to determine what designation applies to the area.
- ii) Consult Part 4 and Part II of the ORMCP to see the policies for that designation and consult Part 5 and Part III of the ORMCP to determine any restrictions or requirements that shall be considered to protect ecological and hydrological integrity.
- iii) Consult Part 5 and Part IV of the ORMCP to determine any additional restrictions or requirements that may apply for the specific use or activity being considered.
- iv) Consult Part II of the ORMCP to determine the prescribed provisions to apply pursuant to subsection 15(2) of the ORMCP.
- v) Part I (General) of the ORMCP applies to all development proposals and land uses, including site alteration.

In the case of any conflicts between the ORMCP and the Cramahe Township Official Plan, the policies and requirements of the ORMCP shall prevail.

### **9.2.2 Scope and Legislative Authority**

The Oak Ridges Moraine Policies apply to the areas shown on Schedules “D”, “D1”, “D2” and “D3” and is defined by the ORMCP on the map entitled “Oak Ridges Moraine Conservation Plan Land Use Designation Map”, numbered 208, dated April 17, 2002, and on file in the officer of the Ministry of Municipal Affairs and Housing at Toronto.

The plan is prepared under the authority of Section 17 of the *Planning Act*, RSO 1990, c P 13, as amended, Section 9(2) of the *Oak Ridges Moraine Conservation Act, 2001* and Ontario Regulation 141/02 (Oak Ridges Conservation Plan Regulations).

### **9.2.3 ORMCP Objectives**

The objectives of the ORMCP and, consequently, this Official Plan are:

- i) protecting the ecological and hydrological integrity of the Oak Ridges Moraine Area;
- ii) ensuring that only land and resource uses that maintain, improve or restore the ecological and hydrological functions of the Oak Ridges Moraine Area are permitted;
- iii) maintaining, improving or restoring all the elements that contribute to the ecological and hydrological functions of the Oak Ridges Moraine Area, including the quality and quantity of its water and its other resources;
- iv) ensuring that the Oak Ridges Moraine Area is maintained as a continuous natural landform and environment for the benefit of present and future generations;
- v) providing for land and resource uses and development that are compatible with the other objectives of the ORMCP;
- vi) providing for continued development within existing urban settlement areas and recognizing existing rural settlements;
- vii) providing for a continuous recreational trail through the Oak Ridges Moraine Area that is accessible to all including persons with disabilities;
- viii) providing for other public recreational access to the Oak Ridges Moraine Area; and
- ix) any other prescribed objectives.

### **9.2.4 Application of ORMCP and Official Plan Policies on Existing Uses, Buildings and Development Applications**

#### **9.2.4.1 Existing Uses, Building and Structures**

Section 6(1) of the ORMCP shall apply.

#### **9.2.4.2 Previously Authorized Single Dwelling**

Nothing in the ORMCP or this Section applies to prevent the use, erection or location of a single dwelling if,

- i) the use, erection and location would have been permitted by the comprehensive zoning by-law on November 15, 2001, being Zoning By-law No. 99-26 of the Township of Cramahe, as amended; and
- ii) the applicant demonstrates, to the extent possible, that the use, erection and location will not adversely affect the ecological integrity of the ORMCP Area.

Notwithstanding the above, buildings and structures that are normally accessory to a residential use are considered to be a component of a permitted single dwelling use. Therefore, accessory buildings and structures directly related to a single dwelling are also permitted.

**9.2.4.3 Building or Structure Previously Authorized or Authorized Under Section 17(1) of the ORMCP**

Nothing in the ORMCP or this Section applies to prevent the use, erection or location of a building or structure if,

- i) the use, erection and location were authorized by the approval of an application that was commenced before November 17, 2001 and approved after that date; or
- ii) the use, erection and location were authorized by the approval of an application that was commenced after November 17, 2001 and decided in accordance with subsection 17(1) of the *Oak Ridges Moraine Conservation Act*.

**9.2.4.4 Exception, Site Plan Approval**

An application for site plan approval under section 41 of the *Planning Act* is not required to comply with the ORMCP or this Section, if it relates to land in respect of which any of the following was commenced before November 17, 2001 and approved after that date:

1. An application for an amendment to a zoning by-law.
2. An application for approval of a plan of subdivision under Section 51 of the *Planning Act*.
3. An application for approval or exemption from approval for a plan of condominium under section 9 of the *Condominium Act, 1998*.

