

PART C - LAND USE DESIGNATIONS

13. PRIME AGRICULTURAL DESIGNATION

13.1 GOALS

- To promote growth and development of the City's agricultural resources through a sound economic, social and environmental framework.
- Protect land that is primarily class 1-3 agricultural production from fragmentation, development and non-farm related uses
- To protect prime agricultural lands by encouraging the business of agriculture, by providing for innovation and diversification within agriculture, by providing additional economic opportunities through secondary uses.
- Preserve and promote the agricultural character of the City and the maintenance of the natural countryside.

13.2 OBJECTIVES

- a) Protect prime agricultural lands from non-farm activities and ensure that non-agricultural uses and development is encouraged to locate within designated *settlement areas*.
- b) To protect and strengthen the agricultural community.
- c) Support farming operations as an important component of the economy, a source of employment and a way of life for many rural residents.
- d) Recognize farming as a vital participant in the protection of the environment and encourage sustainable farming practices.
- e) Encourage agriculture-related businesses on farms to strengthen the viability of the agricultural industry sector and minimize severances for non-agricultural activities.
- f) Ensure that there is not a disturbance caused by incompatible uses with agricultural operations or the new agricultural uses on prime agricultural land.
- g) Support the advancement of agricultural production and management.

13.3 POLICIES

The following uses will be permitted within the Prime Agricultural designation:

- agricultural uses
- *agriculture-related uses*

- single detached dwellings accessory to the other permitted uses
 - garden suites
 - secondary uses
 - wayside pits or quarries, *portable asphalt plants* and portable concrete plants all of which shall only be used on public authority contracts
 - *agri-business uses* may be permitted provided there are no reasonable alternative locations, which avoid Prime Agricultural designated lands, and there are no reasonable alternative locations in *prime agricultural areas* with lower priority agricultural lands. Such uses shall be subject to a zoning bylaw amendment and site plan control.
 - There are clusters of residential lots and scattered residential lots located throughout this designation. They may be recognized as permitted uses within the zoning by-law provided they existed prior to the adoption of this Plan.
- 13.3.1 Areas with high potential for agricultural production, based primarily on soils, should be preserved for agricultural and agriculture related uses. The policies of this Plan are not intended to adversely impact on the continued cultivation and use of land for agricultural purposes. The exception is that new and major expansion of agricultural buildings or structures should be directed away from environmentally sensitive areas.
- 13.3.2 New agricultural lots may be permitted only where the severed and retained lots are intended for agricultural use. The lots shall:
- a) be sufficiently large to maintain flexibility for future changes in the type of agricultural operation;
 - b) have a minimum lot size of 40 hectares;
 - c) not be reduced in size below what would be required to accommodate manure being spread on the land based on the Nutrient Management Act requirements that could be generated by livestock in the on-site agricultural buildings or facilities.
- 13.3.3 The City recognizes as generally desirable the consolidation of farms wherever possible. Dwellings that become surplus as a result of a consolidation of abutting farm parcels may be severed provided that:
- a) the residential lot does not exceed 1 hectare in area and is not less than 4,000 sq.m. in area;
 - b) the residential lot meets the *Minimum Distance Separation* criteria;
 - c) the dwelling is not required for farm employees; and
 - d) the farm land is merged into a single lot.
- 13.3.4 Dwellings that become surplus as a result of a consolidation of non-abutting farm

parcels may be severed provided that the criteria of 13.3.2 a, b and c above are met and that the retained agricultural land be zoned to prohibit any residential use.

- 13.3.5 A residential lot for a *retiring farmer* or for *infilling* shall not be permitted and *retiring farmers* are encouraged to reside in a nearby hamlet or urban area.
- 13.3.6 A severance for a minor lot line adjustment may be permitted provided it does not create a separate building lot that would otherwise require an amendment to this Plan.
- 13.3.7 Existing commercial or industrial uses may be zoned to recognize the existing use or a similar use provided that the use:
- a) will have no *adverse effects* upon surrounding uses;
 - b) will comply with the Minimum Distance Separation criteria; and
 - c) any expansion will be minor in size.
- 13.3.8 A garden suite is permitted subject to the provisions of this Plan. In addition, the garden suite shall be a temporary use for farm help or for a *retiring farmer*. It should be located in close proximity to the existing farm residence and not in a location that would be disruptive to the farming operation or in a location conducive to its possible future severance. It should utilize the existing farm residence driveway if possible.
- 13.3.9 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 amendment from time to time.
- 13.3.10 In Prime Agricultural designated areas and on prime agricultural land, extraction of *mineral aggregates* may be permitted as an interim use provided that *rehabilitation* of the site will be carried out whereby substantially the same area and same average soil quality for agriculture are restored. On these prime agricultural lands, complete agricultural *rehabilitation* is not required if:
- there is substantial quantity of *mineral aggregate* below the water table warranting extraction, or the depth of planned extraction in a quarry makes restoration of pre extraction agricultural capability unfeasible;
 - other alternatives have been considered by the applicant and found unsuitable; and
- 13.3.11 Agricultural *rehabilitation* in remaining areas will be maximised; and subject to the land being designated Prime Agriculture in this Plan.

- 13.3.12 With the exception of an application for a new aggregate operation, in evaluating an amendment to this Plan to change the designation from Prime Agricultural to another designation, the municipality shall be satisfied that there is a demonstrated need for the proposed use for which the amendment is sought, and that it can not be reasonably located on lands outside the Prime Agricultural designation or on the lands within the Prime Agricultural designation with a lower agricultural capability. In the case of expanding the Urban Settlement designation upon lands designated as Prime Agricultural then it must be demonstrated that the municipality does not have sufficient lands already designated Urban Settlement to accommodate projected growth.
- 13.3.13 Some areas that have been designated Prime Agricultural may not be highly productive agriculturally. These areas will, however, be preserved to protect the agricultural economy from incompatible uses that may inhibit production.

14 RURAL DESIGNATION

14.1 GOALS

- To promote growth and development of the City's agricultural and natural resources through a sound economic, social and environmental framework.
- Protect agricultural land that is primarily class 4-7 for agricultural production from fragmentation, development and land uses unrelated to agriculture.
- Preserve and promote the rural character of the City and the maintenance of the natural countryside.

14.2 OBJECTIVES

- a) Protect agricultural lands from non-farm activities and ensure that non-agricultural uses and development is encouraged to locate within designated *settlement areas*.
- b) To protect and strengthen the agricultural community while permitting uses that would support the agricultural community and would not conflict with them.
- c) Support farming operations as an important component of the economy, a source of employment and a way of life for many rural residents.
- d) Recognize farming as a vital participant in the protection of the environment and encourage sustainable farming practices.
- e) Encourage agriculture-related businesses on farms to strengthen the viability of the agricultural industry sector and minimize severances for non-agricultural activities.
- f) Support the advancement of agricultural production and management.
- g) Provide for the wise use and management of resources and resource based recreational activities.

14.3 POLICIES

14.3.1 The primary use will be agriculture in the form of ranching and forestry. Where farming uses exist, new uses that are compatible with and not hindering the agricultural use will be permitted. These could include uses that produce value-added agricultural products from the farm operation. The following uses will be permitted within the Rural designation:

- Limited, low density single detached dwellings
- active and passive recreation uses and facilities
- agriculture-related commercial and industrial uses

- dog kennels
- farm implement dealers
- golf courses
- ski resorts
- farm markets
- public and private *infrastructure*
- public parks
- utilities
- ecotourism
- agri-tourism
- livestock and auction barns
- nurseries
- greenhouses
- abattoirs
- forestry management
- sawmills
- hunt camps

14.3.2 The permitted uses in the Prime Agricultural designation are permitted and apply in this designation.

14.3.3 The *Minimum Distance Separation Formulae* will be used to ensure appropriate buffering to protect existing agricultural operations.

14.3.4 Permitted agriculture-related, commercial and industrial uses, wherever possible, shall be consolidated into groups rather than spread out along roadways and should be located where the uses can provide adequate off-street parking and loading facilities and will not adversely affect traffic movement.

14.3.5 Golf Courses will be permitted subject to the following:

- have frontage onto an Arterial Road or Provincial Highway;
- obtain an entrance permit for the proposed use;
- have no *adverse effects* upon surrounding uses;
- be compatible with and will not hinder agricultural operations; and
- appropriate studies, acceptable to the City, demonstrating that it will not adversely impact natural significant features and has a minimal impact on watercourses, groundwater resources, agriculture or other environmentally sensitive features;

14.3.6 The City recognizes as generally desirable the consolidation of farms wherever

possible. Dwellings that become surplus as a result of a consolidation of abutting farm parcels may be severed provided that:

- a) the residential lot does not exceed 1 hectare in area and is not less than 4,000 sq.m. in area;
- b) the residential lot meets the *Minimum Distance Separation Formula*;
- c) the dwelling is not required for farm employees; and
- d) any adjoining agricultural parcels owned by the applicant are merged into a single lot.

14.3.7 Dwellings that become surplus as a result of a consolidation of non-abutting farm parcels may be severed provided the criteria of 14.3.6 a), b) and c) above are met and that the retained agricultural land be zoned to prohibit any residential use.

