



CITY OF KAWARTHA LAKES

DRAFT

OFFICIAL PLAN

Prepared by:
Development Services – Planning Division
City of Kawartha Lakes

180 Kent St. W.
LINDSAY ON K9V 2Y6
Tel: (705) 324-9411 Ext. 246 or 1-888-822-2225 Ext. 246
Fax (705) 324-4027
e-mail: officialplan@city.kawarthalakes.on.ca
www.city.kawarthalakes.on.ca

June 22, 2006

Notes

This plan is not complete with respect to policies related to transportation and aggregate haul routes. It is anticipated that these will be finalized over the next few months. For this reason, Schedule D – Transportation has not been included at this time. Schedule E – Mineral Aggregate Resource Areas (MARAs) and Haul Routes is included but only shows the MARAs and not the Haul Routes. Specific public meetings will be held with respect to these matters at a latter date to be incorporated into the plan. The policies related to Transportation and Haul Routes might be further amended at that time.

It is anticipated that in 2007 that the Lindsay and Fenelon Falls Official Plans will be updated and that a plan for Bobcaygeon will also be prepared. These will form community plans to this document. When these plans are updated, they will be geographically expanded beyond the former boundary of the urban municipalities. Additional land will be designated for development if there is servicing capacity within the municipal infrastructure.

The Oak Ridges Moraine area is already covered by a specific official plan in keeping with the Provincial Oak Ridges Moraine Conservation Plan. It will remain a separate document and is not subject to change at this time.

TABLE OF CONTENTS

PART A - CONCEPTUAL PLAN FRAMEWORK	1
1. OVERVIEW	1
2. BASIS	3
3. GOALS AND OBJECTIVES	7
PART B – DETAILED POLICIES	15
4. GENERAL POLICIES	15
5. INTERPRETATION AND DEFINITIONS	39
6. LAND USE DESIGNATIONS	47
6.1. PRIME AGRICULTURAL DESIGNATION	47
6.2. RURAL DESIGNATION	49
6.3. COUNTRYSIDE DESIGNATION	52
6.4. ENVIRONMENTAL PROTECTION DESIGNATION	53
6.5. URBAN DESIGNATION	55
6.6. HAMLET DESIGNATION	58
6.7. WATERFRONT DESIGNATION	60
6.8. HIGHWAY COMMERCIAL DESIGNATION	65
6.9. INDUSTRIAL DESIGNATION	66
6.10. PIT DESIGNATION	68
6.11. QUARRY DESIGNATION	73
6.12. RURAL ESTATE DESIGNATION	74
6.13. RESORT ESTATE DESIGNATION	75
6.14. TOURIST COMMERCIAL DESIGNATION	76
6.15. MOBILE HOME PARK DESIGNATION	77
6.16. LONGFORD RESERVE DESIGNATION	80
6.17. OPEN SPACE DESIGNATION	81

7.	SUBORDINATE PLANS	82
7.1.	COMMUNITY PLANS	82
7.2.	SECONDARY PLANS	83
7.3.	DEVELOPMENT PLANS	83
8.	INFRASTRUCTURE (Roads, Sewers and Water)	89
9.	DIVISION OF LAND AND BUILDINGS	91
10.	DEVELOPMENT CONTROL	93
11.	IMPLEMENTATION	102
12.	SCHEDULES	104
	Schedule A – Land Use Schedules	104
	Schedule B – Natural Heritage Features Schedule	104
	Schedule C – Wellhead Protection Zones Schedules	104
	Schedule D – Transportation Schedule(Not included at this time)	105
	Schedule E – Mineral Aggregate Resource Areas (MARAs) and Haul Routes Schedule (Not included at this time)	105
	Schedule F – Waste Management Facilities Schedule	105
	Development Plan Schedules (DP)	105
13.	APPENDICES	106
13.1.	Appendix A - Background Studies	106
13.2.	Appendix B - Traffic Impact Study Requirements	107
13.3.	Appendix C – Cultural Heritage Study Requirements	107
13.4.	Appendix D - Hydrogeological Study Requirements	108
13.5.	Appendix E - Development Applications	108
13.6.	Appendix F - Waste Disposal Sites	109
13.7.	Appendix G - Flood Elevations and Maximum Lake Levels	109
13.8.	Appendix H - Acronyms and Abbreviations	111
13.9.	Appendix I - Metric Equivalentents (approximate)	111

CITY OF KAWARTHA LAKES OFFICIAL PLAN

PART A - CONCEPTUAL PLAN FRAMEWORK

1. OVERVIEW

1.1. Historical Perspective

The City of Kawartha Lakes was created on January 1, 2001 by an amalgamation of municipalities formerly within Victoria County. Except for two amalgamations the year before the City of Kawartha Lakes was created, the County of Victoria was composed of the Town of Lindsay, the villages of Bobcaygeon, Fenelon Falls, Omemee, Sturgeon Point and Woodville and the Townships of Bexley, Carden, Dalton, Eldon, Emily, Fenelon, Manvers, Mariposa, Ops, Somerville and Verulam and the United Townships of Laxton, Digby and Longford.

The settlement of the area commenced when the government of Upper Canada first offered land for sale in 1821. The County of Victoria was created as a municipality in 1863. Lindsay had been incorporated as a town just prior to this in 1857. The County remained geographically the same until 1974 when the Regional Municipality of Durham was created and Manvers Township was added to the County of Victoria.

1.2. Geographic Setting

The City is composed on some significant physiographic areas. The southern portion of Manvers Township contains part of the Oak Ridges Moraine.

The central portion of the City, primarily in the Townships of Mariposa, Ops, Emily, Manvers, Eldon, Fenelon and Verulam is predominantly agricultural land on a till plain. Throughout this area are found esker and kame deposits that are being mined for aggregates or have aggregate potential. There are also organic deposits such as peat.

A lake system known as the Trent Waterway traverses the City. The system goes from the Bay of Quinte to Lake Simcoe. It was begun in 1833 with a lock constructed in Bobcaygeon. It was completed in 1920 through to Georgian Bay and is known as the Trent-Severn Waterway. It is a major recreational waterway in Ontario and the City benefits from it.

The Townships north of the Trent Canal lake system generally have shallow soils over bedrock and are primarily used for ranching or forestry. A significant limestone feature known as the Carden Plain is centred on Carden Township and has significant aggregate potential. The Precambrian shield covers the northern part of the city in Dalton, Digby and Longford Townships.

1.3. Planning Throughout Victoria County

Planning started first in the Town of Lindsay with the adoption of a zoning by-law in 1966. In the mid to late 1970's official plans were adopted for the joint planning areas of the Town of Lindsay and the Township of Ops and the Townships of Somerville and Bexley. Fenelon Falls had its own official plan. The County of Victoria adopted an official plan in 1978. The County Plan was an upper tier document for most municipalities within the County, with the local official plans becoming subsidiary plans to the County Official Plan.

With changes in the Ontario Planning Act in 1983, joint plans were no longer permissible. Lindsay and Ops then created their own official plans. The plan for Somerville and Bexley was

repealed and these two townships were then incorporated into the County of Victoria Official Plan.

Most municipalities passed their first comprehensive zoning by-law in the late 1970's or early 1980's. Most of these by-laws were replaced with new ones in the 1990's.

The Town of Lindsay adopted a new official plan and passed a new zoning by-law in 2000.

1.4. Provincial Policy Statement

The Provincial Policy Statement issued under Section 3 of the Planning Act came into effect on March 1, 2005. The policy statement is based on the principle of ensuring Ontario's long-term economic prosperity; environmental health and social well-being are addressed. These are dependant on managing change and promoting efficient, cost-effective development and land use patterns which stimulate economic growth and protection of the environment and public health; protecting resources for their economic use and/or environmental benefits; and reducing the potential for public cost or risk to Ontario's residents by directing development away from areas where there is a risk to public health or safety or of property damage.

The City in exercising any authority that affects planning matters shall be consistent with the policy statement. In the preparation of this new official plan, careful attention will be paid to the Provincial Policy Statement.

1.5. Planning for the City of Kawartha Lakes

In preparing for the amalgamation to create the City of Kawartha Lakes, a Transition Board was established which among other things recommended that the City prepare a new official plan and zoning by-law. Council in March of 2001 authorized the preparation of an official plan and zoning by-law.

A work plan was developed and various studies were identified to be undertaken. These included the development of a Community Vision, an Aggregate study, Shoreline Environmental Study and commencement of work on a new zoning by-law. Two other studies will also assist in the development of the new plan, i.e. the Roads Needs Study that was undertaken and a servicing study looking at the municipal water and sanitary sewage systems to determine the existing service areas, capacity and deficiencies. These studies were undertaken with the assistance of consultants working on behalf of the City.

The preparation of the official plan will utilize the findings of the above studies using municipal staff within the Development Services Department with input from other Departments, agencies and Provincial Ministries.

The public will be encouraged to participate in the development of the new official plan.

1.6. Lindsay

The new official plan for the City will be primarily for the geographic area not covered by the Lindsay Official Plan. This is because the Lindsay Plan is a new document and has detailed policies and land use designations to deal with the urban area. The Lindsay Plan will be amended to expand the geographic area that it covers to include all lands that could be serviced or where it is anticipated that growth will occur in proximity to Lindsay. The Lindsay Plan will become a secondary plan to the new City Official Plan.

1.7. Oak Ridges Moraine

The Oak Ridges Moraine is a unique physical feature within the Province. It is protected by special legislation known as the Oak Ridges Moraine Conservation Act. The legislation requires the City to prepare appropriate official plan policies and a zoning by-law to be in

conformity with the Oak Ridges Moraine Conservation Plan by October 22, 2003. The City will be preparing a separate official plan specifically for the Oak Ridges Moraine.

2. BASIS

2.1. Population Profile

The Census population of the City of Kawartha Lakes in 2001 was 69,179. Growth over the past 30 years has resulted in the population almost doubling. The period from the 1996 to 2001 Census is the slowest growth rate experienced over the past three decades. Residential construction and occupancy rates during this period are not consistent with this trend.

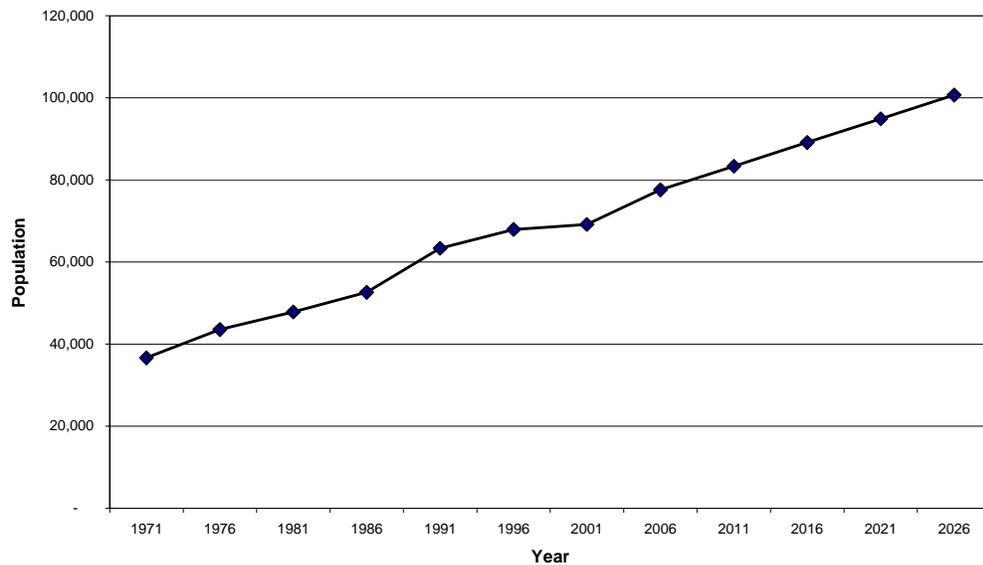
The following chart shows the growth for the past thirty years and a projection for the next twenty-five years.

The population profile shows the age breakdown for the City and Province. The City has a higher proportion of retirement age people than the provincial average. The City has the third highest percentage of population over the age of 65 in Canada.

About 53% of the residents live in rural areas, with 25% living in Lindsay. There are a significant number of seasonal residents in the City within the Waterfront areas and recreational parks.

Age Group	City	Province
0-4	4.8%	5.9%
5-19	20.5%	20.4%
20-64	55.6%	60.8%
65 plus	19.0%	12.9%

City of Kawartha Lakes - Existing and Projected Population



2.2. Population Projections

The population projection for the City shows growth from 2001 to 2006 over the five-year period to be approximately 12%. From 2006 to 2026, the rate declines from 7.5% to 6.1% over the five-year periods. In comparison, the Province from 2001 to 2006 is projected to be at a growth rate of 6.2%. From 2006 to 2026, the rate declines from 5.6% to 4.5% over the five-year periods. The City is projected to grow at a faster rate than the Province as a whole.

More detailed projections and analysis will be undertaken when additional information is available from Statistics Canada for the 2001 Census data.

2.3. Environment

The city has been blessed with a number of natural features that are considered irreplaceable assets. These include the lakes and rivers, the Oak Ridges Moraine and many natural features. These features should be protected and enhanced with strong policies to ensure the ongoing quality of life and economic prosperity.

The Community Vision process determined that an Environment First Principle, which recognizes that the environment is the base upon which all planning activities take place and that it must be considered in all planning, decisions. Also avoiding development and land use patterns, which may cause environmental or public health & safety concerns.

The groundwater within the City is an important resource. Measures will be taken to protect the water quality and quantity of the groundwater resource.

2.4. Economy

2.4.1. Introduction

The City of Kawartha Lakes supports a diverse economic base. Generally, manufacturing and agriculture comprise two of the largest sectors in the local economy by gross sales. Tourism, retail and commercial uses continue as steady and healthy contributors to the economy.

2.4.2. Agricultural Industry

Agriculture and the agri-food sector is a major contributor to the greater economy of the City of Kawartha Lakes. Beef cattle and dairy farming predominate as well as mixed livestock farming. Hay represents the largest single crop. Other crops and agricultural activities range from fruits and vegetables, to swine and mixed farming.

In the past few years traditional farming has opened up to include high-yield crops and specialty farming such as goats, deer and herb farms. Farm operations throughout the City now regularly use the latest technologies; however, traditional activities such as livestock auctions, fall fairs and farmers' markets, still remain very much a part of the community.

The City recognizes the importance of farming activities within the City and will continue to support and protect the continuation and growth of the agricultural industry. One way of doing this will be to restrict the creation of new residential lots in prime agricultural areas.

2.4.3. Aggregate Industry

Aggregate extraction is a substantial economic activity in the City. The Townships of Manvers, Emily and Fenelon contain significant aggregate reserves in the form of unconsolidated material such as sand and gravel. Carden, Bexley, Somerville and Verulam Townships have large quantities of bedrock close to the surface, which has

considerable potential for quarrying. As these reserves have Provincial and local significance, it is important that they be preserved and managed to ensure their best use.

2.4.4. **Tourism Industry**

Famous for its natural beauty, cultural features, and location on the Trent-Severn Waterway, the City of Kawartha Lakes is naturally one of the most popular cottage and tourist destinations in Ontario. The Trent-Severn Waterway consists of a 386-kilometre system of rivers, lakes and canals with six locks located in the City.

The tourism industry represents a significant component of the City's economy. In 1999, tourism contributed approximately \$60 million to the local economy. In Kawartha Lakes, there is potential for increased growth in this sector, particularly in the following areas: eco-nature tourism, education and learning vacations, sustainable development, resource conservation and healthy lifestyle activities. Increasing the number of recreational opportunities should also be explored as a method of increasing tourism.

2.4.5. **Industrial Uses**

The industrial base of the City of Kawartha Lakes is diverse and includes a growing number of niche market manufacturers. In 2001, over 25% of manufacturers within the City were actively involved in exporting to markets around the Globe. At the same time, the area's Manufacturing Industry had estimated overall gross sales of \$340 million.

Access to serviced industrial lands is available throughout the City of Kawartha Lakes. The Lindsay Industrial Park offers serviced industrial lots ranging from one to six plus acres. In addition to municipally owned industrial land, many private and publicly owned industrial building sites exist, including an industrial subdivision in Pontypool located within minutes of Highways 115 and 401.

2.4.6. **Commercial Uses**

The City of Kawartha Lakes is well served within its boundaries by a wide variety of retail operations, ranging from large commercial department stores to small rural general stores. The average annual spending on merchandise is approximately \$600 million.

The City's Economic Development Department completed a Business Retention and Expansion Project in December of 2001. Results indicated that of the surveyed business owners 37.5% indicated having plans to expand their businesses over the next three years while 40.3% anticipated an increase in their employment levels over the same period.

2.4.7. **Labour Force**

In the City of Kawartha Lakes, the skilled labour force is comparatively high, along with the cost of labour, which is competitive to nearby larger metropolitan areas.

In 2002, the City supported a growing local workforce of 30,000 plus. There is also excellent support services and program access for small business development and entrepreneurs.

2.4.8. **Housing**

The predominant form of housing within the City is single detached dwellings. Within the urban centres, multiple residential developments in the form of apartments and condominiums are available. There is a need for additional housing for lower income families, seniors and those with special needs. Housing will be encouraged in existing settlement areas. However, care needs to be given with respect to location, density, servicing and impact on surrounding land uses.

2.5. Strategic Planning Exercise (Community Vision)

Following the municipal amalgamation in 2001, the City of Kawartha Lakes embarked on a Community Visioning process to prepare for, and provide guidance toward, the future growth and direction of the new City.

As a result of extensive public consultation, the Community Vision Steering Committee compiled a Community Profile, a summary of Community Values, and a list of key Initiatives, which ultimately formed the basis for the Community Vision 2002-2012.

2.6. Community Vision 2002-2012 Summary

The Vision for the City of Kawartha Lakes recognizes the City as a community of vibrant communities. The Vision emphasizes the City's dedication to good government, responsible planning and growth management. Attention will be given to special population groups, including seniors, youth and persons with special needs. As a green community, value will be placed on conservation of the area's natural environment. Economic prosperity will be realized, with well-established sectors such as tourism and agriculture being retained and growing further as important contributors to the local economy.

The City of Kawartha Lakes will provide leadership, support and coordination for implementation of the Community Vision over the life of the Vision to 2012.

3. GOALS AND OBJECTIVES

3.1. Goals and Objectives

3.1.1. Environment

Goal

To enhance and protect the quality of the natural environment within the City.

Objectives

1. Utilize an "Environment First Principle" which recognizes that the environment is the base upon which all land use activities take place and that it should be considered in all land use planning decisions.
2. Recognize and protect the natural heritage features and provide for updating of the natural heritage features inventory throughout the City.
3. Require an Environmental Impact Study when a development is proposed on or adjacent to a natural heritage feature. Depending on the natural feature, development should not be on it or it shall be demonstrated that it will not have a negative impact on the natural feature or ecological function for the area.
4. The conservation of the natural environment within the Natural Heritage System, will take precedence over development when the two are in conflict.
5. To maintain a high level of diversity by protecting natural areas and the connections between them.
6. Encourage development in areas that are not environmentally sensitive.
7. Consider local and regionally significant areas as important as provincially significant areas.
8. Recognize that wetlands are extremely important habitats and perform a myriad of essential ecological, hydrological, and social functions. These include the provision of habitat for a wide range of plants and animals; groundwater discharge; flood attenuation through the storage and control of water; stabilization of shorelines and reduction in damage caused by erosion; water quality improvement; and recreational and tourism opportunities such as hunting, fishing, boating and bird watching.
9. Work co-operatively with Conservation Authorities, Provincial Ministries, Trent-Severn Waterway and other agencies in protecting the natural environment.

3.1.2. Growth Management

Goal

To promote responsible growth and development through sound economic, social and environmental framework.

Objectives

1. Encourage smart growth in a comprehensive manner that is fiscally responsible and financially sustainable which respects the uniqueness of each community and protects the natural environment.
2. Ensure that growth is consistent with environmental first principles and that development respects and integrates with the natural features.

3. Direct the majority of growth to existing communities consistent with historic trends and the ability of the communities to sustain further growth.
4. Ensure that appropriate economic development is a fundamental component of future growth in the City.
5. Minimize potential conflicts between residential and sensitive land uses and commercial and industrial uses.
6. 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.

3.1.3. Agriculture

Goal

To promote growth and development of the City's agricultural resources through a sound economic, social and environmental framework.

Objectives

1. Protect prime agricultural lands from non-farm activities and ensure that development is encouraged as an expansion of existing communities or shoreline areas.
2. Support farming operations as an important component of the economy, a source of employment and a way of life for many rural residents.
3. Recognize farming as a vital participant in the protection of the environment and encourage sustainable farming practices.
4. Encourage agricultural related businesses on farms to strengthen the viability of the agricultural industry sector and minimize severances for non-agricultural activities.
5. Support the advancement of agricultural production and management.
6. To encourage agriculture, the policies herein are not intended to impact on the continued cultivation and use of land for agricultural purposes. The exception is that new and the major expansion of agricultural buildings or structures should be directed away from environmentally sensitive areas.

3.1.4. Aggregate Resources

Goal

To balance the current and future protection and use of mineral aggregate resources with the City's other environmental, social and land use objectives.

To identify and protect for potential future extraction, significant mineral aggregate resources areas capable of future extraction and to support aggregate extraction as an important economic development activity.

Objectives

1. Balance aggregate resource extraction activities with other land use objectives of this Plan.
2. Recognize and minimize potential adverse affects of aggregate resource extraction on adjacent land uses and the environment.
3. Recognize and protect existing licensed aggregate resource extraction operations.

4. Protect high potential sand, gravel and bedrock aggregate resources for future use and extraction.
5. 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 the scenic environment.
6. 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 as close as possible to provincial highways.
7. 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.
8. Facilitate consultation and communication between the aggregate industry and the municipality and community stakeholders.

3.1.5. Water Resources

Goal

To protect and where possible, enhance the ground and surface water resources throughout the City.

Objectives

1. Consider extraction of water beyond personal use to be a commercial operation and require commercial land use zoning.
2. Require applications for commercial zoning for the purpose of water taking to prepare a Water Budget that shows minimal impact upon water systems and other natural heritage features prior to consideration.
3. Encourage property owners to properly abandon wells that are no longer in use in keeping with the Ministry of Environment regulations.
4. To protect the municipal wells by establishing well head protection areas.

3.1.6. Forestry Resources

Goal

To protect, manage and where possible, improve the forest resources throughout the City.

Objectives

1. Promote best management practices to ensure that wood lots are maintained in a sustainable manner.
2. Encourage development to locate to have a minimum impact on woodlands.

3.1.7. Housing

Goal

To accommodate the present and future population of the City by providing a wide choice of affordable housing proportionate to the overall growth of the City.

Objectives

1. Encourage the provision of a wide range of residential types and tenures to ensure access to housing for all segments of the population. This includes housing for

families, persons with disabilities, long-term care facilities and other housing options, which encourage independent living.

2. Promote residential growth in areas that can provide full municipal services and minimize potential conflicts with other land uses.
3. Ensure that residential development occurs at density levels that are appropriate based on integration with the existing community, adequacy of services, roads, parks and recreation and education facilities.
4. Seek out and participate in Provincial, Federal and public-private partnership programs that serve the housing needs of the residents of the City.
5. Promote innovation and excellence in housing design and architecture, site planning, and urban design to foster vibrant neighbourhoods and communities.
6. Provide for the rehabilitation and renewal of the existing housing stock in a manner, which maintains the community structure and which places special emphasis on the preservation of historically significant houses and residential areas.
7. Provide opportunities for residential development in rural settlement areas and require non-farm residential development to locate in these areas.

3.1.8. Industry

Goal

To promote the growth and enhance the industrial base of the City an environmentally, social and economically responsible manner.

Objectives

1. Guide the City towards maximizing employment opportunities by striving to obtain a wide industrial base while ensuring that a high level of environmental and servicing standards is maintained.
2. Create a planning and community development environment that promotes a competitive, flexible and adaptable economy to encourage investment and a broad range of employment opportunities.
3. Promote and support the economic well being of existing industrial development.
4. Work in conjunction with higher education facilities to encourage incubator industries and economic spin off activities.
5. Provide and maintain an inventory of serviced industrial land with a variety of lot sizes and access to major transportation corridors.
6. Encourage industries that produce for, or use materials from, existing industries.
7. Provide the opportunity for commercial and office uses to locate in selected industrial areas.

3.1.9. Commerce

Goal

To promote and enhance the commercial activities within the City to serve the needs of the residents and vacationing public.

Objectives

1. Guide the maintenance and growth of commerce in the City through the development of proactive and flexible land use policies for all areas of economic activity.
2. Provide an adequate supply of land for commercial activities to serve the varying needs of the City.
3. Promote the development of new businesses and economic activities that are not currently available in the City and encourage the expansion of existing businesses.
4. Encourage employment opportunities which will produce products that will be used by existing businesses in the municipality and in turn will also utilize products and services from existing businesses.
5. Encourage highway commercial development intended to serve the travelling public to locate in areas of high accessibility where conflict with through traffic is minimized.
6. Encourage the improvement and revitalization of downtown cores as healthy and vibrant areas for mixed commercial, residential, cultural, social and entertainment uses.
7. Recognize the downtown area of each community as the focal point of activity and commerce, and ensure that other nodes of commercial activity reinforce and complement the role of each of the downtown areas.

3.1.10. Tourism

Goal

To promote and enhance the tourism opportunities within the City.

Objectives

1. Recognize and promote tourism as one of the most important components of the City of Kawartha Lakes' economic growth.
2. Promote and maintain the City as an attractive community to visit through community beautification, improvement and redevelopment.
3. Generate greater retention of tourism activities, which make use of local facilities including four-season tourism.
4. Encourage new high quality tourism attractions, accommodations, facilities and services, including the Kawartha Lakes Municipal Airport, to promote the City as a tourist destination.
5. Promote the use of natural heritage resources in the development of tourism and facilitate the development of eco-tourism and agri-tourism opportunities.
6. Encourage the continued operation and development of tourist related commercial establishments.
7. Promote the development of the City as a cultural, multi-functional community and encourage the use of cultural heritage resources in tourist facilities. Concentrate forms of economic activity into nodes of interest, specifically highlighting the arts community.
8. Recognize the significance of the City's waterways and the Trent-Severn Waterway and co-operate with the Provincial and Federal Governments to ensure that both the natural amenities and economic benefits associated with the waterways are realized.

3.1.11. Community Facilities

Goal

To promote and enhance the community facilities throughout the City to serve the residents.

Objectives

1. Foster a vibrant City that takes pride in its heritage, culture and resources, embraces all members of the community and celebrates its strengths.
2. Provide open space, recreational, educational and cultural facilities for City residents, either through the City's own efforts or through the efforts of other public/private agencies.
3. Provide an adequate level of police, fire protection and ambulance services to all City residents and businesses.
4. Encourage the continued growth and development of early childhood and higher educational facilities in the City.
5. Support quality and cost effective community health care and delivery systems.
6. Ensure coordination where community services are provided by organizations, which are distinct from the City or other levels of government.
7. Ensure the location of community services is convenient and physically accessible for all City residents and enhance access to recreational assets such as lakes, rivers and the Trent-Severn Waterway.
8. Provide a four-season system of parks, recreation and open space facilities and linkages easily accessible to residents and link open space and park areas to achieve an integrated park/open space system for both pedestrian and bicycle activities and establish reasonable standards for the provision of parks and open space for City residents.
9. Encourage and promote the development of linear multi-purpose trail systems to connect with the Trans Canada Trail and inter municipal trail system.
10. Support and encourage the development of art and cultural facilities in the City.