## 9.2.5 Land Use Designations and Policies

The Plan area contains the following three main land use designations as shown on Schedule “D”, Land Use Designations:

- i) Natural Core Areas, which are areas with a high concentration of key natural heritage features, hydrologically sensitive features or landform conservation areas.
- ii) Natural Linkage Areas, which are areas forming part of a central corridor system that support or have the potential to support movement of plants and animals among the Natural Core Areas, Natural Linkage Areas, river valleys and stream corridors.
- iii) Countryside Areas, which are areas of rural land use such as agriculture, recreation, residential development, Rural Settlements, mineral aggregate operations, parks and open space.

Rural Settlements, which form part of Countryside Areas and are existing hamlets or similar existing small built-up areas, are shown on Schedule “D” as “Countryside-Rural Settlement.”

The “Countryside-Agriculture” areas shown on Schedule “D” are generally based on the lands that were designated as Agricultural in the Cramahe Township Official Plan prior to the approval of Section 9.2 of this Plan and the related Schedules for the Oak Ridges Moraine Secondary Plan area.

The “Countryside-Aggregate Resource” areas shown on Schedule “D” are generally based on the lands that were designated as Aggregate Resources in the Cramahe Township Official Plan prior to the approval of Section 9.2 of this Plan and the related Schedules for the Oak Ridges Moraine Secondary Plan area.

### 9.2.5.1 Natural Core Areas

#### 9.2.5.1.1 Purpose

The purpose of the Natural Core Area is to maintain and where possible improve and restore the ecological integrity of the Plan Area by:

- i) maintaining, and where possible improving or restoring, the health, diversity, size, and connectivity of key natural heritage features, hydrologically sensitive features and the related ecological functions;
- ii) maintaining or restoring natural self-sustaining vegetation and wildlife habitat;

- iii) maintaining the quantity and quality of groundwater and surface water;
- iv) maintaining groundwater recharge;
- v) maintaining natural stream form and flow characteristics;
- vi) protecting landform features;
- vii) accommodating a trail system through the Plan Area and trail connections to it; and
- viii) providing for limited economic development that is compatible with clause a trail system and the nature of the Natural Core Area.

#### **9.2.5.1.2 Permitted Uses - Natural Core Areas**

The following uses are permitted in Natural Core Areas subject to Part III and IV of the ORMCP:

- i) fish, wildlife, and forest management;
- ii) conservation and flood and erosion control projects;
- iii) agricultural uses;
- iv) transportation, infrastructure, and utilities as described in Section 41 of the ORMCP, but only if the need for the project has been demonstrated and there is no reasonable alternative;
- v) home businesses;
- vi) home industries;
- vii) bed and breakfast establishments;
- viii) farm vacation homes;
- ix) low-intensity recreational uses as described in Section 37 of the ORMCP;
- x) unserviced parks;
- xi) uses accessory to the uses set out in clauses i) through x), above.

All farm and non-farm development will comply with the Minimum Distance Separation formulae established by the Province in order to minimize odour conflicts between livestock facilities and development as amended from time to time.

#### **9.2.5.2 Natural Linkage Areas**

##### **9.2.5.2.1 Purpose**

The purpose of Natural Linkage Areas is to maintain, and where possible improve or restore, the ecological integrity of the Plan Area, and to maintain, and where possible improve or restore, regional-scale open space linkages between Natural Core Areas and along river valleys and stream corridors, by:

- i) maintaining, and where possible improving or restoring, the health, diversity, size, and connectivity of key heritage features, hydrologically sensitive features and the related ecological functions;
- ii) maintaining, and where possible improving or restoring natural self-sustaining vegetation over large parts of the area to facilitate movement of plants and animals;
- iii) maintaining a natural continuous east-west connection and additional connections to river valleys and streams north and south of the Plan Area;
- iv) maintaining the quantity and quality of groundwater and surface water;
- v) maintaining groundwater recharge;
- vi) maintaining natural stream form and flow characteristics;
- vii) protecting landform features;
- viii) accommodating a trail system through the Plan Area and trail connections to it; and
- ix) providing for limited economic development that is compatible with a trail system and the nature of the Natural Linkage Areas

