



CITY OF KAWARTHA LAKES

OFFICIAL PLAN – 2012

Prepared by:

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City of Kawartha Lakes

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Please note that, as of February 6, 2012, sections of this Official Plan are under Appeal to the Ontario Land Tribunal (OLT). Appealed Sections and Schedules have been noted in the document and will be updated as appeals are resolved. Please see Appendix K for a list of appeals as of June 2012.

Appendix K was modified through Attachment 3 to Tribunal Decision issued October 29, 2019 under OLT File No(s). PL120217 et al.

Schedules A-2, A-3, A-4, and A-5 were modified through Tribunal Decision issued March 10, 2022.

The document has been prepared in accordance with The Accessibility for Ontarians with Disabilities Act (AODA); additional accessible formatting and communication supports are available, upon request.

Updated March 2022 (not an office consolidation)

The Official Plan for the City of Kawartha Lakes Planning Area was adopted by the Council of the Corporation of the City of Kawartha Lakes by By-law 2010-160 in accordance with Section 17 of The Planning Act R.S.O. 1990, CHAPTER P.13 on September 21, 2010. The Ministry of Municipal Affairs and Housing approved this Official Plan with modifications on January 11, 2012.

This Official Plan, excepting those sections under appeal to the Local Planning Appeal Tribunal, came into effect on June 8, 2012.

The Mayor and Council of the City of Kawartha Lakes recognize and acknowledge the thoughtful and constructive input that has been received from a diverse array of community stakeholders throughout the process of developing the new Official Plan for the City of Kawartha Lakes.

City Council
2006-2010

Mayor, Ric McGee
Ward 1, Lloyd Robertson
Ward 2, Emmett Yeo
Ward 3, David Hodgson
Ward 4, Glenn Campbell
Ward 5, Stephen Strangway
Ward 6, Doug Elmslie
Ward 7, Brian Junkin
Ward 8, Donna Villemaire
Ward 9, Andy Luff
Ward 10, Howard Robinson
Ward 11, Patrick O'Reilly
Ward 12, Gord James
Ward 13, Pat Warren
Ward 14, Ron Ashmore
Ward 15, Gerald McGregor
Ward 16, David Marsh

City Council
2010-2014

Mayor, Ric McGee
Ward 1, John Macklem
Ward 2, Emmett Yeo
Ward 3, David Hodgson
Ward 4, Glenn Campbell
Ward 5, Stephen Strangway
Ward 6, Doug Elmslie
Ward 7, Brian Junkin
Ward 8, Donna Villemaire
Ward 9, Andy Luff
Ward 10, Pat Dunn
Ward 11, Patrick O'Reilly
Ward 12, Gord James
Ward 13, Pat Warren
Ward 14, Ron Ashmore
Ward 15, Gerald McGregor
Ward 16, Heather Stauble

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CITY OF KAWARTHA LAKES OFFICIAL PLAN

PART A - CONCEPTUAL PLAN FRAMEWORK

1. OVERVIEW

1.1. HISTORICAL PERSPECTIVE

- 1.1.1. 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.
- 1.1.2. 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

- 1.2.1.
 - 1.2.1. The City is composed of 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.
- 1.2.2. A lake system known as the Trent- Severn Waterway traverses the City. The system extends from the Bay of Quinte to Lake Simcoe. It was begun in 1833 with a lock constructed in Bobcaygeon and was completed in 1920 through to Georgian Bay. It is a major recreational waterway in Ontario and the City benefits from its presence.

This
Section
Under
Appeal.
See
Appendix
K

- 1.2.3. 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, as well as exhibiting alvar habitat. The Precambrian shield covers the northern part of the city in Dalton, Digby and Longford Townships.

1.3. POPULATION

- 1.3.1. The Census population of the City of Kawartha Lakes in 2001 was 69, 179 and as per census 2006, it was 74,561. Growth over the past 30 years has resulted in the population doubling. The period from the 1996 to 2001 Census was 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 population growth between 2001 and 2006 was 7.8% while Ontario was at 6.6% growth as a province. The City must plan on the basis of the Provincial Growth Plan projections which currently target 100,000 residents by 2031.
- 1.3.2. About 65% of the residents live in rural areas, with 35% living in the urban area. There are a significant number of seasonal residents in the City within the waterfront areas and recreational trailer parks.

1.4. ORGANIZATION OF THE OFFICIAL PLAN

The Official Plan consists of six parts as follows:

Part A: Conceptual Plan Framework

The Conceptual framework provides the historical and geographical perspective and the basis for its policies.

Part B: Strategic Directions

Strategic Directions that provide direction and policies regardless of land use designation, unless otherwise indicated.

Part C: Land Use Policies

The goals, objectives and policies for designated land use areas are included in this Section.

Part D: Infrastructure and Services Policies

This section establishes policy for the physical infrastructure and human services which support land use activities including parks, schools, community facilities, institutions, transportation, stormwater management, utilities and community improvement policies.

Part E: Interpretation and Definitions

Definitions of specific words or phrases are provided for ease of interpretation.

Part F: Subordinate Plans and Special Policy Areas

These policies deal with existing and future secondary plans, special policy areas and development plan areas.

PART G: Implementation

These policies outline procedural and implementation requirements for the use and development of lands and the means to interpret the policies and maps contained in this Plan.

Official Plan Schedules

A Land Use

B Natural Heritage Features

C Wellhead Protection Zones

D Waste Management Facilities

E Development Plans

F Special Policy Lake Plan Area – SP – 1

G Amendment 104 (Oak Ridges Moraine Amendment) – under separate cover

2. BASIS

2.1. ENVIRONMENT

- 2.1.1. The City is blessed with a number of natural features that are considered irreplaceable assets. These include the lakes and rivers, the Trent-Severn Waterway, 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.
- 2.1.2. The Community Vision process from 2002 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 adverse environmental or public health & safety effects.
- 2.1.3. The surface and groundwater within the City is an important resource. Measures will be taken to protect the water quality and quantity of the surface and groundwater resource.

2.2. ECONOMY

- 2.2.1. 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. The City must plan on the basis of the Provincial Growth Plan projections which currently target 27,000 new jobs by 2031.
- 2.2.2. 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 prohibit the creation of new vacant residential lots in prime agricultural areas.
- 2.2.3. 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.
- 2.2.4. The tourism industry represents a significant component of the City's 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.
- 2.2.5. The industrial base of the City is diverse and includes a growing number of niche market manufacturers.
- 2.2.6. Access to serviced industrial lands is available throughout the City. The Lindsay Industrial Park offers serviced industrial lots ranging from 0.4ha to 402.43ha. 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 35.

2.3. HOUSING

- 2.3.1. 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 townhouses 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.

- 2.3.2. The City will encourage the provision of a broad mix and range of housing to meet the needs of present and future households in the area. The City also encourages the provision of housing types, densities and tenures that are affordable to moderate and lower income households. The City encourages residential intensification in the built up area and establishing cost effective development standards for new residential development and redevelopment.

2.4. STRATEGIC PLANNING EXERCISE (COMMUNITY VISION)

- 2.4.1. As a result of extensive public consultation, a Community Profile was completed which provided, a summary of Community Values, and a list of key initiatives, that ultimately formed the basis for the Community Vision 2002-2012.

2.5. COMMUNITY VISION 2002-2012 SUMMARY

- 2.5.1. 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 growing further as important contributors to the local economy.
- 2.5.2. The City will provide leadership, support and coordination for implementation of the Community Vision over the life of the Vision to 2012.

2.6. HEALTH AND SUSTAINABILITY

- 2.6.1. The City of Kawartha Lakes is attractive to many, with its natural beauty, rich heritage and natural resources. The Official Plan manages lands and resources and directs future growth to ensure that community needs and desires are met for today and into the future.
- 2.6.2. The City of Kawartha Lakes will strive to balance the community's economic, environmental and social objectives through, among other things, policies and directions in the Official Plan that encourage sustainable community development and active and healthy living for residents, businesses and visitors to enjoy.

- 2.6.3. The City of Kawartha Lakes is committed to the development of an Integrated Community Sustainability Plan (ICSP) that establishes the broad sustainability framework and community vision for the City beyond 2012
- 2.6.4. The Official Plan reflects a determination by City Council to establish a safe, healthy and active community while achieving a high quality of life for citizens of all ages. The City is committed to partnering and collaborating with community and government stakeholders to achieve this goal
- 2.6.5. The Official Plan contains policies to encourage and promote active transportation and connectivity for pedestrians and all modes of transportation.

PART B - STRATEGIC DIRECTIONS

3. ENVIRONMENT

3.1. GOALS:

- 3.1.1. To enhance and protect the quality of the natural environment within the City.
- 3.1.2. To support water conservation, energy conservation, air quality protection through programs and land use patterns that encourage energy efficiency and conservation.
- 3.1.3. To protect and where possible, enhance the ground and surface water resources throughout the City.

3.2. OBJECTIVES:

- a) 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.
- b) Recognize and protect the natural heritage features and resources and provide for updating of the natural heritage features inventory throughout the City.
- c) Recognize that the conservation of the natural environment within the Natural Heritage System, is a priority of the City.
- d) Maintain a high level of bio-diversity by protecting natural heritage areas and the connections between them.
- e) Encourage development in areas that are not environmentally sensitive.
- f) 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.
- g) To recognize the importance of forest resources and manage, enhance and improve the forest resources throughout the City.

- h) Development should also provide as pleasing an environment as possible to all residents of the City through proper management of man-made and natural environmental features.
- i) Work co-operatively with Conservation Authorities, Provincial Ministries, Trent-Severn Waterway and other agencies in protecting the natural environment.

3.3. WATER RESOURCES

- 3.3.1. Development and site alteration that maintains the hydrological functions and minimizes direct alteration to groundwater flows shall be encouraged. Any development and site alteration must demonstrate that the existing hydrologic function of surface and ground water features and any relationship to natural heritage features and areas will be maintained or enhanced.
- 3.3.2. Extraction of water beyond personal use is considered a commercial operation and requires commercial/industrial land use zoning (except wetland restoration projects and agricultural operations). Applicants for a Permit to Take Water under the Ontario Water Resources Act shall be accompanied by a Water Budget verifying that there will not be an adverse effect on water systems and natural heritage features prior to consideration of the requested zoning. Where a Permit to Take Water is not required, as a condition of approval, Council may require the proponent to enter into a monitoring and financial agreement to ensure that neighbouring drinking water supplies are not affected by the taking of water.
- 3.3.3. The City will encourage property owners to properly abandon wells that are no longer in use in keeping with the Ministry of Environment regulations.
- 3.3.4. 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. For the purpose of the Plan, the residential development occurring in DP8 (Longford Reserve) is not considered multiple residential developments.
- 3.3.5. Individual lake plans and lake stewardship programs are encouraged and will be utilized as a method to identify important local values, environmental features and individual lake characteristics. The plans shall be developed in consultation with appropriate stakeholders.

- 3.3.6. Communal water systems should not be allowed to distribute raw untreated surface water.
- 3.3.7. Council shall adopt a Site Alteration by-law in conformity with the Lake Simcoe Plan.
- 3.3.8. The City supports reducing stormwater runoff volume and pollutant loadings from major development and existing settlement areas by:
- a) encouraging implementation of a hierarchy of source, lot-level, conveyance and end-of-pipe controls;
 - b) encouraging the implementation of innovative stormwater management measures;
 - c) allowing for flexibility in development standards to incorporate alternative community design and stormwater techniques, such as those related to site plan design, lot grading, ditches and curbing, road widths, road and driveway surfaces, and the use of open space as temporary detention ponds;
 - d) supporting implementation of programs to identify areas where source control or elimination of cross connections may be necessary to reduce pathogens or contaminants; and
 - e) supporting implementation of source control programs, which are targeted to existing areas that lack adequate stormwater controls.
- 3.3.9. Where applicable, an application for major development shall be accompanied by a stormwater management plan that demonstrates:
- a) consistency with completed stormwater management master plans;
 - b) consistency with completed subwatershed evaluations and water budgets;
 - c) an integrated treatment train to minimize stormwater management flows and reliance on end-of-pipe controls through measures including source controls, lot-level controls and conveyance techniques, such as grass swales;
 - d) through an evaluation of anticipated changes in the water balance
 - e) between pre-development and post-development, how such changes shall be minimized; and
 - f) through an evaluation of anticipated changes in phosphorus loadings between pre-development and post-development, how the loadings shall be minimized.

- 3.3.10. Stormwater management works that are established to serve new major development in the Lake Simcoe watershed shall not be permitted unless the works have been designed to satisfy the Enhanced Protection level specified in Chapter 3 of the MOE's "Stormwater Management Planning and Design Manual 2003", as amended from time to time.
- 3.3.11. Every owner and operator of a new stormwater management works in the Lake Simcoe watershed shall be required to inspect and maintain the works on a periodic basis and be required to monitor the operation of works, including monitoring the quality of the effluent from the works, on a periodic basis.
- 3.3.12. The following measures are to be incorporated into subdivision agreements and site plan agreements where appropriate:
- keep the removal of vegetation, grading and soil compaction to the minimum necessary to carry out development activity;
 - removal of vegetation shall not occur more than 30 days prior to grading or construction;
 - put in place structures to control and convey runoff;
 - minimize sediment that is eroded offsite during construction;
 - seed exposed soils once construction is complete and seasonal conditions permit; and
 - ensure erosion and sediment controls are implemented effectively.
- 3.3.13. An application to establish or expand a major recreational use shall be accompanied by a recreation water use plan that demonstrates:
- water use for maintenance or snow-making or both are kept to a minimum;
 - grassed, watered and manicured areas are limited to sports fields surfaces, golf fairways, tees and greens, and landscaped areas around buildings and structures;
 - grass mixtures that require minimal watering and upkeep will be used for sports fields and golf fairways where applicable;
 - crossings of intermittent and permanent streams are kept to a minimum;
 - water-conserving technologies (such as low-flow toilets and shower heads) are used in clubhouses and restaurants where applicable;

- water-conserving technologies (such as timed irrigation systems designed to reduce evaporation losses, and recycling of water from under greens) are used in the irrigation and watering of sports field surfaces, golf fairways, tees and greens, and landscaped areas around buildings and structures, where applicable;
- other water conservation technologies (such as rainwater harvesting or reuse of stormwater) will be used to reduce water use;
- stormwater treatment facilities are used to capture and treat runoff from areas with impervious surfaces;
- and the measures described in Section 3.3.12.

3.3.14. No structures, including boathouses, shall be permitted in lakes or in any permanent or intermittent streams, within the Lake Simcoe Watershed, if the structure impedes the natural flow of water along the shoreline or in the stream, if the structure is intended to be used as a dwelling, or if the structure or its construction harmfully alters fish habitat. This policy does not prohibit drainage works such as those permitted under the Drainage Act, those required for infrastructure or those structures required for the purposes of stewardship, conservation, restoration or remediation undertakings.

3.3.15. The alteration of the shore of lakes or any permanent or intermittent streams, within the lake Simcoe Watershed, for the purpose of establishing or altering drainage works such as those works under the Drainage Act, infrastructure or for stabilization, erosion control or protection purposes shall only be permitted if it is demonstrated that natural shoreline treatments (e.g. planting of natural vegetation, bioengineering) that maintain the natural contour of the shoreline will be used where practical, and a vegetative riparian area will be established to the extent feasible. In relation to such works, lands used for agricultural purposes do not require the establishment of a vegetative riparian area if the land is, and will continue to be, used for agricultural purposes.

3.3.16. Where a proposal for development or site alteration is permitted within 30 metres of a lake or a permanent or intermittent stream or wetland in the Lake Simcoe watershed, in accordance with Section 3.5.38 of this Plan, the proposal for development or site alteration shall comply with the following where applicable:

- maintain, and where possible, increase or improve fish habitat in the lake, stream or wetland, and any adjacent riparian areas;
- to the extent possible, enhance the ecological features and functions associated with the lake, stream or wetland;

- minimize erosion, sedimentation, and the introduction of excessive nutrients or other pollutants and utilize planning, design, and construction practices that maintain and improve water quality; and
- integrate landscaping and habitat restoration into the design of the proposal to enhance the ability of native plants and animals to use the area as both wildlife habitat and a movement corridor.

3.3.17. Within the lake Simcoe Protection Plan area, development proposals outside of settlement areas that requires an increase in the existing rated capacity of a sewage treatment plant or the establishment of a new sewage treatment plant, an environmental assessment of the undertaking shall be completed or approved prior to giving any approvals under the Planning Act or the Condominium Act.

3.3.18. Within the Lake Simcoe Protection Plan area, no new municipal sewage treatment plant shall be established unless the new plant is intended to replace an existing municipal sewage treatment plant; or the new sewage treatment plant will provide sewage services to:

- a development that is on partial services, or
- a development where one or more subsurface sewage works or on-site sewage systems are failing.

3.3.19. A significant groundwater recharge area is an area identified,

- a) as a significant groundwater recharge area by any public body for the purposes of implementing the PPS;
- b) as a significant groundwater recharge area in the assessment report required under the Clean Water Act, 2006 for the Lake Simcoe Source Protection Area; or
- c) by the LSRCA in partnership with MOE and MNR as an ecologically significant groundwater recharge area.

Once a significant groundwater recharge area is identified, the City shall incorporate significant groundwater recharge areas into the official plan together with policies to protect, improve or restore the quality and quantity of groundwater in these areas and the function of the recharge areas.

3.3.20. Outside of the Oak Ridges Moraine area, an application for major development within a significant groundwater recharge area shall be accompanied by an environmental impact study that demonstrates that the quality and quantity of groundwater in these areas and the function of the recharge areas will be protected, improved or restored.