3.1.12. Servicing

Goal

To maintain a level of services consistent with the social, economic cost, demand and environmental considerations.

Objectives

1. Maintain and enhance the level of services consistent with the social integrity, economic costs, demand and growth projections while ensuring environmental integrity.
2. Encourage urban development to locate where servicing costs are minimized and use is maximized. Avoid premature service and utility extensions and locate development where municipal services exist or where they can be logically and economically extended.
3. Provide and improve hard services such as sidewalks, curbs, gutters, roads, sewers, watermains and street lighting to applicable standards that are appropriate to the location.

4. Use all reasonable and cost effective opportunities to encourage innovative and efficient use of services.
5. Identify and give priority to servicing improvements and reducing deficiencies which if improved assist in stimulating economic development and creating long-term employment opportunities in conjunction with a stronger municipal assessment base.
6. Protect and enhance existing communication and transmission corridors and networks, and encourage the development and maintenance of modern telecommunications infrastructure to serve businesses and residents.

3.1.13. Transportation

Goal

To develop a transportation system this is safe, convenient, efficient and accessible.

Objectives

1. Develop a transportation system strategy which will emphasize safety, convenience and efficiency and which will address the multiple forms of transportation found in the City including roads, waterways, trails, pedestrian routes, public transit and the airport.
2. Encourage the efficient use of energy with respect to all modes of transportation.
3. Link places of employment, education, cultural and community activities by safe and efficient pedestrian routes. Provide a pedestrian and cycling environment for all members of the community.
4. Encourage the protection of abandoned rail corridors for public uses.
5. Ensure that the City continues to play a role in the provision of special needs transportation.
6. Ensure the provision, maintenance and expansion of adequate off-street parking facilities in downtown areas, and promote effective utilization of existing resources and explore opportunities, to provide staging and/or parking areas for alternative modes of transportation.
7. Ensure that the network of roads serving the City is co-ordinated with the Provincial Highway system and where necessary, adjacent municipalities.
8. Ensure the continual maintenance and improvement and development of the system of municipal roads including arterial, collector and local roads and aggregate haul routes in a manner which minimizes the disruption to residential neighbourhoods and results in a derived benefit for all residents of the City and enhances the economic function of commercial and industrial areas.
9. Ensure sufficient internal and external transportation opportunities by exploring new or expanded coach, air, commuter rail and/or shuttle services to serve the needs of community members and the travelling public.

3.1.14. Community Improvement

Goal

To provide and improve hard and soft services and facilities to improve and protect the health, safety and living environment of the inhabitants within the City.

Objectives

1. Encourage community improvements, which encompass both public and private sector opportunities for the maintenance, improvement, rehabilitation and redevelopment of community structure.
2. Seek funding for the provision and improvement of infrastructure through Provincial/Federal funding and public private partnerships.
3. Undertake public investment in the improvement of community services, which promote the development, and maintenance of an attractive atmosphere for private sector investment.
4. Give a high priority to services, which resolve existing environmental or health problems.

PART B – DETAILED POLICIES

4. GENERAL POLICIES

4.1. Settlement Areas

1. The settlement areas are intended primarily for residential, recreational, cultural, commercial, institutional and industrial uses. It represents urban centres including villages and hamlets throughout the City, but does not include Waterfront areas.
2. The settlement areas represent the areas where the predominate residential growth within the City will take place and the areas to be designated will reflect the intent of the overall growth strategy for the City.
3. These areas are primarily on communal piped water and sewer systems. Growth will be directed to areas where servicing exists or can reasonably be installed, subject to the availability of plant capacity. Where settlement areas are not currently fully serviced, limited growth will only be permitted where the soil and groundwater conditions will support development. Communal servicing will be encouraged for new development.
4. The future development of settlement areas will take place primarily in the form of registered plans of subdivision and condominiums, adjacent and where possible contiguous to existing development. Residential activity will be encouraged in depth rather than in strips along main roads. Provision shall be made to allow future development to take place behind existing built-up areas.
5. Density of development in settlement areas shall be based on servicing, soil and groundwater capability and the compatibility of the proposed development with the established character of the community.
6. Care shall be taken to ensure that the commercial and industrial uses permitted in the settlement areas are not obnoxious or incompatible with the residential function of the community. The degree to which these uses will be separated and the nature of the buffer planting or screening will depend on the uses involved.
7. 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. Adequate off-street parking should be provided for new commercial uses.
8. New industrial uses will be encouraged to locate with other industrial uses or where their adverse effects on surrounding uses will be minimized.

4.2. Settlement Boundaries

1. The Land Use Schedules A show a Settlement Boundary around Lindsay, Bobcaygeon and Fenelon Falls.
2. Within the Settlement Boundary, not all the land is designated for development. Lands within this Boundary have been identified as where major future growth within the City will take place during the planning horizon of this plan, which is 20 years.
3. No new lots within the Settlement Boundary shall be created that will not be fully serviced by municipal water and sanitary sewers when the lots are created.
4. The land within the Settlement Boundary shall not be redesignated or rezoned for development until there is pipe and plant capacity to service the land or there is an agreement or approval for the services to be provided.

5. Expansion of the Settlement Boundaries shall only proceed after a comprehensive review of this plan has taken place and it has demonstrated that the expansion should take place based on the criteria established in policy 1.1.3.9 of the Provincial Policy Statement.
6. All new large format retail uses and shopping centres within the City shall be within the Settlement Boundaries.
7. A Settlement Boundary may be established around Omemee if full services are to be provided after a comprehensive review is undertaken on the future growth of Omemee.
8. No new communities shall be established and the shoreline areas within the City shall not be considered to be a settlement area because they are primarily seasonal and permanent residential and tourist commercial uses and do not provide a full range of commercial uses and services such as financial institutions, medical facilities, recreational and park facilities, institutional uses such as nursing homes, non-profit facilities and churches. They are also not fully serviced areas.

4.3. Housing

1. Council, in co-operation with all levels of government, will encourage the provision and rehabilitation of housing to meet the needs of residents. Particular attention will be given to senior citizens and low income families that are unable to find adequate housing through the private market. Council will attempt to ensure that City residents receive the maximum possible benefit offered by Provincial and Federal Housing Assistance Programs.
2. Council will review the need for accommodation for the aged and low income people and maintain contact with other agencies to help fulfil this need.
3. Council, wherever possible, will encourage homes for the aged, higher density, affordable rental accommodation and senior citizen accommodation to be located in close proximity to retail uses, personal services, community facilities and public transportation if it is available in the community.
4. In order to ensure that an adequate supply of land is available to meet the housing objectives of this Plan, Council will review the housing market to determine if the mix of housing types and prices is consistent with the changing needs of City residents.
5. A Municipal Housing Statement will be prepared to identify the financial capabilities of the municipality to meet these needs. Priority will be given to those development proposals which address specific housing needs identified in the Municipal Housing Statement.
6. The predominant form of housing in the City will be single detached dwellings particularly where municipal or communal water or sanitary sewer services are unavailable.
7. Higher density, multiple residential dwellings may be permitted where full municipal or communal services are available.
8. Increasing the supply of affordable housing in fully serviced settlement areas through housing intensification is permitted without amendment to this Plan provided there is capacity in the water and sanitary sewer facilities; the housing stock has the physical potential for intensification, the character of immediately surrounding areas is maintained; and there is adequate parking available.
9. The assembly and development of land by the City, non-profit organizations or partnerships with the private sector to address the housing needs identified by the Municipal Housing Statement will be encouraged.

4.4. Waterfront Areas

1. Waterfront areas will be predominately for seasonal and permanent residential uses. Commercial uses will also be permitted and these would include commercial marinas, convenience stores, resorts and recreational trailer parks.
2. A Waterfront designation will be assigned to all lands fronting and functionally relating to lakes and significant rivers such as the Scugog, Gull, and Burnt Rivers. Naturalized and/or vegetative shorelines shall be retained and restored. Lot sizes and development design will respond directly to the natural shoreline character.
3. The protection of surface water quality will be encouraged 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.
4. Cluster residential development will be encouraged and will consist of a group of single detached dwellings each located on individual lots, setback from the shoreline with the shoreline being maintained as communal open space.
5. 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 public roads will be required and lot sizes will be permitted at a larger size than permitted for waterfront parcels.
6. Density limits will be developed to establish acceptable social and aesthetic qualities. Policies 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. Policies to address lot coverage will ensure proportionality, examples include relating lot coverage to the buildable area adjacent to the shoreline.
7. 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.
8. For commercial development, appropriate limits for upgrading, expanding or redeveloping existing waterfront commercial sites will be required to address location, size, characteristics, density, property capacity, servicing requirements and compatibility with surrounding properties. New commercial development and intensification will require an amendment to official plan and zoning and will be subject to site plan control.
9. 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.
10. Council shall encourage the development of the tourist industry. Expansion of existing tourist facilities in the shoreline areas may be permitted where the expansion is not in conflict with surrounding land uses.
11. Where a wetland abuts the waterfront, development will not be permitted on the upland. This will help to protect and preserve the sensitive lake ecosystems.

4.5. Prime Agricultural Areas

1. Prime agricultural areas are primarily south of the Trent-Severn Waterway. Based on the Canada Land Inventory, this area is predominately Classes 1 to 3 soils.
2. The primary use will be for agricultural uses. Uses that are compatible with and not hindering the agricultural uses will be permitted. These could include home occupations, home industries and uses that produce value-added agricultural products from the farm operation.
3. The creation of residential lots by consent will be discouraged. Residential lots will only be permitted to dispose of a surplus residential lot.
4. The Minimum Distance Separation Formulae will be used to ensure appropriate buffering to protect agricultural operations.
5. The removal of topsoil within the Prime Agricultural Area will be discouraged.
6. Areas with high potential for agricultural production based primarily on soils should be preserved for agricultural and farm related uses.
7. Some areas that have been designated 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.
8. Council will encourage senior levels of government to provide a greater financial return to the farming community.

4.6. Rural Areas

1. The rural areas represent areas that are not prime agricultural lands. Based on the Canada Land Inventory, this area is predominately Classes 4 to 7 soils. The rural areas are primarily identified with two designations being the Rural and Countryside designations.
2. 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 home occupations, home industries and uses that produce value-added agricultural products from the farm operation.
3. Uses such as waste disposal sites, auto wrecking yards, farm equipment dealers, airstrips, small scale industrial operations and commercial uses such as service stations, motels, restaurants convenience stores and land based recreational uses such as hunt camps, cross country ski areas and golf courses will be permitted. These uses should be located on land where the agricultural production potential is low and where the proposed use will not conflict with the farming activities in the surrounding area. Adequate separation and buffering should be provided between obnoxious uses and any adjacent residential or other uses.
4. The economic contribution of tent and trailer parks should not be overlooked and may be permitted where studies indicate that it is an appropriate use in that location and is compatible with adjacent uses. It shall have recreational facilities to accommodate the tenants. Tent and trailer park development is intended to be non-water oriented and therefore should be directed to areas substantially removed and visually hidden from lakes or rivers.
5. A pit for the extraction of sand and gravel is a permitted use if the extraction limit does not exceed 20,000 tonnes per year and studies indicate that it is an appropriate use in the location and is compatible with adjacent uses.
6. The Minimum Distance Separation Formulae will be used to ensure appropriate buffering to protect existing agricultural operations.

7. Consents within this area will be permitted for the various permitted uses. Residential consents will only be permitted on municipal year round roads and where the creation of a lot will not affect future aggregate extraction or agricultural operations.

4.7. Aggregates

1. Existing pit and quarry operations will be recognized. Areas of high potential for aggregate extraction that are identified in the aggregate study will be shown for possible future extraction.
2. 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. For example, studies on the impact on natural heritage features, the groundwater (quality and quantity), noise, dust, vibration and haul routes may be required. The City may require a peer review of the studies to determine if the findings are acceptable.
3. 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. A distinction with respect to the land use after rehabilitation, based on whether the extraction will be above or below the water table will be required.
4. High potential aggregate resources, which are of primary significance, shall be managed to ensure protection from incompatible uses to allow for future extraction of the resources.
5. Schedule E to this Plan identifies areas of high potential aggregate resources. The identification of such resources does not constitute a land use designation and is provided for the purposes of indicating geological information. None of the information shown on Schedule E shall bind the municipality to adopt any amendments to this Plan to permit aggregate extraction in such areas. Schedule E has been prepared using information obtained from the Province as areas of high potential for aggregate constrained by settlement areas and natural heritage features.
6. The policies of this Plan are intended to facilitate management and protection of Aggregate Resources. 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.
7. Within the Prime Agricultural, Rural, and Countryside designations, the temporary operation of a pit or quarry under a wayside permit, a portable asphalt plant or a portable concrete plant, for a public authority contract, will be permitted without an amendment to this Plan or a Zoning By-law provided it not in an area of existing development or in an environmentally sensitive area.
8. Aggregate extraction shall not be permitted to occur where it would require the elimination of significant landscape features. Significant landscape features include any combination of topography and vegetation that create scenic vistas vital to the tourism industry.
9. Schedule E also illustrates 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.

4.8. Mineral Aggregate Resource Areas (MARAs)

1. Primary and secondary sand and gravel and primary bedrock reserves are identified as Mineral Aggregate Resource Areas (MARAs) on Schedule E. An Official Plan Amendment will be required to revise or change the Schedule, other than for minor boundary adjustments.
2. Minor adjustments to the boundaries of MARAs, 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.
3. Where detailed mapping of Natural Heritage features/areas become available (such as through a Natural Heritage or Greenlands study), the corresponding boundaries of the MARAs will be adjusted to exclude these areas from the identified Natural Heritage feature/area, where relevant. The City will review Schedule E in conjunction with the updated information with respect addressing Natural Heritage or Greenlands policies and designations.
4. Previously licensed and rehabilitated pits and quarries will be excluded from MARAs.
5. Schedule E showing MARAs is based on Ontario Aggregate Resources Inventory and will generally exclude the following features:

Item	Constraint Feature	Area of Influence
1.	Settlement areas	150 - metre Area of Influence [500- metre for quarries]
2.	Rural Clusters (groupings of 6 or more residential uses)	150 - metre Area of Influence [500- metre for quarries]
3.	Draft approved/registered plans of subdivision (not developed)	150 - metre Area of Influence [500- metre for quarries]

6. Within the MARAs new pits and quarries should maintain setbacks based on the Area of Influence from the following constraint features.

Item	Constraint Feature	Area of Influence
1.	All water bodies and watercourses (streams, rivers, lakes, etc)	30 - metre Area of Influence
2.	Provincially or Locally Significant Wetlands	120 - metre Area of Influence
3.	Cartographic Wetlands	50 - metre Area of Influence
4.	Significant Habitat of Endangered, Rare, Threatened or Vulnerable Species	120 - metre Area of Influence
5.	Fish Habitat and Critical Spawning Areas	120 - metre Area of Influence
6.	Provincially Significant ANSIs	120 - metre Area of Influence
7.	Environmentally Significant Areas	120 - metre Area of Influence

4.9. Lot Creation in MARAs

1. Within lands identified on Schedule E as MARAs, 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 and does not generate any land use compatibility constraints for a potential aggregate operation or licensed aggregate operation.

2. The lot size shall be appropriate for the proposed use.

4.10. Aggregate Advisory Committee

1. The City will establish an Aggregate Advisory Committee as a forum to comment on matters related to mineral aggregates. The Committee will invite representatives of the aggregate industry, MNR, Conservation Authority, Environment Canada and (where appropriate), representatives from adjacent municipalities) to participate on the Committee, together with citizen representatives.
2. The Committee may monitor/comment on, among other matters:
 - (a) compliance with license conditions (including extraction and rehabilitation progress);
 - (b) haul route usage/conditions;
 - (c) noise, dust and other considerations;
 - (d) observed water resource effects; and,
 - (e) application review processes (including terms of reference for peer reviews)
3. In addition, subsequent to the establishment of comprehensive Greenlands (i.e.. natural heritage) land use policies and designations in the Official Plan, the Aggregate Advisory Committee will develop an Aggregate Management Plan for the Carden Plan which may further refine the identification of MARAs in this area of the City.

4.11. Employment Areas

1. Employment areas are concentrations of uses that generate employment. These would include industrial and commercial uses.
2. They will primarily be in conjunction with settlement areas where servicing and accessibility are available.
3. Council shall endeavour to ensure a favourable climate for economic development by:
 - (a) encouraging the expansion and diversification of industrial and commercial development in order to maximize employment opportunities;
 - (b) encouraging the beautification, improvement and/or redevelopment of urban centres;
 - (c) encouraging the development of Lindsay as a cultural, multi-functional centre;
 - (d) limiting the type and intensity of any proposed development if in the opinion of the appropriate Council, the development would cause undue financial or other hardships to the municipality; and
 - (e) giving priority to road improvements and servicing which improve the potential for industrial development.
4. The rate of growth, while conditioned by national, provincial and municipal circumstances, shall be determined by the financial and physical capabilities of the municipality. Approvals for residential development should be directly related to the impact on the financial position of the municipality.
5. 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.

6. Council shall develop a strategy and program to purchase land for industrial purposes in order to facilitate implementation of this Plan.

4.12. Large Format Retail Use and Shopping Centres

1. The development of a new shopping centre or large format retail use or major extension of either one, an amendment to this Plan or Community Plan will be required.
2. Shopping centres and large format retail use will be directed to areas covered by a Community Plan.
3. Shopping centres and large format retail uses shall be on full municipal services.
4. When considering an Official Plan Amendment and Zoning By-law Amendment to establish a shopping centre or large format retail use in excess of 3,000 square metres, the following shall be submitted and approved by the City:
 - (a) Retail Market Analysis Study;
 - (b) 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;
 - (c) Plan showing the buildings, parking, access and landscaped area and surrounding land uses.
5. 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.
6. In evaluating applications to permit these uses, the following criteria shall be assessed:
 - (a) 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; to
 - (b) Availability of access to a arterial or collector road or Provincial highway with appropriate capacity to handle traffic generated by the proposed uses;
 - (c) Traffic impacts on adjacent land uses;
 - (d) 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; and
 - (e) Degree of compatibility and potential impacts of the proposed use on adjacent lands.

4.13. Transportation

4.13.1. Municipal Roads

1. The establishment of a hierarchy of municipal roads. Policies will be set out on the function and the design of the roads including the desirable width of the road allowance.
2. Where lots do not have direct access onto a maintained year round municipal road or provincial highway, the City will not permit development to take place. This provision will be incorporated into the zoning by-law. The exception to this provision, is when:

- (a) the lot is zoned Limited Service;
- (b) the lot is within a plan of subdivision where the road is to be assumed by the municipality as provided for in a subdivision agreement;
- (c) the land owner has entered into an agreement or licence with the City for maintenance and/or construction of the road; or
- (d) access will be over a road that is part of a condominium where the owner of the lot or unit is a member of the condominium.

4.13.2. Haul Routes

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.

4.13.3. Provincial Highways

These will be identified with provision to expand to meet future needs through widening, realignment and creation of multiple lane controlled access highways.

4.13.4. Airport

The Lindsay airport will be recognized with provisions for its expansion to meet future requirements of the City.

4.13.5. Rail Lines

The existing rail line will be recognized with provisions for new lines to be established to meet the future requirements of the City.

4.14. Open Space, Parks and Crown Lands

1. A hierarchy of parks will be established to meet the needs of residents and those people who come to the City to use the parks and trails for day use.
2. The hierarchy will include City Parks, Community Parks, Neighbourhood Parks and Greenbelt lands.
3. The existing trail system will be recognized with provisions to expand and improve it as a linear park system throughout the City. The trail system will be based on input from residents and will be developed to accommodate various uses such as pedestrians, cyclists, wheelchairs, horseback riding and motorized uses such as trail bikes, ATV's and snowmobiles. The types of permitted uses on the various segments of the trail will depend on the location and how the trail is developed based on public input received.
4. Municipal trailer parks to serve the vacationing public shall be recognized and designed to accommodate day usage.
5. Provincial parks and crown land will be identified. Since a municipality has very limited control when the lands are provincially owned, these lands will be identified for public awareness. If the province decides to patent or dispose of these lands, policies will be incorporated to guide future development or by requiring an amendment to the official plan. Natural heritage features within this area will be recognized within this Plan.
6. The land within Longford Township is entirely held in private ownership. The existing development will be recognized, with potential for new residential development at a density consistent with the existing form of development recognizing the natural heritage features.

4.15. Natural Heritage Areas

The Natural Heritage Areas are for most part identified on Schedule B. The various Natural Heritage features and related policies are as follows:

4.15.1. Wetlands

1. The Provincially Significant Wetlands (PSW) has been identified by the Ministry of Natural Resources.
2. Locally Significant Wetlands (LSW) is based on Ecological Land Classification (ELC) mapping prepared by Kawartha Conservation and MNR non-significant wetlands.
3. To protect and official plan should incorporate broad general principles protecting and enhancing natural heritage areas and features. These principles should include themes of biodiversity and connectivity. Development should be restricted in sensitive areas and assessed for impacts on adjacent lands.
4. All wetlands should be protected and treated equally. Any development proposed on adjacent lands will have to be supported by an Environmental Impact Study demonstrating no negative impact on the features or functions of the wetland.
5. When development is proposed within a wetland or within 120 metres of a PSW or 50 metres of a LSW, an Environmental Impact Assessment (EIS) shall be prepared by the proponent.
6. The EIS must be prepared by a qualified person to assess the impacts the development could have on the wetland. If the EIS can demonstrate that the wetland can be protected without loss of function and it proves that an alternate width would be appropriate, a buffer of less than 120 metres may be permitted. No development within the wetland shall be permitted.
7. Development may be permitted on the adjacent lands within 120 m of the PSW or locally significant wetland if it is demonstrated that there will be no negative impacts on the natural features or on the ecological functions for which the area is identified.
8. No development or site alteration shall be permitted within a Provincially Significant Wetland or locally significant wetland whether the PSW or locally significant wetland is on or off the Canadian Shield.
9. Within a PSW or LSW, peat extraction will not be permitted.
10. Development may be permitted in adjacent lands, being 120 metres, if it is demonstrated that there will be no negative impacts on the natural features or on the ecological functions for which the area is identified. EIS requirements are given in Section 4.16.
11. If a development is proposed on or adjacent being within 120 metres to a wetland, an evaluation should be prepared to determine if it is a PSW or LSW. If wetland is identified as Provincially or Locally Significant through an evaluation, the appropriate policies apply.
12. The City's fisheries and fish habitat will be protected, enhanced and restored from any harmful disruption, alteration and/or destruction. Increased setbacks from critical spawning areas and warm and cold-water streams will be secured.
13. General policies should support the protection of significant woodlands and valleylands such that development may be permitted if it is demonstrated that there will be no negative impacts on the natural features or on the ecological functions for which the area is identified. Vegetative shoreline buffers and natural corridors will also be encouraged and supported.

14. Significant wildlife habitat including, areas of seasonal concentrations, specialized habitats and habitats of vulnerable species will be identified and development will require an Environmental Impact Study. Threatened and Endangered species and their related habitats will be protected and new development will not be permitted in their proximity.
15. Areas of Natural and Scientific Interest (ANSIs) shall be protected and treated equally. Development and site alteration may be permitted in ANSIs and areas adjacent to them, if it can be demonstrated that there will be no negative impacts on the features or functions for which the area is identified.
16. Social heritage features shall be identified and preserved. Development shall be sympathetic to the surrounding natural landscape and be designed to protect the character of the area's cultural heritage. Community values and sites of significance should therefore be defined. Features may include landscapes and important scenic vistas, transportation corridors, historic sites, recreation and public access opportunities, landmarks and landforms.
17. For development in areas where physical constraints and/or physical heritage dominate, sites will have to meet defined conditions and regulations. In areas of steep slope, narrow waterbodies, small islands and/or specific soil constraints, development proposals may require a site evaluation report.
18. The Natural Heritage features will be identified on the land use schedules if it pertains to land that has no or very limited potential for development such as a wetland. If the natural heritage feature is a constraint for development, it may be shown on Schedule B to identify when an Environmental Impact Study is required. The location of some natural heritage features must be kept confidential in order to protect a species and reference to the NHIC website will be required.
19. Further development should be aimed at providing as pleasing an environment as possible to all residents of the City through proper management of man-made and natural environmental features.

4.15.2. Fish Habitat

1. For development proposals adjacent to lake, river or watercourse where the land within 30 metres of the waters edge is to be altered or developed, a review of available information from the Conservation Authority, TSW and MNR shall be undertaken to determine if the water in the area is a known fish habitat. A study will be required to be undertaken to determine if there is fish habitat present.
2. If it is found to be fish habitat, then a study shall be undertaken to demonstrate that there will be no negative impact on the fish habitat.
3. If fish habitat is present and may be altered, disrupted or destroyed, the applicable agency (TSW, DFO, CA or MNR) shall be consulted to determine if there could be Harmful Alteration, Disruption or Destruction (HADD) of the fish habitat. If it is not a HADD then the project can proceed subject to the applicant obtaining all necessary permits and approvals.
4. If it is a HADD and DFO determines the HADD is not acceptable, then the development cannot proceed as presented and must be altered so as not to impact on the fish habitat.
5. If it is a HADD and DFO determines that development can be modified or altered to mitigate the impact, then it can proceed subject to any applicable conditions being obtained from DFO and all required permits and approvals be obtained.

4.15.3. Woodlands

1. The City was reviewed based on its physiographic features and four distinct areas were identified. The one is referred to as the Oak Ridges Moraine in the southern part of the City and is within the Oak Ridges Moraine Conservation Plan as defined by provincial legislation. The Carden Plain, which lies primarily north of the Trent Severn Waterway, is a limestone plain, which has been identified by L.J. Chapman and D.F. Putnam in "The Physiography of Southern Ontario" as the Carden Plain. In the far northern part of the City in an area identified as the Canadian Shield. The remaining area lies between the Carden Plain and the ORM and consists of predominately agricultural and rural lands.
2. Within the Carden Plain the total woodland covers 39% of the area and based on the Ontario Nature Guidelines, a significant woodland is a wooded area that is 25 hectares or larger in size.
3. In the agricultural and rural area, the total woodland coverage represents 25% of the area and based on the Ontario Nature Guidelines, a significant woodland is 15 hectares or larger.
4. The Significant woodlands as described above have been identified on Schedule B as part of the Natural Heritage System.
5. Development may be permitted in woodlands if it is demonstrated that there will be no negative impacts on the natural features or on the ecological functions for which the area is identified.
6. The municipality, MNR and CA shall inventory important woodlands and develop polices for stewardship and protection.
7. Development that is inconsistent with good forestry practices should not be permitted in the woodlands areas.
8. Sustainable forestry practices to foster regeneration of native species should be undertaken.
9. The Forest Management Plan for the CKL Forests should be followed to manage the forests in order to protect the environment, use them for recreational trails and for the protection of wildlife habitat.
10. Forest management practices on the Canadian Shield portion of the City are encouraged to retain large blocks of contiguous forest cover.
11. The City will consider a tree cutting by-law in order to protect woodlands from destruction.

4.15.4. Valleylands

1. The City of Kawartha Lakes does not have an abundance of significant valleylands outside of the Oak Ridges Moraine. Within the ORM, they are addressed with appropriate policies in the ORM portion of this Plan. Any other valleylands are usually associated with other natural heritage features and are protected under those policies within this Plan.

4.15.5. Habitat of Vulnerable, Threatened and Endangered Species

1. The known Vulnerable, Threatened and Endangered (VTE) species found within the City can be found on the MNR Natural Heritage Information Centre (NHIC) Website at http://nhic.mnr.gov.on.ca/MNR/nhic/species/species_jur.cfm under Victoria County. The species that are considered VTE as regionally significant are identified

with a S1 to S3 Shrank ranking or G1 to G5 Grank ranking. The Provincially Significant VTE Species are identified under the MNR Status column.