**9.2.5.2.2 Permitted Uses – Natural Linkage Areas**

The following uses are permitted with respect to land in Natural Linkage Areas, subject to Parts III and IV of the ORMCP

- i) fish, wildlife, and forest management
- ii) conservation and flood and erosion control projects
- iii) agricultural uses
- iv) transportation, infrastructure, and utilities as described in Section 41 of the ORMCP, but only if the need for the project has been demonstrated and there is no reasonable alternative
- v) home businesses
- vi) home industries
- vii) bed and breakfast establishments
- viii) farm vacation homes
- ix) low-intensity recreational uses as described in Section 37 of the ORMCP
- x) unserviced parks
- xi) mineral aggregate operations
- xii) wayside pits
- xiii) uses accessory to the uses set out in clause i) through xii), above.

All farm and non-farm development will comply with the Minimum Distance Separation formulae established by the Province in order to minimize odour conflicts between livestock facilities and development as amended from time to time.

### **9.2.5.3 Countryside Agricultural Areas**

#### **9.2.5.3.1 Purpose**

The purpose of Countryside Agricultural Areas is to encourage agricultural and other rural uses that support the Plans objectives by:

- i) protecting prime agricultural areas; and
- ii) providing for the continuation of agricultural and other rural land uses and normal farm practices; and
- iii) maintaining the rural character of the Rural Settlements

#### **9.2.5.3.2 Objectives**

Countryside Agricultural Areas also have the objectives of:

- i) maintaining, and where possible improving or restoring, the ecological integrity of the Plan Area;
- ii) maintaining, and where possible improving or restoring, the health, diversity, size, and connectivity of key natural heritage features, hydrologically sensitive features and the related ecological functions;
- iii) maintaining the quantity of groundwater and surface water;
- iv) maintaining groundwater recharge;
- v) maintaining natural stream form and flow characteristics;
- vi) protecting landform features;
- vii) accommodating a trail system through the Plan Area and trail connections to it; and
- viii) providing for economic development that is compatible with subsection 9.2.5.3.1 and with clauses i) to vii), above.

#### **9.2.5.3.3 Permitted Uses - Countryside Agricultural Areas**

The following uses are permitted with respect to land in Countryside Agricultural Areas, subject to Parts III and IV of the ORMCP:

- i) fish, wildlife and forest management,
- ii) conservation projects and flood and erosion control projects,
- iii) agricultural uses
- iv) transportation, infrastructure, and utilities as described in Section 41 of the ORMCP
- v) home businesses



- vi) home industries
- vii) bed and breakfast establishments
- viii) farm vacation homes
- ix) low-intensity recreational uses as described in Section 37 of the ORMCP
- x) unserviced parks
- xi) mineral aggregate operations
- xii) wayside pits
- xiii) agriculture-related uses
- xiv) uses accessory to the uses set out in clause i) through xiii), above.

All farm and non-farm development will comply with the Minimum Distance Separation formulae established by the Province in order to minimize odour conflicts between livestock facilities and development as amended from time to time.

#### **9.2.5.3.4 New Lots in Countryside Agricultural Areas**

New lots may be created in Countryside Agricultural Areas subject to sections 15(1), 15(2), 16(1), 16(2) and 32 of the ORMCP

#### **9.2.5.3.5 Previously Authorized Uses, Buildings and Structures in Countryside Agricultural Areas or Rural Settlement Area**

Nothing in this Plan applies to present a use on the erection or location of a building or structure with respect to land in a Countryside Agricultural Area or Rural Settlement Area subject to the provision of sections 17(1), 17(2) and 17(3) of the ORMCP.

### **9.2.5.4 Countryside Rural Areas**

#### **9.2.5.4.1 Purpose**

The purpose of Countryside Rural Areas is to encourage agricultural and other rural uses that support the Plans objectives by:

- i) protecting prime agricultural areas;
- ii) providing for the continuation of agricultural and other rural land uses and normal farm practices; and
- iii) maintaining the rural character of the Rural Settlements

#### **9.2.5.4.2 Objectives**

Countryside Rural Areas also have the objectives of:

- i) maintaining, and where possible improving or restoring, the ecological integrity of the Plan Area;

- ii) maintaining, and where possible improving or restoring, the health, diversity, size, and connectivity of key natural heritage features, hydrologically sensitive features and the related ecological functions;
- iii) maintaining the quantity of groundwater and surface water;
- iv) maintaining groundwater recharge;
- v) maintaining natural stream form and flow characteristics;
- vi) protecting landform features;
- vii) accommodating a trail system through the Plan Area and trail connections to it; and
- viii) providing for economic development that is compatible with subsection 9.2.5.4.1 and with clauses i) to vii), above.