3.3.21. Lake Trout Lakes

There are three lake trout lakes in the City of Kawartha Lakes:

Big Trout Lake – Longford Township – at capacity

Crotchet Lake– Longford Township

South Anson Lake– Anson Township – at capacity

Big Trout Lake is considered to be “at capacity” until water quality sampling is undertaken to determine its status in terms of sustaining a lake trout population. South Anson Lake is an “at capacity” lake trout lake. This means that generally, the creation of new lots, through the consent process or by plan of subdivision will not be permitted within 300 metres of an “at capacity” lake trout lake, except on existing lots of record and under strict conditions where a proponent can demonstrate that there will be no impacts on lake water quality. This requires consultation with the Ministry of the Environment and the Ministry of Natural Resources. The following conditions must be met:

- a) the severance is to separate existing habitable dwellings, each of which is on a lot that is capable of supporting a Class 4 sewage system, provided that the land use would not change and there would be no net increase in phosphorus loading to the lake; or,
- b) all new septic system tile fields are located such that they would drain into a drainage basin which is not at capacity; or
- c) all new tile fields are set back at least 300 metres from the shoreline of the lake or permanently flowing tributary to the lake; or
- d) the effluent pathway from a tile field would flow in a manner for a distance of at least 300 metres to the lake. This must be supported by a report prepared by a qualified professional that is a licensed member of the Association of Professional Geoscientists of Ontario or a licensed member of the Professional Engineers of Ontario who is qualified to practice geoscience.

3.3.22. Crotchet Lake is not at capacity. The following policies are recommended for this lake and all other recreational lakes within the City of Kawartha Lakes:

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- a) development, including the septic system tile bed, must be set back a minimum of 30 metres from the high water mark of the lake with non-disturbance of the native soils and very limited removal of shoreline vegetation;
- b) location of the septic system tile field as far back as possible from the lake;
- c) storm water management will be via infiltration galleries, grassed swales and ditches and other best management practices;
- d) large development proposals (ie. greater than 5 lots) must be supported with a site evaluation report in consultation with the Ministry of the Environment. This is to ensure water quality protection. The study should take into consideration the existing water quality of the water body, surface water run-off, impact and loadings of phosphorous from septic systems, type of soils, stormwater management and nature of vegetation.

3.3.23. The classification of lakes in this Official Plan is subject to change and may change in the future based on factors such as an assessment of new water quality data and/or changes in water quality standards. Therefore, the possibility exists that a lake trout lake that is classified in this Official Plan as “not at capacity” or “at capacity” at a certain point may change during the life of this Official Plan.

3.3.24. It is the responsibility of the property owners, including proponents of development proposals, to ensure that they are aware of the current classification of a lake at all times and in particular prior to submitting a planning application involving shore lands on lakes.

3.3.25. The Ministry of the Environment and the City have information on the current classification of a lake and it is recommended that either or both the Ministry and the City be consulted prior to any actions being taken which may be affected by the classification of a lake.

3.4. WELLHEAD PROTECTION ZONES:

3.4.1. The City recognizes the importance of its groundwater resource in maintaining the quality of life across the City. The City has a long-term commitment to manage and protect this resource. The protection of water resources 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.

3.4.2. To ensure the maintenance of high quality groundwater wellhead protection (capture) zones have been identified for each municipal water supply. Four wellhead protection zones are generally established around each water supply well as shown on Schedule C.

3.4.3. The City's water supply systems provide potable water from drilled wells drawing groundwater. The City groundwater-based water supply systems serve the following communities:

- Birch Point (Emily);
- Canadiana Shores (Mariposa);
- Janetville (Ops);
- King's Bay (Mariposa);
- Mariposa Estates (Mariposa);
- Pleasant Point (Mariposa);
- Pinewood (Pontypool)
- Sonya (Mariposa);
- Victoria Glen (Omeme);
- Victoria Place (Verulam);
- Western Trent/ Palmina (Eldon);
- Woodfield-Sundance / Manorview – Bethany (Manvers);
- Woods of Manilla (Mariposa); and
- Woodville

Municipal wellhead protection zones are shown on Schedule C. The City may undertake studies to refine the wellhead protection zones. As a result of such studies, the wellhead protection zones on Schedule C may be updated without the need for an amendment to this Plan. The City may require studies for development proposed within the various zones to determine if there is a risk to groundwater. For land uses that pose a risk to the quantity or quality of groundwater the study shall determine if the risk can be mitigated to the City's satisfaction. If the risk cannot be mitigated to the City's satisfaction, the proposed land use will be prohibited. In addition the prohibitions or restrictions will apply:

ZONE 1a – BACTERIAL CONTAMINANT RESTRICTION ZONE

3.4.4. This zone extends from the immediate vicinity of the well to the 50-Day time of travel.

3.4.5. Groundwater contamination within this zone is 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.

3.4.6. The following land uses will not be permitted within the Zone 1a Areas:

- the construction of new sanitary sewer systems; and
- the installation of new septic systems.

ZONE 1 – HAZARDOUS AND TOXIC CONTAMINANT RESTRICTION ZONE

- 3.4.7. This zone extends from the well to the 2-Year time of travel. Within this zone, dissolved contaminants such as petroleum hydrocarbons or industrial solvents could arrive at the municipal well within a short time frame.
- 3.4.8. In the absence of Source Water Plans, and as a risk avoidance strategy, it is an unacceptable risk to permit uses defined as threats as part of the Source water Protection Plan process to establish within this zone, even where the owner is committed to preventing groundwater contamination.
- 3.4.9. 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.

ZONE 2 – CONTAMINANT CONSTRAINT ZONE

- 3.4.10. This zone extends from the 2 Year to the 10 Year time of travel.
- 3.4.11. 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 the 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.

ZONE 3 – CONTAMINANT CONTROL ZONE

- 3.4.12. This zone is beyond the 10 Year Time of Travel to Extent of Capture Zone. 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.

- 3.4.13. 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.

3.5. NATURAL HERITAGE SYSTEM

- 3.5.1. The Official Plan incorporates broad general principles protecting and enhancing natural heritage areas and features. These principles include themes of biodiversity and connectivity. Development will be restricted in sensitive areas and assessed for impacts on adjacent lands, in accordance with this Plan.
- 3.5.2. The Natural Heritage System is comprised of the following natural heritage features: wetlands, fish habitat, significant woodlands, significant valleylands, habitat of threatened and endangered species, significant wildlife and areas of natural and scientific interests. The general locations of most natural heritage features are identified on Schedule B. The location and extent of the features may be further confirmed through studies. Schedule B does not identify all natural heritage areas and features. Some natural heritage features and areas will be determined by the Conservation Authority, the Ministry of Natural Resources, local studies and through the review of development applications.

Wetlands

- 3.5.3. The Ministry of Natural Resources has identified the Provincially Significant Wetlands (PSW). The City also has numerous Locally Significant Wetlands (LSW) which are based on Ecological Land Classification (ELC) and unevaluated wetlands. All three classifications of wetlands are identified on Schedule B.
- 3.5.4. Development and site alteration shall not be permitted in PSW. Any development or site alteration proposed on or adjacent to a LSW shall not occur unless it has been demonstrated that there will be no negative impact on the features or functions of the wetland or alternatively it has been demonstrated that there will be a net environmental gain to the satisfaction of the City.
- 3.5.5. Environmental Impact Study (EIS) shall be prepared by a qualified person for development within 120 m. of a PSW and within 30 m. of a LSW. The EIS must assess the impacts the development could have on the wetland. If the EIS can demonstrate that the wetland can be protected, and there will be no negative impacts on the natural features or their ecological functions, and it proves that an alternate width would be appropriate, a buffer from PSW and LSW of less than 120 metres and 30 metres respectively may be permitted.

3.5.6. Within a PSW or LSW, peat extraction will not be permitted.

3.5.7. If a development is proposed on or within 120 metres of an unevaluated wetland that has characteristics or contains components that are typical of a PSW, as determined through a scoped environmental impact study, an evaluation prepared by a qualified person and submitted to MNR for approval to determine if it is a PSW. Once the significance is determined the appropriate policies of this Plan apply.

Fish Habitat

3.5.8. The City's fisheries and fish habitat will be protected, enhanced and restored from any harmful alteration, disruption and/or destruction. Increased setbacks from critical spawning areas and warm and cold-water streams will be secured.

3.5.9. For development and site alteration proposals adjacent to a lake, river or watercourse where the land is within 120 metres of the water's edge, a review of available information from the Conservation Authority, MNR, TSW and DFO shall be undertaken to determine if the water in the area is a known fish habitat.

3.5.10. If it is found to be fish habitat, an Environmental Impact Study shall be required in accordance with the policies of this Plan for development and site alteration applications within 120 metres of the fish habitat. If fish habitat is present and may be altered, disrupted or destroyed, the applicable agency (TSW, DFO or CA) 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.

3.5.11. 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.

3.5.12. 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.

Significant Woodlands

3.5.13. The City has four distinct woodland areas:

- 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

- The Canadian Shield in the northern most part of the City; and
- The area between the Carden Plain and the ORM consisting of predominately agricultural and rural lands.

3.5.14. The City shall promote Best Management Practices to ensure that woodlands are maintained in a sustainable manner. The City shall encourage development to be located such that it will have minimum impact on woodlands.

3.5.15. 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.

3.5.16. 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.

3.5.17. The significant woodlands as described above are generally identified on Schedule B as part of the Natural Heritage System.

3.5.18. Development and site alteration in or within 120 metres of a significant woodland area 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.

3.5.19. The City in consultation with MNR and the CA shall assess and identify significant woodlands and develop appropriate policies for stewardship and protection.

3.5.20. Development and site alteration that is inconsistent with good forestry practices will not be permitted in the woodlands areas. Sustainable forestry practices to foster regeneration of native species should be undertaken.

3.5.21. The Forest Management Plan for City owned 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. Forest management practices on the Canadian Shield portion of the City are encouraged to retain large blocks of contiguous forest cover.

3.5.22. The City will consider developing a tree cutting by-law in order to protect woodlands from destruction.

Significant Valleylands

- 3.5.23. Although the City of Kawartha Lakes does not have an abundance of significant valleylands outside of the Oak Ridges Moraine, the City will commit to an assessment of the existence of these areas in consultation with the Ministry of Natural Resources and the Conservation Authority. Within the ORM, they are addressed with appropriate policies in the ORM portion of this Plan. In the interim, significant valleylands will be identified through the development approval process in consultation with the Conservation Authority and Ministry of Natural Resources.
- 3.5.24. Where these areas are identified, development and site alteration may be permitted within or adjacent to (within 120 metres) these areas if it is demonstrated by way of an EIS, that there will be no negative impacts on the natural features or on the ecological functions within the area identified.

Habitat of Threatened Species and Endangered Species

- 3.5.25. Applications for development and/or site alteration will be considered within significant habitat of Threatened and Endangered Species and will be subject to the discretion of the Ontario Ministry of Natural Resources.
- 3.5.26. The known Threatened and Endangered Species (TES) found within the City is catalogued by the MNR Natural Heritage Information Centre (NHIC). The City will accept information regarding Threatened and Endangered Species habitat from the Ministry of Natural Resources as it becomes available and will, accordingly, use this information to screen all planning applications for potential development constraints.
- 3.5.27. The City shall be consulted to determine the location of TES habitat when development and site alteration proposals are presented since most of this information is not readily available to the public in order to protect threatened species and endangered species and their habitat. In order to determine the presence of Threatened and Endangered species and to assess the impacts the proposal may have on the Threatened and Endangered species, an ecological site assessment is required. The assessment shall also propose appropriate mitigation. MNR may be contacted for further direction regarding site specific proposals.
- 3.5.28. Development and site alteration may be permitted in adjacent areas generally being within 120 metres, but dependent on species, provided an EIS shows that the proposed development or site alteration will have no negative impact on the species or habitat.
- 3.5.29. No new development or site alteration will be permitted within significant habitat of Threatened and Endangered Species. Threatened and Endangered Species and their

related habitats will be protected and new development will not be permitted in their proximity.

Significant Wildlife Habitat

3.5.30. Significant wildlife habitat including, areas of seasonal concentrations, specialized habitats and habitats of special concern species are generally identified on Schedule B as part of the Natural Heritage System.

3.5.31. Development and site alteration may only be permitted in areas identified as Significant Wildlife Habitat if it has been determined through an EIS that there will be no negative impacts on the natural features or on the ecological functions for which the area is identified. Development may only be permitted in the adjacent area, being within 120 metres if it has been determined through an EIS that there will be no negative impacts on the features or on the ecological functions for which the area is identified.

3.5.32. 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 prior to development within or adjacent to the significant wildlife habitat.

3.5.33. Alvars are naturally open areas of thin or no soils over essentially flat limestone, dolostone or marble rock, supporting a sparse vegetation cover of mostly shrubs and herbs. The Carden Plain is an alvar found within the City and is shown on Schedule B to this Official Plan. Development or site alteration is not permitted within or adjacent to (within 120 metres) of an alvar unless it has been demonstrated by the completion of an EIS that the alvar is not significant wildlife habitat, or that there will be no negative impact on the features or functions of the significant wildlife habitat if the EIS has determined it to be significant wildlife habitat.

Areas of Natural and Scientific Interest

3.5.34. Areas of Natural and Scientific Interest (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.

3.5.35. Life and Earth Science ANSIs shall be protected equally. Development and site alteration may be permitted in ANSI's and areas adjacent to them within 50 m., for Earth Science ANSI's and 120m for Life Science ANSI's, if it can be demonstrated that there will be no negative impacts on the features or functions for which the area is identified.

Lake Simcoe Watershed

3.5.36. Notwithstanding any policy to the contrary, the following policies apply within the Lake Simcoe Watershed.

3.5.36.1. Natural heritage features are defined as wetlands, significant woodlands, significant valleylands, and permanent and intermittent streams and lakes. Development and site alteration is not permitted within natural heritage features and within a related vegetation protection zone, except in relation to the following:

- a) Forest, fish, and wildlife management;
- b) Stewardship, conservation, restoration and remediation undertakings;
- c) Existing uses;
- d) Flood or erosion control projects but only if the projects have been demonstrated to be necessary in the public interest after all alternatives have been considered;
- e) Retrofits of existing stormwater management works (i.e. improving the provision of stormwater services to existing development in the watershed where no feasible alternative exists) but not new stormwater management works;
- f) New mineral aggregate operations and wayside pits and quarries pursuant to policies in Section 22;
- g) Infrastructure, but only if the need for the project has been demonstrated through an Environmental Assessment of other similar environmental approval and there is no reasonable alternative; and
- h) Low-intensity recreational uses that require very little terrain or vegetation modification and few, if any, buildings or structures, including but not limited to the following:
 - i. non-motorized trail use,
 - ii. natural heritage appreciation;
 - iii. unserviced camping on public and institutional land, and
 - iv. accessory uses to existing buildings or structures.

Where an application is submitted for development or site alteration in relation to an existing use described in Bullet Point (c) of this section, the following policies shall apply:

- a) All existing uses lawfully used for such purposes on the day before the Lake Simcoe Protection Plan comes into force are permitted;
- b) The construction of a building on an existing lot of record is permitted, provided it was zoned for such as of the date the Lake Simcoe Protection Plan came into effect, or where an application for an amendment to a zoning by-law is required as a condition of a severance granted prior to the date of the Plan came into effect;

- c) The development permitted in (b), expansion to existing buildings or structures, accessory structures or uses, and conversions of legally existing uses which bring the use more into conformity with the Plan are permitted subject to a demonstration that the use does not expand into a natural heritage feature and any minimum vegetation protection zone associated with a feature, unless there is no alternative in which case any expansion shall be limited in scope and kept within close geographical proximity to the existing structure.
- d) The expansion to existing agricultural buildings and structures, residential dwellings and accessory uses to both, may be considered within a natural heritage feature and any minimum protection zone associated with these features if it is demonstrated that:
 - i. There is no alternative to the expansion or alteration and the expansion or alteration is directed away from the feature and vegetation protection zone to the maximum extent possible, and
 - ii. The impact of the expansion or alteration on the feature and its functions is minimized to the maximum extent possible.
- e) expansion, maintenance or replacement of existing infrastructure is permitted.

3.5.36.2. The minimum vegetation protection zone for all natural heritage features is the area within 30 metres of the natural heritage feature, or larger if determined appropriate by an environmental impact study (EIS).

3.5.36.3. An application for development or site alteration within 120 metres of a natural heritage feature shall be accompanied by an EIS, unless the development or site alteration is for a permitted use. In addition to the requirements of an EIS by this Plan, an EIS undertaken in the Lake Simcoe Watershed shall be carried out in accordance with guidelines developed by the MNR and shall:

- a) demonstrate that the development or site alteration applied for will have no adverse effects on the key natural heritage feature, key hydrologic feature, Lake Simcoe and its associated vegetation protection zone, or on the related ecological functions;
- b) identify planning, design and construction practices that will maintain and, where feasible, improve or restore the health, diversity and size of the key natural heritage feature or key hydrologic feature and its connectivity with other key natural heritage features or key hydrologic features as well as connectivity and linkages to natural heritage systems identified in Provincial Plans or by municipalities, the Conservation Authority or MNR;
- c) demonstrate how connectivity within and between key natural heritage features and key hydrologic features will be maintained and where possible, improved or restored before, during and after construction to allow for the effective dispersal and movement of plants and animals;

- d) determine if the minimum vegetation protection zone is sufficient to protect the ecological functions of the feature and the area being evaluated, in particular where this feature or area is adjacent to a coldwater stream, headwaters, freshwater estuaries, steep slope or is acting as or has been identified as a wildlife corridor to ensure that the area will continue to effectively act and function as a wildlife corridor;
- e) determine if the minimum vegetation protection zone is sufficient to protect areas adjacent to existing features that would be appropriate for restoration or renaturalization to enhance the ecological functioning of that feature, such as lands that provide for rounding out or filling of gaps in significant woodlands; and
- f) if the minimum vegetation protection zone is not sufficient to protect the function of the feature or protect opportunities for feature enhancement, specify the dimensions of the required vegetation protection zone.

3.5.36.4. A proposal for new development or site alteration within 120 metres of a natural heritage feature shall provide for the establishment and maintenance of natural self-sustaining vegetation to the extent and width of the associated vegetation protection zone required.

3.5.36.5. Where, through an application for development or site alteration, a buffer or vegetation protection zone is required to be established as a result of the application of the policies in this Plan, the buffer or vegetation protection zone shall be composed of and maintained as natural self-sustaining vegetation.