14.3.8 A residential lot for a farmer who is retiring may be permitted provided that:

- a) the person is a *retiring farmer* as defined;
- b) the residential lot does not exceed 1 hectare in area and is not less than 4,000 sq.m;
- c) the residential lot meets the Minimum Distance Separation criteria; and
- d) the existing farm parcel size is not the result of a consent having been granted and deeded for a residential lot by the former County of Victoria Land Division Committee or the City Committee of Adjustment prior to the adoption of this Plan.

14.3.9 New agricultural lots may be permitted only where the severed and retained lots are intended for agricultural use. The lots shall:

- a) have a minimum lot size of 40 hectares; and
- b) should not be reduced in size below what would be required to accommodate manure being spread on the land based on the Nutrient Management Act requirements that could be generated by livestock in the on-site agricultural buildings or facilities.

14.3.10 A severance for a minor lot line adjustment may be permitted provided it does not create a separate building lot that would otherwise require an amendment to this plan.

15 ENVIRONMENTAL PROTECTION DESIGNATION

15.1 GOAL:

- To identify land that is subject to flooding, identified as a Provincially Significant Wetland by the Ministry of Natural Resources or is unsuitable for development due to physical hazards.

15.2 OBJECTIVE:

- Prevent development or site alteration on lands which are hazardous due to flooding, poor drainage, deep organic soils, erosion, steep slopes, or any other physical condition which could cause loss of life, personal injury, property damage or degradation of the environment.

15.3 POLICIES

15.3.1 Permitted uses within this designation should maintain the unique natural characteristics of such lands and should not contribute to problems of erosion, flooding, pollution or the deterioration of the environment. The following uses may be permitted within the Environmental Protection designation:

- Agricultural, excluding buildings or structures
- Buildings or structures for erosion or flood control
- Conservation, excluding buildings or structures
- Forestry, excluding buildings or structures
- Nursery and market gardening, excluding buildings or structures
- Recreation or park purposes, excluding buildings or structures
- Wildlife management areas, excluding buildings or structures

15.3.2 The creation of lots within the Environmental Protection designation will not be permitted for the purpose of development.

15.3.3 If a lot is to be created that is partially designated as Environmental Protection, sufficient lot area based on the abutting land use designation outside of the Environmental Protection designation must be maintained for the proposed use.

15.3.4 In some instances, the boundary of the Environmental Protection designation may be found not to reflect the true limit of the land subject to flooding or having a natural hazard. To determine this, an evaluation shall be undertaken by the landowner to demonstrate that the land is not subject to flooding or other physical hazard. The

evaluation shall be reviewed and approved by the City and the Conservation Authority. The City will consult with the *Conservation Authority* or other expertise in the review of the evaluation. If it is found through the evaluation that the boundary is in error and the land is not subject to flooding or other physical hazard, then an alternate use permitted in the abutting land use designation may be considered and the land appropriately zoned. This provision applies where the designation boundary is found to be in error and the proposed use is minor and it is determined by the City that an amendment to the Plan is not required.

15.3.5 Where detailed flood plain or wetland mapping exists or becomes available, the boundaries of the Environmental Protection designation may be interpreted as corresponding to the limits of the flood plain or wetland. For areas within the City that are not covered under the jurisdiction of a conservation authority, the need for detailed floodplain or wetland mapping will be determined through the development application review process.

15.3.6 Where regulations are in effect, no placing or removal of fill of any kind, whether originating on the site or elsewhere shall be permitted within this designation unless such is approved by the City, Conservation Authority or MNR.

15.4 Public Access

15.4.1 Where land within this designation is under private ownership, it shall not be construed that this land shall be free and open to the public, nor that it shall be acquired by the City or any other public agency.

15.5 Parkland Dedication

15.5.1 Lands designated Environmental Protection shall generally not be accepted as parkland as part of a plan of subdivision. If the City, does accept Environmental Protection lands as part or all of the parkland dedication in a subdivision, the lands shall be conveyed in a physical condition satisfactory to the municipality. When an *open watercourse* is part of an area to be dedicated, sufficient land adjacent to the watercourse should be provided for maintenance and operations.

15.6 Existing Buildings or Structures

15.6.1 An existing non-conforming building or structure located in a floodplain may be enlarged, expanded or altered subject to:

- the determination that there will not be an unacceptable off-site impact due to the displacement of the flood water,,
- the enlargement to the building is appropriately flood proofed;
- New or existing hazards are not created or aggravated;
- The *Conservation Authority* has been satisfied;
- The development is not a threat to public health and safety or property;

- Vehicles and people must have a way of safely entering and exiting the area during floods; and
- Satisfactory water supply and subsurface sewage disposal servicing.

15.6.2 In determining the extent of flooding, the landowner may be required to have a qualified professional determine the flood level and appropriate flood-proofing measures that would be required. The City will consult with the *Conservation Authority*, before allowing the expansion or enlargement.

15.7 Special Policy Area

15.7.1 Where there is existing development within a flood plain, no further development shall be permitted unless a detailed flood study satisfactory to the Conservation Authority or the Ministry of Natural Resources has been prepared showing the floodway and flood fringe and a Special Policy Area has been established. The Ministers of Municipal Affairs and Natural Resources are responsible for approving the Special Policy Area. If a Special Policy Area is approved, specific policies will be added to this Plan by amendment.

16 URBAN SETTLEMENT DESIGNATION

16.1 GOALS:

- To manage growth through efficient land use and development that supports strong, liveable and healthy communities, protects the environment and public health and safety and facilitates economic growth.
- To apply a designation that permits a wide range of uses. *Urban Settlement Areas* applies to Lindsay, Fenelon Falls (including the fringe area), Bobcaygeon, Omemee and Woodville.
- To provide general growth management policies that are applicable to all Urban Settlements.

16.2 OBJECTIVES

- Encourage smart growth that is fiscally responsible, financially sustainable, respects the uniqueness of each community and protects the natural environment.
- Ensure that growth is consistent with environment first principles and that development integrates with the natural features.
- Direct the majority of growth to existing communities consistent with historic trends and the ability of the communities to sustain further growth.
- Ensure that appropriate economic development is a fundamental component of future growth in the City.
- Minimize potential conflicts between residential and *sensitive land uses* and commercial and industrial uses.
- Promote opportunities for *intensification* and redevelopment including *brownfield sites* and the availability of suitable existing or planned *infrastructure* and public services required to accommodate projected needs.
- To maintain the current Lindsay and Fenelon Falls Official Plans as Secondary Plans to this Official Plan.
- To prepare secondary plans for the *Urban Settlement areas* of Bobcaygeon, Omemee and Woodville that will provide detailed policies addressing the growth management of the specific urban settlements areas. Until these secondary plans are approved this Official Plan contains some specific policies for these areas.

16.3 POLICIES:

- 16.3.1 The predominant uses of land in the areas so designated shall be residential, recreational, institutional, industrial, cultural and commercial uses. A broad range of residential uses will be permitted in the Urban Designation although lower density uses should predominate. Higher density development in Omemee and Woodville will be directed to locations which are in the vicinity of the central commercial area and which have good access to necessary community facilities and services. Access to such development should be from major streets in order to avoid disrupting existing neighbourhoods.
- 16.3.2 The boundaries of former Towns and Villages do not necessarily define the Urban Settlement Designation.
- 16.3.3 Within the Urban Settlement Designation, development should proceed based on the level of services that are currently provided.

16.4 INTENSIFICATION AREAS

- 16.4.1 By the year 2015 and for each year thereafter, a minimum of 40 percent, or an alternative target approved by the Minister of Energy and Infrastructure, of all residential development occurring annually within the municipality will be within the *built-up area*. The ongoing Growth Management Strategy is reviewing existing *intensification* occurring within the City and *intensification* opportunity across the City and could conclude an alternative *intensification* target is warranted. Therefore, this could lead to a request to the *Minister of Energy and Infrastructure* for an alternative *intensification* target;
- 16.4.2 To promote *intensification* and achieve the *intensification* target of the City it is the policy of this plan to:
- encourage *intensification* generally throughout the *built-up area*;
 - identify *intensification* areas to support achievement of the *intensification* target;
 - recognize the built boundary as delineated by the Minister in April 2008;
 - recognize *intensification* corridors as a key focus for development to accommodate *intensification*;
 - identify the appropriate type and scale of development in *intensification* areas;
 - plan for a range and mix of housing, taking into account *affordable* housing needs;
 - encourage the creation of secondary suites throughout the *built-up area*.
- 16.4.3 All *intensification* areas will be planned and designed to:

- cumulatively attract a significant portion of population and employment growth;
- provide a diverse and compatible mix of land uses, including residential and employment uses, to support vibrant neighbourhoods;
- provide high quality public open spaces with site design and urban design standards that create attractive and vibrant places;
- support transit, walking and cycling for everyday activities;
- generally achieve higher densities than the surrounding areas;
- achieve an appropriate transition of built form to adjacent areas.