2. The Development Services Dept. should be consulted to determine the location of VTE habitat when development proposals are presented since most of this information is not readily available to the public.
3. No development or site alteration will be permitted within areas of VTE species, whether nationally, provincially or regionally significant.
4. The VTE species habitat should be of a sufficient size to support the species return to an unthreatened population level.
5. Development and site alteration may be permitted in adjacent areas, being within 120 metres, provided an EIS shows no negative impact on the species.

4.15.6. Significant Wildlife Habitat

1. Development may be permitted in areas of Significant Wildlife Habitat subject to an Environmental Impact Statement to demonstrate no negative impact on the features or functions.
2. Additional significant wildlife habitat may be identified as additional information becomes available or upon site inspection.
3. Development may only be permitted in the adjacent area, being within 120 metres, if it is demonstrated that there will be no negative impacts on the natural features or on the ecological functions for which the area is identified through completion of an EIS.
4. Additional significant wildlife habitat may be identified as additional information becomes available or upon site inspection. If additional habitat has been identified an EIS will be required for development within or adjacent to the significant wildlife habitat.
5. An EIS may be required for development within or adjacent to significant wildlife habitat to demonstrate that there will be no negative impacts on the significant wildlife habitat. EIS requirements are given in Section 4.16.

4.15.7. Areas of Natural and Scientific Interest

1. ANSIs are important because they represent the best examples of the vegetation – landform features of the area based on five criteria being: representation, diversity, ecological functions, site condition and special features. For this reason, they should be identified and protected.
2. Provincial and regional ANSIs are considered equal and require the same level of protection within the City.
3. Development and site alteration is permitted in ANSIs and in areas adjacent to ANSIs, being 50 metres, if it is demonstrated that there will be no negative impacts on the natural features or on the ecological functions for which the area is identified through completion of an EIS as described in Section 4.16.

4.16. Environmental Evaluations

1. An Environmental Evaluation or Environmental Impact Study (EIS) shall be required for development proposals on or adjacent to Environmentally Sensitive Areas.

2. This policy is applicable whenever an application is made under the Planning Act and includes official plan amendments, zoning by-law amendments, consents and subdivisions. The Environmental Evaluation should be submitted in conjunction with the Planning Application so that the proposal can be appropriately reviewed.
3. The Environmental Evaluation shall be completed prior to Council or the appropriate approval authority granting approval of the application. Council or the approval authority shall be satisfied with the study and the recommendations prior to making the decision and may require a peer review to assist in this determination.
4. Environmentally Sensitive Areas are depicted on Schedule B and includes features identified in Section 4.15.
5. In addition to the features shown on Schedule B, the habitat for Vulnerable, Threatened and Endangered Species can vary from time to time and reference should be made to the NHIC Website at http://nhic.mnr.gov.on.ca/MNR/nhic/species/species_jur.cfm under Victoria County. for those species that are considered to be Vulnerable, Threatened and Endangered Species within the City of Kawartha Lakes.
6. An Environmental Evaluation, when prepared for the City in accordance with this Official Plan will:
 - (a) confirm the boundaries of the natural feature and adjacent lands to be protected and define the limits of all hazards including erosion, flooding and slope instability hazards where not already determined;
 - (b) carry out a detailed inventory of the natural feature including the verification of constituent vegetation communities and their respective floral and faunal compositions, physical site characteristics, and identification of its ecological functions and attributes, including habitats of any rare, threatened, vulnerable and/or endangered species, and species and communities of concern to the Conservation Authority, having regard to habitat, type, diversity, size and configuration, the degree of connection to other environmental resources;
 - (c) assess the degree of sensitivity of the environmental conditions, including an evaluation of such conditions in relation to the proposed development;
 - (d) assess the potential cumulative impacts of the proposed development on the natural area's ecological functions and attributes and with respect to the criteria for which the area was originally designated as Environmental Protection;
 - (e) define the need for, and nature of any mitigating measures required to protect the feature and ecosystem from the impacts of the proposed development; and
 - (f) include a tree inventory, assessment, management and preservation plan prepared by a qualified practitioner which outlines specific methods of tree preservation, mitigation and, if necessary, compensation.
 - (g) The City in consultation with the Conservation Authority shall identify the appropriate scope and study area for each required Environmental Evaluation Study.
 - (h) The City in consultation with the Conservation Authority may alter the requirements for an Environmental Evaluation Study where appropriate studies and fieldwork have been prepared and accepted by the City in connection with a previous development application or a previous development approval for the subject lands, or where site conditions warrant. In such cases, the City may impose a buffer area requirement.

4.17. Culture and Heritage

4.17.1. General

1. The City's heritage resources will be conserved and enhanced. Features of particular interest include: buildings, structures and significant structural remains, areas of unique or rare composition, landscapes of scenic value, artefacts, archaeological sites, cemeteries, and burial grounds.
2. The City is committed to raising public awareness and celebrating the history of the community. The City will encourage participation and involvement in preservation and restoration efforts, and foster the community's understanding and appreciation of the area's heritage resources.
3. A number of archaeological sites exist within the City. In order to protect the artefacts these sites must be kept confidential.

4.17.2. Policies

1. Council shall ensure the conservation of properties, structures and landscapes of historic, architectural, scenic and archaeological interest
2. Council will require the preparation and undertaking of an archaeological assessment, excavation, and preservation of significant archaeological resources, which may be affected by a development proposal.
3. Development in areas considered to be of such architectural or historical value shall have regard for the preservation of architecture or historic buildings, features or sites therein.

4.17.3. Heritage Victoria or Local Architectural Conservation Advisory Committee (LACAC)

1. The Ontario Heritage Act provides for the creation of Municipal Heritage Committees. Within the City of Kawartha Lakes, it is known as Heritage Victoria (formerly the City of Kawartha Lakes Local Architectural Conservation Advisory Committee). Heritage Victoria will therefore advise and assist Council on matters concerning conservation and designation of buildings of historic or architectural value. This may include the designation of individual properties, as well as the designation of a group or groups of properties as Heritage Conservation Districts. In addition, the Committee will undertake public education initiatives, and establish criteria to manage an inventory database of the City's current and candidate heritage resources.
2. Council will:
 - (a) encourage the identification, designation and preservation of districts, properties and structures of historic, architectural, archaeological and scenic importance;
 - (b) require archaeological assessment by archaeologists licensed by the Province where identified archaeological resources exist or where the potential for such resources exist;
 - (c) require development proponents to conserve such resources through preservation in situ, documentation avoidance and/or removal;
 - (d) develop community and social service centres and programs where the need is demonstrated;
 - (e) support social counselling and educational programs for which there is a demonstrated need;

- (f) encourage programs designed to provide accommodation, training, employment and recreational facilities for the physically or mentally handicapped;
- (g) encourage the joint use and location of community, cultural, recreational and educational facilities; and
- (h) encourage cultural facilities such as museums, libraries, art galleries, places of worship and similar community facilities to be located within urban areas or hamlets. The Central Business and Commercial District of the Town of Lindsay will be the major focus of cultural activity within the City;
- (i) apply the provisions of the Cemeteries Act and its regulations when marked and unmarked cemeteries or burial places are encountered during development, assessment or any excavation activity.
- (j) encourage comprehensive cultural heritage resource mapping, archaeological resource mapping, heritage master planning and other heritage site inventories for the City;
- (k) seek the advice of the Province regarding cultural heritage conservation matters when appropriate.

4.18. Garden Suites

Where a garden suite is a permitted use within a land use designation, it must comply with the following provisions:

- (a) to ensure the garden suite is a temporary use and does not become a permanent use or become recognized as an existing non-conforming use a temporary use zoning by-law shall be passed;
- (b) an agreement is completed between the property owner and the City which specifies the conditions for removal or rehabilitation of the garden suite;
- (c) the garden suite is connected to municipal services or shares the same water supply and sanitary sewage disposal facilities as the principal residential use;
- (d) the septic system may need upgrading which will require a permit under the Building Code;
- (e) the lot has frontage on and direct access to a year-round maintained public road;
- (f) the lot is of an adequate size to accommodate the additional dwelling and if it is not on full municipal services that it is of a sufficient size to accommodate the garden suite and the sewage disposal system;
- (g) a holding tank is not an acceptable sewage disposal system for a garden suite;
- (h) the garden suite must be a detached unit separate from the existing dwelling on the lot; and
- (i) adequate parking on the lot for the use must be provided.

4.19. Group Homes

Group homes will be directed to urban areas and larger hamlets where access to community facilities and transportation services are more readily available. They may be permitted throughout such areas where residential uses predominate and may be established by either site specific rezoning or as-of-right in a specific zone in a comprehensive zoning by-law but should not occur in such concentration as to change the character of the existing community.

The lot on which the group home is to be located must be of an adequate size to accommodate the use and if it is not on full municipal services that the sewage disposal system is adequate to accommodate the use and there is an adequate supply of potable water.

Group homes may only be permitted in the rural area by site specific zoning by-law amendment where the lot fronts onto a year-round maintained public road and it is demonstrated, to the satisfaction of the municipality, that:

- (a) a rural setting is necessary or beneficial for the residents;
- (b) there will be no special public transportation needs;
- (c) there will be no need for additional school bussing; and
- (d) there will be no demand for additional services.

4.20. Rooming or Boarding Houses

Rooming or boarding houses may be permitted in settlement areas and should be directed to areas of higher density and multiple residential development immediately adjacent to a core commercial area or with access to public transportation

They must be on a lot served by full municipal or communal water and sanitary sewers.

They may be permitted by site specific zoning amendment or as-of-right in a specific zone in a comprehensive zoning by-law.

4.21. Home Occupation

Where a home occupation is a permitted use within a land use designation, it must comply with the following provisions:

- (a) it must be wholly contained within the dwelling unit;
- (b) adequate parking on the lot for the use must be provided;
- (c) the dwelling and lot must maintain a residential character and appearance;
- (d) the uses must be compatible with a residential function of the dwelling;
- (e) it shall not occupy more than 25 percent of the floor area of the dwelling; and,
- (f) if the use is food related, the proposed use should comply with the Health Units requirements with respect to the potability of the water and the protection of food from contamination with respect to the handling and storage.

4.22. Home Industry

Where a home industry is a permitted use within a land use designation, it must comply with the following provisions:

- (a) it must be located in an accessory building that is detached from the dwelling;
- (b) adequate parking on the lot for the use must be provided;
- (c) the dwelling and front and side yards of the lot must maintain a residential character with no outside storage of goods or materials;
- (d) the use shall not be obnoxious and adjacent residential uses shall not be affected by noise, vibration, dust or odour from the use;
- (e) the building shall not have a floor area greater than 80 sq. m. or occupy more than 10 percent of the lot area; and,

- (f) if the use is food related, the proposed use should comply with the Health Units requirements with respect to the potability of the water and the protection of food from contamination with respect to the handling and storage.

4.23. Agricultural Home Industry

Where an agricultural home industry is a permitted use within a land use designation, it must comply with the following provisions:

- (a) it must be located in an accessory building that is detached from the dwelling;
- (b) adequate parking on the lot for the use must be provided;
- (c) the dwelling and front and side yards of the lot must maintain a residential character with no outside storage of goods or materials;
- (d) the use shall not be obnoxious and adjacent residential uses shall not be affected by noise, vibration, dust or odour from the use;
- (e) the building shall not have a floor area greater than 200 sq. m.; and,
- (f) the lot shall have a minimum lot area of 32 hectares.

4.24. Accessory Wind Turbines

1. Accessory Wind Turbines are a permitted use in the Prime Agricultural, Rural, and Countryside designations of this Plan subject to the following criteria:
 - (a) Accessory Wind Turbines will be sited and constructed to minimize the impact on agricultural lands;
 - (b) the wind turbine generator must not be located closer than 300 metres to a cluster of six or more dwellings or land designated for development for residential uses;
 - (c) a site plan shall be provided illustrating the location of the proposed turbines, as well as the location and height of all existing building and structures on the subject property(s) and location and height of all existing buildings and structures within 500 metres from the perimeter of the defined Accessory Wind Turbines site;
 - (d) the development shall be subject to Site Plan Control;
 - (e) the Accessory Wind Turbines must comply with the Ministry of the Environment and Energy requirements; and
 - (f) Accessory Wind Turbines constructed within 10 km of the Lindsay airport or private airstrip registered with Transport Canada, will require the written approval of Transport Canada. Such approval will provide assurance that there will be no adverse effect on the approach corridors to the airport.
2. The municipality through the zoning by-law may establish standards such as setbacks to dwellings, public roads and adjoining lots and minimum lot area to regulate Accessory Wind Turbines.
3. A single wind turbine generator may be permitted as an accessory structure in the Prime Agricultural, Rural and Countryside designations. The municipality through the zoning by-law may establish standards such as setbacks and minimum lot area to regulate a wind turbine as an accessory use.

4.25. Environmental Considerations and Constraints

4.25.1. Landfill Sites and Sewage Treatment Facilities

Open and closed landfill sites and sewage treatment facilities will be identified and appropriate policies for buffering these uses from sensitive uses will be incorporated into the official plan.

4.25.2. Brownfield Redevelopment

Brownfields are lands on which industrial or commercial activity took place in the past and that may need to be cleaned up before they can be redeveloped.

A proposal for the development of a contaminated or potentially contaminated property may trigger an application under the Planning Act such as an official plan amendment, zoning by-law amendment or subdivision, condominium or consent application.

Where it is known that a property was formerly, is currently used for industrial or commercial uses, or as a transportation corridor and it is proposed to use the land for residential, institutional, parkland or other sensitive land uses, a Record of Site Condition (RSC) shall be prepared to be submitted with the application under the Planning Act. Prior to the zoning by-law taking effect, the site, if required, shall be cleaned up to a standard in keeping with Provincial regulations and standards acceptable for the proposed use.

4.25.3. Protection of Groundwater

1. The water quality and quantity of the groundwater will be protected. Prior to the development of land on individual services for multiple residential development and significant water users, a hydrogeological study will be required to ensure that there is sufficient quality and quantity of potable water to service the development and the land is suitable for the disposal of sewage without impacting on the groundwater supply and causing cross contamination with the water source.
2. The City will monitor requests for Water Taking Permits to ensure that the impact of these permits will not negatively affect other users within the City.

4.25.4. Wellhead Protection Zone Requirements:

1. The City recognizes the importance of its groundwater resource in maintaining the quality of life across the City and has a long-term commitment to manage and protect this resource. The protection of this resource from sources of contamination associated with certain land uses is the first, and one of the most important steps, in the City's environment first approach to maintaining a high quality drinking water supply.
2. To ensure the maintenance of high quality groundwater the City has delineated wellhead protection (capture) zones for each municipal water supply well and restricting land uses that might pose a threat to the quality of the groundwater extracted from these wells. Four wellhead protection zones are generally established around each water supply well as shown on Schedules C.
3. The City's water supply systems provide potable water from drilled wells drawing groundwater. The City has fifteen groundwater-based water supply systems. The systems are at:
 - Birch Point (Emily);
 - Canadiana Shores (Mariposa);
 - Janetville;

- King's Bay (Mariposa);
 - Kinmount-East;
 - Mariposa Estates;
 - Pinewood - Pontypool;
 - Pleasant Point (Mariposa);
 - Sonya;
 - Victoria Glen - Omemee;
 - Victoria Place;
 - Western Trent/ Palmina;
 - Woodfield-Sundance / Manorview - Bethany;
 - Woods of Manilla; and
 - Woodville.
4. For each well a study was undertaken to determine which included numerical groundwater modeling or empirical calculations to determine the area where water is drawn from and the time of travel for the groundwater to arrive at the wellhead.
 5. The time required for the water to reach the wellhead determines the level of protection required to protect the water supply. To protect the wellhead zones have been determined based on the time for water to travel to the well. As an example, if within a given area surrounding a water supply well, groundwater takes two years to move through the groundwater flow system to arrive at the water supply well, then there is very little time once a spill has occurred within this zone to try and enact remedial efforts to clean up the groundwater. Therefore most land uses that make use of hazardous or toxic chemicals are restricted from establishing within this zone. If it takes 10 years or more for the groundwater to arrive at the municipal supply well, then there will be additional time for the City to react to a spill. In addition, the threat might be diluted or attenuated on its way to the water supply well. Therefore land uses that are of a lower threat are permitted to establish within these zones further from the well.
 6. The four proposed zones provide a reasonable approach to address the potential for threatening land uses to affect the City's groundwater based drinking water supplies.
 - (a) **ZONE 1a – Bacterial Contaminant Restriction Zone**
 - (i) This zone extends from the immediate vicinity of the well to the 50-day time of travel.
 - (ii) Groundwater contamination within this zone would be problematic since there would be no effective way of addressing the problem. To address the concern of contamination of the groundwater system by bacteria or viruses, the following land use policies are suggested.
 - (iii) The following land uses will not be permitted within the Zone 1 Areas:
 - the construction of new sewer systems;
 - the storage and spreading of manure including biosolids; and
 - the installation of new septic systems;
 - (b) **ZONE 1 – Hazardous and Toxic Contaminant Restriction Zone**
 - (i) This zone extends from the well to the 2-Year time of travel from the well.

- (ii) Within this zone, dissolved contaminants such as petroleum hydrocarbons or industrial solvents could arrive at the municipal well within a short time frame.
- (iii) As a risk avoidance strategy, it is an unacceptable risk to permit many types of industrial land uses to establish within this zone, even where the owner is committed to preventing groundwater contamination.
- (iv) In addition, even large residential developments being greater than 20 units will be required as a condition of draft plan approval to install shallow monitors and to monitor groundwater quality for a period of no less than five years subsequent to the completion of all development including final landscaping. This is required to ensure no impairment of the resource and to permit appropriate remediation should there be degradation through the development process. The monitors will be installed prior to the commencement of development construction and will be monitored by the development proponent for a period of five years subsequent to the development completion.

(c) ZONE 2 – Contaminant Constraint Zone

- (i) This zone extends from the 2 Year to the 10 Year time of travel.
- (ii) Further from the water supply wellhead, any groundwater contamination within this area would have some time to be attenuated and diluted in the ground as it moves towards the water supply well. Contamination detected within this zone would be sufficiently far removed from the well that a new water supply could be secured or remedial action could be undertaken prior to the contamination arriving at water supply well. Certain land uses can be permitted with Best Management Practices. As a condition of zoning approval, certain land uses could be required to monitor shallow groundwater quality on a regular basis to monitor for degradation of the resource.

(d) ZONE 3 – Contaminant Control Zone

- (i) This zone is beyond the 10 Year Time of Travel to Extent of Capture Zone.
- (ii) The furthest removed from the water supply well, this zone generally extends to the top of, or slightly beyond the surface watershed divide. Certain land uses will be permitted but will require best management practices to be implemented for groundwater protection.
- (iii) Landfill sites would not be proposed within the entire capture zone regardless of the time of travel to the water supply well. Land owners within the entire capture zones should be aware that their land is within a more significant hydrogeological setting.

4.25.5. Dry Industrial or Commercial Uses

An industrial or commercial use will be considered to be dry if the on site sewage disposal facilities are primarily for the use of employees and no industrial liquid wastes, or washing, cooling or processing water is discharged into the subsurface sewage disposal systems.

Development of the land by consent, plan of subdivision or condominium shall not be approved until such time as a hydrogeology report has been submitted which

demonstrates to the satisfaction of the City the capacity of the site to support private, individual water supply and sewage disposal systems. Zoning of the subject land shall be placed in a Holding category to prohibit development until the required hydrogeology report has been approved by the City.

4.26. Separation and Buffering of Uses

1. In order to foster compatibility between uses and to prevent adverse effects, distance separation, building design, screening and/or topographical buffering techniques shall be required;
2. For determining the most appropriate buffering techniques to be utilized, industrial uses are categorized based upon their potential effects upon sensitive land uses. These categories are:
 - (a) Light Industry
 - (b) Medium Industry
 - (c) Heavy Industry
3. Classification of an existing or proposed industrial use shall be based on the following Industrial Use Scoring Checklist:

INDUSTRIAL USE SCORING CHECKLIST

IMPACT	EVALUATION CRITERIA	SCORE
Noise	Sound not audible at property line	5
	Sound occasionally audible at property line	10
	Sound frequently audible at property line	15
Dust	Infrequent and not intense dust at property line	5
	Frequent and occasionally intense dust at property line	10
	Persistent and/or intense dust at property line	15
Odour	Infrequent and not intense odour at property line	5
	Frequent and occasionally intense odour at property line	10
	Persistent and/or intense odour at property line	15
Vibration	No ground born vibration	5
	Vibration but not felt off property	10
	Vibration frequently felt off property	15
Storage	No outside storage permitted	5
	Limited outside storage permitted	10
	Outside storage of raw and finished products	15
	Bulk storage of hazardous materials	50
Process	Wholly enclosed within a building	5
	Combined outside/open and enclosed operations	10
	Majority of operations outside or open	15
Operational	Daytime operations only	5

Intensity	Shift operations but in enclosed building	10
	Continuous open operations	15
Traffic	Infrequent traffic or heavy trucks	5
	Frequent traffic or heavy trucks confined to week day, day time operations	10
	Frequent traffic or heavy trucks not confined to week day, day time operations	15

4. The proposed use is evaluated and scored for each impact identified in the table above and the sum of all the scores is determined. Based on the sum of the scores, the use, it will be determined which of category of industry it is based on the score being found within the range for each category as follows:

Score	Category
40 to 45	Light Industry
50 to 85	Medium Industry
90 to 120	Heavy Industry

5. Distance separation shall be the preferred buffering technique and the following minimum separation distances shall apply:

Light Industry	20 metres from the site boundary
Medium Industry	70 metres from the site boundary
Heavy Industry	300 metres from the site boundary

6. For the purposes of this Section, Class 'B' sand and gravel pits and quarries where dimensional landscaping and armour stone is extracted by mechanical means only, shall be considered medium industrial uses.

7. These minimum separation distances shall not apply to:

- (a) vacant lands presently zoned for industrial or sensitive land uses and which will not be further subdivided or rezoned to permit a more intensive use or are not subject to a draft approved plan of subdivision;
- (b) a residence located on the same lot as a home industry;
- (c) minor expansions or reconstruction of permitted uses, buildings or structures.
- (d) Where the foregoing exemptions apply, the municipality shall reduce potential conflicts through use of site planning and zoning measures to address:
 - (i) building orientation, design and setbacks;
 - (ii) landscaping and screening;
 - (iii) access controls;
 - (iv) the range of permitted uses; and
 - (v) restrictions on outside storage.

8. Notwithstanding Paragraph 5 in this Section, in the Hamlet or Urban designation, development which represents infilling, redevelopment and/or a transition to a mixed use area, may be considered with lesser separation distances provided that: the proposal conforms with the Official Plan policies; there is site specific zoning to limit the permitted

uses to the proposed industrial category or separation distances are based on the smallest setback permitted in the industrial zone; and, the proponent provides an impact assessment report, carried out by a qualified professional, assessing the potential for off-site impacts and mitigation measures. Use of these exceptions for infilling, redevelopment or a mixed-use area shall be at Council's discretion.

9. For the purposes of this section, infilling means development on a vacant lot or underdeveloped lot within a built up area but not redevelopment or reuse. Redevelopment refers to a planned, phased change in the type of land use that requires redesignation of the land. A transitional mixed-use area is an area of redevelopment where the type of land use is changing to allow for different types of uses in an area.
10. For any proposal to establish a sensitive land use designation or zoning or to further subdivide land within the potential influence area of an existing industrial use or an existing industrial land use designation, the separation distances specified by Paragraph 5 in this Section shall apply unless a detailed evaluation which identifies the potential for impacts from noise, vibration, odour, dust or other emissions related to industrial operations and/or associated traffic has been completed to the satisfaction of the City. Such evaluation shall be carried out at the proponent's expense by qualified persons and include recommendations relative to proposed separation distances and any mitigative measures necessary to support the separation distances recommended by the impact evaluation.
11. Any proposal to establish an industrial land use designation or zone or, to further subdivide industrial land, where sensitive land uses would be located within the potential influence area of the proposed land use change, shall be subject to the separation distances specified in Paragraph 5 in this Section unless a detailed evaluation, as outlined in Paragraphs 8 and 10 in this Section, is carried out to justify a reduced separation distance. Similarly, there may be situations, such as where federal or provincial guidelines may apply, where in the opinion of the City a greater separation is required than the minimum according to the Plan. In such cases, the City may require a detailed evaluation to assess the adequacy of the minimum separation distance pursuant to Paragraph 5 in this Section.

12. The potential influence area for each category of industrial use is as follows:

Light industry	70 metres from the site boundary
Medium industry	300 metres from the site boundary
Heavy industry	500 metres from the site boundary

13. The separation distances specified by Paragraph 5 in this Section shall be considered absolute minimums for each industrial use category. It is recognized, however, that mitigative measures may result in a change in the industrial use category permitting the use of a reduced separation distance.
14. Where an impact evaluation has been completed, the recommendations of such evaluation shall be implemented, by the municipality, through use of development agreements, site plan approvals and zoning.
15. Residential uses accessory to an industrial use shall be discouraged.

4.27. Highway Access and Permits

Any proposed development located adjacent to a provincial highway and within the Ministry of Transportation of Ontario (MTO) area of permit control, will be subject to the safety and geometric requirements of MTO. An MTO permit must be obtained for any development located within the permit control area of the MTO prior to any construction

being undertaken. Direct highway access will only be considered to those properties that meet the minimum safety and geometric standards of the MTO.

4.28. Noise Studies

A detailed noise study will be required if sensitive development is proposed within 250 m. from a provincial highway, 100 m. from the right of way of other roads, 500 m. from a principal main railway line.

Detailed noise studies are required for proposals that are located at or above NEF/NEP 28.

Feasibility as well as detailed noise studies are generally required whenever the proposed lands are within the influence area of a stationary noise source such as industrial facilities, aggregate extraction facilities, sewage treatment facilities. The extent of the influence area is case specific depending on factors such as the type and scale of the stationary source, intervening topography and intervening land uses.

5. INTERPRETATION AND DEFINITIONS

5.1. INTERPRETATION

1. The goals, objectives and policies of this Plan must be considered together to determine conformity with this Plan.
2. It is intended that the boundaries of the land use designations shown on Schedules A and Sub-Schedules "A", "B" and "SP", be considered as approximate and absolute only where bounded by roads, railways, rivers, lakes or other similar geographical barriers.
3. Boundaries of natural feature areas and Mineral Aggregate Resource Areas shown on Schedules "B" and "E" are to be interpreted by the City as approximate subject to precise study and measurement.
4. It is also intended that the location of roads as indicated on Schedule "D" be considered as approximate and not absolute. Amendments to this Plan will not be required in order to make minor adjustment to the approximate land use boundaries or the location of roads, if the over-all intent of this Plan is preserved. For the purpose of this section, the "location of roads" shall include related connections and facilities necessary for the safety and continuity of the road system including bridges and intersection improvements.
5. Any reference to quantities such as lot areas or density of development should be regarded as approximate.
6. Wherever a use is permitted in a designated area, it is intended that uses, buildings or structures normally incidental, accessory and essential to that use also be permitted.
7. Such terms as reasonable, limited and appropriate will be interpreted by Council to ensure that the overall intent of this Plan is preserved.
8. Where any Act or portion thereof is referenced in this Plan, it is intended that such references should be interpreted to include any amendments to such Act or subsequent legislation that may replace the specific Act. The legislation referred to herein is the 1990 version of the Revised Statutes of Ontario.
9. All measurements in this Plan are in metric form with the approximate non-metric equivalent provided in the Appendix I, for reference purposes only.
10. The word "shall", "will" are to be construed as imperative, and the word "may" as permissive.