3.5.36.6. If the natural self-sustaining vegetation is removed from a natural heritage feature or from any related vegetation protection zone, as a result of any development or site alteration, the natural self-sustaining vegetation shall be re-established to the extent feasible following completion of that activity.

3.5.36.7. An application for development or site alteration shall, where applicable:

- a) increase or improve fish habitat in streams, lakes and wetlands, and any adjacent riparian areas;
- b) include landscaping and habitat restoration that increase the ability of native plants and animals to use valleylands or riparian areas as wildlife habitat and movement corridors;
- c) seek to avoid, minimize and/or mitigate impacts associated with the quality and quantity of urban run-off into receiving streams, lakes and wetlands; and
- d) establish or increase the extent and width of a vegetation protection zone adjacent to Lake Simcoe to a minimum of 30 metres where feasible.

3.5.36.8. No new mineral aggregate operations, wayside mineral aggregate operations or quarry, or any ancillary or accessory use thereto shall be permitted in the following natural heritage features:

- a) significant wetlands;

- b) significant habitat of endangered species and threatened species; and
- c) significant woodlands unless the woodland is occupied by young plantation or early successional habitat (as defined by the MNR).

3.5.36.9. An application for a pit or quarry or a new wayside pit or quarry may only be permitted in a natural heritage feature or its related vegetation protection zone, other than a feature listed in policy 3.5.35.8, where the application demonstrates the following:

- a) the health, diversity and size of these natural heritage features will be maintained or restored and, to the extent possible, improved to promote a net gain of ecological health; and
- b) any permitted extraction of mineral aggregates that occurs in a feature will be completed, and the area will be rehabilitated, as early as possible in the life of the operation.

3.5.36.10. Every application for a new pit or quarry must demonstrate:

- a) how the connectivity between natural heritage features will be maintained before, during and after the extraction of mineral aggregates; and
- b) how the operator could immediately replace or restore any habitat that would be lost from the site with equivalent habitat on another part of the site or on adjacent lands.

3.5.36.11. Where, in accordance with the policies of this Plan, development or site alteration is permitted within 120 metres of a lake in the Lake Simcoe watershed, or any permanent or intermittent stream or a wetland in the watershed, the development or site alteration should be integrated with and should not constrain ongoing or planned stewardship and remediation efforts.

Environmental Impact Studies

3.5.37. An Environmental Impact Study (EIS) shall be required for development or site alteration proposals on or adjacent to natural heritage features as outlined in section This policy is applicable whenever an application is made under the Planning Act. The terms of reference for the EIS are outlined in Appendix – J – for reference purpose.

3.5.38. An EIS, when prepared for the City in accordance with this Official Plan will:

- 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;
- carry out a detailed inventory, at the appropriate time of year, 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 threatened or endangered species, and species and communities of concern to the Conservation Authority and MNR having regard to habitat, type, diversity, size and configuration, the degree of connection to other environmental resources;

- assess the degree of sensitivity of the environmental conditions, including an evaluation of such conditions in relation to the proposed development;
- assess the potential cumulative impacts of the proposed development on the natural area's ecological functions and attributes.
- 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
- 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.

3.5.39. The City in consultation with the Conservation Authority and MNR, and Parks Canada Trent Severn Waterway as appropriate, shall identify the appropriate scope and study area for each required EIS.

3.5.40. The City in consultation with the Conservation Authority and MNR and Parks Canada Trent Severn Waterway as appropriate, may alter the requirements for an EIS 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.

3.6. AIR QUALITY

3.6.1. In the planning and development of the City, consideration shall be given, to improving air quality.

3.6.2. Council supports incremental reduction of overall greenhouse gas emissions and other air pollutants generated by the City's own corporate activities and functions.

3.6.3. Council shall recognize the potential implications of climate change and will investigate potential mitigation and adaptation measures.

3.6.4. City Council shall promote energy efficient development and infrastructure.

3.7. POTENTIALLY CONTAMINATED SITES

Potentially contaminated properties are properties where the environmental condition of the site (soil and/or groundwater) may have potential for adverse effects on human health, ecological health or the natural environment

- 3.7.1. Open and closed landfill sites and sewage treatment facilities have been shown on Schedule D; and appropriate policies for buffering these uses from sensitive uses are incorporated in this plan.
- 3.7.2. Where it is known that a property was formerly or 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) as per Ontario Regulation 153/04 shall be prepared and submitted with the application under the Planning Act. Prior to the zoning by-law taking effect, the site, if required, shall be remediated to a standard in keeping with Provincial regulations and standards acceptable for the proposed use.

3.8. SEPARATION AND BUFFERING OF USES

Aggregate, Sand and Gravel and Bedrock Resource policies are addressed in Section 23, 24 and 25 of the Official Plan and are exempt from this section of the Official Plan.

- 3.8.1. In order to foster compatibility between sensitive uses and to prevent adverse effects, distance separation, building design, screening and/or topographical buffering techniques shall be required.
- 3.8.2. 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:

- Light Use
 - Medium Use
 - Heavy Use
- 3.8.3. Classification of an existing or proposed use shall be based on the following 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 Intensity	Daytime operations only	5
	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

The proposed use is evaluated and scored for each impact identified in the table above and the sum of all the scores is determined. The sum of the scores, will determine the category of industry as follows:

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

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

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

3.8.4. These minimum separation distances shall not apply to:

- vacant lands currently 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;(However Guideline D-6: Compatibility between industrial facilities and sensitive Land Use must be followed);
- a residence located on the same lot as a home industry;
- minor expansions or reconstruction of permitted uses, buildings or structures; and
- development that is supported by a study that recommends alternative separation distance acceptable to the City.

3.8.5. Where the foregoing exemptions apply, the City shall reduce potential conflicts through use of site planning and zoning measures to address:

- building orientation, design and setbacks;
- landscaping and screening;
- access controls;
- the range of permitted uses; and
- restrictions on outside storage.

3.8.6. Notwithstanding the Hamlet or Urban Settlement 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.

3.8.7. For the purposes of this policy, 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.

3.8.8. 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 Light, Medium or Heavy Use, the separation distances specified by this Policy shall apply unless a detailed evaluation which identifies the potential for impacts from noise, vibration, odour, dust or other emissions related to these 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.

3.8.9. Any proposal to establish a Light, Medium or Heavy Use or to further subdivide such lands, 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 this Policy, unless a detailed evaluation 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.

3.8.10. The potential influence area for each category of Light, Medium or Heavy Use is as follows:

Light Use 70 metres from the site boundary

Medium Use 300 metres from the site boundary

Heavy Use 500 metres from the site boundary

3.8.11. The distances indicating the potential influence area specified in this Policy shall be considered absolute minimums for each 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. 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.

3.8.12. Residential uses accessory to an industrial use shall be discouraged.

3.8.13. For development proposals in areas where physical constraints and/or specific soil constraints exist, a site evaluation report may be required.

3.9. NOISE STUDIES

3.9.1. 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 arterial roads and 500 m. from a principal main railway line or airport.

3.9.2. Detailed noise studies are required for proposals that are located at or above Noise Exposure Forecast/Noise Exposure Projection (NEF/NEP) 25.

3.9.3. Noise Feasibility Studies as well as detailed noise studies are generally required whenever the proposed use is within the influence area of a stationary noise source such as outside loading facilities, 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.

3.10. MINE HAZARDS/ FORMER MINERAL MINING OPERATION

3.10.1. Known mine hazards / former mining operations have been identified on Schedule “A”. The Abandoned Mines Information System (AMIS) of MNDM has two sites within the Plan area;

- File 06937-Lot 1, Conc.11, in Laxton Township; and,
- File 06753- Lot 2, Conc.5, in Somerville Township.

3.10.2. For any development proposed on or within 1000 meters of these sites, a geotechnical study shall be prepared by a qualified professional, to the satisfaction of MNDM and Council, to confirm that the site is suitable for the proposed use.

3.11. WATER SETBACK AND ACCESSORY USES

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

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

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

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

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

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

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

3.12. MINE HAZARDS/ FORMER MINERAL MINING OPERATION

3.12.1. Known mine hazards / former mining operations have been identified on Schedule "A". The Abandoned Mines Information System (AMIS) of MNDM has two sites within the Plan area;

- File 06937-Lot 1, Conc.11, in Laxton Township; and,
- File 06753- Lot 2, Conc.5, in Somerville Township.

3.12.2. For any development proposed on or within 1000 meters of these sites, a geotechnical study shall be prepared by a qualified professional, to the satisfaction of MNDM and Council, to confirm that the site is suitable for the proposed use.

4. GROWTH MANAGEMENT

4.1. GENERAL PRINCIPLES

It is the policy of this Plan that population and employment growth will contribute to the overall sustainability of the City and will be accompanied by:

- a) directing a significant portion of new growth to the built-up areas of the community through intensification;
- b) focusing intensification in intensification areas;

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- c) building compact, transit-supportive communities in designated greenfield areas;
- d) reducing dependence on the automobile through the development of mixed-use, transit-supportive, pedestrian-friendly urban environment
- e) providing convenient access to intra- and inter-city transit;
- f) ensuring the availability of sufficient land for employment to accommodate forecasted growth to support the City's economic competitiveness;
- g) planning and investing for a balance of jobs and housing in communities across the City to reduce the need for long distance commuting and to increase the modal share for transit, walking and cycling;
- h) encouraging development of a complete community with a diverse mix of land uses, a range and mix of employment and housing types, high quality public open space and easy access to local stores and services;
- i) directing development to settlement areas, except where necessary for development related to the management or use of resources, resource-based recreational activities, and rural land used uses that cannot be located in settlement areas;
- j) directing new multi lots and units for residential development which constitutes the creation of more than three units or lots through either a plan of subdivision, consent or plan of condominium to settlement areas, and may be allowed outside of settlements areas in rural areas in site-specific locations with approved zoning or designation that permits this type of development as June 16, 2006;
- k) directing major growth to settlement areas that offer municipal water and wastewater systems and limiting growth in settlement areas that are serviced by other forms of water and wastewater services;
- l) prohibiting the establishment of new settlement areas.

For lands within the Oak Ridges Moraine Conservation Area, the applicable policies of the Oak Ridges Moraine Conservation Plan applies.

4.1.1. Population and Employment Projections

The population and employment projections for the City at 2031 are 100,000 and 27,000 jobs respectively.

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4.1.2. Settlement Area Boundary Expansion

Settlement area boundary expansions may only occur as part of a municipal comprehensive review where it has been demonstrated that:

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- a) sufficient opportunities to accommodate forecasted growth through intensification and in designated Greenfield areas, using the intensification target and density targets, are not available within the regional market area, as determined by the City.
- b) the expansion makes available sufficient lands for a time horizon not exceeding 20 years, based on the analysis provided for in the policy above;
- c) the timing of the expansion and the phasing of development within the designated greenfield area will not adversely affect the achievement of the intensification target and density targets, and the other policies of this Plan;
- d) where applicable, the proposed expansion will meet the requirements of the Oak Ridges Moraine Conservation Plan;
- e) the existing or planned infrastructure required to accommodate the proposed expansion can be provided in a financially and environmentally sustainable manner;
- f) in prime agricultural areas:
 - the lands do not comprise specialty crop areas;
 - there are no reasonable alternatives that avoid prime agricultural areas;
 - there are no reasonable alternatives on lower priority agricultural lands in prime agricultural areas;
- g) impacts from expanding settlement areas on agricultural operations which are adjacent or close to the settlement areas are mitigated to the extent feasible;
- h) in determining the most appropriate location for expansions to the boundaries of settlement areas, the policies of Section 2 (Wise Use and Management of Resources) and 3 (Protecting Public Health and Safety) of the PPS, 2005 are applied; and
- i) the land will be serviced by both municipal water and wastewater systems.

5. HOUSING GOAL

5.1. 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.

5.2. OBJECTIVES

- 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.

- Promote residential growth in areas that can provide full municipal services and minimize potential conflicts with other land uses.
- 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.
- Seek out and participate in Provincial, Federal and public-private partnership programs that serve the housing needs of the residents of the City.
- Promote innovation and excellence in housing design and architecture, site planning, and urban design to foster vibrant neighbourhoods which encourage walking and cycling.
- Promote high quality, well linked public open spaces in residential areas.
- 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.
- Provide opportunities for residential development in rural settlement areas and require non-farm residential development to locate in these areas.

5.3. POLICIES

- 5.3.1. 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.
- 5.3.2. Council will review the need for accommodation for the aged and low-income persons and maintain contact with other agencies to help fulfil this need.
- 5.3.3. 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 available public transportation.
- 5.3.4. 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 from time to time to determine if the mix of housing types and prices is consistent with the changing needs of City residents.
- 5.3.5. A housing strategy will be developed in consultation with the Minister of Municipal Affairs and Housing and other appropriate stakeholders. The housing strategy will set out a plan, including policies to meet the needs of all residents, including the need for

affordable housing – both home ownership and rental housing. A minimum affordable housing target will be established and implemented through the Official Plan. The housing strategy will include the planning and development of a range of housing types and densities to support the achievement of the intensification target and density targets. In the interim of a housing strategy being in place, Council shall strive for 25% of all new development to be affordable to low and moderate income households.

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- 5.3.6. The predominant form of housing in the City will continue to be single detached dwellings where municipal or communal water or sanitary sewer services are unavailable.
- 5.3.7. Higher density, multiple residential dwellings will be encouraged where full municipal or communal services are available.
- 5.3.8. 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.
- 5.3.9. The assembly and development of land by the City, non-profit organizations or partnerships with the private sector will be encouraged to address the housing needs identified by the Municipal Housing Statement.

5.4. GARDEN SUITES

- 5.4.1. Where a residential use is a permitted use within a land use designation, a Garden Suite may be permitted subject to the following provisions:
 - a) to ensure the garden suite is a temporary use and does not become a permanent use or become recognized as a 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 dwelling;
 - 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 will not adversely affect the character of the area and is designed to be in keeping with the character of the surrounding area.
- i) the garden suite must be a detached unit separate from the existing dwelling on the lot; and
- j) adequate parking on the lot for the use must be provided.

5.5. GROUP HOMES

- 5.5.1. 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 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.
- 5.5.2. 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 the sewage disposal system is adequate to accommodate the use and there is an adequate supply of potable water.

5.6. ROOMING OR BOARDING HOUSES

- 5.6.1. 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.
- 5.6.2. They may be permitted by site specific zoning amendment or as-of-right in a specific zone and must be serviced by full municipal or communal water and sanitary sewers.
- 5.6.3. Respite care shall not be provided in any rooming or boarding houses.

6. ECONOMIC DEVELOPMENT

6.1. GOALS:

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

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

6.1.3. To promote and enhance the tourism opportunities within the City.

6.2. OBJECTIVES

Industry

- a) 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 are maintained.
- b) 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.
- c) Promote and support the economic well being of existing industrial development.
- d) Work in conjunction with higher education facilities to encourage incubator industries and economic spin-off activities.
- e) Provide and maintain an inventory of serviced industrial land with a variety of lot sizes and access to major transportation corridors.
- f) Provide the opportunity for compatible commercial and office uses to locate in selected industrial areas.

Commerce

- a) 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.
- b) Provide an adequate supply of land for commercial activities to serve the varying needs of the City.
- c) Promote the development of new businesses and economic activities that are not currently available in the City and encourage the expansion of existing businesses.
- d) 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.
- e) Encourage highway commercial development, intended to serve the travelling public, to locate in areas of high accessibility where conflict with through traffic is minimized.

- f) Encourage the improvement and revitalization of downtown cores as healthy and vibrant areas for mixed commercial, residential, cultural, social, live/work and entertainment uses.
- g) Recognize the downtown area of each community as the “central places” and 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.

Tourism

- a) Recognize and promote tourism as one of the most important components of the City of Kawartha Lakes’ economic growth.
- b) Promote and maintain the City as an attractive community to visit through community beautification, improvement and redevelopment.
- c) Generate greater retention of tourism activities, which make use of local facilities, including four-season tourism.
- d) Encourage new high quality tourism attractions, accommodations, facilities and services, including the Kawartha Lakes Municipal Airport, to promote the City as a tourist destination.
- e) Promote the use of natural heritage resources in the development of tourism and facilitate the development of eco-tourism and agri-tourism opportunities.
- f) Encourage the continued operation and development of tourist related commercial establishments.
- g) 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 and the City’s significant cultural heritage attributes.
- h) 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.

Agriculture

- a) Recognize and promote the agricultural sector and its sustainability for future generations to continue farming;
- b) Support a healthy and productive agricultural industry as an important element to the City’s heritage, identity and its economic base;

- c) Prevent infiltration of conflicting uses that will restrict or hinder its expansion or flexibility on the agricultural community;
- d) Raise awareness of the quality of the agriculture and agri-business sector in the City
- e) Recognize that sustainable agriculture allows for flexibility of production, strong, financially viable farms that adapt to market fluctuations and other factors that may change over time;
- f) Promote educational programs that provide training for agricultural leadership expertise and innovation;
- g) Promote the provision of skilled jobs and agricultural career opportunities in the industry as opportunities for younger farmers and new agri-business operators;
- h) Identify and explore the development of new markets, crops, agricultural products, value-added processing and value-chain partnerships, locally, regionally and internationally;
- i) Protect the right-to-farm without overly onerous restrictions; and
- j) Protect long-term food security for Canadians with an emphasis on locally produced food.

7. COMMUNITY FACILITIES

7.1. GOAL:

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

7.2. OBJECTIVES:

- a) Foster a vibrant City that takes pride in its heritage, culture and resources, embraces all members of the community and celebrates its strengths.
- b) 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.
- c) Provide an adequate level of police, fire protection and ambulance services to all City residents and businesses.
- d) Encourage the continued growth and development of early childhood and higher educational facilities in the City.