16.4.4 *Intensification* corridors will generally be planned to accommodate local services, including recreational, cultural and entertainment use. The City of Kawartha Lakes ongoing Growth Management Strategy will identify *intensification* corridors as the basis for designation. *Intensification* corridors will be planned to achieve:

- increased residential and employment densities that support and ensure the viability of existing and planned transit service levels;
- a mix of residential, office, institutional, and commercial development wherever appropriate

16.4.5 It is recognized that the Ministers of the Crown and the City will use *infrastructure* investment and other implementation tools and mechanisms to facilitate intensification.

16.5 DESIGNATED GREENFIELD AREAS

16.5.1 New development taking place in *designated Greenfield* areas will be planned designated, zoned and designed in a manner that:

- contributes to creating compact *complete communities*;
- creates street configurations, densities, and an urban form that support walking, cycling, and the early integration and sustained viability of transit services;
- provides a diverse mix of land uses, including residential and employment uses, to support vibrant neighbourhoods;
- creates high quality public open spaces with site design and urban design standards that support opportunities for transit, walking and cycling.

- 16.5.2 New development areas or Greenfield areas will be planned to achieve a minimum density target that is not less than 40 resident and jobs combined per hectare, or an alternative density target approved by the Minister of Energy and *Infrastructure*, and phased in a manner to assist with achieving the *intensification* target for new residential units being constructed in the built up area. The ongoing Growth Management Strategy is reviewing allocation of density across the City and could conclude that an alternative density target is warranted. Therefore, this could lead to a request to the *Minister of Energy and Infrastructure* for an alternative density target.
- 16.5.3 The density target will be measured over the entire new development areas within the City, excluding the following features where the features are both identified in any applicable official plan, secondary plan or provincial plan, and where the applicable provincial plan or policy statement prohibits development in the features: wetlands, coastal wetlands, woodlands, valley lands, areas of natural and scientific interest, habitat of *endangered species* and threatened species, wildlife habitat, and fish habitat. The area of the features will be defined in accordance with the applicable provincial plan or policy statement that prohibits development in the features.

16.6 EMPLOYMENT AREAS

- 16.6.1 *Employment areas* are concentrations of uses that generate employment. These would include industrial and commercial uses.
- 16.6.2 They will primarily be in conjunction with *settlement areas* where servicing and accessibility are available.
- 16.6.3 Council shall endeavour to ensure a favourable climate for economic development by:
- encouraging the expansion and diversification of industrial and commercial development in order to maximize employment opportunities;
 - encouraging the beautification, improvement and/or redevelopment of urban centres;
 - encouraging the development of Lindsay as a cultural, multi-functional centre;
 - limiting the type and intensity of any proposed development if in the opinion of the Council, the development would cause undue financial or other hardships to the municipality; and
 - giving priority to road improvements and servicing which improve the potential for industrial development.

- 16.6.4 Council will monitor on an annual basis the growth in employment opportunities in relation to residential growth. Such monitoring shall serve to establish an appropriate rate of growth for residential development. The conversion of cottages to year-round retirement homes may have a significant effect on population growth. It is not intended that the retirement population should be directly entered into the calculation for employment opportunities.
- 16.6.5 Council shall develop a strategy and program to purchase land for industrial purposes in order to facilitate implementation of this Plan.
- 16.6.6 The conversion of lands within the Employment Areas to non-employment uses shall only occur through a municipally initiated comprehensive review of this plan. Notwithstanding, the conversion of Employment Areas that are downtown areas or regeneration areas shall be subject to Policy 1.3.2 of the Provincial Policy Statement.

16.7 LARGE FORMAT RETAIL USE AND SHOPPING CENTRES

- 16.7.1 An amendment to this Plan or a Secondary Plan will be required for the development of a new shopping centre, *large format retail use* or major extension of either one.
- 16.7.2 Shopping centres and *large format retail use* will be directed to areas covered by a Secondary Plan and shall be on full municipal services.
- 16.7.3 When considering applications to establish a shopping centre or *large format retail use* in excess of 3,000 square metres of gross floor area, the following shall be submitted and approved by the City:
- Retail Market Analysis Study;
 - Traffic Impact Study and the proponents should be responsible for any highway or municipal road improvements identified in the traffic impact studies for such development;
 - A Functional Servicing Study;
 - Plan showing the buildings, parking, access and landscaped area and surrounding land uses.
- 16.7.4 The above will also apply to a major enlargement of an existing *large format retail use* or shopping centre. A major enlargement means an increase of 3,000 square metres or more of gross floor area.
- 16.7.5 In evaluating applications to permit these uses, the following criteria shall be assessed:

- An evaluation of the Retail Market Study to demonstrate the need for the proposal and the anticipated impact on existing commercial uses within the retail trade area;
- Availability of access to an arterial or collector road or Provincial highway with appropriate capacity to handle traffic generated by the proposed uses;
- Traffic impacts on adjacent land uses;
- Adequacy of proposed accesses and the impact of the proposed use on the operation of the municipal and Provincial road networks, where appropriate and applicable;
- Degree of compatibility and potential impacts of the proposed use on adjacent lands; and
- The adequacy of municipal sanitary sewer, water and stormwater management facilities.

16.8 OMEMEE

16.8.1 The designations and associated land use policies for Omemee contained in the in the Victoria County Official Plan shall apply until such time a detailed secondary plan is prepared.

16.8.2 Omemee currently has a constraint on development because the sewage treatment system is at capacity. A study is underway to consider solutions to this problem. The study is also looking at establishing a municipal water system. Until the studies are completed and it is determined what action will take place, no additional land will be designated for development. In the interim so as not to aggravate the sewage capacity problem, the following will apply:

- a) no new lots shall be created within Urban designation in Omemee;
- b) rezoning should not take place that would result in an increase in sewage flow;
- c) the holding provisions within the zoning by-law shall not be removed as it applies to lots; and
- d) final approval of plans of subdivision and condominiums shall not take place.

16.8.3 Once the servicing issue has been resolved, the following policies shall apply in the Omemee area that is designated as Urban:

- a) The predominant use of land shall be single detached dwellings. Commercial and prestige commercial uses will be permitted on Provincial

highways or on arterial streets. Wherever possible new commercial and industrial uses shall be grouped with existing commercial and industrial uses. The uses shall be compatible with abutting uses. For the types of commercial uses that would be permitted, refer to the General Commercial, Special Commercial and Prestige Industrial Uses described for Bobcaygeon under Section 16.11.2.

- b) Medium density uses shall be located adjacent to and have access to a highway or arterial road. Medium density is permitted in the form of row or *cluster* dwellings. Row or *cluster* dwellings may have a maximum density of 24 dwelling units per gross hectare. Medium density residential units shall only be permitted on municipal water and sanitary sewer serviced land.
- c) Medium density development shall be designed so as not to have an adverse impact on lower density residential areas. Where medium density development will immediately abut lower density residential areas, a landscaped buffer area providing effective high and low visual screening shall be provided. The landscaped open space, excluding driveways and parking areas, shall not be less than 35 percent.

16.8.4 Notwithstanding any other provisions of this Plan to the contrary, on lands described as being bounded on the west by Queen Street, on the north by Henry Street, on the east by Dixon Street and on the South by Distillery Street including all or part of the road allowances therein on Plan 109, Village of Omemee, medium density residential development shall be permitted provided that the following criteria are addressed:

- i. Uses Permitted: Medium density is permitted in the form of row or cluster dwellings.
- ii. Density: Row or cluster dwellings may have a maximum density of 24 dwelling units per gross hectare.
- iii. Servicing: Medium density residential units shall only be permitted on municipally owned water and sanitary sewer serviced land.
- iv. Location: Medium density uses shall be located on a major road or a local collector road connecting directly to a major road. Major roads are a County Road, Provincial Highway or Local collectors as shown on Schedule 'C-2'.

- v. Landscaping, Buffering and Design: Medium density development shall be designed so as not to have an adverse impact on lower density residential areas. Where medium density development will abut lower density residential areas, a landscaped buffer area providing effective high and low visual screening shall be provided. The landscaped open space, excluding driveways and parking areas, shall not be less than 35 percent.
- vi. Drainage, landscape and site plans shall be provided to the satisfaction of the City.
- vii. Local collector roads may be permitted on a road allowance that is ultimately to be 26 metres wide.

16.9 WOODVILLE

16.9.1 Woodville currently has a constraint on development because there is an insufficient quantity of water available on a year round basis to support additional development. Until the water quantity problem is resolved, the following will apply:

- a) no new lots shall be created within the urban designation in Woodville unless Council has already by resolution given approval prior to the adoption of this plan for a limited amount of development to take place;
- b) rezoning should not take place that would result in an increase in the water usage; and
- c) final approval of plans of subdivision shall not take place.

16.9.2 Once the servicing issue has been resolved, the following policies shall apply in the Woodville area that is designated as Urban:

1. The predominant use of land shall be single detached dwellings. Commercial and prestige commercial uses will be permitted on arterial streets. Wherever possible new commercial and industrial uses shall be grouped with existing commercial and industrial uses. The uses shall be compatible with abutting uses. For the types of commercial uses that would be permitted, refer to the General Commercial, Special Commercial and Prestige Industrial Uses described for Bobcaygeon.
2. Medium Density uses shall be located adjacent to and have access to an arterial road.