11. In this Plan, all words in the singular shall include the plural and all words in the plural shall be interpreted to include the singular.

5.2. DEFINITIONS

Accessory Wind Turbines: means two or more wind turbine generators, which are connected to the provincial transmission or distribution system.

Adjacent Lands: means those lands, contiguous to a specific Natural Heritage Feature or Area, where it is likely that development or site alteration would have a negative impact on the Feature or Area. The extent of the adjacent lands may be recommended by the Province or based on municipal approaches, which achieve the same objectives.

Adverse Effects: means one or more of:

- a) impairment of the quality of the natural environment for any use that can be made of it;
- b) injury or damage to property or plant and animal life;
- c) harm or material discomfort to any person;
- d) an adverse effect on the health of any person;
- e) impairment of the safety of any persons;
- f) rendering any property, plant, or animal life unfit for use by humans;
- g) loss of enjoyment of normal use of property; and
- h) interference with normal conduct of business.

Affordable means:

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

Agricultural-related Uses: means uses that are small in scale and directly related to the farm operation and required to be located in the close proximity to the farm operation such as a grain drying handling and storage facility.

Agricultural Use: means the growing of crops, including nursery and horticultural crops; bee keeping, raising of livestock and other animals for food, or fur, including poultry and fish; aquaculture; agro-forestry; maple syrup production; and associated on-farm buildings and structures and would include uses that produce value added agricultural products from the farm operation on the property such as pick your own and maple syrup operations.

Agri-business Uses: means agriculture related uses that require proximity to agricultural operations such as abattoirs, livestock marketing or sales yard, a seed cleaning plant, an agricultural produce warehouse or similar agri-business uses.

Agro-forestry: means the growing of trees for nursery stock, Christmas trees and managed woodlots for forestry products.

Areas of Natural and Scientific Interest (ANSI): mean areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study, or education.

Brownfield Sites: means undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant.

Bed and Breakfast: means a home occupation within a private residence in which no more than five bedrooms to accommodate a maximum of two patrons per bedroom are made available to the travelling public for temporary sleeping accommodations and provides only the breakfast meal.

Cluster, in the Waterfront Designation, shall mean a development area where the dwelling units are arranged in such a fashion that the shoreline or a portion thereof is open space.

Common Road: means an unassumed public road or private right-of-way that is not maintained year-round by the Municipality or Province.

Community Improvement: means the planning or replanning, design or redesign, resubdivision, clearance, development or redevelopment, reconstruction and rehabilitation or any of them, of a community improvement project area, and the provision of such residential, commercial, industrial, public, recreational, institutional, religious, charitable or other uses buildings, works, improvements or facilities, or spaces therefore, as may be appropriate or necessary.

Community Improvement Plan: means a plan for the community improvement of a community improvement project area.

Community Improvement Project Area: means an area within a municipality, the community improvement of which, in the opinion of the council, is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason.

Conservation Authority: means Kawartha Conservation, Otonabee Region Conservation Authority, Lake Simcoe Conservation Authority or Ganaraska Region Conservation Authority.

Day Care Facility: means all or part of a building where more than five children who are not of common parentage are provided temporary care, or guidance, or both temporary care and guidance, for a continuous period not exceeding twenty-four hours.

Development: means the creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the Planning Act; but does not include activities that create or maintain infrastructure authorized under an Environmental Assessment process; or works subject to the Drainage Act.

Ecological Features: means the natural processes products or services that living and nonliving environments provide or perform within or between species, ecosystems and landscapes. These may include biological, physical and socio-economic interactions.

Endangered Species: means a species that is listed or categorized as an "Endangered Species" on the Ontario Ministry of Natural Resources official species at risk list, as updated and amended from time to time.

Environment: refers to any combination of: air, soil and water; plant and animal life; social and cultural conditions; buildings or structures; or any impacts on the foregoing resulting directly or indirectly from the activities of man.

Environmental Evaluation and **Environmental Impact Study** are terms used within this Plan and are interchangeable and mean the same thing.

Environmental Protection: refers to lands having physical characteristics such as poor drainage, organic soils, flood and erosion susceptibility, steep slopes, instability or any other physical condition that could cause property damage, loss of life or damage to the environment if developed upon.

Environmentally Sensitive Areas: refer to those lands and/or waters of inherent biological sensitivity, such as those areas containing unique plants or wildlife, breeding or over-wintering habitats, rare or endangered species, or other features that could be essential for scientific research, conservation or educational purposes.

Erosion Hazards: means the loss of land, due to human or natural processes, that poses a threat to life and property. The erosion hazard limit is determined using the 100-year erosion rate (the average annual rate of recession extended over a hundred-year time span), an allowance for slope stability and an erosion allowance.

Farm Consolidation: means the acquisition of adjacent farm parcels to be merged in title.

Farm related residential use: means a dwelling whose occupants gain their primary employment from the operation of the farm. This may include either hired help or a family member.

Fish Habitat: means the spawning grounds and nursery, rearing, food supply and migration areas on which fish depend directly or indirectly in order to carry out their life processes.

Flood Fringe: means the outer portion of the flood plain between the floodway and the flooding hazard limit where flood depths and velocities are less severe than the floodway and generally do not pose a potential threat to life or damage to property. The flood fringe is the area where development and site alternation may be permitted subject to flood proofing to the flooding hazard elevation.

Flood Plain: means the area, usually low lands, adjoining a watercourse, which has been or may be subject to flooding hazards.

Flooding Hazards: means the inundation, under the conditions specified below, of areas adjacent to a shoreline or a river or stream system and not ordinarily covered by water along river and stream systems, the flooding hazard limit is the greater of:

- (a) the flood resulting from the rainfall actually experienced during a major storm such as the Timmins storm (1961), transposed over a specific watershed and combined with the local conditions, where evidence suggests that the storm event could have potentially occurred over watersheds in the general area;
- (b) the one hundred year flood; or
- (c) a flood which is greater than 1) or 2) which was actually experienced in a particular watershed or portion thereof as a result of ice jams and which has been approved as the standard for that specific area by the Minister of Natural Resources,

except where the use of the one hundred year flood or actually experienced event as the standard for a specific watershed has been approved by the Minister of Natural Resources (where the history of flooding supports the lowering of the standard).

Floodway: means the inner portion of the flood plain representing that area required for the passage of flood flow and/or that area of the flood plain where flood depths and/or velocities are such that they pose a potential threat to life and/or property damage.

Hazardous Lands: means property or lands that could be unsafe for development due to naturally occurring processes. Along the shorelines of the Great Lakes - St. Lawrence River System, this means the land, including that covered by water, between the international boundary, where applicable and the furthest landward limit of the flooding, erosion or dynamic beach hazard limits. Along the shorelines of large inland lakes, this means the land, including that covered by water, between a defined offshore distance or depth and the furthest landward limit of the flooding, erosion or dynamic beach hazard limits. Along river and stream systems, this means the land, including that covered by water, to the organic soils or unstable bedrock (karst topography).

Health Unit: means the Haliburton, Kawartha, Pine Ridge District Health Unit.

Home Industry: means a use that is wholly enclosed within a building that is not partly used as a dwelling. The use is compatible with the other permitted uses on the lot. It is to be for a

small-scale dry, light industrial use that is secondary to and compatible with a domestic household and is carried out primarily by members of the household residing in the dwelling. Examples of such uses would be a carpentry shop, machine shop, welding shop, repair shop for appliances and vehicles, electrical, plumbing and building contractor shops.

Home Occupation: means a business for gain or profit which is clearly secondary to the primary residential use of the property, conducted within a residence, which shall not change the character of the land or building and which shall not generate noise, vibration, odour, dust, smoke, traffic or visual impacts that may have an adverse effect on surrounding properties or dwellings. Examples of home occupations may include an office for such professionals as a lawyer, engineer or accountant; teaching or musical instruction provided no more than two pupils are on the premises at a time; the assembly or manufacturing of crafts or hobby items; the manufacturing or repairing of clothing; the repairing of household electronics; a Bed and Breakfast or a day care facility.

Hydrogeology: the study of ground water.

Hydrology: the study of surface water.

Industry:

- a) **Light Industry:** means a place of business, the principal use of which is for a small scale, self-contained plant, facility or building that produces and or stores a product within a wholly enclosed building. Such uses will, generally, unless mitigative measures are provided, be limited to daytime operation, will have infrequent movement of products and/or heavy trucks and will have no outside storage.
- b) **Medium Industry:** means a place of business, the principal use of which is for processing and manufacturing with outdoor, unenclosed storage of products, wastes or materials. Such uses may have shift operations with frequent movement of products and/or heavy trucks during daytime operations."
- c) **Heavy Industry:** means a place of business for large scale manufacturing or processing characterized by large physical size, outside storage of raw materials or products, large production volumes and continuous movement of products, materials, equipment and employees throughout daily shift operations.

Infilling: means the development along the frontage upon one side of a public highway or existing right-of-way for a distance of not greater than 100 metres. This distance is measured between two buildings used for commercial, industrial and/or non-farm related residential uses but does not include farm related buildings or structures.

Infrastructure: means physical structures that form the foundation for development. Infrastructure includes: sewage and water works, waste management systems, electric power, communications, transit and transportation corridors and facilities, and oil and gas pipelines and associated facilities.

Institutional Uses: mean those uses, associated with hospitals, nursing homes, preschool, school nurseries, day care and schools.

Intensification of development in the Waterfront Designation means the creation of additional lots that do not have shoreline frontage or which do not qualify as infilling. Intensification of development refers to the redesignation of land by amendment to this Plan to permit residential or commercial development where the land is adjacent to a lake or river and is designated Rural, Agricultural or Environmental Protection.

Large Format Retail Use: means a single or multiple businesses or enterprises in excess of 3,000 square metres of gross leasable floor space, engaged in the retailing and/or wholesaling of goods or products which by the nature of their size (and associated parking), market area or sales format, require a relatively large site.

Mineral Aggregate: means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the Aggregate Resources Act suitable for construction, industrial, manufacturing and maintenance purposes but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the Mining Act. Mineral Aggregate involves two designations within this Plan being the Pit Designation and the Quarry Designation. The principle difference between the two is determined on whether blasting is required. If no blasting is required in the aggregate operation, then the Pit Designation will apply. If blasting is required, the Quarry Designation will apply.

Minimum Distance Separation Formulae (MDS): means formulae developed by the Province to separate uses to reduce incompatibility concerns about odour from livestock facilities.

Natural Heritage Areas and Features: means areas and features, such as significant wetlands, fish habitat, significant woodlands south and east of the Canadian Shield, significant valleylands south and east of the Canadian Shield, significant portions of the habitat of endangered and threatened species, significant wildlife habitat and significant Areas of Natural and Scientific Interest (ANSI), which are important for their environmental and social values as a legacy of the natural landscapes of an area.

Negative Impacts: means:

- a) in regard to fish habitat, the Harmful Alteration, Disruption or Destruction (HADD) of fish habitat, except where it has been authorized under the Fisheries Act using the guiding principle of no net loss of productive capacity.
- b) in regard to other natural heritage areas and features, the loss of the natural features or ecological functions for which an area is identified.

One Hundred Year Flood: means that flood, based on an analysis of precipitation, snowmelt, or a combination thereof, having a return period of 100 years on average, or having a 1% chance of occurring or being exceeded in any given year.

Open Water: means water in a lake or river that is of a sufficient depth to permit boating without the necessity of dredging and is suitable for water contact recreational purposes such as swimming without alteration to the depth of the water or removal of aquatic vegetation. Open water does not include areas where the aquatic vegetation is at or above the water surface during the months of July and August.

Portable Asphalt Plant: means a facility with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt-paving material, and includes stockpiling and storage of bulk materials used in the process; and which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project.

Prime Agricultural Area: means an area where prime agricultural land predominates.

Prime Agricultural Land: means land that includes specialty croplands and/or Canada Land Inventory Classes 1, 2 and 3 agricultural soils, in this order of priority for protection.

Recreational Vehicle Park: means a park under single ownership and management consisting of camping lots used for recreational or vacation use to be occupied on a seasonal basis only. The camping lots are for the parking and camping of motor homes, truck campers, tourist trailers and tents. It does not include units that are designed or occupied for year round use other than one dwelling for the owner or caretaker.

Rehabilitation: includes any efforts that result in the productive reuse of lands and/or buildings within the Community Improvement Project Area.

Residential Infilling: means the creation of a residential lot between two existing non-farm residences which are on separated lots of a similar size and which are situated on the same side of a road and not more than 100 metres apart.

Residential intensification: means intensification of a property, site or area, which results in a net increase in residential units or accommodation and includes:

- (a) redevelopment, including the redevelopment of brownfield sites;
- (b) the development of vacant or underutilized lots within previously developed areas;
- (c) infill development;
- (d) the conversion or expansion of existing industrial ,commercial and institutional buildings for residential use; and,
- (e) the conversion or expansion of existing residential buildings to create new residential units or accommodation, including accessory apartments, secondary suites and rooming houses.

Retiring Farmer: means a bona-fide full-time farmer who has operated the farm for a substantial number of years (20 years).

Sensitive Land Use or Sensitive Use: means any use of land, building or structure that may be adversely affected through impacts generated by the operation of an industrial use that is nearby but not on the same lot. Sensitive uses may include residential dwellings, senior citizen's homes, schools, day-care facilities, churches and other similar institutional uses, recreational uses and both indoor and/or outdoor space.

Settlement Area: means a built-up area where development is concentrated and which has a mix of land uses and includes lands which may be developed over the long-term planning horizon subject to the land be appropriately designated for development and is on full municipal services.

Sewage and Water Systems:

- a) **Full municipal sewage and water services:** means a piped water that is connected to a centralized water supply system and a sewage collection system that is connected to a centralized wastewater treatment facility.
- b) **Public communal services:** mean sewage works and sewage systems, and water works that provide for the distribution, collection or treatment of sewage or water but which are:
 - i) not connected to full municipal sewage and water services;
 - ii) for the common use of more than five residential units/lots; and
 - iii) owned, operated and managed by either:
 - the municipality; or
 - another public body; or
 - a condominium corporation or single owner which has entered into a Responsibility Agreement with the municipality or public body, pursuant to of the Planning Act, providing for municipal/public body assumption of the communal services in the event of default by the owner.

Shopping Centre: means one or more buildings in excess of 3,000 square metres of gross leasable floor space containing at least four individual business establishments, planned, developed, owned and managed as a unit with contiguous common parking and pedestrian uses and common off street parking. Single commercial/retail uses in stand-alone buildings on the same lot shall be permitted as ancillary to the predominant use as a Shopping Centre.

Shoreline: means on a lake or river where the open water meets the land. For the purposes of setback from the water, it is the high water mark of the lake or river or the controlled upper navigation level as established by the Trent-Severn Waterway for waterbodies within their jurisdiction.

In a natural state, the land is composed of two zones. The first is referred to as 'riparian' zone that is the land closest to the shore that generally has a thick layer of low foliage that assists in

controlling erosion, filters impurities out of surface runoff, and may be subject to flooding. The higher, drier ground is called the 'upland' zone that is typically forested with the kinds of trees that take advantage of soils with good drainage.

Significant: means features or areas that are ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or natural heritage system. Significant can be of a Provincial Significance or one that is recognized by the Municipality as being Locally Significant.

Threatened Species: means any species likely to become endangered if limiting factors are not reversed.

Tourist Resort: means accommodation in the form of rental cottages and cabins, motel and/or hotel that is owned and managed as one establishment that also provides recreational facilities on site for guests. If it is abutting water, it can also provide facilities for boating and swimming.

Vulnerable: means a species of special concern because characteristics that makes it particularly sensitive to human activities or natural events.

Waste Disposal Facility: means a sanitary land fill site or a sewage treatment facility.

Waste Management System: means sites and facilities to accommodate solid waste from one or more municipalities, and includes landfill sites, recycling facilities, transfer stations, processing sites and hazardous waste depots.

Wayside Pit or Wayside Quarry: means a temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

Wetland: means lands that are seasonally or permanently covered by shallow water as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens. Periodically soaked or wetlands being used for agricultural purposes which no longer exhibit wetland characteristics are not considered to be wetlands for the purpose of this definition.

Wildlife Habitat: means areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. Specific wildlife habitats of concern may include areas where species concentrate at a vulnerable point in their annual or life cycle and areas that are important to migratory or non-migratory species.

Woodlands: means treed areas that provide environmental and economic benefits such as erosion prevention, water retention, provision of habitat, recreation and the sustainable harvest of woodland products. Woodlands include treed areas, woodlots or forested areas and vary in their level of significance.

6. LAND USE DESIGNATIONS

6.1. PRIME AGRICULTURAL DESIGNATION

6.1.1. Introduction and Purpose

1. The purpose of the Prime Agricultural designation is to protect and strengthen the agricultural community. The primary uses shall be for agricultural uses and agriculturally related uses. The designation is applied to Prime Agricultural Land and adjacent land to help ensure that there is not a disturbance caused by incompatible uses with agricultural operations or the new agricultural uses on prime agricultural land.
2. Incompatible uses are most frequently identified as non-farm related residential dwellings on small lots. As a result, this Plan contains policies that limit the creation of new lots in the Prime Agricultural designation.
3. The Growth Management Policies of this Plan support the protection of agricultural land by encouraging most of the projected population growth to locate in Settlement Areas.

6.1.2. Land Uses Permitted

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

- agricultural use
- agricultural-related uses
- home industry
- garden suite
- home occupation
- gravel pit subject to the policies herein
- wayside pit or quarry
- portable asphalt plant
- 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.

6.1.3. Residential Lot Creation

1. The City encourages 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 as set out in 6.1.9.
 - (c) the dwelling is not required for farm employees; and
 - (d) the farms are merged into a single parcel.
2. 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.

6.1.4. Agricultural Lot Creation

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 38 hectares; and
- (c) 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 agricultural buildings or facilities.

6.1.5. Existing Commercial or Industrial Uses

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 Separation Distance Formula; and
- (c) any expansion will be minor in size.

6.1.6. Existing Residential Clusters and Dwellings

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. A home occupation will be a permitted use subject to the policies within this Plan for a home occupation.

6.1.7. Gravel Pit

1. A Class B sand and gravel pit licenses that do not require extraction below the water table may be permitted without an Official Plan Amendment within lands designated Prime Agricultural, subject to:
 - (a) a Zoning By-law Amendment;
 - (b) providing the relevant mineral aggregate application submission materials as set out in this Plan within the Mineral Aggregate designation or as identified by the City through the required application pre-submission meeting; and
 - (c) securing the relevant mineral resource extraction license, application submission and approval.
2. Any expansion or alterations of such operations to a Class A pit, to a Class B pit with extraction below the water table or to a quarry license within an Agricultural designation, will require an Official Plan Amendment and further Zoning By-law Amendment, in accordance with the policies of this Plan.

6.1.8. Garden Suite

A garden suite is permitted subject to the provisions of section 4.18. In addition, these provisions, 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 a possible future severance. It should utilize the existing farm residence driveway if possible.

6.1.9. Minimum Distance Separation

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.

6.1.10. Official Plan Amendment

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 adjusting the urban designated lands upon lands designated as Prime Agricultural then it must be demonstrated that the municipality does not have sufficient lands already designated urban to accommodate projected growth.

6.2. RURAL DESIGNATION

6.2.1. Introduction and Purpose

1. Within the Rural designation, there are a number of agricultural operations. The purpose of this designation is to protect the agricultural uses while permitting additional uses that would support the agricultural community and would not conflict with them.
2. The purpose of the Rural designation is to protect and strengthen the agricultural community. The primary uses shall be for agricultural uses and agriculturally related uses. The Rural designation policies protect agricultural lands from the intrusion of land uses that are not compatible with agricultural operations. These incompatible uses are most frequently identified as non-farm related residential dwellings on small lots. As a result, this Plan contains policies that limit the creation of new lots in Rural designation.
3. The Growth Management Policies of this Plan support the protection of agricultural land by encouraging most of the projected population growth to locate in Settlement Areas.

6.2.2. Land Uses Permitted

1. The following uses will be permitted within the Rural designation:
 - active and passive recreation uses and facilities
 - agriculturally related commercial and industrial use
 - motor vehicle wrecking yard
 - convenience stores in conjunction with a motor vehicle fuel bar
 - dog kennel
 - farm implement dealers
 - golf courses
 - handicraft-antique shops
 - home industry
 - home occupation
 - garden centre
 - home and building supply
 - farm market
 - place of worship

- cemetery
 - dwelling
 - public and private infrastructure
 - motels
 - motor vehicle service stations or fuel bars
 - motor vehicle sales and service
 - marine and recreational vehicle sales and service
 - recreational vehicle, motor vehicle and marine storage
 - public park
 - restaurants
 - small-scale commercial, industrial and institutional use
 - school
 - utilities
 - waste disposal sites
2. The permitted uses and policies in Section 6.1 of this Plan for the Prime Agriculture designation are permitted and apply in this designation.
 3. All commercial, industrial, institutional and recreational uses shall be subject to a rezoning amendment and site plan control.

6.2.3. Non-Agricultural Uses

1. New non-agricultural uses are not to be established within the area identified on Schedule "E" as Mineral Aggregate Resource Areas (MARAs).

6.2.4. Minimum Distance Separation

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.

6.2.5. Location and Compatibility of Uses

1. Permitted agriculturally 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.
2. Uses may be located in the rural area where it is not feasible to locate within a settlement area because of the size of the required property and the location.
3. New or expanded lots for permitted uses shall conform to the provisions of this Plan and the Zoning Bylaw.

6.2.6. Trent-Severn Waterway Buffer Area

Notwithstanding the permitted uses within this designation, a 350-metre buffer abutting the lakes and rivers that form part of the Trent-Severn Waterway shall be maintained where commercial, industrial and tourist accommodation uses will not be permitted. The designations abutting these lakes and rivers will provide policies for commercial, industrial and tourist accommodation uses that would be permitted.

6.2.7. Residential Lot Creation

1. The City encourages 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 lot is not within the area identified on Schedule "E" as Mineral Aggregate Resource Areas (MARAs);
 - (d) the dwelling is not required for farm employees; and
 - (e) the farms are merged into a single parcel.
2. A residential lot for a farmer who is retiring 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. in area;
 - (c) the residential lot meets the Minimum Distance Separation Formula;
 - (d) the lot is not within the area identified on Schedule "E" as Mineral Aggregate Resource Areas (MARAs);
 - (e) the dwelling is not required for farm employees; and
 - (f) 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.
3. A residential infilling lot provided that:
- (a) the lot is considered to be residential infilling as defined;
 - (b) the lot is not within the area identified on Schedule "E" as Mineral Aggregate Resource Areas (MARAs);
 - (c) the residential lot size is in keeping with the configuration of the abutting lots and does not exceed 1 hectare in area and is not less than 4,000 sq.m. in area; and
 - (d) the residential lot meets the Minimum Distance Separation Formula.

6.2.8. Agricultural Lot Creation

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 32 hectares; and
- (c) 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 agricultural buildings or facilities.

6.2.9. Commercial and Industrial Lot Creation

A lot may be created for a permitted use subject to the following:

- (a) the lot fronts onto an arterial road or Provincial Highway;
- (b) an entrance permit for the proposed use has been obtained or will be granted;
- (c) the use will have no adverse effects upon surrounding uses;
- (d) the lot is not within the area identified on Schedule "E" as Mineral Aggregate Resource Areas (MARAs);
- (e) the lot will comply with the Minimum Separation Distance Formula; and,
- (f) the lot size is appropriate for the proposed use.

6.2.10. Golf Courses

Golf Courses will be permitted subject to the following:

- (a) it will front onto an Arterial Road or Provincial Highway;

- (b) an entrance permit for the proposed use has been obtained or will be granted;
- (c) the use will have no adverse effects upon surrounding uses;
- (d) the use is compatible with and will not hinder agricultural operations;
- (e) it will not be located within the area identified on Schedule "E" as Mineral Aggregate Resource Areas (MARAs);
- (f) appropriate studies prepared showing it will not adversely impact natural significant features and has a minimal impact on watercourses, groundwater resources, agriculture or other environmentally sensitive features; and
- (g) the studies to deal with items in (f) above are acceptable to the City.

6.3. COUNTRYSIDE DESIGNATION

6.3.1. Introduction and Purpose

The purpose of the Countryside designation is to recognize agricultural uses that require large areas for the grazing of livestock while recognizing the non-agriculture areas that are primarily forested and the recreational potential of the area.

6.3.2. Land Uses Permitted

1. The following uses will be permitted within the Countryside designation:
 - private clubs
 - forestry
 - sawmills
 - hunt camps
 - waste disposal sites
 - tent and tent park
2. The permitted uses and policies in Sections 6.1 and 6.2 of this Plan for the Prime Agriculture and Rural designations are permitted and apply in this designation.

6.3.3. Lot Creation

1. In the Rural Designation on parcels greater than 25 hectares, where the parcel is not the result of a lot created (severed or retained parcel) by the former County of Victoria Land Division Committee or the City Committee of Adjustment prior to the adoption of this Plan, then consents to create up to two new lots may be granted, if it does not reduce the parcel below 35 hectares.
2. If a lot has previously been severed prior to the adoption of this Plan, then only one further consent may be considered.
3. If a consent is granted based on the policies within the Prime Agricultural or Agricultural designations, then it will be considered a consent under the above policies.
4. If a consent is granted, the lots shall:
 - have a proposed use that will have no adverse effects upon surrounding uses;
 - not be within the area identified on Schedule "E" as Mineral Aggregate Resource Areas (MARAs);
 - comply with the Minimum Separation Distance Formula;
 - be of an appropriate size for the proposed use; and
 - be directed to infilling situations wherever possible.

6.3.4. Recreational Vehicle Parks

Recreational vehicle park development is intended to be non-water oriented and therefore should be directed to scenic areas substantially removed and visually hidden from lakes or rivers. Access should be off a public road in close proximity to a paved road, with the park shielded from public view. Recreational vehicle parks shall be located so that they are compatible with the agricultural activities in the area.

6.4. ENVIRONMENTAL PROTECTION DESIGNATION

6.4.1. Purpose

The purpose of the this designation is to identify land that is subject to flooding, were the water table is very close to the surface or is unsuitable for development due to physical hazards.

6.4.2. Land Uses Permitted

The following uses will 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

6.4.3. Lot Creation

1. The creation of lots within the Environmental Protection designation will not be permitted.
2. 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 proposed use.
3. No consent should be granted that would separate the land designated Environmental Protection from the designation abutting the Environmental Protection designation.

6.4.4. General Provisions

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.

6.4.5. Official Plan Amendment

1. Where major physical alterations to the land within this designation are proposed, multiple lots are being considered or a use where buildings or structures are proposed, an amendment to this Plan will be required.
2. As background to the amendment, a detailed flood evaluation should be carried out to the satisfaction of the City to demonstrate that the land is not subject to flooding by a regulatory flood or any other natural hazard and is suitable for development. The study should clearly delineate the boundary of the area subject to flooding.

3. The study shall be reviewed and accepted by the City in consultation with the Conservation Authority, Ministry of Natural Resources or by peer review.

6.4.6. Alternative Uses

1. 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, a detailed evaluation shall be undertaken to demonstrate that the land is not subject to flooding or other physical constraint. The evaluation shall be reviewed and approved by the City. The City will consult with the Conservation Authority or other expertise in the review of the evaluation.
2. If it is found through the evaluation that the boundary is in error and the land is not subject to flooding or other physical constraint, then an alternate use permitted in the abutting land use designation may be considered and the land appropriately zoned.
3. 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.