- e) Support and accommodate quality and cost effective community health care and delivery systems.
- f) Ensure coordination where community services are provided by organizations, which are distinct from the City or other levels of government.
- g) Encourage community facilities to locate in settlement areas to ensure the location of community services are convenient and physically accessible for all City residents and enhance appropriate access to recreational assets such as lakes, rivers and the Trent-Severn Waterway.
- h) Provide a four-season system of parks, recreation and open space facilities and linkages easily accessible to residents. Link open space and park areas to achieve an integrated park/open space system for both pedestrian and bicycle activities. Establish reasonable standards for the provision of parks and open space for City residents.
- i) Encourage and promote the development of linear multi-purpose trail systems to connect with the Trans Canada Trail and inter-municipal trail systems.
- j) When considering secondary plans and development applications, the City shall pursue the connection of trails among local communities and beyond City boundaries.
- k) Support and encourage the development of art and cultural facilities in the City.

8. OPEN SPACE, PARKS AND CROWN LANDS

8.1. GOAL:

To provide for open space, parks, and crown lands within the City that protects natural areas and recreational needs of the City's residents.

8.2. OBJECTIVES:

- a) Provide for a continuous system of open space and hierarchy of parks throughout the City. The hierarchy will include City Parks, Community Parks, Neighbourhood Parks and Greenbelt lands.
- b) Provide for sufficient lands to meet the recreational needs of the population.
- c) Existing trail systems will be recognized with provisions to expand and improve 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.

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- d) Municipal trailer parks to serve the vacationing public shall be recognized and designed to accommodate both short stays and day usage.
- e) 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.
- f) The land within former Longford Township is entirely held in private ownership. The existing development will be recognized, with potential for new residential and private recreational development at a density consistent with the existing form of development recognizing the natural heritage features.

9. COMMUNITY IMPROVEMENT

9.1. GOAL:

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

9.2. OBJECTIVES

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

9.3. POLICIES

- 9.3.1. Community Improvement Plans are for the purpose of upgrading, redeveloping and rehabilitating the physical environment of older neighbourhoods, recreational areas, commercial centres and industrial areas.

- 9.3.2. Community Improvement Project Areas may be identified by Council and enacted by way of a Community Improvement Project Area by-law.
- 9.3.3. 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.
- 9.3.4. Any further amendments to this Plan and the preparation of any implementing Community Improvement 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 clean-up 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. Buildings in an area would benefit from improvements in energy efficiency.
 - 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.
- 9.3.5. Where a Community Improvement Plan is in effect, Council may make grants or loans to registered owners, assessed owners and tenants of land and buildings within the Community Improvement Project Area, to pay for the whole or any part of the cost of rehabilitating such lands and buildings.
- 9.3.6. 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.
- 9.3.7. Council will encourage the continuation and formation of Business Improvement Areas to enhance and maintain the viability of the commercial areas.
- 9.3.8. The municipality will enforce Property Standards By laws to maintain and rehabilitate existing buildings and structures.

- 9.3.9. The municipality will participate in senior government programs that provide financial assistance to implement Community Improvement Plans.

10. CULTURE AND HERITAGE

10.1. GOAL

Encourage the conservation and enhancement of cultural heritage resources.

10.2. OBJECTIVES

- a) To conserve and enhance the City's cultural and heritage resources. Features of particular interest include buildings, structures and significant structural remains, areas of unique or rare composition, landscapes of scenic value, artifacts, archaeological sites, cemeteries and burial grounds.
- b) To raise public awareness and celebrate the history of the community.
- c) To encourage participation and involvement in preservation and restoration efforts and foster the community's understanding and appreciation of the area's heritage resources.

10.3. ARCHAEOLOGICAL CONSERVATION

- a) The City will continue to notify recognized archaeological conservation agencies and First Nations of relevant requests for planning approvals with respect to such matters as Official Plan and zoning amendments, subdivision and condominium applications, and applications for site plan approval;
- b) The City intends to allow recognized archaeological conservation agencies an opportunity to comment on the archaeological potential of development and redevelopment sites;
- c) The City intends to facilitate dialogue among the agencies, private interests and the City with respect to the discovery and identification of archaeological resources.

10.4. HERITAGE VICTORIA:

- a) The Ontario Heritage Act provides for the creation of a Municipal Heritage Committee. 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 advises and assists 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 of properties as a Heritage Conservation District. In addition, the committee will undertake a public education initiative and establish criteria to manage an inventory database of the City's current and candidate heritage resources.

10.5. HERITAGE:

- a) The City shall encourage the conservation and preservation of its significant built heritage resources, significant cultural heritage landscapes and significant archaeological resources.
- b) Through the review of development applications, the City shall require archaeological assessment by an archaeologist licensed by the Province where identified archaeological resources exist or where the potential for such resources exist.
- c) Development in areas considered to be of architectural or historical value shall have regard for the conservation and preservation of architecture or historic buildings, features or sites therein.
- d) The City recognizes that the City's heritage resources include individual buildings, group of buildings, streetscapes, neighbourhoods, landscaping and landmarks. For the purpose of this section, the term "building" is considered to include both buildings and structures and the term "conserve" is generally considered to mean retention of the existing form, material and integrity of site.
- e) The City shall consider a range of conservation and preservation tools if significant archaeological sites are to be protected in-situ, including the use of archaeological zoning bylaws, site plan control agreements and conservation easements.
- f) The City shall require development proponents to conserve such resources through preservation in-situ, documentation, avoidance and/or removal.
- g) The City shall ensure land development adjacent to protected heritage properties are not adversely impacting identified heritage attributes of these properties.
- h) The City shall 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.
- i) The City shall encourage comprehensive cultural heritage resource mapping, archaeological resource mapping, heritage master planning and other heritage site inventories for the City;

- j) The City shall seek the advice of the Province regarding cultural heritage conservation matters when appropriate.

11. HOME BASED BUSINESSES

The City recognizes the emerging importance of live/work relationships and as such, unless otherwise stated in this Plan, home based businesses are permitted in all designations where a dwelling is a principal permitted use. Home based businesses include home occupation and home industry uses and shall be subject to the following requirements:

11.1. A home occupation 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 the residential function of the on-site 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 Unit's requirements with respect to the potability of the water and the protection of food from contamination with respect to the handling and storage.
- g) It must have safe ingress/egress to a property especially for those businesses located along a Provincial Highway. The Ministry of Transportation must approve entrance locations and may be required to issue permits for access to Provincial Highways, and as such shall be contacted for planning and development applications adjacent to Provincial Highways.
- h) Signage will be minimal and unobtrusive in accordance with the City's Signage By-law.

11.2. A home industry must comply with the following provisions:

- a) it must be located in an accessory building that is detached from the on-site 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. nor occupy more than 10 percent of the lot area (whichever is lesser); and,
- f) if the use is food related, the proposed use should comply with the Health Unit's requirements with respect to the potability of the water and the protection of food from contamination with respect to the handling and storage.

11.3. The implementing Zoning By-law shall further detail the conditions under which a home based business may be permitted

12. RENEWABLE ENERGY SYSTEMS

12.1. The following policies for renewable energy systems will apply:

- a) Provide energy supply by promoting and providing opportunities for renewable and alternative energy systems to contribute to current and projected needs.
- b) Support energy efficiency through land use and development patterns which promote siting, orientation and design that maximizes the use of alternative or renewable energy sources.

13. PETROLEUM RESOURCES

13.1. Petroleum well locations have been identified on Schedule B. No development is permitted within 75 metres of a well unless the well has been decommissioned in accordance with this Oil, Gas and Salt Resources Act.

14. WAYSIDE PITS AND QUARRIES

14.1. Wayside pits and quarries, portable and permanent asphalt plants, ready-mix concrete plants used on public authority contracts shall be permitted without the need for an official plan amendment, rezoning, or development permit under the Planning Act in all areas except those areas of existing development or particular environmental sensitivity which have been determined to be incompatible with extraction and associated activities.

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PART C – LAND USE DESIGNATIONS

15. PRIME AGRICULTURAL DESIGNATION

15.1. GOALS

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

15.2. OBJECTIVES

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

15.3. POLICIES

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

- agricultural uses
- agriculture-related uses

- single detached dwellings accessory to the other permitted uses
- garden suites
- secondary uses including kennels
- wayside pits or quarries, portable asphalt plants and portable concrete plants all of which shall only be used on public authority contracts
- agri-business uses may be permitted provided there are no reasonable alternative locations, which avoid Prime Agricultural designated lands, and there are no reasonable alternative locations in prime agricultural areas with lower priority agricultural lands. Such uses shall be subject to a zoning bylaw amendment and site plan control.
- There are clusters of residential lots and scattered residential lots located throughout this designation. They may be recognized as permitted uses within the zoning by-law provided they existed prior to the adoption of this Plan.

15.3.2. Areas with high potential for agricultural production, based primarily on soils, should be preserved for agricultural and agriculture related uses. The policies of this Plan are not intended to adversely impact on the continued cultivation and use of land for agricultural purposes. The exception is that new and major expansion of agricultural buildings or structures should be directed away from environmentally sensitive areas.

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

- a) be sufficiently large to maintain flexibility for future changes in the type of agricultural operation;
- b) have a minimum lot size of 40 hectares;

15.3.4. The City recognizes as generally desirable the consolidation of farms wherever possible. Dwellings that become surplus as a result of a consolidation of abutting farm parcels may be severed provided that:

- a) the residential lot does not exceed 1 hectare in area and is not less than 4,000 sq.m. in area;
- b) the residential lot meets the Minimum Distance Separation criteria;
- c) the dwelling is not required for farm employees; and
- d) the farm land is merged into a single lot.

15.3.5. Dwellings that become surplus as a result of a consolidation of non-abutting farm parcels may be severed provided that the criteria of 15.3.4 a, b and c above are met and that the retained agricultural land be zoned to prohibit any residential use.

15.3.6. 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.

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

15.3.8. Existing commercial or industrial uses may be zoned to recognize the existing use or a similar use provided that the use:

- a) will have no adverse effects upon surrounding uses;
- b) will comply with the Minimum Distance Separation criteria; and
- c) any expansion will be minor in size.

15.3.9. A garden suite is permitted subject to the provisions of this Plan. In addition, the garden suite shall be a temporary use for farm help or for a retiring farmer. It should be located in close proximity to the existing farm residence and not in a location that would be disruptive to the farming operation or in a location conducive to its possible future severance. It should utilize the existing farm residence driveway if possible.

15.3.10. 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.

15.3.11. In Prime Agricultural designated areas and on prime agricultural land, extraction of mineral aggregates may be permitted as an interim use provided that rehabilitation of the site will be carried out whereby substantially the same area and same average soil quality for agriculture are restored. On these prime agricultural lands, complete agricultural rehabilitation is not required if:

- there is substantial quantity of mineral aggregate below the water table warranting extraction, or the depth of planned extraction in a quarry makes restoration of pre extraction agricultural capability unfeasible;
- other alternatives have been considered by the applicant and found unsuitable;
- Agricultural rehabilitation in remaining areas will be maximised.

15.3.12. With the exception of an application for a new aggregate operation, in evaluating an amendment to this Plan to change the designation from Prime Agricultural to another designation, the municipality shall be satisfied that there is a demonstrated need for the proposed use for which the amendment is sought, and that it cannot be reasonably located on lands outside the Prime Agricultural designation or on the lands within the Prime Agricultural designation with a lower agricultural capability. In the case of expanding the Urban Settlement designation upon lands designated as Prime

Agricultural then it must be demonstrated that the municipality does not have sufficient lands already designated Urban Settlement to accommodate projected growth.

- 15.3.13. Some areas that have been designated Prime Agricultural may not be highly productive agriculturally. These areas will, however, be preserved to protect the agricultural economy from incompatible uses that may inhibit production.

16. RURAL DESIGNATION

16.1. GOALS

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

16.2. OBJECTIVES

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

16.3. POLICIES

The primary use will be agriculture in the form of ranching and forestry. Where farming uses exist, new uses that are compatible with and not hindering the agricultural use will be permitted. These could include uses that produce value-added agricultural products from the farm operation. The following uses will be permitted within the Rural designation subject to the Growth Management policies in section 4.1:

- Limited, low density single detached dwellings
- active and passive recreation uses and facilities
- agriculture-related commercial and industrial uses
- dog kennels
- farm implement dealers
- golf courses
- ski resorts
- farm markets
- public and private infrastructure
- public parks
- utilities
- ecotourism
- agri-tourism
- livestock and auction barns
- nurseries
- greenhouses
- abattoirs
- forestry management
- sawmills
- hunt camps

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

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

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

16.3.4. Golf Courses will be permitted subject to the following:

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

16.3.5. The City recognizes as generally desirable the consolidation of farms wherever possible. Dwellings that become surplus as a result of a consolidation of abutting farm parcels may be severed provided that:

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

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

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

- a) the person is a retiring farmer as defined;
- b) the residential lot does not exceed 1 hectare in area and is not less than 4,000 sq.m;
- c) the residential lot meets the Minimum Distance Separation criteria; and
- d) The existing farm parcel is not the result of a lot having been severed for a residential lot.

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

- a) have a minimum lot size of 40 hectares.

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

17. ENVIRONMENTAL PROTECTION DESIGNATION

17.1. GOAL:

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

17.2. OBJECTIVE:

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

17.3. POLICIES

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

- a) Agricultural, excluding buildings or structures
- b) Buildings or structures for erosion or flood control
- c) Conservation, excluding buildings or structures
- d) Forestry, excluding buildings or structures
- e) Nursery and market gardening, excluding buildings or structures
- f) Recreation or park purposes, excluding buildings or structures
- g) Wildlife management areas, excluding buildings or structures

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

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

17.3.4. In some instances, the boundary of the Environmental Protection designation may be found not to reflect the true limit of the land subject to flooding or having a natural hazard. To determine this, an evaluation shall be undertaken by the landowner to demonstrate that the land is not subject to flooding or other physical hazard. The evaluation shall be reviewed and approved by the City and the Conservation Authority. The City will consult with the Conservation Authority or other expertise in the review of the evaluation. If it is found through the evaluation that the boundary is in error and the land is not subject to flooding or other physical hazard, then an alternate use permitted in the abutting land use designation may be considered and the land appropriately zoned. This provision applies where the designation boundary is found to be in error and the proposed use is minor and it is determined by the City that an amendment to the Plan is not required.

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

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

17.4. Public Access

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

17.5. Parkland Dedication

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

17.6. Existing Buildings or Structures

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

- a) the determination that there will not be an unacceptable off-site impact due to the displacement of the flood water,
- b) the enlargement to the building is appropriately flood proofed;
- c) New or existing hazards are not created or aggravated;
- d) The Conservation Authority has been satisfied;
- e) The development is not a threat to public health and safety or property;
- f) Vehicles and people must have a way of safely entering and exiting the area during floods; and
- g) Satisfactory water supply and subsurface sewage disposal servicing.

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

17.7. Special Policy Area

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

18. URBAN SETTLEMENT DESIGNATION

18.1. GOALS:

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

18.2. OBJECTIVES

- a) Encourage smart growth that is fiscally responsible, financially sustainable, respects the uniqueness of each community and protects the natural environment.
- b) Ensure that growth is consistent with environment first principles and that development integrates with the natural features.
- c) Direct the majority of growth to existing communities consistent with historic trends and the ability of the communities to sustain further growth.
- d) Ensure that appropriate economic development is a fundamental component of future growth in the City.
- e) Minimize potential conflicts between residential and sensitive land uses and commercial and industrial uses.

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- f) 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.
- g) To maintain the current Lindsay and Fenelon Falls Official Plans as Secondary Plans to this Official Plan.
- h) To prepare secondary plans for the Urban Settlement areas of Bobcaygeon, Omemee and Woodville that will provide detailed policies addressing the growth management of the specific urban settlements areas. Until these secondary plans are approved this Official Plan contains some specific policies for these areas.

18.3. POLICIES:

18.3.1. The predominant uses of land in the areas so designated shall be residential, recreational, institutional, industrial, cultural and commercial uses. A broad range of residential uses will be permitted in the Urban Designation although lower density uses should predominate. Higher density development in Omemee and Woodville will be directed to locations which are in the vicinity of the central commercial area and which have good access to necessary community facilities and services. Access to such development should be from major streets in order to avoid disrupting existing neighbourhoods.

18.3.2. The boundaries of former Towns and Villages do not necessarily define the Urban Settlement Designation.

18.3.3. Within the Urban Settlement Designation, development should proceed based on the level of services that are currently provided.

18.4. INTENSIFICATION AREAS

18.4.1. By the year 2015 and for each year thereafter, a minimum of 30 percent of all residential development occurring annually within the municipality will be within the built-up area.

18.4.2. To promote intensification and achieve the intensification target of the City it is the policy of this plan to:

- encourage intensification generally throughout the built-up area;
- identify intensification areas to support achievement of the intensification target;
- recognize the built boundary as delineated by the Minister in April 2008;
- recognize intensification corridors as a key focus for development to accommodate intensification;
- identify the appropriate type and scale of development in intensification areas;
- plan for a range and mix of housing, taking into account affordable housing needs;

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- encourage the creation of secondary suites throughout the built-up area.

18.4.3. All intensification areas will be planned and designed to:

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

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

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

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

18.5. DESIGNATED GREENFIELD AREAS

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

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

18.5.2. New development areas or Greenfield areas will be planned to achieve a minimum density target that is not less than 40 residents and jobs combined per hectare and

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phased in a manner to assist with achieving the intensification target for new residential units being constructed in the built up area.

18.5.3. The density target will be measured over the entire designated Greenfield areas within the City, excluding the following features where the features are both identified in any applicable official plan, secondary plan or provincial plan, and where the applicable provincial plan or policy statement prohibits development in the features: wetlands, coastal wetlands, woodlands, valley lands, areas of natural and scientific interest, habitat of endangered species and threatened species, wildlife habitat, and fish habitat. The area of the features will be defined in accordance with the applicable provincial plan or policy statement that prohibits development in the features.

18.6. EMPLOYMENT LANDS

18.6.1. Employment areas are concentrations of uses that generate employment. These would include industrial and commercial uses.

18.6.2. They will primarily be in conjunction with settlement areas where servicing and accessibility are available.

3.6.3. Council shall endeavour to ensure a favourable climate for economic development by:

- encouraging the expansion and diversification of industrial and commercial development within settlement areas in order to maximize employment opportunities;
- encouraging the beautification, improvement and/or redevelopment of urban centres;
- encouraging the development of Lindsay as a cultural, multi functional centre;
- limiting the type and intensity of any proposed development if in the opinion of the Council, the development would cause undue financial or other hardships to the municipality; and
- giving priority to road improvements and servicing which improve the potential for industrial development.