16.10 FENELON FALLS FRINGE

16.10.1 Until the Secondary Plan is adopted for Fenelon Falls, which will include the fringe area, the following policies apply in the Urban designation for the fringe area abutting the former village of Fenelon Falls:

1. The predominant use of land shall be single detached dwellings. Commercial and prestige commercial uses will be permitted on provincial highways or on arterial streets. Wherever possible new commercial and industrial uses shall be grouped with existing commercial and industrial uses. The uses shall be compatible with abutting uses. For the types of commercial uses that would be permitted, refer to the General Commercial, Special Commercial and Prestige Industrial Uses described for Bobcaygeon under Section 16.11.2.
2. Medium Density uses shall be located adjacent to and have access to a highway or arterial road.
3. Medium density is permitted in the form of row or *cluster* dwellings. Row or *cluster* dwellings may have a maximum density of 24 dwelling units per gross hectare. Medium density residential units shall only be permitted on municipally owned water and sanitary sewer serviced land.
4. Medium density development shall be designed so as not to have an adverse impact on lower density residential areas. Where medium density development will immediately abut lower density residential areas, a landscaped buffer area providing effective high and low visual screening shall be provided. The landscaped open space, excluding driveways and parking areas, shall not be less than 35 percent.
5. Before a subdivision, condominium, consent or rezoning is approved, it must be demonstrated that there is sufficient municipal servicing to serve the proposed use. All new development must be on full municipal services within this designation.

16.11 BOBCAYGEON

The City of Kawartha Lakes is committed to developing a Secondary Plan for the Bobcaygeon settlement area to address the future residential and commercial development of the Bobcaygeon area while recognizing and preserving Bobcaygeon's natural heritage, historic local character and streetscapes. This Secondary Plan will also identify preferred land use patterns and density, servicing and transportation capacities and requirements. Accordingly, until such time as a Secondary Plan is

completed for the Bobcaygeon settlement area, new development must be rationalized in a manner that will be consistent with the intent of the Secondary Plan exercise.

As such, until such time as a Secondary Plan is prepared for the Bobcaygeon Area, in addition to the background studies denoted in Section 33.1 of the Official Plan, the following additional background studies may also be required to accompany new development in the Bobcaygeon area:

1. Natural Heritage Impact Study addressing potential impacts on the natural heritage aspects of the Bobcaygeon area;
2. Servicing and Infrastructure Capacity Studies addressing impacts on municipal sewer, transportation and water systems, and;
3. Streetscape and Settlement Character Study addressing impacts on the streetscape and local character of the Bobcaygeon area.

16.11.1 The designations and associated land use policies for Bobcaygeon contained in the Victoria County Official Plan shall apply until such time a detailed secondary plan is prepared.

16.11.2 The following provisions shall also apply in the Bobcaygeon area for lands within the Urban Designation:

1. Low-density residential development is permitted which includes single detached dwellings, semi-detached, duplexes, triplexes and fourplexes. The maximum density within a low-density residential area shall not exceed 25 dwelling units per net hectare.
2. Medium density development is permitted in the form of row or *cluster* dwellings and apartments.
 - a. Row or *cluster* dwellings may have a maximum density of 35 dwelling units per net hectare.
 - b. Apartments can have a maximum density of 60 dwelling units per net hectare. The number of floors in an apartment shall not exceed three or a maximum height of 11 metres.
 - c. Medium density residential units shall only be permitted on full municipal services in Bobcaygeon.
 - d. Medium density residential development shall be located on lots having direct access to an arterial road or fronting onto Main St., Joseph St., Boyd St. west of East St., Canal St., Front St. east of Main St. and Bolton St. The medium density development shall be located so as not to have an adverse impact on lower density

residential areas and where there are adequate recreational and park facilities within reasonable proximity.

3. General commercial use shall be primarily restricted to the approximate locale of the central business core area of the Village, being on Bolton Street north of King Street, King Street from Bolton to the Legion, along Main Street from the lock to East St. and including the two small islands. This business core area should remain as compact as possible in order to serve the pedestrian most easily. New development should be planned as an extension of the existing downtown business core or as an *infilling* process to the existing business area and should not be allowed to infiltrate unnecessarily or in a disjointed manner into the adjoining residential areas.
4. The predominant use of land for General Commercial Uses shall be retail and service commercial facilities including such uses as retail and service operations, business and professional offices, hotels, motels, automotive commercial uses, funeral homes, theatres, clubs, places of amusement and recreation, civic and *institutional uses*. Dwellings shall also be permitted.
5. Special Purpose Commercial uses shall be located on arterial roads. Access shall require issuance of an entrance permit. Special Purpose Commercial uses shall be limited to those commercial uses which primarily serve vehicular traffic, the travelling public and which rely heavily upon such traffic for their economic existence. Uses such as automobile service station, public garages, motel, hotel, auction barn, laundromat, restaurant, places of assembly, recreational uses and retail establishments that carry basically one line of goods of a non-perishable nature that requires a large area for storage and delivery being uses such as carpet, flooring, furniture, and major appliance stores and motor vehicle and marine sales and service. A dwelling unit shall also be a permitted use.
6. Within the Village a parcel of land at the intersection of Highways 649 and 36 with a frontage of 55.3 metres on Highway 36 and 41.38 metres on Highway 649 with a lot area of 1265 square metres is being used for general commercial type uses. These uses may be recognized in the Zoning By-law.
7. New Prestige Industrial uses shall locate adjacent to arterial roads or within an industrial subdivision with local roads connecting directly to an arterial road. Prestige Industrial uses may be permitted where a Medium

Industrial use would not be appropriate because of the possible conflict with adjacent residential uses. Prestige Industrial uses in proximity to residential areas shall provide adequate buffering.

8. Medium Industrial uses shall locate adjacent to arterial roads. Medium industrial uses shall not be permitted to locate on local roads that necessitate the movement of trucks past residential lots. Medium industrial uses shall be encouraged to group together provided adequate buffering is established.
9. Before a subdivision, condominium, consent or rezoning is approved, it must be demonstrated that there is sufficient municipal servicing to serve the proposed use. All new development must be on full municipal services within this designation.
10. A neighbourhood commercial use such as a convenience store will be permitted in a residential area if it is compatible with the surrounding uses.
11. On the block of land bounded by Boyd Street, Pigeon Lake, Marina Drive, Mill Street and City of Kawartha Lakes Road 36 within the Village of Bobcaygeon, residential condominiums and commercial recreation uses shall be permitted in the shoreline area. In addition, single family dwellings and one neighbourhood commercial block will also be permitted.

17. HAMLET SETTLEMENT DESIGNATION

17.1 GOALS:

- To recognize existing hamlets and support their function of providing for limited residential, social and commercial needs of the rural area.
- To accommodate small-scale residential and non-residential development within existing *settlement areas*.

17.2 OBJECTIVES:

- Maintain the character and amenities of the existing hamlets within the City.
- To plan hamlets for a variety of cultural and economic opportunities that serve the needs of rural residents and area businesses.
- To ensure development in hamlets is adequately serviced and does not impact soil, water and other natural resources.

17.3 POLICIES

17.3.1 The following uses will be permitted within the hamlet designation:

- single detached dwelling
- cemetery
- garden suites
- management of natural areas and natural resources for environmental management purposes
- medical facility
- place of assembly
- place of worship
- processing and assembly establishment
- public and community use, such as a library, community hall or recreation centre
- school (private and public)
- service and repair establishment manufacturing
- storage and warehousing

- commercial, personal service uses that serve the hamlet, surrounding rural areas and tourism in the area.

- 17.3.2 The future development of hamlets will take place primarily in the form of Registered Plans of Subdivision, adjacent and where possible contiguous to existing development and shall be in keeping with the existing character of the area. Residential development will be encouraged in depth rather than in strips along highways and arterial roads.
- 17.3.3 The Hamlet Settlement designation shall not be extended beyond what is shown in this Plan, unless the land will be serviced by both municipal water and sewage collection systems.
- 17.3.4 Provision shall be made to leave access routes from the existing roads to allow future development to take place behind existing built up areas. Generally access for new streets should be spaced at approximately 180 metre intervals.
- 17.3.5 Subject to allowing for access for future development in depth, consents may be permitted when the lot fronts onto an existing road.
- 17.3.6 New commercial or industrial development should be planned as an extension of the existing area or as an *infilling* in the existing commercial and industrial areas and it should not be allowed to infiltrate unnecessarily into residential areas.
- 17.3.7 Care shall be taken to ensure that the commercial and industrial uses permitted in the hamlets are not obnoxious or incompatible with the residential function of the hamlets. The degree to which these uses will be separated and the nature of the buffer planting or screening will depend on the uses involved.
- 17.3.8 Commercial uses, wherever possible, should be grouped with existing retail establishments to form a commercial core. Provision will be made for adequate setbacks from property lines, landscaping, buffering or screening, off-street parking and loading facilities and control of outdoor storage.
- 17.3.9 New industrial uses should not be permitted in areas, which have developed predominately with residences, or in the logical path of future residential expansion. They will be encouraged to locate among other industrial uses or where their *adverse effects* on surrounding uses will be minimized.
- 17.3.10 Adequate off-street parking facilities shall be provided for all permitted uses and access points to such parking shall be limited in number and designed in a manner that will minimize the danger to both vehicular and pedestrian traffic.
- 17.3.11 Adequate buffer separation and planting shall be provided between industrial and commercial uses when they are adjacent to residential areas. Buffer planting shall include the provision of grass strips and appropriate planting of trees and shrubs,

and may include berms, screens fences or walls.

