

11 GENERAL

11.1 *Crown Land*

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| Crown Land | 11.1.1 | The management of Crown land is beyond the direct jurisdiction of this Plan. However, the Ministry of Natural Resources, in its review of Crown land use activities, shall have regard for the policies of this Plan. |
| Disposition of Crown Land | 11.1.2 | Disposition of Crown land will not generally be permitted. Exceptions to this situation is where a limited amount of Crown Land is being transferred to the rear of existing developed lands for the purpose of a lot addition that would provide an area for sewage disposal facilities on the site, or that would allow for an increased setback of development from the shoreline, or where a portion of the Crown Land is to be conveyed to another public body for road or public recreational purposes. Where there are existing building encroachments onto abutting Crown land, the conveyance of a parcel of land large enough (at the side, front or rear of the property) to eliminate the encroachment may be permitted, but not in order to create a new lot. |
| Hunt Camps | 11.1.3 | Hunt camps, which are used only as a temporary base for hunting or trapping activities, may be permitted within the Rural designation. A hunt camp shall not be required to front on a public road and may be serviced by any type of sewage disposal system approvable under the Building Code Act. The Town will encourage all levels of government to have regard to the policies of the Plan wherever possible, and will recognize existing hunt camps on former lots that do not meet the size requirements of these policies. |

11.2 *Design Guidelines*

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| Design Guidelines | 11.2.1 | Design Guidelines are increasingly being used to ensure that development contributes to the well being of residents, improves the visual and aesthetic standards of development and enhances the positive aspects of the community character. Such guidelines provide direction for both the public and private sectors when preparing development plans or public works improvements. |
| (OPA#5)
Location | 11.2.2 | The Town may prepare design guidelines for specific locations or for specific uses in the Town. Where the Town has prepared such guidelines, and those guidelines have been approved by Council, all development shall be consistent with the design guidelines, where applicable.” |
| Conditions of Development Approval | 11.2.3 | Where specific design guidelines have not been prepared by the Town, the Town may require the preparation and approval of design guidelines as a condition of development approval. |
| (OPA#5)
Implementation | 11.2.4 | Design guidelines shall be implemented through a variety of means, including zoning standards, development agreements, site plan agreements, capital works programs and Community Improvement Plans.” |

11.3 *Protecting Cultural Heritage Resources*

Ontario Heritage Act	11.3.1 The Ontario Heritage Act will be utilized to conserve, protect and enhance the cultural heritage resources in the municipality through the designation of individual properties.
Heritage Committee	11.3.2 A Municipal Heritage Committee may be established pursuant to the Ontario Heritage Act to advise and assist Council on matters related to the Act. In addition, the Municipal Heritage Committee may be requested to assist Council on other matters of cultural heritage conservation.
Heritage Designations	11.3.3 Pursuant to the Ontario Heritage Act and in consultation with the Municipal Heritage Committee, Council may, by by-law: <ul style="list-style-type: none"><li data-bbox="467 680 1365 743">i) designate properties to be of historic and/or architectural value or interest;<li data-bbox="467 779 1451 877">ii) define the municipality, or any area or areas within the municipality, as an area to be examined for designation as a heritage conservation district, and;<li data-bbox="467 913 1438 974">iii) designate the municipality, or any area or areas within the municipality, as a heritage conservation district.
Cultural Heritage Resources	11.3.4 Council and appropriate committees shall undertake a leadership role in restoring, rehabilitating, enhancing and maintaining cultural heritage resources owned by the municipality as examples of the proper stewardship of such resources in fulfillment of heritage objectives and policies. As feasible, relevant by-laws, programs and public works undertaken by the municipality will conform to and further the heritage resources management policies of this plan.
Heritage Merit	11.3.5 Council shall enhance the conservation of the municipality's cultural heritage resources by endeavouring to identify and protect building interiors of significant heritage merit.
Scenic Value	11.3.6 Council shall ensure that care is taken to preserve vegetative cover of heritage significance and/or scenic value. Existing landmark trees and hedge lines should be an essential consideration in the design of development. The preservation of trees along streets and roads shall be encouraged by Council, except where removal is necessary because of disease damage, to ensure public health and safety or where alternate re-vegetation is appropriate.
Rehabilitation	11.3.7 Council shall ensure that it has accurate and adequate architectural, structural and economic information to determine the feasibility of rehabilitation and re-use versus demolition when considering applications to demolish designated or identified heritage buildings.