18.6.4. Council will monitor on an annual basis the growth in employment opportunities in relation to residential growth. Such monitoring shall serve to establish an appropriate rate of growth for residential development. The conversion of cottages to year round retirement homes may have a significant effect on population growth. It is not intended that the retirement population should be directly entered into the calculation for employment opportunities.

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

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18.6.6. The conversion of lands within the Employment Areas to non-employment uses shall only occur through a municipally initiated comprehensive review of this plan. Notwithstanding, the conversion of Employment Areas that are downtown areas or regeneration areas shall be subject to Policy 1.3.2 of the Provincial Policy Statement.

18.7. LARGE FORMAT RETAIL USE AND SHOPPING CENTRES

18.7.1. An amendment to this Plan or a Secondary Plan will be required for the development of a new shopping centre, large format retail use or major extension of either one.

18.7.2. Shopping centres and large format retail use will be directed to areas covered by a Secondary Plan and shall be on full municipal services.

18.7.3. When considering applications to establish a shopping centre or large format retail use in excess of 3,000 square metres of gross floor area, the following shall be submitted and approved by the City:

- Retail Market Analysis Study;
- Traffic Impact Study and the proponents should be responsible for any highway or municipal road improvements identified in the traffic impact studies for such development;
- A Functional Servicing Study;
- Plan showing the buildings, parking, access and landscaped area and surrounding land uses.

18.7.4. The above will also apply to a major enlargement of an existing large format retail use or shopping centre. A major enlargement means an increase of 3,000 square metres or more of gross floor area.

18.7.5. In evaluating applications to permit these uses, the following criteria shall be assessed:

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

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18.8. OMEMEE

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

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

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

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

- a) The predominant use of land shall be single detached dwellings. Commercial and prestige commercial uses will be permitted on Provincial highways or on arterial streets. Wherever possible new commercial and industrial uses shall be grouped with existing commercial and industrial uses. The uses shall be compatible with abutting uses. For the types of commercial uses that would be permitted, refer to the General Commercial, Special Commercial and Prestige Industrial Uses described for Bobcaygeon under Section 16.11.2.
- b) Medium density uses shall be located adjacent to and have access to a highway or arterial road. Medium density is permitted in the form of row or cluster dwellings. Row or cluster dwellings may have a maximum density of 24 dwelling units per gross hectare. Medium density residential units shall only be permitted on municipal water and sanitary sewer serviced land.
- c) Medium density development shall be designed so as not to have an adverse impact on lower density residential areas. Where medium density development will immediately abut lower density residential areas, a landscaped buffer area providing effective high and low visual screening shall be provided. The landscaped open space, excluding driveways and parking areas, shall not be less than 35 percent.

18.8.4. Notwithstanding any other provisions of this Plan to the contrary, on lands described as being bounded on the west by Queen Street, on the north by Henry Street, on the east by Dixon Street and on the South by Distillery Street including all or part of the road

allowances therein on Plan 109, Village of Omemee, medium density residential development shall be permitted provided that the following criteria are addressed:

- i. Uses Permitted: Medium density is permitted in the form of row or cluster dwellings.
- ii. Density: Row or cluster dwellings may have a maximum density of 24 dwelling units per gross hectare.
- iii. Servicing: Medium density residential units shall only be permitted on municipally owned water and sanitary sewer serviced land.
- iv. Location: Medium density uses shall be located on a major road or a local collector road connecting directly to a major road. Major roads are a County Road, Provincial Highway or Local collectors as shown on Schedule 'C 2'.
- v. Landscaping, Buffering and Design: Medium density development shall be designed so as not to have an adverse impact on lower density residential areas. Where medium density development will abut lower density residential areas, a landscaped buffer area providing effective high and low visual screening shall be provided. The landscaped open space, excluding driveways and parking areas, shall not be less than 35 percent.
- vi. Drainage, landscape and site plans shall be provided to the satisfaction of the City.
- vii. Local collector roads may be permitted on a road allowance that is ultimately to be 26 metres wide.

18.9. WOODVILLE

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

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

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

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

- b) Medium Density uses shall be located adjacent to and have access to an arterial road.

18.10. FENELON FALLS FRINGE

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

- a) The predominant use of land shall be single detached dwellings. Commercial and prestige commercial uses will be permitted on provincial highways or on arterial streets. Wherever possible new commercial and industrial uses shall be grouped with existing commercial and industrial uses. The uses shall be compatible with abutting uses. For the types of commercial uses that would be permitted, refer to the General Commercial, Special Commercial and Prestige Industrial Uses described for Bobcaygeon under Section 16.11.2.
- b) Medium Density uses shall be located adjacent to and have access to a highway or arterial road.
- c) 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.
- d) 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.
- e) 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.

18.11. BOBCAYGEON

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

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

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

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

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

- a) 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.
- b) Medium density development is permitted in the form of row or cluster dwellings and apartments.
 - i. Row or cluster dwellings may have a maximum density of 35 dwelling units per net hectare.
 - ii. 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.
 - iii. Medium density residential units shall only be permitted on full municipal services in Bobcaygeon.
 - iv. Medium density residential development shall be located on lots having direct access to an arterial road or fronting onto Main St., Joseph St., Boyd St. west of East St., Canal St., Front St. east of Main St. and Bolton St. The medium density development shall be located so as not to have an adverse impact on lower density residential areas and where there are adequate recreational and park facilities within reasonable proximity.
- c) 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

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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.

- d) 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.
- e) Special Purpose Commercial uses shall be located on arterial roads. Access shall require issuance of an entrance permit. Special Purpose Commercial uses shall be limited to those commercial uses which primarily serve vehicular traffic, the travelling public and which rely heavily upon such traffic for their economic existence. Uses such as automobile service station, public garages, motel, hotel, auction barn, laundromat, restaurant, places of assembly, recreational uses and retail establishments that carry basically one line of goods of a non perishable nature that requires a large area for storage and delivery being uses such as carpet, flooring, furniture, and major appliance stores and motor vehicle and marine sales and service. A dwelling unit shall also be a permitted use.
- f) Within the Village a parcel of land at the intersection of Highways 649 and 36 with a frontage of 55.3 metres on Highway 36 and 41.38 metres on Highway 649 with a lot area of 1265 square metres is being used for general commercial type uses. These uses may be recognized in the Zoning By-law.
- g) 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.
- h) 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.
- i) 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.

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- j) A neighbourhood commercial use such as a convenience store will be permitted in a residential area if it is compatible with the surrounding uses.
- k) On the block of land bounded by Boyd Street, Pigeon Lake, Marina Drive, Mill Street and City of Kawartha Lakes Road 36 within the Village of Bobcaygeon, residential condominiums and commercial recreation uses shall be permitted in the shoreline area. In addition, single family dwellings and one neighbourhood commercial block will also be permitted.

19. HAMLET SETTLEMENT DESIGNATION

19.1. GOALS:

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

19.2. OBJECTIVES:

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

19.3. POLICIES

19.3.1. The following uses will be permitted within the hamlet designation:

- single detached dwelling
- cemetery
- garden suites
- management of natural areas and natural resources for environmental management purposes
- medical facility
- place of assembly
- place of worship

- processing and assembly establishment
- public and community use, such as a library, community hall or recreation centre
- school (private and public)
- service and repair establishment manufacturing
- storage and warehousing
- commercial, personal service uses that serve the hamlet, surrounding rural areas and tourism in the area.

19.3.2. The future development of hamlets will take place primarily in the form of Registered Plans of Subdivision, adjacent and where possible contiguous to existing development and shall be in keeping with the existing character of the area. Residential development will be encouraged in depth rather than in strips along highways and arterial roads.

19.3.3. The Hamlet Settlement designation shall not be extended beyond what is shown in this Plan, unless the land will be serviced by both municipal water and sewage collection systems and it has been justified through a comprehensive review as outlined in Section 4.1.2 of this Plan.

19.3.4. Provision shall be made to leave access routes from the existing roads to allow future development to take place behind existing built up areas. Generally access for new streets should be spaced at approximately 180 metre intervals.

19.3.5. Subject to allowing for access for future development in depth, consents may be permitted when the lot fronts onto an existing road.

19.3.6. New commercial or industrial development should be planned as an extension of the existing area or as an infilling in the existing commercial and industrial areas and it should not be allowed to infiltrate unnecessarily into residential areas.

19.3.7. Care shall be taken to ensure that the commercial and industrial uses permitted in the hamlets are not obnoxious or incompatible with the residential function of the hamlets. The degree to which these uses will be separated and the nature of the buffer planting or screening will depend on the uses involved.

19.3.8. Commercial uses, wherever possible, should be grouped with existing retail establishments to form a commercial core. Provision will be made for adequate setbacks from property lines, landscaping, buffering or screening, off street parking and loading facilities and control of outdoor storage.

19.3.9. New industrial uses should not be permitted in areas, which have developed predominately with residences, or in the logical path of future residential expansion.

They will be encouraged to locate among other industrial uses or where their adverse effects on surrounding uses will be minimized.

- 19.3.10. Adequate off-street parking facilities shall be provided for all permitted uses and access points to such parking shall be limited in number and designed in a manner that will minimize the danger to both vehicular and pedestrian traffic.
- 19.3.11. Adequate buffer separation and planting shall be provided between industrial and commercial uses when they are adjacent to residential areas. Buffer planting shall include the provision of grass strips and appropriate planting of trees and shrubs, and may include berms, screens fences or walls.
- 19.3.12. Open storage of goods or materials shall be permitted with appropriate screening and buffering from sensitive land uses.
- 19.3.13. The minimum lot size should be 4,000 sq.m. when individual services are provided. For development on individual services, a hydrogeological study is required to ensure that there is an adequate supply of water. The study must be acceptable to the City. The study shall be used as a basis for the density of development in the hamlets. Hydrogeological studies should be prepared in accordance with the MOE guidelines document "Technical Guidelines for Water Supply Assessment for Private Wells: Water Supply Assessment".
- 19.3.14. It is not anticipated that the level of servicing within the areas designated as Hamlet will change over the planning horizon for this Plan. Partial services may already exist and these systems may be expanded to:
 - address failed individual on-site sewage and/or water services; or
 - accommodate additional lots for infilling and rounding out within the area already designated as Hamlet provided the development is within the reserve sewage and water system capacity and site conditions are suitable for long term provisions of such services.

20. WATERFRONT DESIGNATION

20.1. GOAL:

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

20.2. OBJECTIVES:

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

20.3. POLICIES

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

20.3.2. The following uses will be permitted within the Waterfront Designation subject to the Growth Management policies in Section 4.1:

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

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

20.3.4. Where the upland meets the open water with no wetland between them, the Waterfront designation will apply if the development functionally relates to and utilizes the recreational features of the lake or river. The exception to this is if there are environmental reasons or if the land is subject to flooding or other hazards that it should not be designated for development.

20.3.5. The Waterfront designation will not accommodate a significant portion of the projected population growth within the City.

- 20.3.6. New development will be developed on individual services at a low density. Single unit residential lots are the preferred form of development. Limited new multi lots and units for residential development may be permitted in the Waterfront designation in keeping with the scale of the resource. Such development shall be compatible with the surrounding character and not result in adverse environmental impacts.
- 20.3.7. Within the Waterfront designation, natural form and function shall dominate. Naturalized and/or naturally vegetative shorelines shall be retained and restored wherever possible.
- 20.3.8. In order to protect the lake and river ecosystem, where there is a wetland between the open water and the upland, the Waterfront designation will not apply. The exception to this is if the land has already been divided and/or developed prior to the adoption of this Plan. In order to protect the lake and river ecosystem, where development is proposed adjacent to a wetland which abuts the high watermark, an environmental impact study will be required.
- 20.3.9. Cluster residential development will be encouraged and will consist of a group of single detached dwellings each located on individual lots, setback a minimum of 30 metres from the shoreline with the shoreline being maintained as communal open space and does not significantly alter shoreline character nor disturb significant shoreline ecosystems.
- 20.3.10. Density limits will be developed to establish acceptable social and aesthetic qualities. Provisions such as building and structure height limits will be implemented so as not to exceed the height of the tree canopy or to break the skyline horizon. Therefore, building heights should be measured from the lakeside, maintain a low profile and blend with natural surroundings. Provisions to address lot coverage will ensure proportionality; examples include relating lot coverage to the buildable area adjacent to the shoreline.
- 20.3.11. Preservation of social values including heritage sites, landscapes, aesthetics, recreational opportunities and public access to the waterfront will be supported. Shoreline character shall be retained by encouraging non-intrusive use of the waterfront. Guidelines for the use of lighting, as an example, will emphasize subdued, energy efficient light sources. Individual lake plans and lake stewardship programs will be encouraged as a method to identify important local values, features and individual lake character. In addition, these programs can be used to monitor water quality, carrying capacity and general lake management.
- 20.3.12. Lakes are a valuable resource and more public access points should be considered. Attention should be given to maintaining and improving the environmental integrity of the waterfront.

20.4. LOT CREATION

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

20.4.2. With the exception of island lots, the minimum lot area for lots abutting the water of a lake or river will be 4,000 sq.m. with a minimum lot frontage of 60 metres. Notwithstanding, infilling residential lots will be permitted provided the lots are not less than 3,000 sq. m. in area with a minimum lot frontage of 30 m. Shoreline frontage shall be consistent with the established character of the adjacent shoreline;

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

20.5. DENSITY AND MASSING

20.5.1. 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.

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

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

- c) 33% of the shoreline frontage for resort and tourist commercial lots; and
- d) 50% of shoreline frontage for marinas.

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

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

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

20.6. SPECIAL POLICIES FOR STURGEON POINT

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

- 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 with a set back of minimum of 30 metres from the high water mark with non-disturbance of the soils and vegetation, but only where its location is compatible with existing development.
- 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) 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. A secondary plan shall be prepared in circumstances where development would have a substantial impact on the surrounding area.

21. HIGHWAY COMMERCIAL DESIGNATION

21.1. PURPOSE

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

21.2. POLICIES

21.2.1. The following uses will be permitted within the existing Highway Commercial designation subject to the Growth Management policies in section 4.1:

- animal hospital
- arts and craft establishment
- convenience store which do not exceed a gross floor area of 140 square metres,
- eating establishment, including drive through and take-out establishment
- gift or antique establishment
- motor vehicle service station
- an accessory dwelling or dwelling unit for the owner or caretaker
- a use that is similar to the above with respect to the nature of the activities and in scale of the use
- hotels, motels and tourist resorts
- motor vehicle fuel bars
- auction barn

- flea market
- retail establishments that require large areas for outdoor storage or display of goods and that carry basically one line of goods such as: motor vehicle sales and service; recreational vehicle sales and service; marine craft sale and service; all terrain vehicles; snowmobiles and campers; major appliance and or furniture sales; and a building supply outlet

21.2.2. Within the Highway Commercial designation, Council will encourage that the land be serviced by municipal communal services provided it is cost effective and efficient use of services. Partial services will not be encouraged and will only be considered in accordance with the Provincial Policy Statement. Highway commercial development will only be permitted within a settlement area if it is infilling or rounds out existing development on partial services.

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

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

21.3. SPECIAL PROVISIONS:

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

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

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22. INDUSTRIAL DESIGNATION

22.1. PURPOSE

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

22.2. POLICIES

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

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

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

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

- h) no industrial use shall be permitted which, from its nature of operation or materials used therein, is declared obnoxious under the provisions of any Statutes or Regulations.

22.3. Servicing

22.3.1. Within the Industrial designation, Council will encourage that the land be serviced by municipal communal services, provided it is cost effective and efficient use of services. Partial services will not be encouraged & will only be permitted where they are necessary to address failed individual on-site sewage and water services and considered in accordance with the Provincial Policy Statement. Industrial development will only be permitted within a settlement area if it is infilling or rounds out existing development on partial services.

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

22.3.3. Industrial uses on private services should be restricted to ones that are dry and low water users.

22.4. Parking

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

22.5. Special Provisions

22.5.1. Land designated Industrial in part of Lots 20 and 21, Concession 6, geographic township of Fenelon, shall be limited to dry industries. Prior to the subdivision, rezoning or the development of the lands, an Environmental Evaluation, a hydro geological study, and an engineering report shall be submitted to and approved by the City.

22.5.2. Land designated Industrial in Lots 23-25, Concession 3, geographic township of Ops, should be developed as a business park that includes industrial, commercial and office that are compatible and supportive of the airport.

23. AGGREGATE DESIGNATION

23.1. GOAL:

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

23.2. OBJECTIVES:

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

23.3. POLICIES

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

- pits and/or quarries licensed pursuant to the Aggregate Resources Act
- accessory uses such as crushing, screening, washing, stockpiling, and blending, weigh scales, operational maintenance/repair facilities, and offices and associated facilities.

- Associated facilities used in extraction, transport, beneficiation, processing or recycling of mineral aggregate resources and derived products such as asphalt and concrete, or the production of secondary related products
- importation only of mineral aggregate for blending or stockpiling and topsoil for rehabilitation.
- Dimensional stone quarry operation with crushing and blasting operation within a licensed quarry.
- agricultural uses
- natural heritage and wildlife habitat conservation, management, rehabilitation and/or stewardship
- forestry
- recycling may be permitted in a site-specific by-law for the recycling only of inert materials such as asphalt, concrete, brick, porcelain and reclaimed aggregate products
- Permanent asphalt and concrete plants may be permitted in licensed active pits and quarries in a site-specific by-law provided they are compatible and adequately buffered to protect adjacent land uses.

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23.3.2. An Official Plan Amendment and Zoning By-law Amendment application will be required for all new operations, or proposals for expansion beyond the licensed boundaries of existing, aggregate extraction operations. Any Official Plan Amendment will be considered within the context of all objectives and policies of the Official Plan. In reviewing possible amendments, Council will encourage the grouping of extractive operations.

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

23.3.4. The City will:

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

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

23.3.6. Conditions required implementing the recommendations of the supporting studies or technical review thereof shall be imposed through conditions of the license or notes on the site plan by MNR under the Aggregate Resources Act license process. The City may consult with MNR in this regard.