- 17.3.12 Open storage of goods or materials shall be permitted with appropriate screening and buffering from *sensitive land uses*.
- 17.3.13 The minimum lot size should be 4,000 sq.m. when individual services are provided. For development on individual services, a hydrogeological study is required to ensure that there is an adequate supply of water. The study must be acceptable to the City. The study shall be used as a basis for the density of development in the hamlets. Hydrogeological studies should be prepared in accordance with the MOE guidelines document "Technical Guidelines for Water Supply Assessment for Private Wells: Water Supply Assessment".
- 17.3.14 It is not anticipated that the level of servicing within the areas designated as Hamlet will change over the planning horizon for this Plan. Partial services may already exist and these systems may be expanded to:
- address failed individual on site sewage and/or water services; or
 - accommodate additional lots for *infilling* and rounding out within the area already designated as Hamlet provided the development is within the reserve sewage and water system capacity and site conditions are suitable for long term provisions of such services.

18. WATERFRONT DESIGNATION

18.1. GOAL:

- The purpose of the Waterfront designation is to permit seasonal and permanent residential development adjacent to the lakes and rivers within the City.

18.2. OBJECTIVES:

- Recognize low density seasonal and permanent residential development as the primary land use and protect the established residential character;
- Improve development conditions on the shorelines including the adjacent areas and to ensure surface water is maintained or improved;
- Protect surface water quality through setback requirements, minimum lot sizes, septic inspections, preservation of aquifers, shoreline naturalization efforts, development restrictions in sensitive areas and the creation of lake quality monitoring programs.

18.3. POLICIES

18.3.1. Waterfront designations will be predominately for seasonal and permanent residential uses.

18.3.2. The following uses will be permitted within the Waterfront Designation:

- vacation single detached dwelling
- single detached dwelling
- marina
- municipal park
- tourist resort
- tourist camp or commercial trailer park
- accessory uses to the above uses

18.3.3. A Waterfront designation generally includes lands fronting and functionally relating to lakes and significant rivers such as the Scugog, Gull, and part of Burnt River. Naturalized and/or vegetative shorelines shall be retained and restored. Lot sizes and development design will respond directly to the natural shoreline character and shall not significantly alter shoreline character nor disturb significant shoreline ecosystem.

- 18.3.4. Where the upland meets the *open water* with no wetland between them, the Waterfront designation will apply if the development functionally relates to and utilizes the recreational features of the lake or river. The exception to this is if there are environmental reasons or if the land is subject to flooding or other hazards that it should not be designated for development.
- 18.3.5. The Waterfront designation is not anticipated to accommodate any significant portion of the projected population growth within the City.
- 18.3.6. New development will be developed on individual services at a low density. Single unit residential lots are the preferred form of development. Limited new *multi lots and units for residential development* may be permitted in the Waterfront designation. Such development shall be compatible with the surrounding character and not result in adverse environmental impacts.
- 18.3.7. Within the Waterfront designation, natural form and function shall dominate. Naturalized and/or naturally vegetative shorelines shall be retained and restored wherever possible.
- 18.3.8. In order to protect the lake and river ecosystem, where there is a wetland between the *open water* and the upland, the Waterfront designation will not apply. The exception to this is if the land has already been divided and/or developed prior to the adoption of this Plan. In order to protect the lake and river ecosystem, where development is proposed adjacent to a wetland which abuts the high watermark, an environmental impact study will be required.
- 18.3.9. Cluster residential development will be encouraged and will consist of a group of single detached dwellings each located on individual lots, setback a minimum of 30 metres from the shoreline with the shoreline being maintained as communal open space and does not significantly alter shoreline character nor disturb significant shoreline ecosystems.
- 18.3.10. Density limits will be developed to establish acceptable social and aesthetic qualities. Provisions such as building and structure height limits will be implemented so as not to exceed the height of the tree canopy or to break the skyline horizon. Therefore, building heights should be measured from the lakeside, maintain a low profile and blend with natural surroundings. Provisions to address lot coverage will ensure proportionality; examples include relating lot coverage to the buildable area adjacent to the shoreline.
- 18.3.11. Preservation of social values including heritage sites, landscapes, aesthetics, recreational opportunities and public access to the waterfront will be supported. Shoreline character shall be retained by encouraging non-intrusive use of the waterfront. Guidelines for the use of lighting, as an example, will emphasize subdued, energy efficient light sources. Individual lake plans and lake stewardship programs will be encouraged as a method to identify important local values, features and individual lake character. In addition, these programs can be used to monitor water quality, carrying capacity and general lake management.

18.3.12. Lakes are a valuable resource and more public access points should be considered. Attention should be given to maintaining and improving the environmental integrity of the waterfront.

18.4. LOT CREATION

18.4.1. The creation of lots within the Waterfront Designation will be limited to the following:

- With the exception of island lots, the minimum lot area for lots abutting the water of a lake or river will be 4,000 sq.m. with a minimum lot frontage of 60 metres. Notwithstanding, *infilling* residential lots will be permitted provided the lots are not less than 3,000 sq. m. in area with a minimum lot frontage of 30 m. Shoreline frontage shall be consistent with the established character of the adjacent shoreline;
- On islands, the minimum lot area will be 8,000 sq.m. with a minimum lot frontage of 90 metres provided there is a suitable building envelop that is not within 30 m. from the high water mark;
- Backlot development, generally defined as a second tier of development adjacent to the first tier of Waterfront lots, will generally be discouraged. In some locations, backlot will be permitted if it is a rounding out of development based on existing lots or where there is limited non-agricultural land between the existing waterfront development and an arterial road. Frontage on assumed public roads will be required and lot sizes will be required at a larger size than permitted for waterfront lots;
- Each back lot must have a minimum lot frontage of 200 metres and a minimum lot area of 2 hectares. These lot requirements apply to all lots that are not abutting water on a lake or river. The lots shall be wholly within 300 metres of the waters edge.
- Any new residential developments will be permitted to access the Provincial highway only at public roads entrances that meet the minimum spacing requirements of the Ministry of Transportation.

18.5. WATER SETBACK AND ACCESSORY USES

18.5.1. All buildings, structures and septic systems shall be located a minimum of 30 metres from the high water mark and this setback shall be maintained in its natural state with no disturbance of the vegetation and soils (except for at capacity lake trout lakes where the setback will be 300 metres from the shoreline of the lake, or such that drainage from the tile fields would flow at least 300 metres before reaching the lake or the tile field on each new lot is located such that it would drain into the drainage basin of another waterbody, which is not at capacity). Within the 30-metre water setback, a boathouse and dock will be permitted.

18.5.2. Notwithstanding, the expansion to or reconstruction of existing buildings and structures or dwellings that are permitted uses, and existing lots of record where there is not sufficient area to accommodate this setback, may be considered within the 30 m setback, if it is demonstrated that:

- there is no alternative to the expansion or reconstruction;
- that the expansion or reconstruction is directed away from the highwater mark as much as possible;
- that a vegetation protection zone be established to the maximum extent possible;
- the septic system shall be elevated 0.9 m. above the water table.
- the impact of the expansion or reconstruction is minimized to the maximum extent possible; and
- in no case shall it be less than 15 metres to the high water mark.

18.5.3. Notwithstanding Section 19.5.1, the natural buffer may be reduced to a depth of 8 metres for 25% of a lot's water frontage to a maximum of 9 metres to permit an in-water boathouse or boatport. Within this reduced buffer, a boat ramp and permeable surface walkway to the shoreline will be permitted.

18.5.4. The buffer will be maintained with non-disturbance of the natural vegetation and soils. The buffer should consist of vegetation native to this area of Ontario. A mowed grass lawn within the buffer will be discouraged.

18.5.5. Retaining walls and hard surfaces that are at the waters edge or in the water are discouraged.

18.5.6. For commercial uses, the docks and boathouses should be located to minimize the impacts from adjacent uses and a greater setback than 4 metres from the side lot line and projection thereof may be required.

18.6. DENSITY AND MASSING

18.6.1. All buildings and structures shall maintain a low profile and blend with natural surroundings. They are not to exceed the height of the tree canopy or exceed the skyline horizon.

18.6.2. To maintain the appropriate balance between natural and built form, the extent of shoreline activity areas (including docks, boathouses, pump houses and other structures) shall be based on the following:

- a) 25% of the shoreline frontage or up to 23 m., whichever is the lesser for residential lot;

- b) 25% of the shoreline frontage of an open space block or up to 30 m. whichever is lesser for residential development;
- c) 33% of the shoreline frontage for resort and tourist commercial lots; and
- d) 50% of shoreline frontage for marinas.