Character	11.3.8	Where possible, new development in older established residential areas of historic, architectural or landscape value shall be encouraged to develop in a manner consistent with the overall character of these areas.
Analysis	11.3.9	Residential infill in areas of historic architectural or landscape merit shall be sensitive to the existing scale and pattern of those areas and consistent with existing landscape and streetscape qualities. Where development is anticipated in an area with significant cultural heritage resources, an analysis and mitigation measures will be required to ensure that any impacts on cultural heritage resources are minimized. In considering applications for waterfront development, Council shall ensure that significant cultural heritage resources both on and off shore are not adversely affected. When necessary, Council will require satisfactory measures to mitigate any negative impacts on such resources.
Assessment	11.3.10	A cultural heritage resource assessment may be required for any lands to be subdivided. The assessment and conservation of any significant cultural heritage resources identified through the assessment may be a condition of any consent or subdivision approval or agreement.
Public Works	11.3.11	Council shall have regard for cultural heritage resources in the undertaking of municipal public works. When necessary, Council will require satisfactory measures to mitigate any negative impacts on significant heritage resources.
Cultural Heritage Resources	11.3.12	Council shall have regard for cultural heritage resources, especially relating to the character of landscapes, streetscapes, tree lines, bridges and the prevailing pattern of settlement, when considering the construction of new roads and road improvements, including realignment, road widening and other servicing needs. When necessary, Council will require measures be adopted to mitigate any negative impacts on significant heritage resources.
Interest	11.3.13	The municipality, wherever desirable and economically feasible, may purchase or otherwise acquire an interest in land to effect the implementation of the heritage policies of the Plan in accordance with the provisions of the Planning Act, the Municipal Act or any other Act.
Easements	11.3.14	Council shall seek the acquisition of easements on properties with heritage significance in order to assume the preservation of these properties in perpetuity.
Municipal Facilities	11.3.15	Council is encouraged to provide that each municipally owned heritage resource which is sold, leased or transferred to another owner or lessee is subject to a heritage easement agreement, which will guarantee its preservation, maintenance and use in a manner which respects its heritage significance, and when appropriate, subject to a heritage restoration agreement.
Appendix 10	11.3.16	Appendix 10 lists identified Built Cultural Heritage Resources.

11.4 *Energy Conservation*

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| Compact Development | 11.4.1 The wise management and conservation of energy resources can be promoted by the Town through various activities. The Town will encourage the use of an orderly and compact development pattern that can minimize the need for automobile trips and encourage the establishment of a public transit system. |
| Energy Conservation | 11.4.2 The Town may investigate ways in which the Zoning Bylaw, and subdivision and development standards can be modified to encourage energy conservation. |
| Alternative Energy | 11.4.3 The use of alternative energy sources, and the use of landscaping and building orientation to reduce energy costs may be included in the design of new facilities in the Town. |
| Sensitive Lighting | 11.4.4 The Town encourages the development of sensitive lighting as part of its design guidelines, and will implement this through the development approval process. |

11.5 *Existing Land Uses*

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| Existing Land Uses | 11.5.1 Any land use existing at the date of the approval of the Zoning By-law that does not conform with the provisions of this Plan should cease to exist in the long term. In special instances, however, it may be desirable to permit the extension or enlargement of the non-conforming use on the property owned on the above noted date, in order to prevent unnecessary hardship. Such extensions or enlargements will require the approval of the Committee of Adjustment or approval of a Zoning By-law amendment. |
| Zoning | 11.5.2 Certain uses of land which exist at the date of adoption of the Zoning Bylaw and that do not conform with the specific policies of this Plan may be zoned specifically in accordance with their present use and performance standards, provided: <ul style="list-style-type: none">a) the zoning will not permit any change of use or performance standard that will aggravate any situation detrimental to adjacent complying uses;b) the uses are located outside the flood way portion of a river or stream system's flood plain;c) the uses do not constitute a danger to surrounding uses and persons by virtue of their hazardous nature or the traffic they generate;d) the uses do not pollute air or water to the extent of interfering with the ordinary enjoyment of property; ande) the uses do not interfere with the desirable development or enjoyment of the adjacent area. |
| Illegal Uses | 11.5.3 Any land use which is illegal under the existing approved official plans or zoning by-laws of the Town does not become legal by virtue of the adoption of this Plan. |

Lot Frontage

- 11.5.4 Existing lots which do not meet the specific lot standards of this plan with respect to minimum lot frontage and area may be recognized for development in an implementing Zoning By-law provided that:
- a) specific minimum site standards for such lots are detailed in the by-law;
 - b) the lot is generally in character with the surrounding area,
 - c) the lot is large enough to support a potable water supply and sewage disposal system except where connected to municipal services;
 - d) the general intent of this Plan is maintained; and
 - e) a site evaluation report may be required to confirm the suitability of the lot for development prior to any lot being so recognized in a zoning by-law.