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

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

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

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

23.3.11. Previously licensed and rehabilitated pits and quarries will require an Official Plan Amendment to appropriately re-designate the lands for future use. This may occur as part of the five year reviews.

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23.4. LOCATION OF NEW EXTRACTION OPERATIONS

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

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

23.5. APPLICATION SUBMISSION REQUIREMENTS

- 23.5.1. The City will require studies for aggregate applications that have natural heritage features within 120m of the subject application and have sensitive land uses within 300m for a pit and 500m for a quarry to assess land use compatibility. This distance is consistent with the Aggregate Resources Act, however, the City can require studies up to 500m to ensure compatibility.
- 23.5.2. Studies submitted in support of applications for a new Class B sand and gravel pit license that do not require extraction below the water table will be scoped appropriately as determined at the pre-consultation meeting.
- 23.5.3. In addition to the study requirement outlined in Section 21.5.1, the pre-consultation meeting will identify additional detailed study requirements, the need to scope study requirements where appropriate, and the process of evaluation and peer review. Where such peer review is determined to be necessary, the applicant will be responsible for the costs of any peer review undertaken by the City of such studies. The City will enter into an agreement with the applicant regarding the administration of such costs.
- 23.5.4. Prior to the approval of a zoning amendment for an aggregate operation, the City shall be satisfied that the site plan submitted to the Province under the Aggregate Resources Act satisfies all the City's concerns. The site plan shall contain a provision requiring that the monitoring reports required under the Aggregate Resources Act be submitted to the City to ensure that the results and predictions made in the technical studies submitted at the time of application remain valid. The City may request additional technical studies based on the results of the monitoring reports. Special attention will be given to studies related to quarry blasting, noise and vibration due to blasting and drilling and mitigative measures to reduce the impact on surrounding uses.
- 23.5.5. The City may require environmental studies to assess the impact if development occurs within proximity of a quarry operation. This influence area applies to new sensitive land uses encroaching upon an existing quarry operation or to new quarries encroaching on sensitive land uses.

23.6. AGGREGATE ADVISORY COMMITTEE

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

23.7. ROAD IMPROVEMENTS

23.7.1. Road improvements may be a condition of the municipal planning approvals.

23.7.2. 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.

24. SAND AND GRAVEL RESOURCE DESIGNATION

24.1. GOAL:

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

24.2. OBJECTIVE:

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

24.3. POLICIES:

Schedule A to this Plan designates areas of known high potential sand and gravel resources (both deposits of primary and secondary significance as mapped in the Aggregate Resources Inventory) that are not constrained by settlement areas and natural heritage features as Sand and Gravel Resource areas. Deposits of tertiary significance or deposits that are shown to be of high potential as a result of testing and agreed to in consultation between the Ministry of Natural Resources and the City will also be shown on Schedule A of this Plan as this information becomes available..

24.3.1. The permitted uses in areas of known high potential sand and gravel resources shall be agriculture, forestry and open space passive recreational uses. The Sand and Gravel Resource Designation is also intended to act as a buffer between existing Aggregate Designations and adjacent uses. It is the intent of this Official Plan that sand and gravel resources be protected by directing permanent development away from these areas.

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

The City will undertake an Aggregate Secondary Plan within six (6) months following the final approval of the Official Plan that will consider matters such as:

- Updating and refining the Sand and Gravel Resource Reserve mapping;
- Establishing detailed study requirements for aggregate applications that consider the scale of operation and location;
- Establishing detailed monitoring requirements, and
- Establishing preferred haul routes and addressing their connection to haul routes in adjacent municipalities
- Determining the review process and type of applications needed to consider new aggregate operations in areas identified as Sand and Gravel Resource Reserve.

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

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

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

24.3.5. Where detailed mapping of Provincially Significant Natural Heritage features/areas become available, the corresponding boundaries of the areas of known high potential sand and gravel resources will be adjusted to exclude these areas from the identified provincially significant Natural Heritage feature/area.

24.3.6. Areas of known high potential sand and gravel resources are based on the Ontario Aggregate Resources Inventory and generally exclude Natural Heritage features, Settlement areas, Rural Clusters (groupings of 6 or more residential uses) and Draft approved/registered, but not yet developed plans of subdivision.

- 24.3.7. Within lands identified on Schedule A as Sand and Gravel Resource, a parcel may be severed by consent into a separate lot if the retained and severed parcels satisfy the abutting 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.
- 24.3.8. Within lands identified on Schedule A as Sand and Gravel Resource, certain parcels of land may not have aggregate potential. In such cases, an alternative use consistent with the surrounding uses and in conformity with the abutting designation may be considered if Council is satisfied that the proposed use will not impede sand and gravel extraction either on the property to be used or on other holdings in the vicinity. A study by a qualified professional must be completed to the satisfaction of the Council to demonstrate that the parcel of land has no commercial potential for the extraction of sand and gravel. The study must provide information on the quality and quantity of subsurface material to a sufficient depth to assess the feasibility of a commercial mining operation on the site and any other information that the Ministry of Natural Resources or Council deems necessary. The Ministry must confirm in writing that they concur with the findings of the study that there is no commercial sand and gravel potential on the land.
- 24.3.9. Within lands identified on Schedule A as Sand and Gravel Resource, certain parcels of land may not have aggregate potential. In such cases, an alternative use consistent with the surrounding uses and subject to an Official Plan Amendment may be considered if Council is satisfied that the proposed use will not impede sand and gravel extraction either on the property to be used or on other holdings in the vicinity. A study by a qualified professional must be completed to the satisfaction of the Council to demonstrate that the parcel of land has no commercial potential for the extraction of sand and gravel. The study must provide information on the quality and quantity of subsurface material to a sufficient depth to assess the feasibility of a commercial mining operation on the site and any other information that the Ministry of Natural Resources or Council deems necessary. The City is responsible for approving such studies and may consult with the Ministry of Natural Resources for technical input regarding such studies that analyzes the commercial sand and gravel potential on the land.

25. BEDROCK RESOURCE DESIGNATION

25.1. GOAL:

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

25.2. OBJECTIVE:

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

25.3. POLICIES:

25.3.1. Schedule H to this Plan identifies areas of known high potential bedrock aggregate resources (both deposits of primary and secondary significance as mapped in the Aggregate Resources Inventory) that are not constrained by settlement areas and natural heritage features as Bedrock Resource areas. These areas are mapped on Schedule H as a constraint overlay. Deposits of tertiary significance or deposits that are shown to be of high potential as a result of testing and agreed to in consultation between the Ministry of Natural Resources and the City will also be shown on the Schedules of this Plan as this information becomes available..

25.3.2. The permitted uses in areas of known high potential bedrock resources shall be agriculture, forestry and open space passive recreational uses. The Bedrock Resource Designation is also intended to act as a buffer between existing Aggregate Designations and adjacent uses. It is the intent of this Official Plan that bedrock resources be protected by directing permanent development away from these areas.

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

The City will undertake an Aggregate Secondary Plan within six (6) months following the final approval of the Official Plan that will consider matters such as:

- Updating and refining Aggregate Resource Reserve mapping;

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- Establishing detailed study requirements for aggregate applications that consider the scale of operation and location;
- Establishing detailed monitoring requirements,
- Establishing preferred haul routes and addressing their connection to haul routes in adjacent municipalities, and
- Determining the review process and type of applications needed to consider new aggregate operations in areas identified as Aggregate Resource Reserve.

25.3.4. All lands identified as Bedrock Resource Constraint Overlay should be preserved for possible future use for aggregate extraction where possible. In areas adjacent to known deposits of bedrock resources, development and activities which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:

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

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

25.3.6. Where detailed mapping of Provincially Significant Natural Heritage features/areas become available, the corresponding boundaries of the areas of known high potential bedrock resources will be adjusted to exclude these areas from the identified provincially significant Natural Heritage feature/area.

25.3.7. Areas of known high potential bedrock resources are based on the Ontario Aggregate Resources Inventory and generally exclude the following features:

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

25.3.8. Within lands identified on Schedule H as Bedrock Resource Constraint Overlay, a parcel may be severed by consent into a separate lot if the retained and severed parcels satisfy the underlying Official Plan and Zoning By-law requirements and does not generate any

land use compatibility constraints for a potential aggregate operation or licensed aggregate operation.

25.3.9. Within lands identified on Schedule H as Bedrock Resource Constraint Overlay, certain parcels of land may not have aggregate potential. In such cases, an alternative use consistent with the surrounding uses and in conformity with the underlying designation on Schedule A may be considered if Council is satisfied that the proposed use will not impede aggregate extraction either on the property to be used or on other holdings in the vicinity. A study by a qualified professional must be completed to the satisfaction of the Council to demonstrate that the parcel of land has no commercial potential for the extraction of aggregate. The study must provide information on the quality and quantity of subsurface material to a sufficient depth to assess the feasibility of a commercial mining operation on the site and any other information that the Ministry of Natural Resources or Council deems necessary. The City is responsible for approving such studies and may consult with the Ministry of Natural Resources for technical input regarding such studies that analyzes the commercial sand and gravel potential on the land.

26. TOURIST COMMERCIAL DESIGNATION

26.1. GOALS:

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

26.2. OBJECTIVES:

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

26.3. POLICIES:

26.3.1. The following uses will be permitted within the Tourist Commercial designation subject to the Growth Management policies in section 4.1:

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

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

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

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

26.3.4. Tourist Commercial developments are to serve the travelling or vacationing public and shall not be used as a primary or permanent residence. Units within a Tourist Commercial development may be rented on a daily, weekly or monthly basis or can be a fractional ownership arrangement. The units can only be occupied on a seasonal basis and shall be subject to occupancy time restrictions.

26.3.5. The Tourist Commercial Designation shall not be permitted within a Prime Agricultural designated area and such development will be directed to lands being classes 5 to 7 for agricultural potential. The exception with respect to being on Prime Agricultural land as stated above will be where lands were designated as Tourist Commercial in an official plan prior to the adoption of this Plan.

26.3.6. Prior to an amendment to this Plan, a master plan of the Tourist Commercial proposal shall be prepared. The master plan should include information related to the physical characteristics of the site, the impact of the proposal on existing and anticipated municipal costs and service levels, and a detailed site plan showing the location and extent of proposed uses such as open space, recreational units and commercial. The master plan will form part of the background material for the Amendment. Detailed aspects of the master plan may be controlled through the Site Plan Control provisions of the Planning Act.

26.3.7. The conversion of Tourist Commercial developments to residential is prohibited.

26.3.8. the resource-based recreational component of Tourist Commercial developments will be constructed in the first phase of the development.

26.3.9. The scale of Tourist Commercial developments shall not overwhelm the scale and size of the resource. The maximum number of units that can be considered in a Tourist Commercial development shall be based generally on one unit per hectare devoted to the natural recreational feature and on an assessment of the sites environmental constraints and capability, impact on surrounding community, financial and economic impact and ability of the development to provide the required financial guarantees.

26.3.10. Tourist Commercial developments shall have access by public road.

26.3.11. Notwithstanding Policy 25.2.2, an expansion of existing tourist facilities in the shoreline areas may be permitted by way of an amendment to the zoning by-law where the expansion is not in conflict with surrounding land uses.

26.4. Servicing

26.4.1. Tourist Commercial development may be developed on privately owned and operated communal wastewater treatment system and/or privately owned and operated communal water systems. The city shall prescribe necessary conditions for the provision and maintenance of services and may require to abide by a servicing agreement to ensure:

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

27. OPEN SPACE DESIGNATION

27.1. GOAL:

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

27.2. OBJECTIVE:

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

27.3. POLICIES

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

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

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

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

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

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

27.3.6. If any Crown Land is patented or disposed of by the Province, the City will zone Crown Land for existing uses until a development proposal is submitted to the City for consideration. Prior to rezoning, an amendment to the official plan will be required to recognize the proposed uses. In considering a proposed amendment to the official plan and zoning by-law, it should be demonstrated that:

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

PART D

28. INFRASTRUCTURE AND SERVICE POLICIES

28.1. GOAL:

- To plan for growth that takes into account the availability and location of existing and planned community infrastructure so that infrastructure can be provided efficiently and effectively.
- To develop a transportation system that is safe, convenient, efficient and accessible.

28.2. OBJECTIVES:

- Maintain and enhance the level of services consistent with the social integrity, economic costs, demand and growth projections while ensuring environmental integrity.
- Encourage intensification by locating urban development 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.
- Provide and improve hard services such as sidewalks, curbs, gutters, roads, sewers, water mains and street lighting to applicable standards that are appropriate to the location.
- Use all reasonable and cost effective opportunities to encourage innovative and efficient use of services.
- Identify and give priority to servicing improvements and the reduction of deficiencies which, if improved, assist in stimulating economic development and create long-term employment opportunities.
- 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.
- 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.
- Encourage the efficient use of energy with respect to all modes of transportation.
- 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.
- Encourage the protection of abandoned rail corridors for public uses.

- Ensure that the City continues to play a role in the provision of special needs transportation.
- 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 links to alternative modes of transportation.
- Ensure that the network of roads serving the City is co-ordinated with the Provincial Highway system and where necessary, adjacent municipalities.
- Ensure the continual maintenance, 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.
- 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.

28.3. POLICIES

Water and Sewage Facilities

- 28.3.1. Where communal water services are required for residential development, Council will determine if they will allow the establishment of a communal well that is subject to the Safe Drinking Water Act. & current legislation.
- 28.3.2. 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 and 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.
- 28.3.3. 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.
- 28.3.4. The City operates 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.

- 28.3.5. Municipal water wells, water storage facilities, water supply and water pollution control plants and water and sewage pumping stations may be allowed in any designation.
- 28.3.6. No new on-site wastewater system will be permitted within 100m of a lake or permanent stream within the Lake Simcoe Watershed except under the provisions of the Lake Simcoe Protection Plan.
- 28.3.7. No new non-municipal sewage treatment plant shall be established in the lake Simcoe Watershed unless it conforms to the Lake Simcoe Protection Plan.
- 28.3.8. It is anticipated for the Ministry of Environment to release guidelines with regard to sufficient treatment capacity for hauled sewage from private communal sewage services and individual on-site sewage services. Once these guidelines are released it shall be the intent of the County to consider amendments to the Official Plan to be consistent with the Sewage and Water policies of the Provincial Policy Statement.

28.4. SERVICING FOR NEW DEVELOPMENT

- 28.4.1. All new development with six or more residential dwellings or lots shall be on full municipal systems. The exception is within the Hamlet and Waterfront designations, provided the designation boundaries are not being expanded. Within the Hamlet and Waterfront designations, the development shall be based on the level of services that are provided within the hamlet or waterfront area. The area covered by DP8 (Longford reserve) is exempted from this policy.
- 28.4.2. 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 hydrogeological 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 may be placed in a Holding category to prohibit development until the required hydrogeology report has been approved by the City.
- 28.4.3. 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.
- 28.4.4. Individual services are permitted for lots created by consent within the Prime Agricultural, Rural, and Waterfront Designations.

28.5. WATER AND WASTEWATER MANAGEMENT SYSTEMS

- 28.5.1. Council shall only consider the construction of new, or expansion of existing, municipal or private communal water and wastewater systems where the following conditions are met:
- 28.5.2. strategies for water conservation and other water demand management initiatives are being implemented in the existing service area;
- 28.5.3. plans for expansion or for new services are to serve growth in a manner that supports achievement of the intensification target and density targets in this Plan;

28.6. TRANSPORTATION

- 28.6.1. The City of Kawartha Lakes will provide for the establishment of priority routes for goods movement, where feasible, to facilitate the movement of goods into and out of areas of significant employment, industrial and commercial activity and to provide alternate routes connecting to the provincial network.
- 28.6.2. Land uses will be planned in the vicinity of, transportation facilities such as inter-modal facilities, rail yards, airports, dockyards, and major highway interchanges that are compatible with, and supportive of, the primary goods movement function of these facilities.
- 28.6.3. Local roads provide access to lots and serve low volumes of traffic and are generally 20 metres in width.
- 28.6.4. Arterial Roads provide for medium volumes of traffic. In the rural areas, a right of way of 26 metres will be required for higher volume traffic areas.
- 28.6.5. 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.
- 28.6.6. 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.

28.6.7. 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 exceptions to this provision, are when:

- the lot is zoned Limited Service;
- 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;
- the land owner has entered into an agreement or licence with the City for maintenance and/or construction of the road; or
- 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.
- The area is within DP8 (Longford Area) except if application for consent, subdivision or condominium is made.

28.6.8. Pedestrian and bicycle networks will be integrated into transportation planning, where feasible, to:

- provide safe, comfortable travel for pedestrians and bicyclists within existing communities and new development; and
- provide linkages between intensification areas, adjacent neighbourhoods, including dedicated lane space for bicyclists on major street network where feasible.
- Promote and support travel demand management initiatives to reduce the dependence on the single occupant vehicle (healthy community policy).

28.7. PROVINCIAL HIGHWAYS

28.7.1. 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 lane divided Highway from the intersection on 35/115 to Highway 7 just south of Lindsay.

28.7.2. In addition, a planning study is nearing completion for work on Highway 7 in the vicinity of Lindsay. The Highway 7 planning study along the eastern boundary of the City for the section from Fowlers Corners southerly, has also been completed with a four-laning plan. The Province has determined the route of the extension of Highway 407 to link with highway 115 south of the existing Highway 115/35 intersection. There is a need to increase the protection of the highway corridors to ensure the highway integrity is not jeopardized from the impacts of development.

28.7.3. All development proposals located adjacent to or within the permit control area of the MTO must obtain MTO approval prior to any construction being undertaken. Depending on the scope of the project, a site plan, Traffic Impact Study and Stormwater

Management Report may be required for MTO review. Depending on the specifics of the site, additional information or studies may be required by the MTO.

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

28.7.5. All provincial highways located within the City of Kawartha Lakes fall under the jurisdiction of the Ministry of Transportation. The provincial highway system will continue to preserve the long-term safety and operating viability of the Provincial highway system to ensure the most effective movement of people, and goods and at the same time protect the investment in existing and future transportation infrastructure. Access to any development shall be, as far as possible, via a local road system to preserve the operating viability of the Provincial Highway System. 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.