6.4.7. Detailed Flood Plain Mapping

1. Where detailed flood plain mapping exists or becomes available, the boundaries of the Environmental Protection designation may be interpreted as corresponding to the limits of the flood plain.
2. 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 or Conservation Authority.

6.4.8. Public Access

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

6.4.9. Parkland Dedication

1. Lands designated Environmental Protection may, at the discretion of the City, be accepted as part or all of the parkland dedication in a subdivision. All lands dedicated to the City shall be conveyed in a physical condition satisfactory to the municipality.
2. 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.

6.4.10. Existing Buildings or Structures

1. An existing non-conforming building or structure may be enlarged or expanded if it does not increase the potential number of persons using the building subject to:
 - (a) the determination that there will not be an unacceptable off-site impact due to the displacement of the flood water, and
 - (b) the enlargement to the building is appropriately flood proofed.
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.
3. The City will consult with the Conservation Authority, before allowing the expansion or enlargement.

6.4.11. Special Policy Area

1. Where there is existing development within a flood plain, no further development shall be permitted unless a detailed flood study satisfactory to 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.
2. If a Special Policy Area is approved, specific policies will be added to this Plan by amendment.

6.5. URBAN DESIGNATION

6.5.1. Introduction and Purpose

1. The purpose of the Urban designation is to apply a designation that permits a wide range of uses. It is primarily a temporary designation until detailed secondary plans have been prepared for the major settlement areas that are or will be on full municipal services. When the secondary plans are prepared, a number of other designations found within this plan will apply.
2. This designation will apply in the Bobcaygeon, Omemee and Woodville areas as well as the fringe area of Fenelon Falls.
3. 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.
4. The boundaries of former villages do not necessarily define the Urban Designation.
5. Within the Urban Designation, development should proceed based on the level of services that are currently provided.
6. The Urban Designation shall not be expanded beyond what is shown in this Plan unless the land will be serviced by both municipal water and sewage collection systems.
7. Commercial uses will also be regulated by Zoning By-law Amendment to ensure adequate control over their location and number.

6.5.2. Omemee

1. Omemee currently has a constraint on development because the sewage treatment system is at capacity. The Public Works Department using consultants is looking at a solution 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:
 - no new lots shall be created within urban designation in Omemee;
 - rezonings should not take place that would result in an increase in the sewage flow for the lots;

- the holding provisions within the zoning by-law shall not removed as it applies to lots; and
 - final approval of plans of subdivision and condominiums shall not take place.
2. Once the servicing issue has been resolved, the following policies shall apply in the Omeme area that is designated as Urban.
- The predominate 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.
 - Medium Density uses shall be located adjacent to and have access to a highway or arterial road. It will also be permitted on land 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.
 - 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.
 - 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.

6.5.3. Woodville

1. Woodville currently has a constraint on development because there is not sufficient quantity of water available on a year round basis to support additional development. Until the water quantity problem is resolved, the following will apply:
- 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;
 - rezonings should not take place that would result in an increase in the water usage for the lots; and
 - final approval of plans of subdivision shall not take place.
2. Once the servicing issue has been resolved, the following policies shall apply in the Woodville area that is designated as Urban.
- The predominate 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.

- 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 municipally owned water and sanitary sewer serviced land.
- 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.

6.5.4. Fenelon Falls Fringe

1. The following policies apply in the Urban designation for the fringe area abutting the former village of Fenelon Falls:
2. The predominate 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.
3. Medium Density uses shall be located adjacent to and have access to a highway or arterial road.
4. 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.
5. 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.

6.5.5. Bobcaygeon

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. Row or cluster dwellings may have a maximum density of 35 dwelling units per net hectare.
3. 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.
4. Medium density residential units shall only be permitted on full municipal services in Bobcaygeon.

5. Medium density residential development shall be located on lots having direct access to an arterial 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.
6. 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.
7. 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.
8. Special Purpose Commercial uses shall be located on arterial roads. Access shall require issuance of an entrance permit from the road authority having jurisdiction.
9. 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.
10. 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.
11. 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.
12. 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.
13. A neighbourhood commercial use such as a convenience store will be permitted in a residential area if it is compatible with the surrounding uses.

6.6. HAMLET DESIGNATION

6.6.1. Introduction and Purpose

1. The purpose of the Hamlet designation is to accommodate small-scale residential and non-residential development within existing settlement areas.

2. Unless full communal services are provided, growth in hamlets will be limited and they will not serve as growth areas within the City.

6.6.2. Land Uses Permitted

The following uses will be permitted within the hamlet designation:

- single detached dwelling
- cemetery
- commercial and business establishment essentially engaged in the buying and selling of goods and services
- destination commercial uses
- home occupation
- garden suites
- management of natural areas and natural resources for environmental management purposes
- personal and business service office
- place of assembly
- place of entertainment
- 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
- small-scale commercial or industrial establishment providing personal and business goods and services to the local community and the traveling public
- storage and warehousing
- accessory dwelling unit above or within a permitted commercial or business establishment

6.6.3. Lot Creation

1. Infill development is encouraged if the proposed development is in keeping with the existing character of the area.
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.
3. Residential activity will be encouraged in depth rather than in strips along highways and arterial roads.
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 or
5. Subject to allowing for access for future development in depth, consents will be permitted when the lot fronts onto an existing road.

6.6.4. Density of Residential Development

1. The minimum lot size should be 4,000 sq.m. when individual services are provided;
2. For development on individual services, a hydrogeological study is to be prepared 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.

6.6.5. Servicing

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 accommodate additional lots within the area already designated as Hamlet. The City is not looking at assuming any new communal systems.

The Hamlet 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.

6.6.6. Parking and Buffering

1. 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.
2. 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.
3. Open storage of goods or materials shall be permitted with appropriate screening and buffering from sensitive land uses.

6.6.7. Commercial and Industrial Uses

1. 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.
2. 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.
3. 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.
4. 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.

6.7. WATERFRONT DESIGNATION

6.7.1. Purpose

1. The purpose of the Waterfront designation is to permit seasonal and permanent residential development adjacent to the lakes and rivers within the City. Within this designation, commercial uses with a tourist orientation will also be permitted.
2. 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 be permitted. The exception to this is if the land has already been divided and/or developed prior to the adoption of this Plan.
3. Where the upland meets the open water with no wetland between them, the Waterfront designation will be permitted 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.

4. Where there are already existing residential lots adjacent to the shoreline, additional lots will be permitted at a low density on large lots where access or use of the waterfront is not anticipated.
5. The Waterfront designation is not anticipated to accommodate the projected population growth within the City. New growth will be encouraged to locate in Settlement Areas.
6. New development will primarily be developed on individual services at a low density. Single unit residential lots are the preferred form of development. Multi-unit developments will be directed to fully serviced settlement areas.
7. The Waterfront designation shall not be interpreted as extending back any further than 300 metres from the water's edge.
8. Within the Waterfront designation, natural form and function shall dominate. Naturalized and/or vegetative shorelines should be retained and restored wherever possible. Lot sizes and development design will respond directly to the natural shoreline character.

6.7.2. Land Uses Permitted

The following uses will be permitted within the Waterfront designation:

- vacation dwelling
- permanent dwelling
- marina
- recreational vehicle park
- tourist resort
- municipal park

6.7.3. Lot Creation for Residential Lots

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

- (a) Within this designation, 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. This requirement does not apply to island lots.
- (b) Notwithstanding the above, infilling residential lots will be permitted provided the lots are not less than 2,000 sq. m. in area with a minimum lot frontage of 30 m. This requirement does not apply to island lots.
- (c) 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 15 m. of the waters edge.
- (d) If the shoreline land is already developed and serviced by a municipally assumed and maintained year round road, backlot development will be permitted having access onto the municipal road if the lots 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.

6.7.4. Water Setback and Accessory Uses

1. A natural buffer of 30 metres from the high water mark of a waterbody will be maintained with non-disturbance of the vegetation and soils. The buffer should consist of vegetation native to this area of Ontario.
2. These buffer strips should be left naturally vegetated to maximize their ability to control the transfer of pollutants into water bodies, provide food for fish, control water temperatures and provide habitat for other wildlife.
3. Within the 30-metre water setback, a boathouse and dock will be permitted.
4. Notwithstanding the above, the natural buffer may be reduced to a depth of 8 metres for 25% of a lot's water frontage or a maximum of 9 metres to permit a boathouse or boatport. Within this reduced buffer, a boat ramp and walkway to the shoreline will be permitted.
5. The buffer should consist of vegetation native to this area of Ontario. A mowed grass lawn within the buffer will be discouraged.
6. Docks and boathouses must be set back from the side lot line or a projection thereof for a minimum of 4 metres.
7. Boathouses and boatports shall be single storey with no habitable rooms associated with them. Flat and gentle sloping roofs are encouraged on boathouses and boatports. The maximum height for a boathouse or boatport shall be 4.5 metres to the peak of the roof from average ground and/or water elevation abutting the side of the building facing the water.
8. New boathouses shall not extend out into the water, but shall be built on the upland and a marine railway should be utilized to provide access for the boats to the water.
9. Docks are to be of a temporary kind mounted on poles or be floating docks that can be removed during the off-season.
10. Retaining walls and hard surfaces that are at the waters edge or in the water are discouraged.
11. 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.
12. Septic tanks, holding tanks and leaching beds should be set back a minimum of 30 metres from waters edge of a lake or river. For existing lots of record where there is not sufficient area to accommodate this setback, all effort should be made to have as wide a setback from the water as possible, but in no case shall it be less than 15 metres to the high water mark.

6.7.5. Density and Massing

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.
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 targets:
 - (a) 25% of the shoreline frontage or up to 23 m., whichever is the lesser;
 - (b) 25% of the shoreline frontage of an open space block or up to 30 m. whichever is lesser for residential cluster development;

- (c) 33% of the shoreline frontage for resort commercial and waterfront lands; and
 - (d) 50% of shoreline frontage for marinas.
3. Development will retain as much natural shoreline vegetation as possible to minimize visual impact.
 4. Tree cover and vegetation shall be retained to uphold the environmental integrity of the waterfront.
 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 characteristic features. Built form shall not dominate the landscape.

6.7.6. Commercial Uses

1. Rezoning resorts from commercial to residential shall be discouraged. A report will be required to demonstrate that the property is not suitable for commercial uses.
2. New commercial development shall have access by public road and will be subject to site plan control.
3. With the exception of marinas, a 30 m. setback will be observed for tourist resorts and recreational vehicle parks. The exception to this is for docking and marine facilities.
4. Tourist Resorts and recreational vehicle parks shall be developed with the provision of on site active and passive recreational amenities.
5. A minimum of 35% of the lot shall be maintained as open space and does not include any area used exclusively by one unit on a camping lot.
6. Adequate on site parking shall be provided.
7. Adequate setbacks, fencing and/or buffers shall be utilized to minimize possible conflicts with adjacent uses.
8. An impact assessment of a proposed development on a waterbody shall be required to ensure water quality protection. The study should take into consideration the existing water quality of the waterbody, surface water runoff, impact and loadings of phosphorous from septic system, type of soils, storm water management and nature of vegetation. Site Plan Control can be used to implement the recommendations from the impact assessment.

6.7.7. Cluster Residential Development

1. Cluster development will be permitted and will consist of a group of single detached dwellings each located on an individual lot, setback from the shoreline with the shoreline being maintained as communal open space. The lots will have individual servicing for water and sewage.
2. Each cluster will be limited to a maximum of 25 lots with single detached dwellings on individual lots only. Clusters will be separated by at least two concession lots or 2.4 km. whichever is greater.
3. Gross density of cluster developments will not be greater than 25 lots in 40 ha or a ratio of one lot for every 1.6 ha of total development area.
4. Average lot size should be 1.2 ha. and the minimum road frontage shall be 90 m.
5. The cluster development will require a water frontage that is left as communal open space at a rate of one dwelling unit for every 15 m. of shoreline. The minimum

communal shoreline shall be 120 m. with a minimum depth of 30 metres. Shoreline shall only be considered for this calculation where the upland meets the waters edge with no wetland between them.

6. An impact assessment of a proposed development on a waterbody shall be required to ensure water quality protection. The study should take into consideration the existing water quality of the waterbody, surface water runoff, impact and loadings of phosphorous from septic system, type of soils, storm water management and nature of vegetation. Site Plan Control can be used to implement the recommendations from the impact assessment.
7. A minimum 30 m. set back with non-disturbance of vegetation and soils for cluster residential development to be provided.

6.7.8. Lake Plans and Increased Development

1. Individual lake plans and lake stewardship programs will be utilized as a method to identify important local values, features and individual lake characteristics.
2. The plans shall be developed involving as many residents adjacent to a lake as possible.
3. The plans shall be developed as a secondary plan to this plan and may incorporate policies that are unique to a specific lake.
4. Until a lake plan is completed, multi-unit developments under one ownership or as a condominium will not be permitted on a lake. The exception to this is development within existing fully serviced established settlement areas such as Bobcaygeon and Fenelon Falls.
5. Communal water or sewage systems to service new developments will not be permitted until a lake plan is completed. The exceptions to this are municipal systems installed to service existing areas where environmental problems have been identified.
6. Communal water systems should not be allowed to distribute raw untreated surface water.

6.7.9. Special Policies for Sturgeon Point

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 of Kawartha Lakes. The following will apply within the Waterfront Designation within the former boundaries of the Village:

- (a) the character and integrity of the former village shall be retained and enhanced.
- (b) the existing social, environmental and aesthetic qualities of the community will be recognized.
- (c) existing infrastructure including street pattern and lighting shall be maintained, except where changes are required for public safety purposes.
- (d) narrow streets and low wattage/modest exterior public lighting shall be retained and maintenance will be conducted accordingly.
- (e) new residential development will be permitted, but only where its location is compatible with existing development.
- (f) the Zoning By-Law shall reflect the existence of small residential lots and provide for their continued use.

- (g) the predominant land-uses shall remain residential, rural, recreational, open space and community facility. No new commercial or marina development shall be permitted.
- (h) 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.
- (i) 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.
- (j) further development requiring application under the Planning Act shall have regard to the existing character of the former village.
- (k) the historic significance of the Village is noted and designation of historically significant structures and landscapes is encouraged.

6.8. HIGHWAY COMMERCIAL DESIGNATION

6.8.1. Purpose

The purpose of the Highway Commercial designation is to accommodate 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.

6.8.2. Land Uses Permitted

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

- animal hospital and veterinarian
- 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 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

6.8.3. Location

1. Highway Commercial designations shall be limited to a Provincial Highway or Arterial Road.
2. Access shall be encouraged via a local road system to prevent strip commercial development along Provincial Highways. If direct access onto a Provincial Highway is necessary, entrance permits shall be obtained from the Province. The issuance of permits for entranceways to a Provincial Highway is solely within the discretion of the Province.

6.8.4. Servicing

1. Within the Highway Commercial designation, Council will encourage that the land be serviced by municipal communal services. Partial services will not be encouraged.
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.

6.8.5. Retail Commercial Floor Space

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.

6.8.6. Official Plan Amendment

1. The creation of new or expanded Highway Commercial areas shall be considered by an Official Plan Amendment.
2. A detailed planning study shall be submitted to the City by the proponent with each application that clearly establishes how the objectives and policies of this Plan are satisfied.

6.8.7. Lot Creation

1. The creation of a new or expanded lot in a Highway Commercial designation is permitted if the access for the lot is safe and if necessary improvements are made to the road to provide for turning lanes and an entrance permit is obtained.
2. The lot shall be of a size to accommodate the use along with appropriate area for the sewage disposal system and well if on private services.

6.8.8. Special Requirements

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.

6.9. INDUSTRIAL DESIGNATION

6.9.1. Purpose

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

6.9.2. Land Uses Permitted

The following uses will be permitted within the 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.
- trade or occupation establishment
- truck or transportation terminal
- utility and transportation functions
- warehousing and indoor or outdoor storage establishment

6.9.3. Location

New industrial development should:

- be located on or near main transportation routes;
- be directed to lower potential agricultural land whenever possible;
- not compromise future development of aggregate resources;
- be directed away from areas with high potential for recreational and/or tourist development;
- not detract from the surrounding natural environment;
- not result in truck traffic which would adversely affect sensitive land uses;
- be separated from sensitive land uses; and
- 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.

6.9.4. Servicing

1. Within the Industrial designation, Council will encourage that the land be serviced by municipal communal services. Partial services will not be encouraged.
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.
3. Industrial uses on private services should be restricted to ones that are low water users.

6.9.5. Parking

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

6.9.6. Special Provisions

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 hydrogeological study, and an engineering report shall be submitted to and approved by the City.

6.10. PIT DESIGNATION

6.10.1. Purpose

The purpose of the Pit Designation is to recognize provincially licensed and active sand and gravel operations.

6.10.2. Pit Designation Permitted Land Uses

The following uses will be permitted within the Pit Designation:

- pits licensed pursuant to the Aggregate Resources Act
- quarry licensed pursuant to the Aggregate Resources Act where the aggregate material can be extracted by mechanical means with no blasting required
- accessory uses such as crushing, screening, washing, stockpiling, and blending, weight scales, operational maintenance/repair facilities, and offices
- importation only of mineral aggregate for blending or stockpiling and topsoil for rehabilitation.
- agricultural uses
- natural heritage and wildlife habitat conservation, management, rehabilitation and/or stewardship
- forestry
- recycling plants may be permitted in a site-specific by-law for the recycling only of inert materials such as asphalt, concrete, brick and porcelain
- portable and permanent asphalt plants, ready-mix concrete plants and similar uses may be permitted in a site-specific by-law

6.10.3. Water Taking

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. A permit to take water will be required if the proposal uses more than 50,000 litres per day. 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.

6.10.4. Location of New Extraction Operations

1. Extraction operations will be encouraged to situate in locations appropriately separated from existing and/or planned sensitive land uses.
2. The area considered to have the most impact on sensitive land uses from pit operation is 150 m. for a pit above the water table and 300 m. for a pit below the water table. The City will require environmental studies to assess the impact if development occurs within this influence area. This influence area applies to new sensitive land uses encroaching upon an existing pit operation or for new pits encroaching on sensitive land uses.
3. 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.

4. Encourage progressive rehabilitation in sequence with site extraction activities.
5. 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.

6.10.5. Applications for New/Expanded Extraction Operations

1. 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.
2. New mineral aggregate extraction operations may only locate within areas identified as MARAs in the Official Plan.
3. Within the Rural and Prime Agricultural designations, a Class B sand and gravel pit licenses that do not require extraction below the water table are a permitted use without an Official Plan Amendment. Any expansion or alterations of such operations to a Class A pit or to a quarry license or to extract below the water table, will require an Official Plan Amendment and further Zoning By-law Amendment, in accordance with the policies of this Plan.
4. In Prime Agricultural designated areas and on prime agricultural land, extraction of mineral aggregates are 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 pit makes restoration of pre extraction agricultural capability unfeasible;
 - Agricultural rehabilitation in remaining areas will be maximised; andsubject to the land being designated as Pit in this Plan.

6.10.6. Application Submission Requirements

1. An application pre-submission meeting will be required by the City to identify the required reports to be filed (including a scoping of the reports, where appropriate) to be filed with the application, as well as to establish the applications' evaluation and, where necessary, City peer review processes, Relevant agencies (such as the Ministry of Natural Resources and Conservation Authorities) will be encouraged to participate in this meeting.
2. The Official Plan Amendment and/or Zoning By-law Amendment applications shall include the following reports prepared by qualified professionals:
 - (a) All reports required by the Aggregate Resources Act (including detailed site and rehabilitation plans);
 - (b) An Environmental Evaluation for the site and all lands within 120 metres of the site as follows:
 - (i) a detailed description and physical delineation of the following natural heritage features:

- significant wetlands;
 - significant ANSIs;
 - significant/confirmed portions of the critical habitat of endangered and threatened species;
 - significant woodlands; and,
 - fish habitat.
- (ii) a characterization of the existing ecological functions associated with the natural heritage feature(s);
- (iii) a detailed description of effects of the proposed extractive operation (including extraction, stockpiling, processing, wash/waste water, transportation) on these natural heritage feature(s);
- (iv) a prediction of the potential impacts (direct, indirect and cumulative) of the extraction operation on these natural heritage feature(s) and wildlife habitat(s);
- (v) selection of a preferred mitigation and rehabilitation strategy;
- (vi) a summary of the predicted net effects after application of the preferred mitigation and rehabilitation strategy;
- (vii) recommendations regarding a monitoring program, where appropriate, to evaluate the effectiveness of the mitigation and rehabilitation strategy on an ongoing basis;
- (viii) identification of required setbacks and/or vegetative buffers to be maintained around each natural heritage feature; and
- (ix) identification of construction and operational practices that will maintain and, where possible improve and/or restore the health, diversity and size of natural heritage feature(s) and their compatibility with other natural heritage feature(s).
- (c) A land use compatibility evaluation of the potential for noise, dust, vibration or other potential effects on any sensitive land uses and the identification of potential mitigation measures related thereto.
- (d) Where a Watershed or Subwatershed Plan has been approved, an analysis that demonstrates how the operation will comply with and implement the recommendations of that Plan.
- (e) All mineral resource extractive applications will be required to provide a preliminary hydrogeological assessment to identify the potential for adverse effects on ground and surface water resources including natural heritage features that may be affected by changes in ground and/or surface water (such as on-site and/or adjacent significant wetlands or streams) and existing private water supply systems and their use. This preliminary assessment will identify significant groundwater recharge/discharge areas through a detailed site evaluation.
- (f) All mineral resource extractive applications on lands identified as:
- (i) comprising significant hydrogeologic features or functions;
 - (ii) comprising significant groundwater recharge and/or discharge areas; or,
 - (iii) where the potential for adverse effects has been identified such as a wellhead protection area.
- (g) The Applicant will be required to provide a detailed hydrogeological

assessment to:

- (i) inventory and describe the existing hydrogeologic conditions;
 - (ii) identify the potential effects from all activities associated with the proposed extractive operation;
 - (iii) identify recommended mitigation measures; and,
 - (iv) establish a monitoring program, if required.
- (h) A noise study where sensitive land uses are located within 150 metres of a proposed pit or no-blasting quarry, or within 500 metres of a proposed quarry.
- (i) A traffic study identifying:
- (i) traffic projections;
 - (ii) potential haul routes, their usage and any required road improvements thereto to accommodate the extraction use; and,
 - (iii) site access (combined site access and internal operational routes with abutting extractive uses will be encouraged, wherever feasible); and,
 - (iv) an identification of all existing and planned land uses within 100 metres along each side of the proposed haul route.
- (j) Where requested by the City in the pre-submission meeting, a cultural heritage study describing:
- (i) registered and/or potential archaeological sites;
 - (ii) built heritage resources; and
 - (iii) cultural heritage resources
- on, or adjacent to the site as well as on, or within 500 metres of proposed haul routes, and identifying the potential for impacts on these features and potential mitigation measures related thereto.
- (k) Where requested by the City in the pre-submission meeting, a visual assessment describing views into the site from surrounding roads and adjacent sensitive land uses identifying any required mitigation measures (such as berms, landscaping and/or vegetative screening, equipment screening and site phasing).
- (l) The City will consult with adjacent municipalities where a mineral resource extraction application may affect lands, or rely upon roads, situated in that municipality.

6.10.7. Zoning

1. All licensed extraction operations will be zoned in a separate, distinct zone category, which will incorporate relevant setbacks, on-site, etc as identified in the extraction license.
2. Establish two separate zoning categories distinguishing sand/gravel pit and non-blasting quarry operations from blasting quarrying operations (due to their generally different operational characteristics).

6.10.8. Other License Operation Policies

1. The City will:

- (a) encourage aggregate extraction plans that limit the amount of disturbed area at any one time and encourage early progressive rehabilitation.
 - (b) promote site designs that minimize environmental and social impacts.
 - (c) encourage well-designed site screening and rehabilitation that is compatible/consistent with the area's existing landscape and natural heritage character.
 - (d) encourage site access locations that discourage direct views into the internal operational areas.
2. Emissions from extraction operations shall conform to the relevant MOE regulations re air quality.
 3. 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 (Aggregate Resources Act) and/or conditions of municipal development approval (Planning Act).

6.10.9. Consents

1. 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.
2. The lot size shall be appropriate for the proposed use.

6.10.10. Peer Review

The required application pre-submission meeting will identify the City's needs for peer review of any of the studies submitted in support of the Official Plan Amendment and/or Zoning By-law Amendment to permit a licensed aggregate operation. 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 and the City will enter into an agreement with the applicant regarding the administration of such costs.

6.10.11. Financial Securities

The City may require Letters of Credit to secure municipal requirements associated with the extraction license approval.

6.10.12. Operational Controls

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

6.10.13. Road Improvements

1. Road improvements will be a condition of the municipal planning approvals.
2. 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

6.11. QUARRY DESIGNATION

6.11.1. Purpose

The purpose of the Quarry Designation is to recognize provincially licensed and active quarry operations.

6.11.2. Quarry Designation Permitted Land Uses

The following uses will be permitted within the Quarry Designation:

- quarries and pits licensed pursuant to the Aggregate Resources Act
- accessory uses such as drilling, blasting, crushing, screening, washing, stockpiling, and blending, weight scales, operational maintenance/repair facilities, and offices
- importation only of mineral aggregate for blending or stockpiling and topsoil for rehabilitation
- Agricultural
- natural heritage and wildlife habitat conservation, management, rehabilitation and/or stewardship
- forestry
- recycling plants may be permitted in a site-specific by-law for the recycling only of inert materials such as asphalt, concrete, brick and porcelain
- portable and permanent asphalt plants, ready-mix concrete plants and similar uses may be permitted in a site-specific by-law

6.11.3. Applicable Policies for the Quarry Designation

1. The policies within the Pit Designation shall apply to the Quarry Designation. Special attention will be given to studies related to blasting, noise and vibration due to blasting and drilling and mitigative measures to reduce the impact on surrounding uses.
2. If land is designated, zoned or 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.
3. The area considered to have the most impact on sensitive land uses from quarry operations is 500 m. around the quarry. The City may require environmental studies to assess the impact if development occurs within this influence area. This influence area applies to new sensitive land uses encroaching upon an existing quarry operation or to new quarries encroaching on sensitive land uses.
4. In Prime Agricultural designated areas and on prime agricultural land , extraction of mineral aggregates are permitted as interim use provided that rehabilitation of the site will be carried out whereby substantially the same areas and same average soil quality for agriculture are restored.
5. On these prime agricultural lands, complete agricultural rehabilitation is not required if:

- there is substantial quantity of mineral aggregates below the water table warranting extraction;
- 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
- agricultural rehabilitation in remaining areas will be maximised.

6.12. RURAL ESTATE DESIGNATION

6.12.1. Purpose

The purpose of the Rural Estate designation is to permit residential lots on large lots.

6.12.2. Land Uses Permitted

The following uses will be permitted within the Rural Estate designation:

- § Single detached dwellings
- § Home occupation

6.12.3. Criteria for Rural Estate Designation

1. The Rural Estate designation shall only be used for rural residential development comprised of a minimum of 20 lots to be developed by plan of subdivision. A maximum of 50 lots will be permitted in any one area to ensure that such developments do not reduce the dominance of hamlets as the primary location for rural residential development
2. In evaluating rural estate development proposals, attention should be given to the extent of development proportionate to housing demands and the economic and financial capabilities of the municipality to provide appropriate levels of service.
3. To ensure that the health, welfare, safety and satisfaction of future residents is protected and the municipality will not be faced with expensive servicing costs in the future, rural estate development should only be established where soil and drainage conditions ensure a suitable water supply and an adequate means of sewage disposal. Special attention will be given to the impact that the development may have on recharge areas and related water quality in the surrounding area.
4. The site should be reasonably close to community facilities.
5. Rural Estate development shall not be permitted within a Prime Agricultural designated area and it must be demonstrated that any land to be considered for redesignation will not affect agricultural uses.
6. Rural Estate development shall not be permitted on areas identified as Mineral Aggregate Resource Areas and it must be demonstrated that any land to be considered for redesignation will not affect existing aggregate extraction or potentially new ones that could be established in MARAs.
7. An assessment of the forest potential of the proposed site should be undertaken to ensure that significant prime forests are not taken out of production.