Exceptions

- 11.5.5 Exceptions to minimum lot size requirements may be considered by the Town where more than one primary, free standing, substantive and structurally sound building legally exists, and provided that the general intent and policies of the plan are respected.

Merged Lots

- 11.5.6 Where abutting lots have previously existed as conveyable parcels and have inadvertently merged in title under applicable sections of the Planning Act, and the lots will not meet current development standards, in general the re-creation of the original lots will be discouraged, but may be considered provided that:
- a) the property has not been purchased as one parcel;
 - b) evidence is produced which indicates that the lots were previously registered separately;
 - c) the minimum lot requirements cannot be achieved through other methods;
 - d) the re-creation of the parcel would not be in conflict with the environmental policies of the plan particularly that respecting water quality;
 - e) the proposed lots can properly accommodate development;
 - f) there is safe and adequate access to the proposed lots; and
 - g) the proposed lots and uses are compatible with the surrounding lots and uses.

11.6 *Group Homes*

Group Homes

- 11.6.1 Group homes shall be permitted in all designations which permit residential development, with the exception of closed custody group homes, subject to the provisions of the Zoning Bylaw. The Zoning Bylaw will differentiate between open custody and closed custody group homes, and shall establish locational and size criteria for group homes. In general, a group home should complement and fit in with the character of the surrounding residential community, and may provide accommodation to a maximum of six residents at any one time. The zoning by-law may establish minimum distance separations between group homes. Closed custody group homes will only be considered by site-specific zoning amendment.

11.7 *Open Space, Trails and Parks*

Open Space
and Trails

- 11.7.1 Where possible, lands developed for public park purposes shall be consolidated into acreage of sufficient size to facilitate the desired recreational use and parks maintenance.

Natural
Features

- 11.7.2 Significant natural features may be designated Open Space, and potentially acquired as public open space. Where any lands under private ownership are designated as Open Space, this Plan shall not be construed to imply that such lands will necessarily be purchased by the Town. If at any time, proposals are made to develop any such lands, and the Town does not wish to purchase the lands in order to develop or maintain the Open Space, then an application for the redesignation of such lands for other purposes will be given due consideration by the Town.

Utilities

- 11.7.3 Lands designated as Open Space may be used for municipal utilities provided that structural coverage of the land is minimized, and screened in such a way so as to maintain the open space character of the designated area.

Parkland
Dedication

- 11.7.4 Lands to be conveyed as part of the parkland dedication related to development shall only be considered acceptable as public Open Space if the topography, shape, location and function of the lands are deemed suitable for public recreational purposes by the Town.

Location

- 11.7.5 Public Open Space uses, parks and recreational trail facilities may be permitted in any land use designation in this Plan.

Location
Characteristics

- 11.7.6 Public Open Space uses are encouraged to locate in or adjacent to:
- a) existing public parks;
 - b) areas with adequate public access;
 - c) areas with natural amenities or scenic areas; and

- d) areas which are presently lacking in sufficient passive open space, particularly where evidenced by local demand for improved public open space facilities.

Natural State 11.7.7 Where possible, municipal lands adjacent to water bodies will be kept in a natural state.

Vegetative Buffers 11.7.8 The maintenance, enhancement or restoration of vegetative buffers along shorelines in municipal parks and other municipal lands is strongly encouraged.

11.8 Parkland Dedication

Park Dedication 11.8.1 The Town shall establish provisions for the dedication and use of lands for park or other public recreational purposes pursuant to the Planning Act.

5% Dedication 11.8.2 In considering lot creation by registered plan of subdivision, condominium or consent application, the Town may require the applicant to dedicate up to 5% of the gross area to the provision of public open space in residential developments and up to 2% for commercial or industrial developments. At the discretion of the Town, this dedication may take the form of land or as a cash payment under the provisions of the Planning Act.

Alternative Dedication 11.8.3 As an alternative to the basic provisions for parkland dedication noted above, conveyance may be requested at a rate of up to one hectare (2.5 acres) for each 300 dwelling units proposed.