28.7.6. Entrance permits granted to one property for access to a Provincial highway shall not be deemed to provide access to the Provincial System to any other property unless specific permission is granted by MTO. Generally, MTO requires that each property has its own access and that any new access only be at public road entrances that meet the spacing requirements of the MTO.

28.7.7. Only those land uses that are compatible with the operation of a MTO Patrol Yard will be permitted to locate adjacent to the MTO Patrol Yard.

28.8. AIRPORT

28.8.1. Development adjacent to the Lindsay airport and in particular sensitive land uses that are not compatible should be prohibited in order to protect and to provide for any expansion. Such expansions include the extensions of the runways for aircraft approaches and take off.

28.8.2. An Airport Master Plan was completed in 2002. The purpose of this Plan was to provide guidelines for the orderly long-term development of the Airport's lands, operation and facilities. Guidelines of this Plan included satisfying present and future aviation demand in a financially responsible manner, while considering environmental and socio-economic issues.

28.8.3. The City's objective for the Airport is to provide the residents and businesses of Kawartha Lakes with access to convenient and cost effective air transport services in a socially and fiscally responsible manner; while being progressive in its efforts to promote, develop and upgrade the Airport's lands and facilities.

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28.9. RAIL LINES

- 28.9.1. The existing rail line will be recognized with provisions for new lines to be established to meet the future requirements of the City.
- 28.9.2. Council will encourage increased use of the existing rail line from Peterborough to Toronto through Pontypool, in particular for passenger service.
- 28.9.3. 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.
- 28.9.4. The establishment of a new rail line will not necessitate an amendment to this Plan.

28.10. TELECOMMUNICATION AND UTILITY INFRASTRUCTURE

- 28.10.1. Council shall ensure that adequate utility networks are, or will be, established to serve the anticipated development and that these networks can be phased in a manner that is cost-effective and efficient.
- 28.10.2. All utilities, including telecommunications, shall be planned for and installed on a coordinated and integrated basis in order to be more efficient, cost effective and minimize disruption. All large, above-ground utility infrastructure located and designed to be compatible with its environment.
- 28.10.3. Council supports the coordinated planning and installation of utilities in initial common trenches, wherever feasible, to avoid unnecessary over-digging and disruption of municipal rights of way.

Part E

29. INTERPRETATION AND DEFINITIONS

29.1. INTERPRETATION

- 29.1.1. The goals, objectives and policies of this Plan must be considered together to determine conformity with this Plan. 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. Boundaries of natural feature areas and Aggregate Areas shown on Schedules “A” and “B” are to be interpreted by the City as approximate subject to precise study and measurement.
- 29.1.2. It is also intended that the location of roads as indicated on all Schedules 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 policy, the "location of roads" shall include related connections and facilities necessary for the safety and continuity of the road system including bridges and interpolicy improvements.
- 29.1.3. Any reference to quantities such as lot areas or density of development should be regarded as approximate. All measurements in this Plan are in metric form with the approximate non metric equivalent provided in the Appendix I, for reference purposes only.
- 29.1.4. 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.
- 29.1.5. Such terms as reasonable, limited and appropriate will be interpreted by Council to ensure that the overall intent of this Plan is preserved.
- 29.1.6. 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.
- 29.1.7. The word “shall”, “will” are to be construed as imperative, and the word “may” as permissive.

29.1.8. 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.

30. DEFINITIONS

30.1. Whenever a term is used in this Plan and is a term defined in an approved provincial plan, the definition of the term shall be as identified in the approved Provincial Plan.

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:

- I. impairment of the quality of the natural environment for any use that can be made of it;
- II. injury or damage to property or plant and animal life;
- III. harm or material discomfort to any person;
- IV. an adverse effect on the health of any person;
- V. impairment of the safety of any persons;
- VI. rendering any property, plant, or animal life unfit for use by humans;
- VII. loss of enjoyment of normal use of property; and
- VIII. interference with normal conduct of business.

Affordable means:

- a) in the case of ownership housing, the least expensive of:
 - 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 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:
 - a unit for which the rent does not exceed 30 percent of gross annual household income for low and moderate income households; or

- 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 providing inputs, service storage or processing outputs from the farm operation.

Agro-forestry:

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

Agri-tourism:

Means the act of visiting a working farm or any agricultural horticultural or agr-business operation for the purpose of education or active involvement in the activities of the farm where the principle activity on the property remains as farming and where products used in the activity are produced on the property or relating to farming.

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.

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.

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.

Built-up Area:

means all land within the built boundary and land identified in accordance with the “Built Boundary for the Greater Golden Horseshoe” as defined by the Minister of Public Infrastructure Renewal in April 2008.

Built Boundary:

means the limits of the developed urban area as defined by the Province for the Greater Golden Horseshoe.

Cabin:

means a cabin for sleeping which is not a vacation dwelling, which does not contain facilities for the cooking or sanitary services and is accessory to a permitted dwelling unit.

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.

Compact Urban Form:

means a land-use pattern that encourages efficient use of land, walkable neighbourhoods, mixed land uses (residential, retail, workplace and institutional all within one neighbourhood), proximity to transit and reduced need for infrastructure. Compact urban form can include detached and semi-detached houses on small lots as well as townhouses and walk-up apartments, multi-storey commercial developments, and apartments or offices above retail providing a live/work relationship.

Complete Communities:

means meet people's needs for daily living throughout an entire lifetime by providing convenient access to an appropriate mix of jobs, local services, a full range of housing, and community infrastructure including affordable housing, schools, recreation and open space for their residents. Convenient access to public transportation and options for safe, non-motorized travel is also provided.

Conservation Authority:

means Kawartha Conservation, Otonabee Region Conservation Authority, Lake Simcoe Region 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.

Density Targets:

means targets for designated Greenfield areas as outlined in section 16.5 and defined in the Growth Plan for the Greater Golden Horseshoe, 2006.

Designated Greenfield Area:

means the area within a settlement area that is not a built-up area. Where a settlement area does not have a built boundary, the entire settlement area is considered designated Greenfield area.

Ecological Function:

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.

Employment Area:

means areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities. (Provincial Policy Statement, 2005)

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.

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:

1. 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:

2. the one hundred year flood; or
3. 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.

Health Unit:

means the Haliburton, Kawartha, and 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:

Light Use:

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.

Medium Use:

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."

Heavy Use:

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:

means the development of the property, site or area at a higher density than currently exists through:

- redevelopment, including the reuse of brownfield sites;
- the development of vacant and/or underutilized lots within previously developed areas
- infill development; or
- the expansion or conversion of existing buildings.

(Provincial Policy Statement, 2005)

Intensification Areas:

means the lands identified by municipalities or the Minister of Public Infrastructure Renewal within a settlement area that are to be the focus for accommodating intensification. Intensification areas include urban growth centres, intensification corridors, major transit stations area, and other major opportunities that may include infill, redevelopment, brownfield sites, the expansion or conversion of existing buildings and greyfields.

Intensification 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.

Minimum Distance Separation Formulae (MDS):

means formulae developed by the Province to separate uses to reduce incompatibility concerns about odour from livestock facilities.

Municipal Comprehensive Review:

is an official plan review, or an official plan amendment, initiated by a municipality that comprehensively applies the policies and schedules of the Growth Plan for the Greater Golden Horseshoe.

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 valley lands 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.

Natural Heritage System:

means a system made up of natural heritage features & areas, linked by natural corridors which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species and ecosystem. This system can include lands that have been restored and areas with the potential to be restored to natural state.

Negative Impacts:

means:

- in regard to water, degradation to the quality and quantity of water, sensitive surface water features and sensitive ground water features, and their related hydrologic functions, due to single, multiple or successive development or site alteration activities;
- in regard to fish habitat, the harmful alteration, disruption or destruction of fish habitat, except where, in conjunction with the appropriate authorities, it has been authorised under the Fisheries Act, using the guiding principle of no net loss of productive capacity and
- in regard to other natural heritage features and areas, degradation that threatens the health and integrity of the natural features or ecological functions for which an area is identified due to single, multiple or successive development or site alteration activities.

New multi lots and units for residential development:

means the creation of more than three units or lots through either plan of subdivision, consent or plan of condominium.

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 areas where prime agricultural lands predominate. This includes: areas of prime agricultural lands and associated Canada Land Inventory Class 4-7 soils; and additional areas where there is a local concentration of farms which exhibit characteristics of ongoing agriculture. Prime agricultural areas may be identified by the Ontario Ministry of Agriculture, Food and Rural Affairs using evaluation procedures established by the Province as amended from time to time, or may also be identified through an alternative agricultural land evaluation system approved by the Province.

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 vacational 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.

Retiring Farmer:

means a bona-fide full-time farmer and is of normal retirement age who has operated the farm for a substantial number of years.

Secondary uses:

Means uses that provide value added agricultural products from the farm operation such as farm markets, farm produce stands, farm vacation establishments, farmhouse dining rooms, farm wineries or cideries and bed and breakfast establishments.

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 or commercial 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 urban areas and rural settlement areas (such as cities, towns, villages and hamlets) that are:

- built up areas where development is concentrated and which have a mix of land uses;
- and
- lands which have been designated in the official plan for development.

Sewage and Water Systems:

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.

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:

- not connected to full municipal sewage and water services;
- for the common use of more than five residential units/lots; and
- 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.

Site Alteration:

means activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site.

Threatened Species:

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

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.

Vacation Dwelling:

Means a building containing only one dwelling unit, which is constructed and used as a secondary place of residence, for vacation and recreational purposes and not as the principal residence of the owner or occupant thereof and is not used for continuous habitation.

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.

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.

PART F

31. SUBORDINATE PLANS AND SPECIAL POLICY AREAS

31.1. SECONDARY PLANS

31.1.1. A Secondary Plan is a freestanding official plan that covers a geographic area that has its own land use designations and policies completely separate but complimentary to the City Official Plan. When a secondary plan is amended, it must conform to the goals and objectives, general policies, development control and implementation policy of the City Official Plan. The current Lindsay and Fenelon Falls Official Plans will transition to Secondary Plans to this Official Plan. Secondary plans for the Urban Settlement areas of Bobcaygeon, Omemee and Woodville will be prepared to provide detailed policies addressing the growth management of the specific urban settlements areas.

The Secondary Plan shall have regard to the following criteria:

- the physical suitability of the land for development based on the policy guidelines of Policy 4 of this Plan;
- the impact that development may have on surrounding areas;
- the adequacy of and impact on services and facilities;
- the potential effect of development on the financial position of the municipality;
- the convenience, accessibility and safety of the site for vehicular and pedestrian traffic;
- the adequacy of the road system which will provide access to the development;
- 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;
- 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;
- the protection of natural heritage features and their biodiversity and connectivity;
- 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,
- 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.

31.1.2. The broad policy and Land Use Designations contained in such Secondary Plans will be incorporated into this Plan by amendment. In the development of secondary plans, the City will work with MMAH through One Window and various other agencies to receive comments on the proposed plans along with input from ratepayers. The following are the Secondary Plans:

31.2. OAK RIDGES MORaine PLAN

31.2.1. The City of Kawartha Lakes brought the Victoria County Official Plan into conformity with the Oak Ridges Moraine Conservation Plan (ORMCP) (Ontario Reg. 140/02), by adopting Amendment #104 to the Victoria County Official Plan on September 20, 2004. The amendment was approved by the Minister of Municipal Affairs on May 11, 2005.

31.2.2. Because of the unique nature of the area covered by the ORMCP and subsequently Amendment #104 to the Victoria County Official Plan, the entirety of Amendment #104 is incorporated and forms a part of this Official Plan as Schedule "G" to this plan.

31.2.3. 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.

31.2.4. The zoning of all property within the Oak Ridges Moraine Planning Area shall be in conformity with the ORMP.

31.3. FOUR MILE LAKE - SPECIFIC LAKE POLICY AREA (REFER TO SCHEDULE SP-1)

31.3.1. Four Mile Lake is a relatively shallow warm water lake (758 hectares) that is located in the sub watershed of Corben Creek (Former Township of Somerville area). Four Mile Lake is a closed lake system that has no navigable access to or from the Trent River System or other lakes. The volume of water in Four Mile Lake has a very slow flushing rate of once in five years and its small drainage area directly influences it. The current health of the lake and quality of life in the community is linked to the undeveloped rural character of the watershed.

31.3.2. The lake is split by two significant geological landforms. The northern one-third of the lake is located on the Canadian Shield dominated by granite shorelines. The southern two thirds of the lake is located on the Carden plain, characterized with sedimentary

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limestone cliffs along the shoreline and consisting of unusual shale and other sedimentary rock formations located on an expansive plain dotted with scrub-like vegetation. The lakebed is primarily limestone, which provides a natural alkaline buffer to counter the damaging effects of acid rain.

31.3.3. Four Mile Lake is a shoreline residential community that is 'at capacity' for new recreational development and activities. The entire shoreline of Four Mile Lake has been heavily developed with over 450 single-family residential dwellings. Existing dwellings have been constructed on lots with shoreline frontages of 30 m or less, and with shoreline setbacks of 15 m. There is no commercial or industrial development along the shoreline and the backlands are sparsely developed. There are only two significant portions of the lake that are undeveloped.

31.3.4. The character and geology of the shorelines and surrounding watershed is unique and quite diverse and provide for a wide range fish and wildlife species and landscapes. However, it is recognized that this diversity is fragile and may be threatened from any new development. The diversity of shoreline landforms includes limestone cliffs, exposed Canadian Shield, and wetlands. The diversity of the lake substrates include bedrock, limestone, gravel, sand and weedy areas.

31.3.5. Four Mile Lake is considered to be 'at-capacity' for Residential Cluster and all commercial developments. In order to protect the integrity and character of this residential community, new shoreline and backlot residential development must occur in accordance with the following standards and new Residential Cluster or commercial development shall not be permitted.

The combined natural, social and physical values coupled with the relative segregation of the lake from other nearby bodies of water and lack of commercial/industrial development produces a residential lake community with a quality of life that is truly unique and worth preserving.

31.4. FOUR MILE LAKE OBJECTIVES

31.4.1. There is a strong community desire to maintain the unique status and residential life on the lake. Some of the values that support this character include:

- Good water quality,
- Safe living environment,
- Peaceful and quiet ambience,
- Unique Alvar areas, fish and wildlife habitat,
- Good fishing, and
- The lack of commercial, industrial, and residential cluster and backlot development.

31.4.2. The community of Four Mile Lake adopts the principles and objectives of the City of Kawartha Lakes Official Plan, and establishes the following objectives in order to protect and improve the health and diversity of the watershed, the lake and its shoreline areas:

- To preserve the uniqueness of Four Mile Lake and its watershed.
- To ensure that new or expanded development in the watershed does not alter the natural, social and physical elements that contribute to the uniqueness of the lake and the surrounding watershed.
- To maintain the current density of development and intensity of surface water activities on the lake.

31.5. SCOPE OF FOUR MILE LAKE POLICIES

31.5.1. The scope of these policies applies to all lands with the Corben Creek Watershed and specifically to those lands within the Waterfront Designation as described and shown on the attached schedule (SP1). The Waterfront Designation shall apply to all lands within 300 m. of the shoreline of Four Mile Lake. In addition, all development and major site alteration beyond the Four Mile Lake Waterfront Designation and within the sub watershed of Corben creek shall be consistent with the following policies, where applicable.

31.6. SPECIFIC POLICIES

31.6.1. The following policies are intended to preserve the unique character of Four Mile Lake and are to be read in conjunction with entire CKL Official Plan. In situations where the policies are in conflict, the more restrictive policies are to be applied.

31.6.2. FOUR MILE LAKE WATERFRONT DESIGNATION

31.6.2.1. Permitted Uses:

- Single family residential dwellings, and accessory uses and structures
- Existing commercial, rural and industrial uses

Specific Policies:

31.6.2.2. All new shoreline residential lots shall require a minimum lot frontage of 60 m on Four Mile Lake and a lot area of 0.4 hectares. No new residential “infilling” as per Section 19 will be permitted on smaller sized lots. New shoreline residential development shall only be in the form of single family dwellings on separate lots that directly front on Four Mile Lake. New residential cluster developments on the shoreline will not be permitted.

- 31.6.2.3. New single family residential dwellings will be permitted on backlots (i.e. lands with no lake frontage) on existing lots of record that have a minimum lot frontage of 60 m on a publicly maintained road and have a lot area of 0.4 ha.
- 31.6.2.4. All development shall have a minimum setback from the road of 30 m. New backlots may not be created except to separate two existing residential dwellings. Residential cluster development on backlots with access to the lake through private or publicly owned lands will not be permitted.
- 31.6.2.5. Recreational trailers and vehicles may only be used on a temporary basis when a building permit for a main residential building has been issued.
- 31.6.2.6. Home industries are not a permitted use in the Waterfront Designation. New Bed and Breakfast operations may be considered provided they meet all requirements for home occupations and do not exceed 2 guest rooms per dwelling and are located on lots with a minimum lot frontage of 60 m of lot frontage and a minimum lot area of 0.4 ha.

31.7. DEVELOPMENT WITHIN THE CORBEN CREEK WATERSHED

- 31.7.1. The following policies apply to development and site alteration within the watershed:

No aggregate/quarrying development within 1000 m of Four Mile Lake (Refer to Schedule SP-1). Aggregate/quarrying sites outside of this 1000 m area will require specific site rehabilitation as required under the Aggregate Resources Act and an Environmental Assessment Report to ensure no direct or indirect impacts on Four Mile Lake's natural, social and physical character. Such a report will meet all government guidelines, and peer reviewed by the CKL.

31.8. DEVELOPMENT PLANS

- 31.8.1. Development Plans cover site-specific areas with detailed policies for the development of that area. The following Development Plans (DP-1 to DP-6) 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. The Cranberry Lake area in Dalton was previously included along with QE II Wildlands provincial park under "Open space" Designation has been now included as "Development Plan –DP 7 and Longford Reserve area with its unique geographic situation has been included as a "Development Plan –DP8. The area designated as 'Rural Estate' under previous Official Plan and not yet developed are covered under "Development Plan-9" to maintain status-quo.