#### **9.2.5.4.3 Permitted Uses - Countryside Rural Areas**

The following uses are permitted with respect to land in Countryside Rural Areas, subject to Parts III and IV of the ORMCP:

- i) fish, wildlife and forest management,
- ii) conservation projects and flood and erosion control projects,
- iii) agricultural uses
- iv) transportation, infrastructure, and utilities as described in Section 41 of the ORMCP
- v) home businesses
- vi) home industries
- vii) bed and breakfast establishments
- viii) farm vacation homes
- ix) low-intensity recreational uses as described in Section 37 of the ORMCP
- x) unserviced parks
- xi) mineral aggregate operations
- xii) wayside pits
- xiii) agriculture-related uses
- xiv) small-scale commercial, industrial, and institutional uses as described in Section 40, subject to subsection (5) of the ORMCP
- xv) major recreational uses as described in Section 38, subject to subsection 5 of the ORMCP
- xvi) uses accessory to the uses set out in clause i) through xv), above.

All farm and non-farm development will comply with the Minimum Distance Separation formulae established by the Province in order to minimize odour conflicts between livestock facilities and development as amended from time to time.

#### **9.2.5.4.4 New Lots in Countryside Rural Area**

New lots may be created in Countryside Rural Areas subject to sections 15(1), 15(2), 16(1), 16(2) and 32 of the ORMCP

#### **9.2.5.4.5 Previously Authorized Uses, Buildings and Structures in Countryside Rural Area or Rural Settlement Area**

Nothing in this Plan applies to present a use on the erection or location of a building or structure with respect to land in a Countryside Rural Area or Rural Settlement Areas subject to the provision of sections 17(1), 17(2) and 17(3) of the ORMCP.

### **9.2.5.5 Countryside Aggregate Resource Areas**

#### **9.2.5.5.1 Purpose**

The Countryside Aggregate Resource designation is a sub-category of the Countryside land use designation. The purpose of the Countryside Aggregate Resource designation is to recognize areas with high potential for aggregate extraction and to recognize existing licensed pits within this area.

#### **9.2.5.5.2 Objectives**

The objectives of the Countryside Aggregate Resource designation are:

- i) to ensure that any new development that may be permitted in or adjacent to this area under the provisions of this Official Plan and the ORMCP does not preclude or hinder the establishment of new aggregate operations or access to the resource;
- ii) to protect mineral aggregate operations from activities that would preclude or hinder the continued operation and expansion of existing licensed mineral aggregate operations; and
- iii) to protect mineral aggregate operations from activities that would be incompatible for reasons of public health, public safety or environmental impact.

#### **9.2.5.5.3 Permitted Uses - Countryside Aggregate Resource Areas**

Permitted uses shall include all uses of the Countryside Rural Areas as set out above in Section 9.2.5.4.3. Notwithstanding this policy, any development that is deemed to be incompatible with the Objectives set out in Section 9.2.5.5.2 shall not be permitted except in the following circumstances:

- i) mineral aggregate resource use would not be feasible; or

- ii) the proposed land uses or development serves a greater long term public interest; and
- iii) issues of public health, public safety and environmental impact are addressed.

## 9.2.6 Protecting Ecological and Hydrological Integrity

### 9.2.6.1 Key Natural Heritage Features

The Key Natural Heritage Features (KNHF) are identified on Schedule “D1”. The delineation of KNHF is to identify the areas in which the policies of Part III of the ORMCP apply development in Natural Core Areas, Natural Linkage Areas and Countryside Areas (including Rural Settlement Areas).

The following Key Natural Heritage Features are identified on Schedule “D1”:

- i) Wetlands
- ii) Areas of Natural and Scientific Interest (ANSI) - Life Science
- iii) Prairie
- iv) Sand Barren - Prairie
- v) Woodland - Savannah
- vi) Significant Woodlands
- vii) Significant Portions of the Habitat of Endangered, Threatened and Rare Species
- viii) Fish habitat
- ix) Significant valleylands

In accordance with Section 20 of the ORMCP, every application for development or site alteration shall identify planning, design and construction practices that ensure that no buildings or other site alterations impede the movement of plants and animals among key natural heritage features, hydrologically sensitive features and adjacent land within Natural Core Areas and Natural Linkage Areas.