18.6.3. Development will retain as much natural shoreline vegetation as possible to minimize visual impact.

18.6.4. Tree cover and vegetation shall be retained to uphold the environmental integrity of the waterfront.

18.6.5. Natural landscape features such as watercourses, significant heights of land, rock faces or cliffs, waterfalls, rapids, beaches, vistas, panoramas, landmarks, and the like, shall be conserved. Development shall be located and designed to protect these characteristic features. Built form shall not dominate the landscape.

18.7. SPECIAL POLICIES FOR STURGEON POINT

18.7.1. These policies are for the former Village of Sturgeon Point. Up until the amalgamation of the City of Kawartha Lakes, the Village of Sturgeon Point, created in 1899, held the unique status of the smallest incorporated Village in Ontario. Sturgeon Point therefore remains an important cultural feature of the City. The following will apply within the former boundaries of the Village:

1. the character and integrity of the former village shall be retained and enhanced.
2. the existing social, environmental and aesthetic qualities of the community will be recognized.
3. existing *infrastructure* including street pattern and lighting shall be maintained, except where changes are required for public safety purposes.
4. narrow streets and low wattage/modest exterior public lighting shall be retained and maintenance will be conducted accordingly.
5. new residential development will be permitted with a set back of minimum of 30 metres from the high water mark with non-disturbance of the soils and vegetation, but only where its location is compatible with existing development.

6. the Zoning By-Law shall reflect the existence of small residential lots and provide for their continued use.
7. the predominant land-uses shall remain residential, rural, recreational, open space and community facility. No new commercial or marina development shall be permitted.
8. home-occupations shall be permitted, provided the occupation is secondary to the residential use and does not create a public nuisance with respect to traffic, noise, external building character, or storage of materials.
9. the erection of buildings or structures for the purpose of public utility such as water, sewer, gas, electricity, communications, shall be permitted subject to building design or screening to ensure compatibility with adjacent land use.
10. development requiring application under the Planning Act shall have regard to the existing character of the former village.
11. the historic significance of the Village is noted and designation of historically significant structures and landscapes is encouraged. A secondary plan shall be prepared in circumstances where development would have a substantial impact on the surrounding area.

19. HIGHWAY COMMERCIAL DESIGNATION

19.1. PURPOSE

19.1.1. The purpose of the Highway Commercial designation is to accommodate existing small area and individual commercial activities. They are located on or at the intersection of arterial roads or provincial highways and provide convenient access and exposure. The City or MTO will determine its geometry, safety for the property designated highway commercial prior to the submission of any planning application. MTO will normally not grant access to controlled access highways. Property owners should contact the road authority to determine if the highway was designated controlled access prior to the submission of any planning application.

19.2. POLICIES

19.2.1. The following uses will be permitted within the existing Highway Commercial designation:

- animal hospital
- arts and craft establishment
- convenience store which do not exceed a gross floor area of 140 square metres,
- eating establishment, including drive through and take-out establishment
- gift or antique establishment
- motor vehicle service station
- an accessory dwelling or dwelling unit for the owner or caretaker
- a use that is similar to the above with respect to the nature of the activities and in scale of the use
- hotels, motels and tourist resorts
- motor vehicle fuel bars
- auction barn
- flea market
- retail establishments that require large areas for outdoor storage or display of goods and that carry basically one line of goods such as: motor vehicle sales and service; recreational vehicle sales and service; marine craft sale and service; all terrain vehicles; snowmobiles and campers; major appliance and or furniture sales; and a building supply outlet

19.2.2. Within the Highway Commercial designation, Council will encourage that the land be serviced by municipal communal services provided it is cost effective and efficient use of services. Partial services will not be encouraged and will only be considered

in accordance with the Provincial Policy Statement. Highway commercial development will only be permitted within a *settlement area* if it is *infilling* or rounds out existing development on partial services.

19.2.3. If it is not practical to have communal services, the proponent shall prepare a hydrogeological report that shall identify the method of servicing. Sufficient lot area shall be provided for the use and the provision of individual services.

19.2.4. Retail Commercial establishments shall not exceed a total gross floor area of 2000 sq.m. for an individual establishment or a grouping of permitted uses on a single lot.

19.3 SPECIAL PROVISIONS:

19.3.1 Land designated Special Purpose Commercial in part of Lot 22, Concession 9, of the geographic township of Fenelon and in part of Lot 13, Concession 10 in the geographic township of Verulam, shall be restricted to the uses outlined above but shall not include a motel or restaurant or any use that would consume large quantities of water and as such, the uses should be dry.

19.3.2 Land designated Highway Commercial on 368 and 388 Angeline Street South, and described as Part of Lot 16, Conc.5, Parts 3 & 4 (3.3.ha), Plan 57R509, geographic Township of Ops, additional policies and requirements as per amendment no. 44, By-law 2007-144 adopted by the City Council shall apply.

20. INDUSTRIAL DESIGNATION

20.1. PURPOSE

- 20.1.1. The purpose of the Industrial designation is to accommodate existing industrial and service type businesses as well as accessory and ancillary commercial uses.

20.2. POLICIES

The following uses will be permitted within the existing Industrial designation:

- agricultural industries
- business service establishment
- corporate offices
- light industries
- manufacturing, processing and assembly establishment
- medium industries
- service industries
- repair service establishment
- research and development facilities
- retail and wholesale outlets that sell products manufactured on the site will be considered as an appropriate use within an industrial area.
- Construction or trade establishment
- truck or transportation terminal
- utility and transportation functions
- warehousing and indoor or outdoor storage establishment

20.2.1. New industrial development within the existing Industrial designation should:

- a) be located on or near main transportation routes;
- b) be directed to lower potential agricultural land whenever possible;
- c) not compromise future development of aggregate resources;
- d) be directed away from residential areas and areas with high potential for recreational and/or tourist development;

- e) not detract from the surrounding natural environment;
- f) not result in truck traffic which would adversely affect *sensitive land uses*;
- g) be separated from *sensitive land uses*; and
- h) no industrial use shall be permitted which, from its nature of operation or materials used therein, is declared obnoxious under the provisions of any Statutes or Regulations.

20.3. Servicing

- 20.3.1. Within the Industrial designation, Council will encourage that the land be serviced by municipal communal services, provided it is cost effective and efficient use of services. Partial services will not be encouraged & will only be permitted where they are necessary to address failed individual on-site sewage and water services and considered in accordance with the Provincial Policy Statement. Industrial development will only be permitted within a *settlement area* if it is *infilling* or rounds out existing development on partial services.
- 20.3.2. If it is not practical to have communal services, the proponent shall prepare a hydrogeological report that shall identify the method of servicing. Sufficient lot area shall be provided for the use and the provision of individual services.
- 20.3.3. Industrial uses on private services should be restricted to ones that are dry and low water users.

20.4. Parking

- 20.4.1. Adequate off-street parking and loading facilities shall be provided, including employee and visitor parking.

20.5. Special Provisions

- 20.5.1. Land designated Industrial in part of Lots 20 and 21, Concession 6, geographic township of Fenelon, shall be limited to dry industries. Prior to the subdivision, rezoning or the development of the lands, an Environmental Evaluation, a hydro geological study, and an engineering report shall be submitted to and approved by the City.
- 20.5.2. Land designated Industrial in Lots 23-25, Concession 3, geographic township of Ops, should be developed as a business park that includes industrial, commercial and office that are compatible and supportive of the airport.

21. AGGREGATE DESIGNATION

21.1. GOAL:

- To facilitate the management and protection of Aggregate Resources, and to recognize existing licensed aggregate resource extraction operations. Resource extraction shall be undertaken in an orderly and efficient manner that minimizes social and environmental impacts yet satisfies the current and future needs of the municipality while also contributing to Provincial supplies.

21.2. OBJECTIVES:

- Balance aggregate resource extraction activities with other land use objectives of this Plan.
- To recognize provincially licensed pits and quarries.
- To identify and minimize potential adverse affects of aggregate resource extraction on adjacent land uses and the environment.
- Promote a high standard of aggregate resource extraction and site rehabilitation, which enhances the site's ultimate use and the immediate area's *natural heritage* features and functions, and is compatible with the surrounding landscape-
- Protect surface and groundwater resources from potential adverse effects of aggregate extraction and operations by requiring and implementing appropriate hydrologic and hydrogeological studies;
- Ensure safe and adequate transportation routing and site access for all aggregate resource extraction operations and to minimize the impact of aggregate extraction-related traffic on the community. Encourage aggregate extraction to be undertaken in locations with direct or suitable access to provincial highways and major traffic routes.
- Establish a set of clear and balanced criteria for the evaluation of applications for new or expanded *mineral aggregate* extraction operations that will contribute to achieving the goals and objectives of this Plan.
- Facilitate consultation and communication between the aggregate industry and the municipality and community stakeholders.