Natural Areas 11.8.4 Natural areas, including hazard lands, creek valleys, other environmentally sensitive areas, or significant ridges will be set aside as permanent open space and shall not necessarily constitute part of the statutory dedication for public open space use. The Town may consider acquiring natural areas where it is in the public interest to do so and where such lands contribute to the character of the area.

Shoreline Park Dedication 11.8.5 In order to increase the amount of public or conservation lakefront lands around the lake, the Town will acquire lakefront land where appropriate as the 5% parkland dedication rather than requiring a cash-in-lieu contribution. As an alternative to this requirement, particularly in more remote areas or where limited parcels would be created, consideration may be given by the Town to taking a cash-in-lieu contribution and/or a lake front conservation easement.

Recreational Trails 11.8.6 In order to enhance the potential for a network of linked multi-use recreational trails throughout the Town, all development applications will be reviewed and evaluated on the extent to which the creation, expansion and preservation of such a network can be accomplished as part of that development application, and whether it is appropriate to acquire such facilities as part of a parkland dedication.

Road Allowances 11.8.7 Municipal road allowances which could become a link in a trail system will not be conveyed out of public ownership.

Alternate
Location

- 11.8.8 Where application is made to close and convey a road allowance, if the road allowance would not contribute to a trail system, regard shall be had for conducting an exchange for alternative land that could become part of a trail system where deemed appropriate.

11.9 Sensitive Land Uses

Sensitive Uses

- 11.9.1 Where a land use change or new residential lot creation is proposed that is likely to adversely affect existing uses or be adversely affected by existing uses, a feasibility study that assesses the impacts of odour, noise, vibration, particulate or other emissions may be required in accordance with provincial guidelines. Some uses (e.g., residential) may be sensitive to the odour, noise, vibration or other emissions associated with facilities such as highways, arterial roads, railway corridors, pits and quarries, various types of industries and sewage treatment facilities. The feasibility study shall include recommendations on how impacts can be mitigated. The approval of the development proposals shall be based upon the achievement of adequate separation distances between land uses and other mitigation recommendations.

Railway
Corridor

- 11.9.2 Development adjacent to a railway corridor shall ensure that appropriate safety measures, such as setbacks, berms, and security fencing are provided to the satisfaction of the Town, in consultation with the appropriate railway company.

Separation

- 11.9.3 In order to minimize and alleviate, wherever feasible, the conflicts of the railway network with adjacent lands uses and with the road network, the Town will require that adequate visual and/or physical separation or other techniques be provided to screen or mitigate impact of a railway right-of-way from adjacent residential land uses, as determined by the Town in consultation with the Ministry of Environment and other concerned public agencies.

Contaminated

- 11.9.4 If the site of a proposed land use is known or suspected to be contaminated, a study may be required in accordance with provincial guidelines to determine the nature and extent of the contamination and the identification of a remedial plan, if required. Where the need for remediation is identified, the site shall be restored in accordance with the remedial plan before development occurs to ensure there will be no adverse effects on the proposed use or adjacent land uses.

11.10 Service Limitations

Service
Limitations

- 11.10.1 The Town and other agencies provide a wide variety of services to property owners. Although the Town & agencies attempt to provide the highest level of service to all locales, it is recognized that the delivery of services may not generally be provided on the same level, in various locations in the Town.

Maintenance

- 11.10.2 The Town and other agencies generally attempt to provide the optimum level of services within approved financial constraints. When considering the

provisions of services, regard is given to the long term maintenance implications and costs associated therewith.

Urban Service
Areas

11.10.3 Urban Service Areas for the provisions of such services as street lighting, and garbage disposal may be established by by-law and subject to conformity to the policies of this Plan.

11.10.4 The level and extent of public services affecting lands outside the Urban Area may be less than those provided in the Urban area. Services may be limited in remote locations, or where there is private road or water access.

Demand for
Public Services

11.10.5 Development shall not be permitted where it would create an increased demand for public services which are uneconomic to provide, improve, or maintain. Development shall be promoted in locations where demands on public services will be minimized, and where such development will most effectively utilize or help pay for existing service. Similarly, development may be permitted where services can be provided most economically.

11.11 Planning for School Sites

School Sites

11.11.1 Adequacy of school sites shall be addressed by designating sites during the preparation of secondary, community and plans of subdivision in consultation with all school boards.