6.12.4. Lot Size

The principle of low density rural estate development shall be maintained by establishing a minimum lot area consistent with the natural characteristics of the site, having particular regard for tree cover, topography and a sense of privacy on individual lots. The lot size may range from 4,000 sq.m. to two hectares.

6.12.5. Location

1. Rural estate development should be directed to locations where the natural landscape can assimilate the residential structures without the loss of the natural features of the site. Sites must be predominantly wooded and possess special landforms and interesting topography. Building location and landscaping should complement existing topography and vegetation and ensure privacy between dwelling units. The design should ensure that unique qualities of the landscape and a significant amount of tree cover are preserved for the visual enjoyment of the entire community.
2. The proposed development should be near a "black topped" municipal road maintained on a year-round basis or alternatively, the developer must be prepared to rebuild and/or resurface the connecting road at his cost, to the satisfaction of the City.
3. The development should be serviced by an internal road network. If it is clearly not necessary in the public interest to have all lots front onto an internal road network, then a limited amount of development may be permitted to front onto a municipal or arterial road. The criteria to determine if access should be onto existing roads are: the shape of the land holding; topography; vegetation; and, the existing and proposed road network.
4. The site should be serviced by existing school bus routes. The capacity of local schools should be shown to be sufficient to accommodate the needs of the new development.
5. The Resort Estate Designation will be directed to lands being classes 5 to 7 for agricultural potential and shall not be within a kilometre of lakes or rivers that form the Trent-Severn Waterway.

6.12.6. Servicing

The development of a site should not produce an undesirable impact on the municipality by increasing the demand for local services beyond an acceptable level.

A hydrogeological assessment study shall be submitted as background information with the application for a plan of subdivision.

The density of development within the subdivision will be determined by the results of the hydrogeological assessment when the results have been accepted by the City. The City must accept the hydrogeological assessment report prior to draft approval of the subdivision being given.

6.13. RESORT ESTATE DESIGNATION

6.13.1. Purpose

The purpose of the Resort Estate designation is to permit residential lots on large lots combined with a recreational facility or use.

6.13.2. Land Uses Permitted

The following uses will be permitted within the Resort Estate designation:

- Single detached dwellings
- Home occupation
- Golf course
- Cross country or down hill ski area
- Riding stable and trails

6.13.3. Criteria for Rural Estate Designation

1. It is intended that the residential component of such development shall be clustered and the majority of the land area will be devoted to the recreational feature.
2. The recreational component of the development shall be owned in common by the residents or appropriately zoned to ensure that the open space and recreational features are maintained.
3. The residential component shall comply with the provisions in Section 6.12 for rural estate development except that the lot size provisions will not apply.
4. The recreational component of a proposal should be developed prior to or concurrent with the residential component.
5. In calculating density of development, the area devoted to recreational use shall be considered. The maximum density shall be one dwelling unit per hectare devoted to the recreational feature. The residential lot size may vary in accordance with site characteristics.
6. Prior to an amendment to this Plan, a master plan of the resort estate 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, residential 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.
7. The Resort Estate 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 and shall not be within a kilometre of lakes or rivers that form the Trent-Severn Waterway.

6.13.4. Servicing

1. With the clustering of the residential component, resort estate development is encouraged to be on full communal services. The servicing should also include servicing the recreational use.
2. Where the recreational feature or use is a low capital use such as a cross country ski area or horse back riding trails facility, the residential lots may be permitted on individual services provided a hydrogeological study indicates that this type of servicing can be provided and the residential lots have a minimum lot area of 4,000 sq.m.

6.14. TOURIST COMMERCIAL DESIGNATION

6.14.1. Purpose

The purpose of the Tourist Commercial designation is to permit tourist commercial uses.

6.14.2. Land Uses Permitted

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

- One dwelling unit
- Golf course
- Resort including a hotel
- Seasonal Trailer Park
- Restaurant

6.14.3. Criteria for Tourist Commercial Designation

1. The resort will consist of units that can provide sleeping and full washroom facilities to units that are fully self-contained and provide sleeping, washroom, kitchen, eating, laundry and a living room type area.
2. The resort units 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. No individual, group of individuals or household shall have ownership or use of a unit or units within the resort for more than 12 weeks in a calendar year. The purpose being that the individual, group of individuals or household n
3. The Tourist Commercial uses will be subject to the Site Plan Control provisions of the Planning Act.
4. 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.
5. 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.

6.15. MOBILE HOME PARK DESIGNATION

6.15.1. Purpose

The purpose of the Mobile Home Park Designation is to accommodate factory built modular and mobile homes in a community setting. The homes shall be grouped together and managed as one development.

6.15.2. Land Uses Permitted

The following uses will be permitted within the Mobile Home Park designation:

- Single detached modular or mobile dwellings
- Recreational or community facility or use
- open space use
- Convenience store for the exclusive use of the residents within the mobile home park development

6.15.3. Criteria for Mobile Home Parks

1. Within the Mobile Home Park Designation, the entire project and land holding is to be owned and managed by a single owner, company or organization that has title to the land and leases individual mobile home sites within the park. Alternatively, it can be held as a condominium with individuals owning the modular or mobile home unit or parcel on which it is located.

2. A mobile home park shall not be subdivided by a plan of subdivision or consent to sever and the landowner shall not enter into any agreement that has the effect of granting the use of or right in land directly or by entitlement to renewal for a period of twenty-one years or more.
3. Mobile home park development shall not be permitted within a Prime Agricultural designated area.

6.15.4. Servicing

1. The City may determine the type and character of units permitted.
2. The developer shall enter into an agreement with the municipality that shall detail the obligations of the developer with respect to, among other matters, the construction and maintenance of all internal roads, services and facilities, drainage and stormwater facilities, and securities for the various facilities and works to specifications and standards acceptable to the municipality. As part of the agreement, the developer shall prepare a plan depicting all mobile home sites, internal roads, easements and such other features deemed appropriate by the City.
3. The provision and maintenance of all services within a mobile home park development including water supply, sewage disposal, roads, walkways, garbage disposal and all recreational amenities shall be the responsibility of the park owner unless the municipality agrees to assume responsibility as per an agreement.
4. The mobile home park should be serviced by municipally owned and operated piped water and sewage systems. Where these services are not available, the mobile home park shall be serviced by communal piped water supply and sewage disposal facilities built to the standards set by the Province and acceptable to the City.
5. To ensure that the health, welfare, safety and satisfaction of future residents is protected and the Municipality will not be faced with expensive servicing costs in the future, mobile home park development should only be established where soil and drainage conditions ensure a suitable water supply and an adequate means of sewage disposal. Special attention will be given to the impact that the development may have on recharge areas and related water quality in the surrounding area.
6. Mobile Home Parks shall be subject to the following locational criteria:
 - (a) A mobile home park shall front onto and have direct access to a highway, arterial or collector road. Alternatively, a local road may be used for access to a park provided the developer is prepared to accept the cost of reconstructing the local road, to the satisfaction of the road authority, to provide a hard topped surface from the park entrance to a highway, arterial or collector road.
 - (b) The park entrance must be on an existing school bus route.
 - (c) It shall not be on land designated Environmental Protection, identified as being a Sensitive Area or displaying such environmental constraints as poor drainage, high water table, extended seasonal wetness, areas having steep unstable slopes or demonstrating susceptibility to erosion.
 - (d) The park shall be in close proximity to an urban centre that offers a full range of commercial, recreational, social and medical facilities.
 - (e) Directed away from areas where it could have a detrimental impact on the quality of the environment.
7. Where this Plan is being amended to designate land for a mobile home park, the following shall be provided as background material for the amendment:

- (a) A report encompassing: an analysis of demand for a park in the proposed location; the relationship and impact on schools, municipal finance, recreation facilities, traffic analysis and other public facilities.
 - (b) A hydrogeology and soil report including an impact assessment at a level of detail acceptable to the Province and the City if the park is not to be connected to municipal water and sewage services.
 - (c) A scaled plan showing the existing: topographical features; drainage showing areas with a high water table or which are seasonally wet; trees and shrubs; existing buildings or structures; and surrounding buildings, structures and land uses within 120 metres of the property boundaries.
 - (d) A scaled site plan showing the proposed development including: road layout; the siting and use of all proposed buildings, structures and facilities; proposed final grades; existing trees and shrubs to be retained as well as new plantings; parking areas; drainage; walkways; open space areas; and location of any proposed subsurface sewage disposal areas, replacement areas and wells.
 - (e) A report providing detailed information in conjunction with the site plan describing: servicing; recreational and commercial uses and facilities; and, compatibility with adjacent uses.
 - (f) Prior to the adoption of an amendment to this Plan or the zoning by-law if an existing park is being expanded, commitment for the assumption of ownership, operation and maintenance by the municipality of the proposed water and sewage services be established.
 - (g) The services will be operated and maintained by the municipality according to standards set by the Province. In cases where it can be demonstrated that municipal operation and maintenance is not in the best interest of the residents and the environment, the municipality may enter into a legal agreement with a mobile home park operator for the operation of the services. In cases where communal sewage services are not operated and maintained by the municipality a legal responsibility agreement is required between the proponent and the municipality requiring the municipality to assume responsibility for the communal sewage works in the event of default by the proponent.
8. The legal agreement should set out: operation and maintenance standards, define what would be considered a default, the remedial action to be taken, easements where required, and the registration of the agreement and easements on title of the subject property. The agreement may also include financial assurance provisions.
 9. It is intended that the design concept for a mobile home park will foster a sense of community with the residential component designed in a compact manner.
 10. The layout of each mobile home project shall be fitted to existing terrain with a minimum of disturbance to the land and environment. Existing trees and other natural site features shall be preserved as much as possible.
 11. Provision of extensive open space areas through the clustering of dwelling units will be encouraged.
 12. To minimize the impact on existing recreational facilities, a mobile home park shall include a community facility that is readily accessible to all the development and offers a variety of indoor and outdoor recreational activities for all age groups. All recreational and activity areas shall be of sufficient size and appropriately equipped to accommodate the anticipated size of the development and shall be provided with the initial phase of a development.

13. Access to all dwellings within a mobile home project shall be from internal roads constructed by the developer to standards set by the City. The road surface shall be of sufficient width to accommodate two way traffic flow and on-street parking.
14. The maximum density for parks serviced with full piped municipal water and sewer services shall be 16 mobile homes per gross hectare. The maximum density for developments serviced by communal water supply and/or sewage disposal facilities shall be the lesser of, 7 mobile homes per gross hectare, or as determined by the results of the required hydrogeological assessment.
15. A mobile or modular home shall not exceed a gross floor area of 125 square metres.
16. All mobile home parks shall be designed with facilities to accommodate individuals of all ages.
17. The development of a site should not produce an undesirable impact on the Municipality by increasing the demand for local services beyond an acceptable level.
18. A mobile home park should be designed in a manner whereby it will not conflict with adjacent uses.
19. The policies herein apply to any expansion of existing mobile parks.

6.16. LONGFORD RESERVE DESIGNATION

6.16.1. Purpose

The purpose of the Longford Reserve Designation is to recognize the uniqueness of the geographic township of Longford. It is owned by Longford Reserve Limited. The members or shareholders can enter into an agreement with Longford Reserve Limited for the exclusive use of a defined site within the township. On each site, a member may build one or more cottages along with accessory buildings or structures.

This area is predominately forested with various lakes, rivers and wetlands.

6.16.2. Land Uses Permitted

The following uses will be permitted within the Longford Reserve designation:

- Vacation dwellings
- Hunt camps
- Forestry
- Active and passive recreation uses and facilities
- One lodge with up to 10 guest rooms or suites
- Two dwellings for staff

6.16.3. Special Policies

1. A maximum of 100 dwellings shall be permitted within the entire Township. Dwellings and buildings containing habitable rooms shall be setback a minimum of 30 metres from edge of a lake or river.

2. As an accessory use to a vacation dwelling, bunkies or sleeping cabins will be a permitted use. A bunkie or sleeping cabin may contain a bathroom but no kitchen facilities.
3. The zoning by-law may zone the areas the vacation dwellings, dwellings and lodge are permitted. The by-law may also zone land prohibiting buildings or structures on wetlands, land subject to flooding and areas known as habitat for endangered or threaten species.
4. If the ownership of this township is changed resulting in an application being made to divide it by consent, subdivision or condominium, a detailed plan shall be submitted to the City. The detailed plan shall be at a level equivalent to a secondary plan showing the location of all existing and proposed buildings and uses, roads and services. The details plan shall also identify the natural heritage features. Prior to approving a consent, subdivision or condominium, this Plan shall be amended to incorporate specific policies related to the proposed development plan including detailed natural heritage mapping for the area.

6.17. OPEN SPACE DESIGNATION

6.17.1. Purpose

The purpose of the Open Space Designation is to recognize primarily Crown land and Forest land owned by the City.

6.17.2. Land Uses Permitted

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

- Hunt Camp
- Provincial Park
- Recreational Uses

6.17.3. Special Policies

1. This includes only Crown land and is based on ecological information such as locations of significant wetland complexes and Areas of Natural and Scientific Interest (ANSIs).
2. 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.
3. 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 land has been identified as a future provincial park known as the Queen Elizabeth II Provincial Park.
4. It is recognized that the City has limited control with respect to Crown land. The City will endeavour to take an active part in the development of the master plan for the development of the park to ensure that what is proposed is in keeping with this plan.
5. If any of the 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.

7. SUBORDINATE PLANS

7.1. COMMUNITY PLANS

A Community Plan is a freestanding official plan that covers a geographic area that has its own land use designations and policies completely separate from the City Official Plan. When a community plan is amended, it must conform to the goals and objectives, general policies, development control and implementation sections of the City Official Plan. The following are the community plans.

7.1.1. Lindsay Official Plan

- 1. The Lindsay Official Plan was approved in 2000. It is anticipated that over the life of this plan that Lindsay will be the principal growth area within the City since it has full municipal services and contains the largest concentration of people within the City.
- 2. A review of the plant capacity of the Lindsay water and sewage systems indicates that they are essentially at capacity based on full buildout within the former municipal boundary which includes the area within the Springdale Gardens subdivision and the lands south of it.
- 3. The Lindsay Official Plan is ready for a five-year review. This study will commence in 2007. As part of the review of the policies within the plan to be in keeping with this Plan and the PPS, the future expansion beyond the former municipal boundaries will be considered. Part of the review will be the need to expand the plant capacities and determine where growth should occur.
- 4. As part of the review, sufficient land shall be made available through intensification and redevelopment and, if necessary, designated growth areas, to accommodate an appropriate range and mix of employment opportunities, housing and other land uses to meet projected needs for a time horizon of up to 20 years. Analysis of Lindsay official plan designated area and capacity analysis of infrastructure satisfies the requirement and does not allow extending urban area beyond the designated in the previously approved Lindsay Official Plan.
- 5. All growth shall be based on full municipal services.
- 6. Within the Lindsay Official Plan area, the land use designations shall apply. Sections 9, 10 and 11 of this Plan shall apply to the Lindsay official plan. Amendments to the Lindsay Plan shall be in keeping with Sections 3 and 4 of this Plan.

7.1.2. Oak Ridges Moraine Plan

- 1. The Oak Ridges Moraine Plan (ORMP) is a community plan based on the Oak Ridges Moraine Conservation Plan (ORMCP) (Ont. Reg. 140/02) made under the Oak Ridges Moraine Conservation Act, 2001.

2. The policies and schedules associated with the ORMP are self-sufficient and do not correspond or rely on any policies within this Plan. Any amendment to the ORMP shall be in conformity with the ORMCP.
3. The zoning of all property within the Oak Ridges Moraine Planning Area shall be in conformity with the ORMP.

7.1.3. Fenelon Falls Official Plan

1. The Fenelon Falls Official Plan was approved in June 1989 and has a limited number of amendments due in part to the lack of servicing capacity prior to 2001.
2. A servicing study of the Fenelon Falls systems has been completed. The analysis indicates wastewater treatment plant capacity will be a critical consideration as total uncommitted reserve capacity is approximately equivalent of about 500 dwelling units.
3. In 2007, the Fenelon Falls Official Plan will be reviewed and expansion of land beyond the former municipal boundary for development will be reviewed with the current plan being replaced with the Fenelon Falls Community Plan. Until this is completed, the Fenelon Falls Official Plan shall continue to exist.
4. All future growth shall be based on full municipal services.

7.2. SECONDARY PLANS

1. A Secondary Plan has specific policies that relate to a geographic area. It forms part of this plan and relies on a number of policies within it. A Secondary Plan can be applied to a village that provides a full range of residential, commercial, institutional and industrial uses or an entire lake within the City.
2. It is anticipated that Secondary Plans will cover villages such as Omemee and Bobcaygeon and that Lake Plans will be prepared to guide development adjacent to a lake. Omemee is currently going through an Environmental Assessment (EA) process resolving the over capacity at the sewage treatment facility. As a part of this study, the expansion of the sewage collection system and consideration of a water distribution system throughout the community will be considered & incorporated in the secondary plan. For Bobcaygeon water treatment plant, committed reserved capacity analysis shows it to be already over committed for future development and indicates that further development proposal cannot be given draft approval until there is sufficient capacity expansion to accommodate the anticipated growth.

7.3. DEVELOPMENT PLANS

1. Development Plans cover site-specific areas with detailed policies for the development of that area. The following Development Plans are carried forward from the former County of Victoria Official Plan and were considered and approved under that Plan. They do not represent the policy framework established under this Plan and as such are not to be taken as precedent or as an acceptable form of development under this Plan. As such, no new Development Plans will be added to this section and all new developments shall conform to the policies established within this Plan.
2. The lands covered by Development Plans are shown on Schedules DP-1 to DP-5.
3. Development Plans carried forward from the former Victoria County Official Plan are as follows:
 - (a) **Development Plan Area One (DP-1)** - Moore Subdivision; Verulam

This policy is applied to the east part of Lot 13, Concession 2 and part of the west half of Lots 13 and 14, Concession 3, in the Township of Verulam, as shown on Schedule DP-1. A detailed Environmental Evaluation was carried out on the land to determine the suitability of the land for development and the impact on the surrounding area and in particular the wetland and the capacity of Sturgeon Lake to accommodate further development adjacent to it.

Within the area shown on Schedule DP-1 as Residential, a maximum of 29 single family detached dwelling lots shall be permitted which may also include parkland.

The land shown as a Nature Reserve on Schedule DP-1 shall be kept in its natural state to protect the wetland. No dredging, filling or clearing of vegetation should be undertaken, unless as a management function, it will enhance and not destroy the natural environment.

Such work should only be undertaken in consultation with the Ministry of Natural Resources, the Trent-Severn Waterway and the Kawartha Region Conservation Authority.

The Recreation Area shall be used for an access road to parking facilities for a limited number of motor vehicles for individuals using the boat mooring facilities. A buffer strip having a minimum width of 30 metres shall be maintained between the maximum controlled high water mark for Sturgeon Lake and the Recreation Area.

A dredged boat slip or canal is not permitted within the Recreation Area or the Nature Reserve.

All lands below the elevation of 248.7 metres CGD shall be zoned so as not to permit any buildings or structures other than for flood or erosion control. Boat mooring facilities of a design suitable to the Trent-Severn Waterway shall be permitted only within the confines of the area shown as Water Block A as shown on Schedule DP-1.

The Nature Reserve above the maximum controlled high water mark for Sturgeon Lake and the Recreation Areas shall be held in public ownership or held as a common area to be jointly owned by all property owners in the area shown as Residential.

(b) Development Plan Area Two (DP-2) - Black Bear Subdivision; Somerville

On part of Lots 20 and 21, Concession 1, Township of Somerville, as shown on Schedule DP-2, a two zone, floodway/flood fringe zoning by-law may be used where detailed flood plain mapping exists, satisfactory to the City, which clearly delineates the extent of the floodway and flood fringe.

Where a two-zone approach is implemented, it is of the utmost importance to the City that all reasonable efforts will be made to ensure public safety both through flood proofing requirements and through contingency preparations in the event that flood-proofing efforts fail or are overcome.

Where a two-zone flood plain exists, no site alteration, no filling or new buildings or structures, other than those required for flood and erosion control or necessary for safe property access shall be permitted in the floodway. Buildings and structures may only be permitted in the flood fringe and no site alteration shall be flood proofed to 0.3 metres above the maximum flood elevation at the building site and no building opening should be below the elevation of 258.0 metres. Driveways to lots will be installed to allow drainage (i.e. culverts) and will be raised to the flood elevation of 257.68, the regulatory flood elevation, to ensure dry access to these lots. Implementing zoning by-laws shall specify flood-proofing requirements that are to apply to all new buildings in the flood fringe areas. The implementing zoning by-laws will prohibit structural development within the floodway except as noted herein. The flood fringe line will be surveyed and plotted prior to any development or site alteration.

The area shown as Residential on Schedule DP-2 shall be considered to include the flood fringe portion of the flood plain. Within the area shown as Residential, lots for single detached residential dwellings and the placement of fill to the extent necessary for the development of the lots shall be permitted. Final lot grading will provide for the adequate drainage of all lots. Notwithstanding the foregoing, the placement of fill (both its location and depth) for raised septic tile bed systems must receive the prior written approval of the Haliburton Kawartha Pine Ridge District Health Unit or any subsequent authority having jurisdiction for septic system approvals.

The area shown as Flood Reserve on Schedule DP-2 shall be considered as encompassing the Floodway. Within the Flood Reserve area the policies of Section 6.4 f this plan shall apply and, except as otherwise provided for herein, the placement of fill or unauthorized removal of vegetation shall not be permitted. The retention of natural vegetation on all shore lands especially those in the flood fringe, is encouraged.

Notwithstanding the preceding paragraph, where the Flood Reserve is located on an individual lot between a public road and the Residential portion of the lot the following forms of development are permitted:

One private driveway, provided it is flood proofed and engineered to provide safe access any time that the "Maximum flood elevation" is achieved; and

Fill associated with the mantle area of a private sewage system where it is demonstrated that no alternative location is available on a specific lot.

All access roads within DP-2 shall be constructed so as to be flood proofed and in a manner that establishes the final grade of the traveled surface above the "Maximum flood elevation."

All filling, actions, measures, or methods of flood proofing shall be carried out in accordance with established and accepted engineering standards and practices and certified by a qualified professional engineer licensed to practice in the Province of Ontario and shall include, but not be limited to, such actions, measures or methods necessary to ensure the structural integrity of buildings and septic tile bed systems is maintained and that the safe and continuous pedestrian and vehicular ingress and egress to new buildings is not prevented during any time that the "Maximum flood elevation" is achieved.

For the purpose of this section, the following definitions apply:

"Flooding hazard elevation" means the maximum flood elevation.

"Maximum flood elevation" means the maximum flood hazard elevation of a Regulatory Flood based on lands that would be flooded as a result of an event equivalent to the Timmins Storm of 1961, as shown on the Flood Risk Maps prepared by MacLaren Plansearch as signed and stamped by D.B. Hodgins, P. Eng., on April 4, 1990 or as confirmed by a flood plain encroachment report for a specific development site as undertaken by a qualified professional engineer licensed to practice in the Province of Ontario.

(c) **Development Plan Area Three (DP-3) - Kings Bay; Mariposa**

These policies are applied to those lands located on Part of Lot 2, Concession B and Part of Lots 1 and 2, Concession C, Township of Mariposa, as shown on Schedule DP-3.

The land shown as Shoreline on Schedule DP-3 may be developed for a maximum of 107 single detached residential lots, a resort containing 25 units, a nine-hole golf course, parks and recreational facilities and infrastructure. Permitted development shall be on full communal sewer and water services. A buffer strip having a minimum

width of 15 metres shall be maintained in a natural state between the maximum controlled high-water mark for Lake Scugog of 249.8 metres CGD and the Shoreline designation. Only boat docking and boat launching facilities and infrastructure to serve the lands designated Shoreline will be permitted within this setback.

The land shown as Nature Reserve on Schedule DP-3 shall be retained in its natural state in order to preserve its natural ecological functions. No dredging, filling or removal of vegetation shall be undertaken, unless done as a management tool to enhance the natural functions. Limited trail and boardwalk access may also be provided for interpretative purposes. Any work or alterations of any kind, within such designation must have the prior written approval of the Trent Severn Waterway, the Kawartha Region Conservation Authority and the City.

A dredged boat slip or canal is not permitted within the Nature Reserve designation.

Roads shall not be permitted in the Nature Reserve designation. Infrastructure such as irrigation, stormwater management and non-potable water intakes shall be permitted in both the Shoreline and Nature Reserve designations subject to the necessary environmental approvals.

All lands below the maximum flood elevation of 251.04 metres CGD shall be zoned to prohibit habitable buildings or structures. Only buildings and structures required for flood and erosion control, boat launching and docking or ancillary to the provision of municipal services shall be permitted.

It is not intended that lands within the Nature Reserve designation, above the maximum controlled high water level for Lake Scugog be held in private ownership by individual residential property owners, however, it may be held as a common area owned jointly by all property owners in the area designated Shoreline or portions incorporated within the golf course or resort ownerships.

Prior to development proceeding, the development proponent shall undertake a flood plain analysis for the Nonquon River to determine the effects of a Regional Storm upon the lands included in Schedule DP-3. The recommendations of such study shall be implemented through conditions of draft plan approval and or site plan control.

Prior to any development occurring within the lands included in Schedule DP-3 the development proponent shall enter into agreements, with the municipalities having jurisdiction, for: the design, construction, assumption, operation and maintenance of the communal services; the upgrading of River Street, Sun Valley Road and any other municipal roads, between the site and its intersection with Durham Regional Road 2; all intersection and traffic control improvements; and the provision of fire protection services.

Amendments to this Development Plan will not be required in order to make minor adjustments to the approximate land use boundaries or the location of roads, provided the overall intent of this Development Plan is preserved.

(d) **Development Plan Area Four (DP-4) - Gilson Point; Mariposa**

These policies are applied to those lands located in Part of Lot 5, Concession A, geographic Township of Mariposa, as shown on Schedule DP-4. A detailed Environmental Evaluation was carried out on the land to determine the suitability of the land for development, the impact on the surrounding area and, in particular, the wetland, and the capacity of Lake Scugog to accommodate further development adjacent to it.

The land shown as Shoreline on Schedule DP-4 can be developed with a maximum of 22 single detached residential lots on individual private sewer and water services.

The land shown as Open Space on Schedule DP-4 can be developed with a small parking area, an anchor for a docking facility, dock maintenance access and a storage area for boats.

Land shown as Environmental Protection on Schedule DP-4 shall be retained in its natural state in order to preserve its natural ecological functions. No dredging, filling or removal of vegetation shall be undertaken, unless done as a management tool to enhance the natural functions. Any work or alterations of any kind, within such designation must have the prior written approval of the Kawartha Region Conservation Authority and the City of Kawartha Lakes. A dredged boat slip or canal is not permitted within the Environmental Protection area.

Notwithstanding the above, within the Environmental Protection area a stormwater pond is permitted provided it is outside the 30-metre setback from the Provincially Significant Wetland Boundary as identified by the Ministry of Natural Resources. Drainage easements within the Environmental Protection are permitted with the approval by the City of Kawartha Lakes.