21.3. POLICIES

21.3.1. The following uses will be permitted within areas designated as Aggregate:

- pits and/or quarries licensed pursuant to the Aggregate Resources Act

- accessory uses such as crushing, screening, washing, stockpiling, and blending, weigh scales, operational maintenance/repair facilities, and offices
- importation only of *mineral aggregate* for blending or stockpiling and topsoil for *rehabilitation*.
- Dimensional stone quarry operation with crushing and blasting operation within a licensed quarry.
- agricultural uses
- *natural heritage* and wildlife habitat conservation, management, *rehabilitation* and/or stewardship
- forestry
- recycling may be permitted in a site-specific by-law for the recycling only of inert materials such as asphalt, concrete, brick and porcelain
- Wayside pits and quarries, portable and permanent asphalt plants, ready-mix concrete plants used on public authority contracts shall be permitted, without the need for an official plan amendment, rezoning, or development permit under the Planning Act in all areas except those areas of existing development or particular environmental sensitivity which have been determined to be incompatible with extraction and associated activities
- Permanent asphalt and concrete plants may be permitted in licensed active pits and quarries in a site-specific by-law provided they are compatible and adequately buffered to protect adjacent land uses.

21.3.2. An Official Plan Amendment and Zoning By-law Amendment application will be required for all new operations, or proposals for expansion beyond the licensed boundaries of existing, aggregate extraction operations. Any Official Plan Amendment will be considered within the context of all objectives and policies of the Official Plan. In reviewing possible amendments, Council will encourage the grouping of extractive operations. If land is licensed for a pit, it will require an amendment to this plan if a quarry licence is proposed. The change from a pit to a quarry will be evaluated based on the quarry being a new use and all applicable studies to support it will be required.

21.3.3. Where a new pit or quarry is proposed or an expansion is applied for, appropriate studies will be required to ensure that the impact is acceptable. The nature of the studies will depend on the location and uses in the surrounding area. The City may require a peer review of the studies to determine if the findings are acceptable.

21.3.4. In the area of the Omeme Kame Resource Reserve, new pits will require a constraint planning exercise will be required which should include the consideration of factors such as whether resource extraction would be feasible, proposed land uses or development serves a greater long-term public interest, and issues of public health and safety and environmental impact are addressed.

21.3.5. The City will:

- encourage aggregate extraction plans that limit the amount of disturbed area at any one time and encourage early progressive *rehabilitation*.
- promote site designs that minimize environmental and social impacts.
- encourage well-designed site screening and *rehabilitation* that is compatible/consistent with the area's existing landscape and *natural heritage* character.
- encourage site access locations that discourage direct views into the internal operational areas.

21.3.6. Emissions from extraction operations shall conform to the relevant MOE regulations concerning air quality.

21.3.7. Conditions required implementing the recommendations of the supporting studies or technical review thereof may be imposed through conditions of the license or notes on the site plan by MNR under the Aggregate Resources Act license process and/or conditions of municipal development approval (Planning Act). The City may consult with MNR in this regard.

21.3.8. If a pit is to utilize water for a wash plant or is to extract below the water table, a hydrogeological study is required. The study will have to demonstrate that the washing plant and the use of water would have no negative impact on the environment or surrounding properties. Monitoring prior to the taking of water and an ongoing monitoring program should be established to ensure no *negative impacts* on the environment or surrounding properties.

21.3.9. *Rehabilitation* of pits and quarries will be required and the use after the extraction has taken place shall be compatible with the surrounding land uses. The City will encourage progressive *rehabilitation* in sequence with site extraction activities that limits the amount of disturbed area at one time to a minimum.

21.3.10. Require the proponent of a new aggregate operation to demonstrate to the satisfaction of the City that the transportation of aggregate with the operation can be adequately accommodated by the transportation system. Haul routes for extractive operations shall generally be limited to arterial roads and highways, or appropriately, constructed haul routes approved through extraction licenses. Extraction operations will be encouraged to locate to minimize the use of local road connections to such arterial roads and highways. Special attention will be given to the possible impact of haulage routes on existing concentrations of residential dwellings

21.3.11. Haul routes to serve the aggregate industry will be identified to link pits and quarries to Provincial Highways while protecting sensitive areas and avoiding *settlement areas*. A study has been carried out for finalizing and recommending a "Haul route Network". Council will consider amendments to this plan to implement the study.

21.3.12. Previously licensed and rehabilitated pits and quarries will be excluded from the Aggregate designation, if the resource has been depleted. The adjacent designations will be applied. This may occur as part of the five year reviews.

21.4. LOCATION OF NEW EXTRACTION OPERATIONS

21.4.1 Extraction operations will be encouraged to situate in locations appropriately separated from existing and/or planned *sensitive land uses*.

21.4.2. Where appropriate, extraction operations will be encouraged to locate to be contiguous with, or in close proximity to existing operations if such co-location does not generate cumulative adverse environmental or social impacts.

21.5. APPLICATION SUBMISSION REQUIREMENTS

21.5.1 The City will require studies for aggregate applications that have sensitive land uses within 500m of the subject application to assess land use compatibility. This distance is considered to be minimum distances and the City can require studies beyond these distances to ensure compatibility.

21.5.2 Studies submitted in support of applications for a new Class B sand and gravel pit

license that do not require extraction below the water table will be scoped appropriately as determined at the pre-consultation meeting.

21.5.3 In addition to the study requirement outlined in Section 21.5.1, the pre-consultation meeting will identify additional detailed study requirements, the need to scope study requirements where appropriate, and the process of evaluation and peer review. Where such peer review is determined to be necessary, the applicant will be responsible for the costs of any peer review undertaken by the City of such studies. The City will enter into an agreement with the applicant regarding the administration of such costs.

21.5.4 Prior to the approval of a zoning amendment for an aggregate operation, the City shall be satisfied that the site plan submitted to the Province under the Aggregate Resources Act satisfies all the City's concerns. The site plan shall contain a provision requiring that the monitoring reports required under the Aggregate Resources Act be submitted to the City to ensure that the results and predictions made in the technical studies submitted at the time of application remain valid. The City may require additional technical studies based on the results of the monitoring reports. The City may require Letters of Credit to secure municipal requirements associated with the extraction license approval.

Special attention will be given to studies related to quarry blasting, noise and vibration due to blasting and drilling and mitigative measures to reduce the impact on surrounding uses.

21.5.5 The City may require environmental studies to assess the impact if development occurs within proximity of a quarry operation. This influence area applies to new *sensitive land uses* encroaching upon an existing quarry operation or to new quarries encroaching on *sensitive land uses*.

21.5.6 The City supports changes to Provincial legislation and regulations to:

- require mandatory review of site plans and conditions of licences under the Aggregate Resources Act at appropriate timeframes
- Permit single tier municipalities and conservation authorities the review and enforcement of site plans and conditions of licences under the Aggregate Resources Act; and
- Establish a fund to safeguard defaults in the implementation of *rehabilitation* plans and adaptive management plans and other obligations of extraction operations.

21.6. AGGREGATE ADVISORY COMMITTEE

The City shall establish a forum for Aggregate Stakeholders to comment on matters related to *mineral aggregates* and trends in the aggregate industry, including representatives of the aggregate industry, MNR, *Conservation Authority*, Environment Canada and (where appropriate) representatives from adjacent municipalities.

21.7. Consents

For severance applications within this designation, a parcel may be severed by consent into a separate lot if the retained and severed parcels satisfy the Official Plan and Zoning By-law requirements, complies with the underlying designation and does not generate any land use compatibility constraints for a potential aggregate operation or the licensed aggregate operation and does not preclude or hinder the establishment of new operations or access to *mineral aggregate* resources. The lot size shall be appropriate for the proposed use.

21.8. Operational Controls

The City may recommend to MNR controls on the timing and scale of blasting, crushing, batching and screening operations conducted within licensed operations and will recommend that these controls to be included within the extraction license conditions. The City may, through the Municipal Act, impose limitations on any hours of operations of a licensed operation. Conditions of development approval may be required to be registered on title.

21.9. Road Improvements

Road improvements **may** be a condition of the municipal planning approvals. Where necessary, all required studies to support the road improvements will be undertaken and all required road improvements will be implemented prior to the commencement of the extractive operation.

22. AGGREGATE RESOURCE DESIGNATION

22.1 GOAL:

- To identify and protect areas of known high potential sand, gravel and bedrock aggregate resources from incompatible land uses and conserve these resources as a non-renewable resource for the future.

22.2 OBJECTIVE:

- This Designation is applied to those lands that have a high potential for aggregate extraction. It is the objective to protect these resources from land uses incompatible with possible future extraction, within the context of other land planning objectives of this Plan.

22.3 POLICIES:

22.3.1 Both Schedule A and B to this Plan designate areas of known high potential *mineral aggregate* resources (both deposits of primary and secondary significance as mapped in the Aggregate Resources Inventory) that are not constrained by *settlement areas* and *natural heritage* features as Aggregate Resource areas. Deposits of tertiary significance or deposits that are shown to be of high potential as a result of testing and agreed to in consultation between the Ministry of Natural Resources and the CKL will also be shown on the Schedules of this Plan as this information becomes available. It is intended that this designation will act as an “overlay” on Schedules A and B to this Plan and the underlying land use designation will still be applied to development applications.