In accordance with Section 22(2) of the ORMCP, all development and site alteration with respect to land within a KNHF or the related minimum vegetation protection zone as described in the *Table* of Part III of the ORMCP is prohibited, except as specifically permitted in Section 22(2) 1, 2, 3, and 4 of the ORMCP.

An application for development or site alteration with respect to land within the minimum area of influence that relates to a KNHF as described in the *Table* of Part III of the ORMCP, but outside the KNHF itself and the related minimum vegetation protection zone, shall be accompanied by a natural heritage evaluation under Section 23 of the ORMCP.

### **9.2.6.2 Hydrologically Sensitive Features**

The Hydrologically Sensitive Features (HSF) are identified on Schedule “D2”. The delineation of HSF is to identify the areas in which the policies of Part III of the ORMCP apply to development in the Plan area.

The following HSF are identified on Schedule “D2”:

- i) Wetlands
- ii) Watercourses and Waterbodies (including permanent and intermittent streams).

In accordance with Section 26(2) of the ORMCP, all development and site alteration with respect to land within a HSF or the related minimum vegetation protection zone as described in the *Table* of Part III of the ORMCP is prohibited, except as specifically permitted in Section 26(2) 1, 2, 3, and 4 of the ORMCP.

An application for development or site alteration with respect to land within the minimum area of influence that relates to a HSF as described in the *Table* of Part III of the ORMCP, but outside the HSF itself and the related minimum vegetation protection zone, shall be accompanied by a hydrological evaluation under Section 26(4) of the ORMCP.

### **9.2.6.3 Areas of High Aquifer Vulnerability**

Schedule “D2” of this Plan identifies areas of high aquifer vulnerability. The policies of Section 29 of the ORMCP shall apply in these areas.

The following uses are prohibited with respect to land in areas of high aquifer vulnerability:

- i) Generation and storage of hazardous waste or liquid industrial waste;
- ii) Waste disposal sites and facilities, organic soil conditioning sites, and snow storage and disposal facilities;
- iii) Underground and above-ground storage tanks that are not equipped with an approved secondary containment device; and
- iv) Storage of a contaminant listed in Schedule 3 (Severely Toxic Contaminants) to Regulation 347 of the Revised Regulations of Ontario, 1990.

### **9.2.6.4 Landform Conservation Areas**

Schedule “D3” of this Plan identifies Landform Conservation Areas. The policies of Section 30 of the ORMCP shall apply in these areas.

**9.2.6.5 Partial Services**

Development of partial services is prohibited unless it meets the exceptions provided under Sections 44(2), 44(3) and 44(4) of the ORMCP.

## 9.2.7 Specific Land Use Policies

The policies of Part IV “Specific Land Use Policies” of the ORMCP apply to the Oak Ridges Moraine land use designations. Within Part IV of the ORMCP the titles of the sections are as follows:

- 32 Lot Creation
- 33 Restriction Re Agricultural Uses, Mineral Aggregate Operations, Wayside Pits
- 34 Uses Accessory to Agricultural Uses
- 35 Mineral Aggregate Operations and Wayside Pits
- 36 Comprehensive Rehabilitation Plans
- 37 Low-Intensity Recreational Uses
- 38 Major Recreational Uses
- 39 Trail System
- 40 Small-Scale Commercial, Industrial and Institutional Uses
- 41 Transportation, Infrastructure and Utilities
- 42 Official Plan Provisions, Wellhead Protection Areas, Areas of High Aquifer Vulnerability
- 43 Sewage and Water Services
- 44 Partial Services
- 45 Stormwater Management
- 46 Stormwater Management Plans
- 47 Rapid Infiltration Basins and Columns

The following sections refer to the above noted sections of the ORMCP by section number only.

### 9.2.7.1 Natural Core Areas

The following provisions of the ORMCP apply to land in the Natural Core Areas:

- i) Sections 32 to 34.
- ii) Sections 36, 37 and 39.
- iii) Subsections 41 (1), (3), (4), (5) and (6).
- iv) Sections 42 to 47.