It is not intended that lands within the Open Space or Environmental Protection areas, above the maximum controlled high water level for Lake Scugog, be held in private ownership by individual residential property owners; however, it may be held as a common area owned jointly by property owners in the Shoreline area.

The land shown as Agricultural on Schedule DP-4 may be used for agricultural purposes.

Infrastructure such as irrigation, stormwater management and non-potable water intakes shall be permitted in the Shoreline, Open Space and Environmental Protection areas subject to the necessary environmental approvals.

All lands below the maximum flood elevation of 250.9 metres CGD shall be zoned to prohibit habitable buildings or structures. Only buildings and structures required for flood and erosion control, boat launching and docking, or ancillary to the provision of municipal services, shall be permitted.

Prior to any development occurring within the lands included in Schedule DP-4, the development proponent shall enter into agreements with the municipality for the design, construction, assumption, operation and maintenance of municipal roads.

Amendments to this Development Plan will not be required in order to make minor adjustments to the approximate land use boundaries or the location of roads, provided the overall intent of this Development Plan is preserved.

(e) **Development Plan Area Five (DP-5) - Szakacsi Subdivision, Verulam**

The following policies are applicable to those lands located on Part of Lot 1 Concession 19 in the former Township of Harvey, formerly in the Municipality of Bobcaygeon/Verulam and Part of Lot 2, Concession 10 in the Geographic Township of Verulam, formerly in the Municipality of Bobcaygeon/Verulam as shown on Schedule DP-5.

The land shown as Residential (R) on DP-5 may be developed for a maximum of 17 lots for single detached dwellings based on a rate of one lot for every 4.5 metres of shoreline in the Open Space classification. The density was also based on having a total shoreline frontage that represented one lot per 27 metres of total shoreline and with land set aside in the open space and nature reserve areas with a ratio of one dwelling per 745 square metres of land within the open space and nature reserve areas.

Land shown as Nature Reserve (NR) on DP-5 shall remain undisturbed in order to protect and preserve its ecological functions and processes and there shall be no

dredging, filling, removal of vegetation or installation of walkways except under management practices deemed necessary or compatible with the preservation and protection of the ecological functions or processes on the lands within the Nature Reserve area. The Nature Reserve area shall be protected through the provisions of the implementing Zoning By-law and any subdivision agreement shall include provisions requiring the prior written consent of the municipality and approvals from the Trent-Severn Waterway and the Conservation Authority before any alterations or management actions are taken within the lands classified as Nature Reserve.

Land shown as Open Space (OS) on DP-5 shall only be used for passive recreational purposes with no buildings or structures other than those necessary for stormwater management, flood and erosions control or access walkways, except that the southerly Open Space area may also be used for the purpose of common boat docking and boat launching facilities. Any subdivision agreement shall include provisions requiring the prior written consent of the municipality and approvals from the Trent-Severn Waterway and the Conservation Authority before any excavating, dredging, filling, removal of vegetation or the construction of any structure within the areas classified as Open Space.

The implementing Zoning By-law and any subdivision agreement shall provide for a buffer area not less than 15 metres wide along the common boundary between lands in either the Nature Reserve classification or the Open Space classification and lands in the Residential classification where such common boundary is within 35 metres of the shoreline. There shall be no structures or site alteration activities within the buffer area and provisions shall be made for establishing, protecting and maintaining indigenous vegetation in the buffer area.

(f) **Development Plan Area Six (DP-6) – 564711 Ontario Inc., Fenelon**

Within this designation, up to half the land area designated may be developed for commercial uses with the balance being developed for residential or community facility uses.

All uses within the **Development Plan Area Six (DP-6)** shall be developed on full municipal services.

Within the DP-6 area, the land may be placed in a holding category within a specific zone category when a specific use is proposed and after preliminary studies have been undertaken with respect to pipe and plant capacity with respect to both sanitary sewage and water services, a stormwater management plan and a traffic study. The zoning shall only proceed if the preliminary studies demonstrated that there is sufficient servicing capacity for the proposed uses requested in the zoning by-law. For any commercial use, other than a highway commercial use that is specifically listed in the opening paragraph of Section 6.8 Highway Commercial Designation, a retail market study shall also be prepared to clearly demonstrate to Council that the proposed use will not have a negative impact on existing commercial uses within Fenelon Falls. Prior to the removal of the holding category, the owner shall enter into a development agreement, with appropriate financial securities, to address the installation of municipal water and sanitary services, the entrance and required road work and storm water management, erosion and sedimentation plan, all of which shall be to the satisfaction of the City. The Conservation Authority shall be satisfied with the stormwater management, erosion and sedimentation plan prior to the City entering into the development agreement.

The preliminary studies that must be undertaken prior to rezoning shall indicate the availability of servicing capacity for the proposed uses. Allocation of servicing capacity is not given until the development agreement is finalized. The development agreement and the site plan agreement shall both be finalized prior to the removal of the holding category. Prior to completion of the site plan agreement, the City must be

in receipt of the building and site plans in sufficient detail to meet the building code requirements.

Within the **Development Plan Area Six (DP-6) area**, commercial uses may be permitted in one or more separate buildings, provided that the total gross floor area of all commercial buildings does not exceed 2,325 square metres. Permitted commercial uses shall include a Department Store Type Merchandise store, a use that is specifically listed in Section 6.8.2 of the Highway Commercial Designation, or a retail use that in the opinion of Council will complement the retail uses in the core area of Fenelon Falls but which, by virtue of its size, parking and storage requirements, cannot be located in the core of the Village. No more than one commercial use shall be located in a separate building. If however, all the commercial uses are those specifically listed in Section 6.8.2 of the Highway Commercial Designation, then they may be within one building. A grocery store or food store is not a permitted use within the DP-6 area.

All development within the DP-6 area shall be subject to site plan control. The site plan control requirements shall, among other matters, address stormwater management and road entrance requirements to the satisfaction of the City. Notwithstanding this requirement, any single detached dwellings within a plan of subdivision or condominium will not be subject to site plan control.

8. INFRASTRUCTURE (Roads, Sewers and Water)

8.1. Municipal Roads:

1. The City has undertaken a Roads Needs assessment of all municipal roads. The majority of the roads are local ones where the prime purpose is to provide access to lots and serve low volumes of traffic. They generally are 20 metres in width.
2. Throughout the City are a number of Arterial Roads with a purpose to provide for medium volumes of traffic. In the rural areas, on the higher volume ones a right of way of 26 metres will be required.
3. There are a number of local roads that are maintained seasonally. The City will not encourage new development on these roads unless the new development contributes to upgrades to the road to bring it up to a year round municipal standard.
4. There are a number of private roads throughout the City. The City will require these to be upgraded prior to being assumed by the City. The roads right of ways should have a minimum width of 20 metres. Alternatively, the road could be part of a condominium whereby the abutting property owners would be responsible for the capital cost to upgrade the road and maintaining it.

8.2. Haul Routes

1. Haul routes to serve the aggregate industry will be identified to link concentrations of or major pits and quarries to Provincial Highways. They are identified on Schedule "E".
2. The City would like to have these roads with no weight restrictions so that they can be used as haul routes on a year round basis. The City will negotiate with existing operators or place conditions on new pits and quarries with respect to improvements that would be required to upgrade the haul routes.

8.3. Provincial Highways

Highways 7, 7A, 35 and 115 provide a major means of access through the City linking it to other parts of the province. An extensive planning study is nearing completion for potentially providing a four land divided Highway from the intersection on 35/115 to Highway 7 just south of Lindsay. Also planning studies are nearing completion for work on Highway 7 in the vicinity of Lindsay and along the eastern boundary of the City. The Province is also in the process of determining the route of the extension of Highway 407 to link with Highway 115.

Once these studies are completed and along all provincial highways, there will be the need to protect the highway corridors from the impacts of developments.

8.4. Airport

There is only one public airport within the City and it is the Lindsay airport. Development adjacent to the airport and in particular sensitive land uses should be protected to provide for any expansion. This includes the extensions of the runways for aircraft approaches and take off.

8.5. Rail Lines

1. Council will encourage increased use of the existing rail line from Peterborough to Toronto through Pontypool, in particular for passenger service.
2. Although a number of rail lines have historically been abandoned, the City will encourage the establishment or reestablishment of rail lines to meet the future requirements of the City.
3. The establishment of a new rail line will not necessitate an amendment to this Plan.

8.6 Water and Sewage Facilities

1. Where communal water services are required for residential development, such as plans of subdivisions, condominiums and mobile home parks, Council will determine if they will allow the establishment of a communal well that is subject to the Safe Drinking Water Act.
2. If the system is to remain in private ownership, written consent in the form of a Responsibility Agreement with the municipality is required for non-municipal communal wells that serve six or more private residences. The Municipality will require financial assurances as a part of the Responsibility Agreement.
3. The City will prepare a policy with respect to when it would be prepared to enter into a Responsibility Agreement. The policy will ensure that the financial interests of the City are protected and that appropriate standards are adhered to for the construction, maintenance and monitoring of the system.
4. The City will require a detailed hydrogeological study that has been peer reviewed by the City to ensure that the water supply has sufficient quantity and quality of water and that the soils are suitable for the proposed sewage disposal systems and that cross contamination will not take place.
5. Large subsurface sewage disposal systems with a design capacity of greater than 10,000 litres per day and new sewage works require approval under the Ontario Water Resources Act.
6. The City is already operating a number of small systems. Small systems are generally not cost efficient to operate, maintain and monitor. Until the City has completed a City wide servicing master plan, no new water or sewage systems will be assumed. The serving plan will incorporate recommendations that Council can use to develop policies for assuming new water or sewage systems.

8.7 Servicing for New Development

1. All new development with six or more residential dwellings or lots shall be on full municipal or communal systems. The exception is within the Hamlet designation, provided the designation boundaries are not being expanded. Within the Hamlet designation, the development shall be based on the level of services that are provided within the hamlet.
2. Communal systems servicing five or less lots or dwelling units will not be permitted for new development and will be discouraged for servicing existing lots.
3. A development that is seasonal may have a communal system if it is held under single ownership and the units or vacation dwellings have a limitation on the length that a person may reside within the development to a maximum of 12 weeks per year or 84 days per calendar year.
4. Individual services are permitted for lots created by consent within the Prime Agricultural, Rural, Countryside and Waterfront Designations if there is no more than five new lots are created from the parcel, as it existed when this Plan is approved.
5. Within the Rural Estate, Resort Estate and Waterfront Designations or where these designations are proposed by amendment to this plan, individual on-site sewage services and individual on-site water services may be used to service more than five lots or private residences provided that:
 - (a) The development will gain access from a hard topped municipally maintained and assumed road;
 - (b) The development is not in an area where municipal services could be provided in the future;
 - (c) the creation of lots, and new or expanding livestock facilities, shall comply with the MDS;
 - (d) development that is compatible with the rural landscape;
 - (e) it is not within a locally-important agricultural or MARAs area;
 - (f) a serving option plan acceptable to Council has been prepared to justify the proposed development;
 - (g) a hydrogeological study has been prepared to demonstrate that there is sufficient potable ground water to service the development and will form the basis of establishing the density of development;
 - (h) site conditions are suitable for the long-term provision of such services; and
 - (i) the maximum number of lots or units is 20.

9. DIVISION OF LAND AND BUILDINGS

9.1. Subdivisions

1. In evaluating Plans of Subdivision, the Council will consider all information as specified in the Planning Act and may require additional information deemed appropriate.
2. Council will only recommend for approval those Plans of Subdivision that conform to the General Policies and Land Use Designations in this Plan.

9.2. Condominiums

1. Only those development proposals submitted under the Condominium Act in conformity with the General Policies and Land Use Designations of this Plan shall be recommended for approval.

2. Council may require any information deemed necessary to evaluate such development proposals.
3. Council will only approve an exception for a Condominium when it is located on a lot or lots within a plan of subdivision and shall be serviced by communal piped water and sanitary sewage systems at a standard acceptable to the City.
4. Any condominium development will require the signing of a development agreement to ensure adequate service levels.
5. The conversion of rental accommodations to condominium tenure may be permitted provided:
 - (a) the conversion will not reduce the vacancy rate below 3% within the urban centre; and
 - (b) there will be no net loss of affordable residential units.

9.3. Consents

1. Consents will only be considered when it is clearly not necessary that a Plan of Subdivision be registered. Only those applications for Consent that conform to the policies within this Plan shall be considered for approval.
2. In addition to specific policies with respect to the creation of lots within a land use designation, the following policies shall also apply:
 - (a) Consents may be considered only when the land fronts on an assumed public road that reflects a reasonable standard of pavement or gravel construction, and is maintained year-round by the City or Province.
 - (b) Notwithstanding (a) above, a Consent may be considered in the Shoreline Designation where the parcel abuts an unassumed municipal road or private road if it qualifies under the definition of infilling.
 - (c) Consents should not be granted where access may create a traffic hazard because of limited sight lines on curves or grades.
 - (d) Consents shall not be granted for a lot abutting a provincial highway unless an entrance permit is obtained from MTO.
 - (e) Residential lots will be discouraged from being created on a haul route identified on Schedule "E".
 - (f) The size of any parcel of land created by Consent should be appropriate for the proposed uses and the services available.
 - (g) Consents may be considered only when it has been established by that soil and drainage conditions are suitable to permit the proper siting of buildings, to obtain sufficient potable water and to permit the installation of an adequate means of sewage disposal, for both the severed and retained parcels, which meet Provincial effluent discharge standards.
 - (h) Consents which have the effect of changing boundary lines or which do not create additional or buildable lots should be evaluated on their own merits. Consents that propose an addition to a lot, created by a previous consent, may be subject to conditions deemed necessary to ensure the merging in title of the two parcels. This may include conveyances to alter the lot description, stipulating the consent and agreements registered against title of both the severed and benefiting parcels.
 - (i) Consents should not be considered within a draft plan of subdivision to create new lots that would be created if the plan was registered.

- (j) Consents will not be granted where the proposed use would conflict with the Minimum Distance Separation Formulae.
- (k) Consents should be discouraged which result in the necessity to use mutual driveways. In some instances, the use of a mutual driveway may be considered where necessary for safe entrance to a road. In such cases, the approval of the City or MTO will be required. It is recommended that there be appropriate easements be established in favour of each parcel utilizing the entrance.
- (l) In the Hamlet, Waterfront, Urban, Agricultural and Rural Designations, a reference is made to the number of new lots that may be created. For the purposes of this Plan, the number of lots that can be created is based on the land holdings that existed on or before March 8, 1978, irrespective of any change in ownership of land. Where a lot is split designated the number of consents permitted shall not be based upon the aggregate of the various designations. It is the intent of this plan that residential consent potential be directed to settlement areas, shoreline areas or rural clusters. For example, a lot split designated Rural and Waterfront would have a maximum consent potential of five lots within the Waterfront designation and no lot potential within the Rural designation.
- (m) Where there is any question in the information contained in a severance application, the Committee of Adjustment may require that the applicant provide clarification through professional sources prior to any decision.
- (n) When an application or applications for Consent are submitted to create new lots, only one parcel of land shall be retained. The checker boarding of an application or applications is not permissible.
- (o) For determining consent potential a land holding, which was held in one ownership on March 8, 1978, shall be considered one land holding notwithstanding that it may be divided by: a private right-of-way; a railway line or abandoned railway line; an easement; a utility corridor; or a watercourse.
- (p) For the purpose of (o) above, a watercourse shall include any body of water the bed of which was not vested in the Crown or which had not been declared navigable by a Court of competent jurisdiction on or before March 8, 1978.
- (q) In the Urban and Hamlet Designations, consideration may be given to the granting of as many as six consents to create new lots provided it can be demonstrated that the location of the severed lot(s) will not inhibit logical growth.
- (r) Prior to granting of the severances, the municipality may require that agreements be drawn up to cover such matters as the upgrading of roads, servicing and other matters normally covered in subdivision agreements.

10. DEVELOPMENT CONTROL

10.1. Existing Uses

1. Nothing in this Plan shall affect the continuance of uses legally existing on the date this Plan was adopted by Council. The City may recognize the existing use of land in an implementing zoning by-law. However, Council in co-operation with landowners will attempt to reduce the number of non-conforming uses whenever and wherever possible according to the policies contained herein.
2. Existing non-farm dwellings in areas designated as Prime Agricultural, Agricultural or Rural may be recognized in zoning by-laws. This Plan will not prevent such dwellings from being expanded or renovated if the provisions of the implementing zoning by-law are complied with.

10.2. Existing Vacant Lots

Council may recognize legally conveyable existing vacant lots as developable and zone them appropriately in the implementing Zoning By-law. In keeping with the overall Growth Strategy for the City, Council shall endeavour to encourage the development of committed developable lots before further approvals are recommended.

10.3. Brownfields

Brownfields are lands on which industrial or commercial activity took place in the past and that may need to be cleaned up before they can be redeveloped.

A Record of Site Condition (RSC) is the key to knowing whether a site has been properly assessed and, if necessary, cleaned up. In order to file an RSC in the Environmental Site Registry, the property must have been properly assessed and shown to meet the soil and groundwater standards appropriate for the new use for the property. The detailed requirements for filing an RSC are set out in Ontario Regulation 153/04.

If a site is known to be a potential Brownfield, the RSC should be completed and submitted with the Planning Application if the proposed use is a sensitive land use.

10.4. Non-Conforming Uses

1. Any land use existing on the date this Plan was adopted by Council that does not conform with the Land Use Designations or policies contained herein shall be termed non-conforming. Such uses should ultimately cease to exist so that the land affected may revert to a use in conformity with the intent of this Plan. In special instances, Council may decide that it is appropriate to recognize non-conforming uses and permit the extension or enlargement to avoid unnecessary hardship. Such extensions or enlargements may be dealt with by a site-specific zoning by-law amendment or an approval by the Committee of Adjustment.
2. In considering applications for enlargements or extensions, such matters as the possible acquisition of the land by the municipality, the possibility of relocating the non-conforming use, improvements to make the use more compatible with surrounding uses, and where applicable the feasibility of extending municipal services should all be evaluated.

10.5. Public Uses

1. Within all designations, buildings or structures for infrastructure and passive recreation parks shall be permitted. Provisions may be incorporated into the zoning by-law to ensure compatibility with a sensitive use and natural heritage areas and features.
2. Major facilities such as a sewage treatment facility, landfill site, recycling facility, municipal parks and recreational facilities shall be zoned specifically as a permitted use in the zoning by-law.

10.6. Property Standards

Council will be encouraged to enact by-laws pursuant to the Planning Act setting forth minimum standards for maintenance and occupancy for all buildings and structures. These by-laws should have regard for any or all of the following matters or related items and set appropriate standards or conditions:

- (a) the physical conditions of yards and passageways including the accumulation of debris and rubbish;
- (b) the adequacy of sanitation including drainage, waste disposal and garbage;

- (c) the physical condition of accessory buildings; and
- (d) the physical conditions of dwellings or dwelling units, commercial and industrial buildings.

10.7. Community Improvement Plans

1. Community Improvement Plans *are* for the purpose of upgrading, redeveloping and rehabilitating the physical environment of older *neighbourhoods*, recreational areas, commercial centers and industrial areas.
2. The Urban and Hamlet designations shown on Schedules 'A' to this Plan are designated as Community Improvement Areas. They also include the existing official plans for Lindsay and Fenelon Falls. Further Community Improvement Areas may be identified by Council and designated by way of amendment to this Plan.
3. The implementing and project specific Community Improvement Project Area by-laws may be passed by the Council pursuant to the provisions of this Plan and in accordance with the provisions of Section 28 of The Planning Act.
4. Any further amendments to this Plan and the preparation of any implementing project area by-laws will be based on the following criteria:
 - (a) Evidence exists of a need to improve municipal services such as roads, sidewalks, street lighting, parking, sewers, water supply, parks and recreation, community facilities, the waterfront areas or streetscaping. Improvements may apply to some or all of the listed services.
 - (b) The cleanup and redevelopment of brownfield properties (if applicable) will be facilitated.
 - (c) The phasing of improvements corresponds to the timing of improvements by the City and/or senior governments and is within the financial capability of the local municipality.
 - (d) A significant number of buildings in an area show signs of deterioration and need of repair.
 - (e) Improvement to the visual appearance or aesthetics is required.
 - (f) Improvements will have a significant impact on strengthening the economic base of the community.
5. In the development of Community Improvement Plans, the municipality will involve the residents of the affected areas in the identification of service level deficiencies and the evaluation of priorities.
6. Councils will encourage the continuation and formation of Business Improvement Areas to enhance and maintain the viability of the commercial areas.
7. The City will enact and enforce Property Standards By-laws to maintain and rehabilitate existing buildings and structures.
8. The City will participate in senior government programs that provide financial assistance to implement Community Improvement Plans.

10.8. Zoning By-law

1. The City will adopt comprehensive zoning by-laws that will reflect the principles, policies, and land use designations contained in this Plan. Such by-laws shall make provision for adequate development standards. Each by-law should establish specific zones and permitted uses that reflect the policies and designations of this Plan. Within each designation, separate zones may be established to ensure that compatible uses will be appropriately grouped.

2. Residential lots in the Shoreline Designation that front onto an assumed public road that is maintained year-round by the municipality may be zoned to permit both seasonal and permanent residential uses.
3. Two residential zones will be used for residential lots within the Shoreline Designation that front onto a limited service road. The first will permit a seasonal occupancy (Limited Service Seasonal), while the other will permit both seasonal and year-round occupancy (Limited Service Residential).
4. Limited Service Zoning is an attempt to reflect the existing level of municipal services provided to a given area. The basis of the Limited Service Zoning is the existing means of vehicular access. The fact that a lot has access via a limited service road will affect other municipal services such as road maintenance, snow removal, fire protection, garbage collection, school bus service and where applicable, ambulance service, piped municipal water supply and piped municipal sewage disposal. Limited Service Zoning indicates that the normal range of servicing is not provided in an area and that such services are not to be extended beyond current levels.
5. Where residential lots in the Shoreline Designation front onto a limited service road, they may be zoned Limited Service Seasonal, unless the municipality decides, after due consideration of: the policies of this Plan; the present level of services; and, the potential future demand for services, to zone the area in question as Limited Service Residential.
6. Residential lots that are initially zoned for Limited Service Seasonal may be rezoned to Limited Service Residential if the municipality is satisfied that the sanitary disposal system is suitable for year-round use.
7. Residential lots which are initially zoned on a limited service basis may be rezoned to permit both seasonal and permanent residential uses without servicing limitation, when and if the road is assumed and maintained year-round by the municipality.
8. It is not intended to zone all land at the outset for the uses designated in this Plan. Holding zones may be established in order to achieve orderly development and ensure that policies established in this Plan have been met prior to rezoning. The City may prezone for infilling and draft approved Plans of Subdivision. Lands designated for residential purposes will be rezoned from a holding category at an appropriate time after the application for development is made.

10.9. Holding Symbol in Zoning By-law

1. The City when passing a zoning by-law, may, by use of the Holding Symbol "H" together with a specific zone category, specify the use to which land, buildings or structures in areas so identified may be used until the Holding Symbol is removed by an amending By-law.
2. The Holding Symbol may be used in a zoning by-law to meet or achieve any of the following objectives:
 - (a) to recognize or require the phasing of development;
 - (b) to encourage development by recognizing an area suitable for a use permitted within the applicable designation under this Plan, pending the imminent provision and allocation of water, sewage or any municipal service necessary to support development; or
 - (c) to recognize a specific development site for a particular use or development pending the completion of related matters deemed necessary by the municipality such as: servicing or development agreements; site plans; grading and drainage plans; mitigation measures for drainage, sedimentation or erosion control; surveys; or any technical study.

3. The application of the Holding Symbol will be limited to situations where Council is satisfied that the details of the development are not so uncertain or complex that they pose an insurmountable obstacle for the proponent or the municipality to overcome.
4. In the case of servicing, the Holding Symbol should not be applied where servicing capacity does not exist or the potential for future capacity has not been approved by the City.
5. Prior to passing a by-law to remove a Holding Symbol, the City shall ensure that:
 - (a) the development is consistent with the orderly development of the municipality;
 - (b) adequate municipal services are available for the proposed development;
 - (c) the owner or applicant has satisfied all requirements identified by the municipality and any agreements necessary to address municipal concerns and servicing requirements have been entered into;
 - (d) the Owner has satisfied the requirements of the municipality or any other agency, having jurisdiction and having identified concerns, that the lands or the proposed uses are, or can be adequately protected from any physical hazard or environmental degradation by methods that are consistent with accepted engineering, environmental management or resource management practices; and
 - (e) the Owner has satisfied any requirements of the City with respect to use or access to municipal roads or facilities and has entered into any agreements or obtained any necessary permits in that regard.

10.10. Site Plan Control

1. The Council of the City of Kawartha Lakes hereby establishes the entire City as a Site Plan Control Area. It may be applied to all uses except agricultural, forestry, open space and single detached residential lots.
2. By by-law, the City will designate specific zones or designate site plan control areas. The by-law may contain provisions limiting the Site Plan Control Area to specific uses within a land use designation. These areas will primarily be the settlement areas and for commercial and industrial uses.
3. Council may in a site-specific zoning by-law amendment determine that site plan control shall apply in order to ensure certain facilities and services are provided in keeping with the requirements of Section 41 of the Planning Act.
4. Where land is designated as a Site Plan Control Area and it abuts an Arterial Road, prior to development, the City shall require in those circumstances where the right-of-way is less than 26 metres that land be dedicated to the City, at no expense to the City, for the widening of the highway so as to establish a right-of-way 13 metres on each side of the centreline of the existing pavement.
5. Where land is designated as a Site Plan Control Area and it abuts a road under the jurisdiction of the City, prior to development, the City may require in those circumstances where the right-of-way for a road is less than 20 metres that land be dedicated to the City, at no expense to the municipality, for the widening of the road so as to establish a right-of-way 10 metres wide on each side of the existing centre line of the road allowance exclusive of any sight triangles, turning lanes or turning tapers which may also be required by the municipality.
6. Where existing buildings or structures adjacent to roads makes it impractical to require a land dedication for road widening to the specified right-of-way widths, no such dedication may be required.

7. If the property is within the permit control area of the MTO as defined in Sections 34, 35 and 38 of the Public Transportation and Highway Improvement Act then a permit from MTO will be required.

10.11. Phasing

1. The phasing of development, in accordance with the policies of each specific designation, shall be based on the progressive extension and economic utilization of utilities and services.
2. In full service areas, priority shall be given to the development of those lands that are presently serviced by piped sewer and water systems or those areas that can most easily be serviced at minimal expense.
3. Throughout the City, there are numerous draft approved plans of subdivision. Many of the files on these plans are dormant with no apparent activity occurring for months and sometimes years. Many of these plans were approved by the Province prior to them being down delegated to the former County of Victoria in 1994. The conditions of draft approval require changing because of changes in responsibilities and down delegation of authority in a number of areas. Many of these plans are in serviced areas and have servicing capacity allocated to them. Others reflect conditions that are not in keeping with current standards and requirements.
4. The City intends to ensure that new development proceeds in a logical, efficient manner and in keeping with market demand and the City's ability to provide adequate services. Accordingly, the following phasing policies shall apply.
5. The timing of development shall be based on the regulation of the geographic sequence and balance so that:
 - (a) there is the logical extension of municipal services that avoids the leap-frogging of large undeveloped tracts of land;
 - (b) a compact urban form and pattern of development is maintained;
 - (c) the provision of all municipal services proceeds in an economically viable manner;
 - (d) there are adequate opportunities for both infilling and greenfield development but first priority is to be given to infilling.
6. This will be done by:
 - (a) only granting planning approvals to those lands, which are likely to develop within three years from the time that the original planning application was approved; and
 - (b) limiting the total number of dwelling units to which planning approvals can be granted at a time to generally not greater than 100 residential units, unless the applicant/owner can justify market support above the 100-unit provision.
7. When conditions of draft plan approval are not fulfilled within the allotted time period for which draft subdivision/condominium approval has been granted, Council may not support the extension of draft approval and assign the servicing allocation to other developments or areas of the City or hold the capacity in reserve.
8. Prior to the lapsing of draft approval, the development proponent may request an extension of draft approval. Provided Council is satisfied with the merits of the request for an extension of draft approval, Council may choose to extend the draft approval period. No extension is permissible if draft approval lapses before the extension is given. Council may proceed with re-allocating the servicing capacity and revising the City's planning documents, as necessary.