22.3.2 The permitted uses in areas of known high potential mineral aggregate resources shall be agriculture, forestry and open space passive recreational uses. The Aggregate Resource Designation is also intended to act as a buffer between existing Aggregate Designations and adjacent uses. Residential development within areas of known high potential mineral aggregate resources is not permitted.

22.3.3 It is recognized that the areas designated as Aggregate Resource are extensive and in all probability will not be required during the planning period. Given the importance of the non-renewable aggregate resource and ever increasing demands for sand, gravel and crushed stone, the large designations are justified.

The City will undertake an Aggregate Secondary Plan that will consider matters such as:

- Updating and refining Aggregate Resource Reserve mapping;
- Establishing detailed study requirements for aggregate applications that consider the scale of operation and location;
- Establishing detailed monitoring requirements, and
- Establishing preferred haul routes.

- Determining the review process and type of applications needed to consider new aggregate operations in areas identified as Aggregate Resource Reserve.

22.3.4 All lands designated should be preserved for possible future use for aggregate extraction where possible. In areas adjacent to known deposits of mineral aggregate resources, development and activities which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:

- the aggregate resource use would not be feasible; or
- the proposed land use or development serves a greater long term public interest; and
- issues of public health and safety and environmental impact are addresses.

22.3.5 The Aggregate Resource designation encompasses the boundary of the Carden Plain. This area includes a variety of *natural heritage* features, aggregate resources and *sensitive land uses*. It is an objective of this plan to manage land uses within the Carden Plain to ensure maintenance of the ecosystems that support its unique biodiversity. These are considered important biological areas that should be protected. Uses that negatively impact this unique ecosystem shall not be permitted.

22.3.6 Minor adjustments to the boundaries of areas of known high potential mineral aggregate resources, based on more detailed site evaluation, may be permitted without amendment to the Official Plan. These minor adjustments may include extensions into the identified “Area of Influence” for a constraint feature, subject to the conclusions of an appropriate study.

22.3.7 Where detailed mapping of *Natural Heritage* features/areas become available, the corresponding boundaries of the areas of known high potential mineral aggregate resources will be adjusted to exclude these areas from the identified *Natural Heritage* feature/area.

22.3.8 Areas of known high potential mineral aggregate resources are based on Ontario Aggregate Resources Inventory and generally exclude the following features:

Item	Constraint Feature	Area of Influence
1.	Settlement areas	500 - metre Area of Influence

2.	Rural <i>Clusters</i> (groupings of 6 or more residential uses)	500 - metre Area of Influence
3.	Draft approved/registered plans of subdivision (not developed)	500 - metre Area of Influence

22.3.9 Within lands identified on Schedule A and B as Aggregate Resource, a parcel may be severed by consent into a separate lot if the retained and severed parcels satisfy the underlying Official Plan and Zoning By-law requirements and does not generate any land use compatibility constraints for a potential aggregate operation or licensed aggregate operation.

22.3.10 Within lands identified on Schedule A and B as Aggregate Resource, certain parcels of land may not have aggregate potential. In such cases, an alternative use consistent with the surrounding uses and in conformity with the underlying designation may be considered if Council is satisfied that the proposed use will not impede aggregate extraction either on the property to be used or on other holdings in the vicinity. A study by a qualified professional must be completed to the satisfaction of the Council to demonstrate that the parcel of land has no commercial potential for the extraction of aggregate. The study must provide information on the quality and quantity of subsurface material to a sufficient depth to assess the feasibility of a commercial mining operation on the site and any other information that the Ministry of Natural Resources or Council deems necessary. The Ministry must confirm in writing that they concur with the findings of the study that there is no commercial aggregate potential on the land.

23. TOURIST COMMERCIAL DESIGNATION

23.1. GOALS:

- To provide for resource-based recreational development where such development is not feasible to locate within a settlement area.

23.2 OBJECTIVES:

- To provide for various forms of high quality recreational based developments intended for the travelling public that supports the tourism industry;
- To ensure that such development is compatible with surrounding uses and maintain the rural character;
- To establish development that has tourist commercial character in settlement areas except where it is necessary for a tourist commercial development related to resource-based recreational activities to be located outside of a settlement area.

23.3 POLICIES:

23.3.1 The following uses will be permitted within the Tourist Commercial designation:

- Tourist Resort
- Resource based recreational uses
- Recreational Vehicle Park
- Accessory uses for the exclusive use of the travelling or vacationing public within the Tourist Commercial development

23.3.2 New or expanding Tourist Commercial developments may be considered by amendment to this Plan and the appropriate zoning by-law.

23.3.3 An application for a New Tourist Commercial development shall be accompanied by:

- an assessment of the appropriateness of location, scale, size, and density of development;
- an assessment of the compatibility of use and site characteristics;
- an analysis of demand for a tourist commercial development; and
- an EIS;

- 23.3.4 Tourist Commercial developments are to serve the travelling or vacationing public and shall not be used as a primary or permanent residence. Units within a Tourist Commercial development may be rented on a daily, weekly or monthly basis or can be a fractional ownership arrangement. The units can only be occupied on a seasonal basis and shall be subject to occupancy time restrictions.
- 23.3.5 The Tourist Commercial Designation shall not be permitted within a Prime Agricultural designated area and such development will be directed to lands being classes 5 to 7 for agricultural potential. The exception with respect to being on Prime Agricultural land as stated above will be where lands were designated as Tourist Commercial in an official plan prior to the adoption of this Plan.
- 23.3.6 Prior to an amendment to this Plan, a master plan of the Tourist Commercial proposal shall be prepared. The master plan should include information related to the physical characteristics of the site, the impact of the proposal on existing and anticipated municipal costs and service levels, and a detailed site plan showing the location and extent of proposed uses such as open space, recreational units and commercial. The master plan will form part of the background material for the Amendment. Detailed aspects of the master plan may be controlled through the Site Plan Control provisions of the Planning Act.
- 23.3.7 The conversion of Tourist Commercial developments to residential is prohibited.
- 23.3.8 The resource-based recreational component of Tourist Commercial developments will be constructed in the first phase of the development.
- 23.3.9 The scale of Tourist Commercial developments shall not overwhelm the scale and size of the resource. The maximum number of units that can be considered in a Tourist Commercial development shall be based generally on one unit per hectare devoted to the natural recreational feature and on an assessment of the sites environmental constraints and capability, impact on surrounding community, financial and economic impact and ability of the development to provide the required financial guarantees.
- 23.3.10 Tourist Commercial developments shall have access by public road.
- 23.3.11 Notwithstanding Policy 25.2.2, an expansion of existing tourist facilities in the shoreline areas may be permitted by way of an amendment to the zoning by-law where the expansion is not in conflict with surrounding land uses.

23.4 Servicing

- 23.4.1 Tourist Commercial development may be developed on privately owned and operated communal wastewater treatment system and/or privately owned and operated communal water systems. The city shall prescribe necessary conditions

for the provision and maintenance of services and may require to abide by a servicing agreement to ensure:

- Appropriate operating and maintenance standards;
- Definition of defaults and required remediation;
- Financial guarantees that no public funds will be required in the case of a malfunction;
- Easements, rights of entry and inspection; and
- Monitoring system.

24. OPEN SPACE DESIGNATION

24.1 GOAL:

- To recognize primarily Provincial Crown land and forest land owned by the City.

24.2 OBJECTIVE:

- To work with partners to protect open space areas as important ecological features and open space functions

24.3 POLICIES

24.3.1 The following uses will be permitted within the Open Space designation:

- Hunt Camp
- Provincial Park
- Passive, and limited active Recreational Uses

24.3.2 The designation of Crown Land as open space is based on ecological information such as locations of significant wetland complexes and Areas of Natural and Scientific Interest (ANSIs).

24.3.3 The landscape is dominated by forests growing on thin-soiled, bedrock hills and rugged ground moraine. Portions of the area contain rock barrens with scrubby growth and young forests. The rugged bedrock landscape contains numerous small lakes and wetlands.

24.3.4 The area has a high recreational potential and offers excellent backcountry camping, hiking, hunting, fishing, canoe routes, snowmobile trails and wildlife viewing opportunities. The majority of the open space area is covered under the Queen Elizabeth II Wildlands Provincial Park.

24.3.5 It is recognized that the City has limited control with respect to Crown Land. The policies of the Official Plan and Zoning by-law are not binding on Crown Land activities; use of Crown Lands and waters will be determined by the Province consistent with the established planning policies of the Municipality. The City will endeavour to take an active part in the development of the Master Plan for the development of the such lands to ensure that what is proposed is in keeping with this Plan.

24.3.6 If any Crown Land is patented or disposed of by the Province, the City will zone Crown Land for existing uses until a development proposal is submitted to the City for consideration. Prior to rezoning, an amendment to the official plan will be required to recognize the proposed uses. In considering a proposed amendment to the official

plan and zoning by-law, it should be demonstrated that:

- a) the ecological integrity of the area will be preserved so as to protect and enhance the natural composition and abundance of native species, biological communities and ecological processes in the area; and
- b) the opportunity for recreational activities that are compatible with the *natural heritage* values and semi-wilderness character of the area will be maintained.