### 9.2.7.2 Natural Linkage Areas

The following provisions of the ORMCP apply to land in the Natural Linkage Areas:

- i) Sections 32 to 37 and 39.
- ii) Subsections 41 (1), (2), (4), (5) and (6).
- iii) Sections 42 to 47.

### **9.2.7.3 Countryside Agricultural Areas**

The following provisions of the ORMCP apply to land in the Countryside Agricultural Areas:

- i) Sections 32 to 34.
- ii) Subsections 35 (1), (4), (5) and (6).
- iii) Sections 36 to 40.
- iv) Subsections 41 (1), (4), (5) and (6).
- v) Sections 42 to 47.

### **9.2.7.4 Countryside Rural Areas**

The following provisions of the ORMCP apply to land in the Countryside Rural Areas:

- i) Sections 32 to 34.
- ii) Subsections 35 (1), (4), (5) and (6).
- iii) Sections 36 to 40.
- iv) Subsections 41 (1), (4), (5) and (6).
- v) Sections 42 to 47.

### **9.2.7.5 Countryside Aggregate Resource Areas**

The following provisions of the ORMCP apply to land in the Countryside Aggregate Resource Areas:

- i) Sections 32 to 34.
- ii) Subsections 35 (1), (4), (5) and (6).
- iii) Sections 36 to 40.
- iv) Subsections 41 (1), (4), (5) and (6).
- v) Sections 42 to 47.

## **9.2.8 Watershed Plans, Water Budgets And Conservation Plans**

### **9.2.8.1 Watershed Plans**

The following provisions of the ORMCP apply to the Township of Cramahe:

- i) Section 24(1) requiring the commencement of watershed plans by April 22, 2003;
- ii) Section 24(2) requiring the objectives and requirements of the watershed plans to be incorporated into the Township's Official Plan;
- iii) Section 24(3) outlining the items to be included in the watershed plans; and
- iv) Section 24(4-6, 8) outlining the requirements for major development.



### **9.2.8.2 Water Budget Plans**

The following provisions of the ORMCP apply to the Township of Cramahe:

- i) Section 25(1) requiring the commencement of a water budget and conservation plan by April 22, 2003; and
- ii) Section 25(2) outlining the minimum requirements for a water budget and conservation plan.

### **9.2.8.3 Compliance With Sections 24 and 25 of ORMCP**

The Township of Cramahe commenced the preparation of a Watershed Plan, Water Budget and Conservation Plan by way of Council Resolution on April 15, 2003. Council recognized that groundwater aquifer characterization studies being undertaken by the Trent Conservation Coalition constituted such initiation and first steps of the Watershed Plan and Water Budget/Conservation Plan.

## **9.2.9 Wellhead Protection Areas**

There are no municipal wells and related wellhead protection areas in the area covered by the ORMCP. Should a municipal well(s) be constructed and related wellhead protection areas be identified, this Plan will be amended to implement the policies of Section 42 of the ORMCP.

The following uses are prohibited with respect to land in wellhead protection areas:

- i) Storage, except by an individual for personal or family use of:
  - petroleum fuels
  - petroleum solvents and chlorinated solvents
  - pesticides, herbicides and fungicides
  - construction equipment
  - inorganic fertilizers
  - road salt
  - contaminants listed in Schedule 3 (Severely Toxic Contaminants) to Regulation 347 of the Revised Regulations of Ontario, 1990;
- ii) Generation and storage of hazardous waste or liquid industrial waste; and
- iii) Waste disposal sites and facilities, organic soil conditioning sites, and snow storage and disposal facilities.

Despite anything else in this Plan except subsections 6(1) and 6(3) of the ORMCP, the following uses are prohibited with respect to land in the zero- to two-year time of travel zone within every wellhead protection area established under Section 42 of the ORMCP:

- i) Storage of animal manure, except by and individual for personal or family use;
- ii) Animal agriculture, except by an individual for personal or family use; and
- iii) Storage of agricultural equipment, except by an individual for personal or family use.

**9.2.10           Transportation**

The transportation network set out in Schedule “B” of the Cramahe Township Official Plan (Transportation Plan) reflects the major work pattern for the plan area. New road construction is subject to the policies of the ORMCP.

**9.2.11           Zoning By-Law**

The plan shall be implemented by a Zoning By-law, which conforms to this Plan and the ORMCP.