9. In all future draft plans of subdivision approvals, a clause reflecting the above shall be included.
10. To ensure that servicing allocation is not tied up indefinitely and that lots are developed to meet the anticipated growth within the municipality, the City will review all draft approved plans and revise the conditions to reflect the current appropriate agency that must clear conditions of draft approval. A condition will also be added that the draft approved plan shall lapse within 3 years if final approval is not given.
11. For a plan of subdivision containing a large number of residential units, it may be given final approval in phases if each phase has at least 25 residential units. A provision shall be included in the conditions of draft approval or the executed subdivision agreement to ensure that subsequent phases are developed in a reasonable time or the allocation of services will be withdrawn or reallocated to another development.

10.12. Development Charges

The City will institute development charges where development costs to the municipality are directly attributable to the project. The amounts charged may also include costs for the cumulative cost effect of further development on existing service levels.

10.13. Service Areas

1. A specific area within the municipality may be declared a local improvement area under the Local Improvement Act in order to carry out the maintenance, construction or improvement of services or facilities. The cost for this work shall be borne by those whose lands abut the improvements or those who directly benefit from the improved service. The exact procedure for distributing costs may be decided by Council as permitted within the Act.
2. In the Shoreline Designation or other areas that have or are being developed for residential purposes, any improvements made to the present level of service, should be carried out on a user pay basis or as a Local Improvement Area.
3. For example, where an interest is expressed in upgrading roads or water systems that were originally designed and constructed for seasonal use, the costs of such improvements should be borne by those who will benefit directly.

10.14. Capital and Public Works

1. The extension or construction of capital or public works will be carried out in accordance with the policies of this Plan. Council shall prepare annually and adopt without amendment to this Plan a staging program to implement features of this Plan. This program shall be cognizant of changing conditions of supply and demand for services and significant changes in economics and technology.
2. Council may levy against benefiting properties all or part of the cost of municipal services and facilities.
3. Public buildings, structures, easements or rights-of-way may be considered within any designated area provided suitable buffering and screening from adjacent uses are provided.

10.15. Land Acquisition

1. Council may acquire land to implement any feature of this Plan in accordance with the provisions of Provincial Statutes and Regulations.
2. The City may undertake land assembly in order to provide affordable housing through the Lindsay Non-Profit Housing Corporation, the Kawartha Lakes Haliburton Housing

Corporation or in conjunction with partnerships with non-profit agencies or the private sector.

3. Land assembly for industrial uses shall be encouraged in appropriately designated industrial areas.

10.16. Parks

1. Within the City, parks are classified under three general headings.
2. Overnight and long-term camping parks - through the operation of Emily and Balsam Lake Provincial Parks the province provides a significant number of camping opportunities. There are also numerous private campgrounds throughout the City that are primarily located to adjacent to lakes and rivers. The City also operates two camping parks. All these facilities provide accommodation to the vacationing and travelling public.
3. Day use parks - Council shall encourage the development of day use park areas to serve both tourist and local residents. Council will implement this policy directly or more appropriately through the municipal park system and the Conservation Authority. Council shall endeavour to provide recreational opportunities on City Managed Forest properties and the recreational trails located primarily on the abandoned rail lines throughout the City to provide recreational and tourism opportunities.
4. Local parks - Local parks will be provided and managed by the City. Management should be aimed at providing recreational opportunities to local residents.
5. The City will establish a hierarchy of parks based on classification that include City Parks, Community Parks, Neighbourhood Parks and Greenbelt lands. The Greenbelt designations should include Provincial Park and Conservation Authority properties and other relationships.
6. The City supports the planning and development of trails and trailheads, bikeways, and path linkages throughout the City. The routes should be confirmed through a detailed Trails and Bikeways Master Plan.
7. Pursuant to the Planning Act, the City shall accept the 5 percent parkland dedication or the equivalent in cash-in-lieu of parkland. In the case of redevelopment or higher density development the City will take the greater of the five percent of lands proposed for development and redevelopment in residential areas or one hectare for each 300 dwelling units.
8. Where appropriate, the City should encourage parkland dedications adjacent to future school sites conveyed through the development process. The City should partner with school boards to develop such parkland dedications for school and community use.
9. Where the land would not be suitable for parkland or municipal purposes, the municipality may accept a cash settlement equal to five percent of the value of the total proposal at the time of draft approval or granting of a consent. The monies received from such development shall be set aside in a special fund that will be expressly used for the development of recreational opportunities within the municipality.
10. In the case of an industrial or commercial development, two percent cash-in-lieu equivalent of the land should be taken.
11. Where cash-in-lieu may be accepted or required by the City, the funds received should be held in reserve funds for the acquisition or development of parkland in areas of the City where deficiencies are noted.

10.17. Conservation Easements

1. A conservation easement is a legal agreement between a landowner and a qualified

conservation organization, which voluntarily restricts future land use. Once it is signed and registered on the property deed in the registry office, an easement will bind current and future owners to its terms. In Ontario, land trusts, conservation authorities, municipalities, or other government agencies under the authority of the Conservation Land Act can hold conservation easements.

2. An easement protects significant lands by placing restrictions on development and practices, which would damage their natural and cultural features. The restrictions can be as narrow or as sweeping as the parties wish, but normally exclude pit and quarry operations, severance or subdivisions, topsoil stripping, and similar activities. Conservation easements typically allow for continuation of existing uses of the property by the current or future owners. Landowners continue to pay property taxes, and can sell or will their property to others as they wish. Easements can apply to all or part of a property.
3. Conservation easements include provisions for future monitoring and enforcement, including remedies through the courts if necessary. While minor changes to easements can be made with the agreement of all parties to recognize changing circumstances, major changes would be very difficult and the restrictions resulting from a conservation easement should be viewed as essentially permanent.
4. The City will work with the Conservation Authorities, the Kawartha Heritage Conservancy, and the Couchiching Conservancy to develop and distribute promotional materials to encourage landowners to donate conservation easements within selected areas, particularly within areas of environmental significance identified through the new Official Plan.
5. The City will support and encourage the use of conservation easements within significant environmental areas.
6. The City should develop a protocol to allow it to co-hold conservation easements with designated conservation organizations, or alternately to enter into agreements with these organizations to provide legal and/or financial support within defined limits in the event that a conservation easement is challenged in the courts.

10.18. Parking

1. In order to provide adequate off-street parking in the commercial core or Central Business Districts of settlement areas, Council will encourage the provision of adequate parking. Where property becomes available in suitable locations, Council may acquire property to reduce parking deficiencies. All new development in the commercial core or Central Business Districts of settlement areas shall be encouraged to provide sufficient parking to accommodate the proposed use whether independently or in common with other merchants. If such parking cannot be provided, the municipality may collect cash-in-lieu to be used expressly for the provision of additional parking spaces in an appropriately defined area.
2. Parking for all uses outside the Central Business District should be provided entirely on-site.

10.19. Committee of Adjustment

1. A Committee of Adjustment has been established to deal with minor variances to zoning by-laws and any other by-law implementing this Plan. It shall also deal with consents for the conveyance of land or granting the use of land for extended periods as provided for under the Planning Act. The Committee will be guided by the requirements of the Planning Act and the Regulations issued from time to time.
2. A Committee shall adhere to the policies contained within this Plan especially those relating to non-conforming uses.

10.20. Official Plan Review

This plan is for a 20 year planning period.

A comprehensive review of this Plan shall be undertaken at 5-year intervals by Council to ensure that the policies are adequate for the achievement of the goals and objectives and that they remain valid and realistic in light of prevailing circumstances. The review will also take into consideration that the Plan must be consistent with the PPS that is in effect at the time.

10.21. Notice Procedures for Official Plan, Zoning By-Law and Community Plan Amendments

1. Sections 17(18) and 34(14) of the Planning Act provide for alternative Notice Procedures.
2. Council shall undertake a program that increases public awareness to the complexities of land use planning. Council shall encourage the active participation of citizens and citizen groups during the preparation of amendments.
3. Except as otherwise provided for herein, the provisions of the Planning Act, respecting notification of the public with regard to public meetings shall be followed during the preparation of Official Plans, Comprehensive Zoning By-laws, Community Improvement Plans and any amendments thereto.
4. For a second or subsequent public meeting with respect to a Community Improvement Plan or a Zoning By-law, the Council may provide notice in the form as prescribed in the Planning Act Regulations 7 days prior to the public meeting to those prescribed, in the Planning Act Regulations.
5. A Zoning By-law Amendment which, in the opinion of Council, does not change the intent of the By-law such as correcting clerical, typographical or grammatical errors or the renumbering of provisions shall not require a public meeting or public notice prior to Council passing the By-law.
6. Similarly, after an adopting By-law has been passed, changes to a Zoning By-law, an Official Plan or any Amendments thereto to correct minor, technical errors, or omissions which, in the opinion of Council, do not change the intent of the document shall not require a further public meeting nor the giving of further notice prior to Council passing a By-law to correct such errors.
7. Council or a committee of Council, which is charged with the responsibility of conducting public meetings, may at any time, adjourn a public meeting to be continued at a later time, without giving notice, if a time and place for reconvening is announced to the public at the meeting.
8. Notwithstanding the above, where a public meeting is adjourned, rescheduled or a subsequent meeting is to be held, the Clerk shall notify by personal service, first class mail or by fax all those who filed with the Clerk their name and full address or fax number, the time and place of the adjourned, rescheduled or subsequent public meeting.
9. Where notice is provided as required herein or as prescribed in the Act and the Regulations, Council may provide additional notice between the required minimum notice being given and the public meeting.
10. For the purposes of this Section, Council shall mean either the City Council or a Committee of Council established by Council to conduct the public meeting.

11. IMPLEMENTATION

11.1. Amendments

1. Changing conditions may necessitate the need for Amendment to this Plan.
2. Each Amendment proposed shall contain background reports and a complete justification

for the proposed change. Amendment procedures as outlined in specific designations shall also apply. Any Amendment to this Plan that is in close proximity to a water body shall include information as required for a Secondary Plan. All Amendments should conform to the Goals and Objectives contained herein.

3. A proposed Amendment shall contain a key map indicating the location and existing designation of the affected and adjoining areas. In addition, a more detailed map showing the proposed and adjoining designations shall be required.
4. Where an Amendment is considered within an area currently covered by a sub-schedule, such a schedule will be used for the Amendment. Where the Amendment is located in that portion of Schedule A not covered by a sub-schedule then a segment of Schedule A may be used for the Amendment.
5. Amendments to the Prime Agricultural designation will only be considered as part of the five-year review process and will not be considered solely based on a particular site's soil classification. Such amendments must be supported by a detailed justification report that demonstrates the need for the proposed use for which the amendment is sought, and that it cannot be reasonably located on lands outside the Prime Agricultural designation or on lands within the Prime Agricultural designation with a lower agricultural capability.
6. In the case of adjusting the urban designation on land designated as Prime Agricultural, then it must also be demonstrated that the municipality does not have sufficient lands already designated urban to accommodate projected growth and evaluates the effect of the amendment upon agricultural operations, uses in the surrounding area, and identifies all alternative sites that were considered for the proposal along with the reasons for their elimination. Ownership of a particular site shall be given no weight in the evaluation of alternative sites.
7. From time to time amendments to this Plan are approved in a format that may be inconsistent with the section numbering convention established for this plan. Changes to the format of the text or schedules of such amendments necessary to maintain consistency and which do not alter the intent of the amendment may be made, without the need for further amendment to this plan, for the purposes of producing an office consolidation of the plan.

11.2. Secondary Plans

1. Within this Plan, there are occasions when Secondary Plans may be considered. Prior to the preparation of a Secondary Plan, Council will assess the need for development relative to the City Growth Strategy and the extent to which similarly designated areas have developed.
2. A Secondary Plan will be required when:
 - (a) a development in excess of fifty dwelling units is proposed in or adjacent to a designated settlement area or the Waterfront Designation;
 - (b) a major development is proposed which would have a substantial impact on the surrounding area or City.
3. The Secondary Plan shall have regard to the following criteria:
 - (a) the physical suitability of the land for development based on the policy guidelines of Section 4 of this Plan;
 - (b) the impact that development may have on surrounding areas;
 - (c) the adequacy of and impact on services and facilities;
 - (d) the potential effect of development on the financial position of the municipality;
 - (e) the convenience, accessibility and safety of the site for vehicular and pedestrian

traffic;

- (f) the adequacy of the road system which will provide access to the development;
 - (g) in shoreline areas, the capacity of the waterbody to sustain further development and a justification for any development based on the number, extent, and location of similar situations on the entire lake or river and how the development ranks against them based on policies contained in this Plan;
 - (h) consideration shall be given to the adequacy of the soil and groundwater to sustain the development without having an adverse impact on the surrounding areas or uses;
 - (i) where land is designated as Environmental Protection or is considered to be subject to flooding, the potential impact of the flooding shall be determined along with the methods by which these impacts may be overcome in a manner consistent with accepted engineering techniques and resource management practices; and,
 - (j) for those secondary plans areas abutting or in close proximity to a provincial highway, the MTO requires comprehensive traffic impact studies be undertaken at the preliminary stages of development or in the preparation of the secondary plan in order to properly identify and assess long term implications to the provincial highway system.
4. The broad policy and Land Use Designations contained in such Secondary Plans will be incorporated into this Plan by amendment.

12. SCHEDULES

The following schedules may be presented in a number of sub-schedules.

Schedule A – Land Use Schedules

- Schedule “A-1” – Manvers
- Schedule “A-2” – Mariposa
- Schedule “A-3” – Ops and Emily
- Schedule “A-4” – Eldon
- Schedule “A-5” – Fenelon and Verulam
- Schedule “A-6” – Carden
- Schedule “A-7” – Bexley, Laxton and Somerville
- Schedule “A-8” – Dalton, Digby and Longford

Schedule B – Natural Heritage Features Schedule

Schedule C – Wellhead Protection Zones Schedules

- Schedule “C-1” – Birch Point Wellhead Protection Zones
- Schedule “C-2” – Canadiana Shores Wellhead Protection Zones
- Schedule “C-3” – Janetville Wellhead Protection Zones
- Schedule “C-4” – King’s Bay Wellhead Protection Zones
- Schedule “C-5” – Kinmount East Wellhead Protection Zones
- Schedule “C-6” – Mariposa Estates Wellhead Protection Zones
- Schedule “C-7” – Pinewood - Pontypool Wellhead Protection Zones
- Schedule “C-8” – Pleasant Point Wellhead Protection Zones
- Schedule “C-9” – Sonya Wellhead Protection Zones
- Schedule “C-10” – Victoria Glen - Omemee Wellhead Protection Zones
- Schedule “C-11” – Victoria Place Wellhead Protection Zones
- Schedule “C-12” – Western Trent/Palmina Wellhead Protection Zones

- Schedule “C-13” – Woodfield-Sundance/Manorview Wellhead Protection Zones
- Schedule “C-14” – Woods of Manilla Wellhead Protection Zones
- Schedule “C-15” – Woodville Wellhead Protection Zones

Schedule D – Transportation Schedule(Not included at this time)

Schedule E – Mineral Aggregate Resource Areas (MARAs) {and Haul Routes} Schedule
(The Haul Routes are not currently shown on this Schedule)

Schedule F – Waste Management Facilities Schedule

Development Plan Schedules (DP)

- Development Plan Area One (DP-1) - Moore Subdivision; Verulam
- Development Plan Area Two (DP-2) - Black Bear Subdivision; Somerville
- Development Plan Area Three (DP-3) – King’s Bay; Mariposa
- Development Plan Area Four (DP-4) - Gilson Point; Mariposa
- Development Plan Area Five (DP-5) - Szakacs Subdivision, Verulam
- Development Plan Area Six (DP-6) - 564711 Ontario Inc., Fenelon

Secondary Plan Schedules (SP)

(No Secondary Plans are included in the Plan at this time and therefore are not included)

Community Plan Schedules (CP)

(No Community Plans are included in the Plan at this time and therefore are not included)

13. APPENDICES

13.1. Appendix A - Background Studies

1. **Level One Archaeological Assessment:**

All official plan and zoning amendments and subdivision, condominium or consent applications affecting undisturbed lands, which: are within 300 metres of a lake, major watercourse, a wetland, or an ancient water source; are on a site possessing elevated topography, sandy soil in a clay or rocky area or unusual land forms; include historic cultural features; are a known Archaeological site; or are a designated Historical site will require a Level One Archaeological Assessment.

1. **Level Two Archaeological Assessment:**

All applications where development is proposed on lands containing a registered Archaeological site or where a Level One Assessment has identified the presence of archaeological resources and Level Two Archaeological Assessment will be required.

2. **Hydro geological Investigation:**

All official plan amendment or subdivision applications proposed to be developed based on private wells and septic systems;

Proposals to be connected to an existing municipal water or sewer system where surrounding development is serviced by private or municipal wells;

All applications for Aggregate extraction that will extract below the water table.

3. **Noise Study:**

All Official Plan amendment or subdivision applications involving sensitive land uses within: 500 metres of: an expressway or main railway; 250 metres of a Major Highway or secondary rail line; 300 metres of a Class 'A' Aggregate Extraction operation; an Airport flight path; a medium or heavy industry; and 100 metres of other rail lines;

All applications to permit a medium or heavy industry within 300 metres of a sensitive land use.

4. **Storm Water Management Report:**

All Official Plan amendment or subdivision applications which: will result in alterations to lot grading; will create a new surface or sub-surface drain; will require an outfall to any existing surface or sub-surface drain.

5. **Environmental Impact Study:**

All Official Plan amendment or subdivision applications that are located within 120 metres of or on land identified as Environmentally Sensitive.

6. **Flood Plain Study:**

All Official Plan amendments, subdivision applications and Aggregate Extraction proposals, where the site is located adjacent to a watercourse which has not been flood mapped and which has been identified as having flood potential;

All applications which propose to locate within an area identified by floodplain mapping as flood fringe.

7. **Agricultural Capability:**

All Official Plan amendment or subdivision applications, which are within an area designated as Prime Agricultural or Rural.

8. Growth and Settlement:

All residential Official Plan amendment or subdivision applications, except shoreline oriented residential, which are outside of a designated Settlement Area.

9. Servicing Options:

All Official Plan amendment or subdivision applications that are proposed on private wells and or private waste disposal systems.

10. Traffic Study:

All residential Official Plan amendment or subdivision applications in excess of 50 dwelling units or any new Shopping Centre Commercial development which requires access to a highway, primary arterial, a secondary arterial or an urban arterial road;

any Class A aggregate extraction proposal that would not access a designated haul route.

11. Vibration Study:

All residential Official Plan amendment or subdivision applications that would abut an active rail line.

12. Vegetation Analysis and Tree Preservation Plan:

All Official Plan amendments, subdivision applications and Aggregate Extraction proposals, located on sites that are visible from a lake or river.

13. Market Study:

All Official Plan Amendment applications requesting redesignation to Shopping Centre Commercial or General Commercial.

13.2. Appendix B - Traffic Impact Study Requirements

1. Consult with the Public Works Department on the requirements for a traffic impact study.
2. If the proposed use is a significant traffic generator in close proximity to a provincial highway, MTO should be consulted on what they will require.

13.3. Appendix C – Cultural Heritage Study Requirements

1. The requirements of the Ministry of Culture form the basis of Archaeological Studies.
2. Archaeological studies are normally required for official plan and zoning applications and when land is being divided by plan of subdivision or consent when they are:
 - a. within 300 metres of a lake, major watercourse, a wetland, or an ancient water source;
 - b. on a site possessing elevated topography, sandy soil in a clay or rocky area or unusual land forms;
 - c. include historic cultural features;
 - d. a known Archaeological site; or
 - e. a designated Historical site.
3. Development agreements will contain a requirement, that if during construction any archaeological or cultural heritage resources (including human remains) are found, that all work shall cease and the Ministry of Culture be notified and only commenced with the Ministry's concurrence.

13.4. Appendix D - Hydrogeological Study Requirements

1. If a development proposal consisting of the equivalent of five or more residential units is proposed, a hydro geological study to support the development must be prepared by the proponent. The City will have a peer review of the report to ensure that the recommendations are acceptable to the City while ensuring that there is sufficient potable water for the development.
2. The Study must include:
 - (a) the testing of at least one well on the property and must consider all wells within 300 metres of the property;
 - (b) the potential for cross contamination of existing and proposed subsurface sewage disposal systems;
 - (c) that an adequate and safe supply of potable water, relative to the Ontario Drinking Water objectives, is available for the proposed development;
 - (d) that on site sewage disposal or water supply will not prevent or impede the use of the ground water resource on site or in adjacent areas;
 - (e) the appropriate lot size or site alterations required to meet MOE Technical Guidelines;
 - (f) compliance of the study with all pertinent Provincial policies, guidelines and legislation;
 - (g) identify additional investigations if there is insufficient information to make a definitive determination relative to items (a) to (g) above; and
 - (h) the report should take into consideration that the systems will be designed and built to meet the requirements of the Building Code;
3. All reports shall be based on the MOE's Technical Guideline for Individual On-Site Sewage Systems: Water Quality Impact Assessment and MOE's Technical Guideline for Private Wells: Water Supply Assessment and the MOE's Reasonable Use Policy.
4. For a residential unit, the report with respect to water should be based on a water flow of 450 litres per person per day. The water should meet MOE drinking water standards or have a recommended treatment to achieve this.
5. The use of surface water for a potable water system is not acceptable unless the system will be a communal system to be assumed by the City.

13.5. Appendix E - Development Applications

1. Applications requiring an approval pursuant to the Planning Act shall be accompanied by sufficient information to permit a proper evaluation of the proposal in consideration of the policies of this Plan and applicable Provincial Policies.
2. Without limiting the applicability of any specific requirements set out by any other policy of this plan or for a specific land use designation section 14.6 sets out the types of background studies that may be required for specific types of applications.
3. Notwithstanding the list, set out below the City may require additional studies as a condition of granting an approval.
4. All studies and reports submitted in support of an application may be submitted to a peer review in accordance with applicable City policy.
5. Development proponents are expected to meet with the City Development Services Department – Planning Division prior to making an application in order to determine which studies and reports must accompany their specific application.

6. Background studies or reports will not normally be required for minor variance applications or single lot severances. Where a severance application is not the first application for a particular parcel there may be a requirement for a hydro geological investigation.

13.6. Appendix F - Waste Disposal Sites

1. A Waste Disposal facility shall consist of any sanitary landfill site, sewage treatment facility, waste transfer station, or waste recycling facility and shall comply with the requirements of the Environmental Assessment Act and the Environmental Protection Act.
2. A Waste Disposal Facility may be permitted in the Agricultural or Rural Designations subject to:
 - compliance with the provisions of the Environmental Protection and Environmental Assessment Acts;
 - studies having been carried out to the satisfaction of the City that show that development is compatible with surrounding uses and can safely take place;
 - the City requiring the construction and phasing of all development to coincide with the control of any problems identified by the Engineering Studies; and
 - the City being satisfied with the studies with respect to any matter regarding structural stability, safety and integrity of all structures.
3. Waste disposal sites shall be zoned in an appropriate zoning category.
4. Zoning By-laws shall incorporate appropriate setbacks for new development from Waste Disposal Sites that are consistent with provincial regulations and guidelines as administered by the Ministry of the Environment.
5. "Waste Disposal Assessment Areas" are shown on Schedule 'F' and include sanitary landfill sites or sewage treatment facilities that are in operation or have been closed.
6. Land uses that are proposed on or adjacent to a Waste Disposal Assessment Area shall be compatible with the potential impact of the Waste Disposal Assessment Area and be designated or engineered to ensure health and safety.
7. A new use shall not be established within 500 metres of a Waste Disposal Assessment Area unless the appropriate studies are completed to determine if any adverse effects or risks to health and safety from the waste disposal site are present and the necessary remedial measures are taken.
8. If the Province identifies a potential conflict or negative impact for a new use proposed in proximity to a Waste Disposal Assessment Area, then a study shall be completed which determines, to the satisfaction of the Province, the City that the new use can be safely established without risk of negative impacts.

13.7. Appendix G - Flood Elevations and Maximum Lake Levels

	TSW Maximum Elevation (1978 GSC Datum)	CA or MNR 100 Year Flood Elevation or Regional Flood (Timmins Storm) Elevation
Balsam Lake	256.47	256.5
Cameron Lake	255.82	255.7
Canal Lake	241.75	242.75
Chemong Lake	246.82	246.9

Mitchell Lake	256.47	256.5
Pigeon Lake	246.82	246.9
Scugog Lake	251.05	250.9
Sturgeon Lake	248.29	248.4
Head Lake		270.5
Lake Dalrymple		229.4
Young Lake		228.0

13.8. Appendix H - Acronyms and Abbreviations

ANSIs	Area of Natural and Scientific Interests
C of A	Committee of Adjustment
CA	Conservation Authority
CKL	City of Kawartha Lakes
CKLEAC	City of Kawartha Lakes Environmental Advisory Committee
DFO	Department of Fisheries and Oceans (Federal)
DHU	District Health Unit (Haliburton, Kawartha, Pine Ridge District Health Unit)
EIS	Environmental Impact Study or Environmental Evaluation
ELC	Ecological Land Classification
GRCA	Ganaraska Region Conservation Authority
HADD	Harmful Alteration, Disruption or Destruction (deals with fisheries habitat)
KC	Kawartha Conservation or KRCA (Kawartha Region Conservation Authority)
LACAC	Local Architectural Conservation Advisory Committee
LSRCA	Lake Simcoe Region Conservation Authority
LSW	Locally Significant Wetland
MARAs	Mineral Aggregate Resource Areas
MDS	Minimum Distance Separation Formulae (see definitions)
MMA	Ministry of Municipal Affairs
MNR	Ministry of Natural Resources
MOE	Ministry of Environment
MTO	Ministry of Transportation of Ontario
NHIC	Natural Heritage Information Centre
NRVIS	Natural Resources and Values Information System
ORM	Oak Ridges Moraine
ORMCP	Oak Ridges Moraine Conservation Plan
OC	Otonabee Conservation or ORCA (Otonabee Region Conservation Authority)
PSW	Provincially Significant Wetland
PTTW	Permit to Take Water
RSC	Record of Site Condition
TSW	Trent-Severn Waterway, Park Canada
VTE	Vulnerable, Threatened and Endangered (deals with species)

sq.m.	square metres
m ³ or cu.m.	cubic metres
l	litre
ha	hectare
m	metre

13.9. Appendix I - Metric Equivalentents (approximate)

Area		Length	
4000 sq.m.	1 acre	15 m	50 feet
1 ha	2.5 acres	30 m	100 feet
2 ha	5 acres	50 m	165 feet
25 ha	62 acres	100 m	328 feet
38 ha	94 acres	120 m	400 feet
40 ha	100 acres	300 m	985 feet