31.8.2. The lands covered by Development Plans are shown on Schedules DP-1 to DP-10.

31.8.3. Development Plans carried forward from the former Victoria County Official Plan (DP-1 to 6) or included as new (DP-7, 8, 9 & 10) are as follows:

31.8.4. In order to comply with the Endangered Species Act, 2007, a site assessment is required in order to determine the presence of Endangered and Threatened species and to assess the impacts that proposals in the Development Plan Areas may have on the Endangered and Threatened species, including possible mitigation measures to be implemented.

31.9. DEVELOPMENT PLAN AREA ONE (DP-1) - MOORE SUBDIVISION; VERULAM

31.9.1. 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.

31.9.2. 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.

31.9.3. 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.

31.9.4. 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.

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

31.9.6. 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.

31.9.7. 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.

31.10. DEVELOPMENT PLAN AREA TWO (DP-2) - BLACK BEAR SUBDIVISION; SOMERVILLE

31.10.1. 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.

31.10.2. Where a two-zone approach is implemented, efforts shall 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.

31.10.3. 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.

31.10.4. 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.

- 31.10.5. 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 19 of 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.
- 31.10.6. 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:
- 31.10.7. One private driveway, provided it is flood proofed and engineered to provide safe access any time that the “Maximum flood elevation” is achieved; and
- 31.10.8. 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.
- 31.10.9. 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.”
- 31.10.10. 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.
- 31.10.11. For the purpose of this policy, 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 Plan search 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.

31.11. DEVELOPMENT PLAN AREA THREE (DP-3) - KINGS BAY; MARIPOSA

- 31.11.1. 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.
- 31.11.2. 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 30 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.
- 31.11.3. 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.
- 31.11.4. A dredged boat slip or canal is not permitted within the Nature Reserve designation.
- 31.11.5. 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.
- 31.11.6. 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.
- 31.11.7. 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.

- 31.11.8. 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.
- 31.11.9. 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 interpolicy with Durham Regional Road 2; all interpolicy and traffic control improvements; and the provision of fire protection services.
- 31.11.10. 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.

31.12. DEVELOPMENT PLAN AREA FOUR (DP-4) - GILSON POINT, MARIPOSA

- 31.12.1. 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.
- 31.12.2. 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.
- 31.12.3. 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.
- 31.12.4. 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, Parks Canada, Trent-Severn Waterway and the City of Kawartha Lakes. A dredged boat slip or canal is not permitted within the Environmental Protection area.

- 31.12.5. 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.
- 31.12.6. 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.
- 31.12.7. The land shown as Agricultural on Schedule DP-4 may be used for agricultural purposes.
- 31.12.8. 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.
- 31.12.9. 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.
- 31.12.10. 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.
- 31.12.11. 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.

31.13. DEVELOPMENT PLAN AREA FIVE (DP-5) - SZAKACSI SUBDIVISION, VERULAM

- 31.13.1. 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.
- 31.13.2. 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.

- 31.13.3. 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.
- 31.13.4. 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.
- 31.13.5. The implementing Zoning By-law and any subdivision agreement shall provide for a buffer area not less than 15 30 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.

31.14. DEVELOPMENT PLAN AREA SIX (DP-6) – 564711 ONTARIO INC., FENELON

- 31.14.1. 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.

- 31.14.2. All uses within the Development Plan Area Six (DP-6) shall be developed on full municipal services.
- 31.14.3. 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 Policy 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.
- 31.14.4. 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.
- 31.14.5. Within the Development Plan Area Six (DP-6) 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 Policy 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 Policy 6.8.2 19.2.1 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.
- 31.14.6. 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.

31.15. DEVELOPMENT PLAN AREA SEVEN (DP-7) - CRANBERRY LAKE, DALTON

31.15.1. This policy is applied to the area on the Cranberry Lake & delineated as follows (Total area approximately 1240 ha.) within former Dalton Township area:

West of Victoria Road

South of road allowance between conc.7 & 8

East of road allowance between Lot 10 & 11, and

North of Lot line between conc.4 & 5

(As shown on Schedule A-8 & DP -7, the area is surrounded on all sides by the Queen Elizabeth II –Wildlands Provincial Park)

31.15.2. The land shown within the DP-7 may be developed subject to following:

31.15.3. The predominant uses of land in this Designation shall be agriculture and passive recreation. The lands designated have been identified as large scale areas possessing significant ecological features, and surrounded on all sides by the QE II provincial park, having considerable potential for recreational use.

31.15.4. At the CKL Council's discretion, consideration may be given to permitting limited seasonal residential development provided that the subdivision of land is not required. Notwithstanding the above, where lands front on a public road, Consents to sever may be considered.

31.15.5. Prior to any intensive development in this Designation, an amendment to this Plan shall be required. Background material will include a detailed development plan based on the findings of an Environmental Evaluation and sound Resource Management Policies.

31.15.6. Within this Designation, areas prone to flooding and other environmental hazards have not been depicted on Schedule A. Detailed Environmental Land mapping will be required for any area within this Designation which is subject to an amendment to this Plan.

31.16. DEVELOPMENT PLAN AREA EIGHT (DP-8) - LONGFORD AREA

31.16.1. The purpose of the Longford Area –DP 8, 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 dwellings along with accessory buildings or structures.

31.16.2. This area is predominantly forested and interspersed with various lakes, rivers and wetlands.

31.16.3. LAND USES PERMITTED

The following uses will be permitted within the Longford Area:

- Dwellings
- Hunt camps
- Resource management
- Active and passive private recreation uses and facilities
- One private lodge with up to 10 guest rooms or suites
- Staff accommodation

31.16.4. SPECIAL POLICIES

31.16.5. A maximum of 100 dwellings will be permitted within the entire Township.

31.16.6. The following types of dwellings will be permitted:

- Single detached dwellings owned by members/shareholders, that may or may not contain a bathroom.
- Single detached dwellings owned by Longford Reserve Limited for member/shareholder use or staff accommodation, that may or may not contain a bathroom.
- As an accessory use to a dwelling, bunkies or sleeping cabins will be a permitted use. A bunkie or sleeping cabin may contain a bathroom but no kitchen facilities.

31.16.7. The zoning by-law may zone the area where the various types of dwellings and the 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 threatened species.

31.16.8. If Longford Reserve Limited conveys or proposes to convey all or part of this township, resulting in a consent, subdivision, or condominium application for the lands subject to conveyance, a detailed plan for the lands subject to the conveyance will be submitted to the City. The detailed plan will be at a level equivalent to a secondary plan showing the

location of all existing and proposed buildings and uses, roads and services. The detailed plan will also identify the natural heritage features. Prior to approval of a consent, subdivision or condominium, this Plan will be amended to incorporate specific policies related to the proposed development plan including detailed natural heritage mapping for the area.

31.16.9. Nothing in this Plan will be construed as requiring or encouraging any public access to be provided to or within the area of DP8.

31.16.10. All development applications shall comply with Section 3.3.21-Lake Trout Lakes and Section 18.5-Water Setback and Accessory Uses of this Plan.

31.17. DEVELOPMENT PLAN AREA NINE (DP-9) HISTORIC RURAL RESIDENTIAL DESIGNATION

31.17.1. The predominant use of land in the areas shall be relatively large, single family detached homes on large lots. There are four locations denoted as DP-9 (1) to (4) on Schedule “A” which have additional site specific special policies.

31.17.2. In evaluating any development proposal, attention should be given to the extent of development proportionate to housing demands and the economic and financial capabilities of the City to provide appropriate levels of service.

31.17.3. To ensure that the health, welfare, safety and satisfaction of future residents is protected and the City will not be faced with expensive servicing costs in the future, development should only be established where soil and drainage conditions ensure a suitable water supply and an adequate means of waste 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.

31.17.4. The site should be reasonably close to community facilities.

31.17.5. Any development will be directed away from areas with high potential for agriculture or aggregate extraction. It will also be directed away from Environmental Protection and Sensitive Areas unless a review of the impact reveals that such development will not be detrimental to the unique characteristics of the area.

31.17.6. 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.

31.17.7. The principle of low density rural estate type 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 four tenths (0.4) to two (2) hectares (1 to 5 acres).

- 31.17.8. The proposed development should be near a "black topped" public 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 road authority concerned.
- 31.17.9. 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 City or low traffic volume local 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.
- 31.17.10. 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.
- 31.17.11. Rural estate type 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 should contain wooded areas, 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 are preserved for the visual enjoyment of the entire community.
- 31.17.12. The development of a site should not produce an undesirable impact on the City by increasing the demand for local services beyond an acceptable level.
- 31.17.13. Notwithstanding standard mentioned elsewhere the minimum lot area shall be 2,950 square metres for those lots within a Plan of Subdivision within DP-9(1) area on part of Lot 25, Concession 10, in the Township of Fenelon. The subject property has a total lot area of approximately 11.3 hectares and lot frontage of 447.5 metres along the road which extends northerly from Louisa Street of the Village of Fenelon Falls.
- 31.17.14. Within the DP-9(2) area on part of Lots 17 and 18, Front Range, Township of Somerville, west of Highway 35, any zoning by law permitting habitable development shall establish the minimum elevation for external openings of 257.0 metres G.S.C.
- 31.17.15. Lands under DP-9(3), on Part of Lot 11, Concession 10 in the former Township of Fenelon, more specifically described as being those lands bounded by the municipal boundary between Fenelon Township and the Village of Sturgeon Point parallel to Irene Avenue to the south, Forest Road to the west and County Road 25 to the east, but

excluding existing lots of record and Victoria County Land Division Consents B-441/90 to B-445/90 all inclusive, no development shall be permitted and no zoning by-law amendment, plan of subdivision or consent application approved, until a secondary plan has been prepared and incorporated into this Official Plan by amendment.

- 31.17.16. Recognizing that the development of these lands could have a significant impact on the unique character of the former Village of Sturgeon Point, as well as its service infrastructure and general environmental integrity, the secondary plan shall have regard to the policies and criteria delineated in Sections 30 and 31 including the potential impact of new development on the Village's heritage resources and atmosphere and the potential impact of new permanent residential development on the Village's predominantly seasonal residential makeup.
- 31.17.17. Should the lands located in Part of Lot 26, Concession 1, geographic Township of Verulam, shown as DP-9(4) on Schedule 'A' be developed by a plan of subdivision, the following policies shall apply to ensure that each water system is installed in compliance with all pertinent regulations and has acceptable water quality.
- 31.17.18. The subdivision shall be zoned utilizing a holding provision. The holding provision shall only be removed on a lot by lot basis when the City is satisfied that each lot has a well that has been constructed utilizing a well certification program and all other requirements with respect to hydrogeology as set out in the conditions of draft approval of the subdivision as incorporated into the subdivision agreement based on comments from the Ministry of the Environment, the recommendations within the Hydrogeological Reports and peer review recommendations as it pertains to this development.
- 31.17.19. If the reasons for removing the holding provision have been met for a number of lots at one time, one by-law to remove the holding provision for those lots may be passed.

31.18. DEVELOPMENT PLAN AREA TEN (DP-10) – ANGELINE ST. S. AND HWY. 7, OPS

- 31.18.1. In addition to the Highway Commercial policies of this plan, the area shown as DP-10 on Schedule "A" and described as Part Lot 16, Concession 5, Ops, north east corner of Angeline Street South and Highway #7 shall be subject to the following provisions:
- 31.18.2. The subject lands shall not be rezoned to any Highway Commercial Zone save and except one with a Holding (H) designation until:
- 31.18.3. Council is satisfied that there is sufficient capacity in the Lindsay water supply and distribution system, and sufficient capacity in the Lindsay sewage treatment plant and collection system to permit the subject lands to be serviced.

- 31.18.4. Council is satisfied that an on-site stormwater management system can be provided which satisfies City standards and the requirements of the Ministry of Transportation of Ontario.
- 31.18.5. Council is satisfied that the lands can be adequately accessed meeting the requirements of the Ministry of Transportation for only a right in, right out access on Angeline Street, with no access off Highway 7.
- 31.18.6. Arrangements have been completed for the transfer of any required road widenings along the Angeline Street and Highway 7 frontages of the subject lands.
- 31.18.7. An archaeological review of the site has been completed.

PART G – IMPLEMENTATION

32. POLICY EXCEPTIONS

32.1. The following policies of the former Victoria County Official Plan and Township of Ops Official Plan remain in effect as exceptions to this Plan and appear as they were originally written and approved:

32.1.1. Notwithstanding any other policies of this Plan, lands on Part of Lot 2, Concession XIII, Township of Somerville, being Blocks 7 and 8, Plan 105 which are the subject of this Amendment, may be developed by the consent process to permit a maximum of three new lots and one retained.

32.1.2. Notwithstanding Section 6.4.6 (0.4-2ha lot size for rural estate sub), the minimum lot are shall be 2,950 square metres for those lots within a Plan of Subdivision which are designated as “Rural Estate” on part of Lot 25, Concession 10, in the Township of Fenelon. The subject property has a total lot area of approximately 11.3 hectares and lot frontage of 447.5 metres along a Township of Fenelon road which extends northerly from Louisa Street of the Village of Fenelon Falls.

32.1.3. On land designated Rural Estate on part of Lots 4 and 5, Concession 8, Township of Fenelon, the maximum number of lots that may be created is five having an area of not less than 6,000 square metres each. The land shall be subject to Site Plan Control to address the drainage of the land. The Zoning By-law shall be amended to incorporate provisions to ensure that the dwellings are built within the treed portion of the property.

32.1.4. Reserved (File 16.5.93 and 16.5.94 Amendment No. 54)

32.1.5. A plan of subdivision is required to divide land in the Rural Estate designation in the following locations:

- a) Part of Lot 5, Concession 5 in the Township of Verulam
- b) For division of land on this property, the following shall apply:
 - i. A hydrogeological assessment study within the subdivision will be submitted as background information with the application for a plan of subdivision.
 - ii. 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 Ministry of the Environment.

- iii. The Ministry of the Environment must accept the hydrogeological assessment report prior to draft approval of the subdivision being given.

32.1.6. Within the Rural Estate Designation on part of Lots 17 and 18, Front Range, Township of Somerville, west of Highway 35, any zoning by-law permitting habitable development shall establish the minimum elevation for external openings of 257.0 metres G.S.C.

32.1.7. (Reserved for Amendment # 79)

32.1.8. On land designated Resort Estate on part of Lots 6 and 7, Concession 6 and part of Lots 6 and 7, Concession 7, in the Township of Laxton, certain lands are considered to be subject to flooding by the Ministry of Natural Resources as lands that are subject to flooding or have a high water table. The land that is subject to flooding, as determined by an engineering study which is acceptable to the Ministry of Natural Resources, shall be appropriately zoned in a restricted are By-law prior to the registration of a Plan of Subdivision on the residential component within this Designation.

32.1.9. Notwithstanding any limitations on residential development setout in other Sections of this Plan, on the land comprising Part 1 Plan 57R-6994 being Part of Lot 8, Concession A, Township of Mariposa up to seven (7) single detached homes serviced with individual water supply and sewage disposal services may be permitted on a lot a minimum of 8 hectares in size under a site specific zone category. The zoning of the subject lands shall provide for a buffer area abutting a provincially significant wetland, which shall not be less than 15 metres in width and within which there shall be no disturbance of existing vegetation. In addition, the implementing zoning By-law shall recognize all existing drainage features and apply a minimum 15 metre building setback from the centre line of said features and the wetland shall be zoned to prohibit landscaping activities and the removal of vegetation. Notwithstanding any provisions of this Plan to the contrary, development of single detached dwellings on this site shall be subject to site plan control.

32.1.10. Notwithstanding Sections 6.7.2.3, for those lands designated as Shoreline on part of Lot 3, Concession 8, Township of Fenelon being draft approved Plan of Subdivision 16T-79064, the density shall be one dwelling unit for every seven metres of undeveloped open space shoreline.

32.1.11. On land designated as Shoreline on part of the north half of Lot 19, Concession 10, Township of Emily described more specifically as Parts 1, 2, 3 and 4 on Plan 57R-4280, the minimum lot area for any new lots shall be 1.7 hectares on Part 1 and 9600 square metres on Parts 2, 3, and 4 on Plan 57R-4280. The lot layout shall be such that each lot shall have access to open water without the necessity for dredging. Provisions should be incorporated into the Zoning By-law to ensure that the shoreline area is left in its natural state.

32.1.12. On land designated as Shoreline on part of Lots 22, Concession 1, Township of Digby, commencing approximately 600 metres west of Head River and proceeding southerly along the lake shore for a distance of approximately 190 metres the following shall apply:

- a) A minimum water setback from the normal summer lake level for all habitable buildings shall be 20 metres. No fill shall be placed within 3 metres of the water's edge based on the normal summer lake level.
- b) Minimum building openings must be above the 270.46 metre contour of elevation (877.34) G.S.C.. This represents the regulatory flood level plus 0.5 metre freeboard to compensate for the wind setup and wave uprush.
- c) The minimum elevation for the access road and driveways should be the regulatory flood level of 269.96 metres (885.7 ft.) G.S.C..
- d) The road shall be built to M.T.C subsidy standard and be assumed and maintained by the Township.
- e) The division of the land shall proceed by way of severances to permit five residential lots.
- f) Each lot shall be serviced by a normal septic tank or aerobic package system.

32.1.13. (Reserved for Amendment No. 74)

32.1.14. The following policies shall apply to a total land holding of approximately 7.4 hectares in size constituting part of Lot 4, Concession 11, east of the Burnt River, Township of Somerville. The subject lands have approximately 280 metres of shoreline along the Burnt River. Development on the subject lands shall occur by way of Plan of Subdivision. The ultimate density of the proposed Plan of Subdivision shall be determined through hydrogeological assessment at the development stage, to the satisfaction of the Ministry of the Environment and the Township of Somerville. Notwithstanding Section 6.7.2, lots on the plan of subdivision with no direct frontage onto the Burnt River will be permitted to provided there is open space shoreline left in favour of those lots for access purposes to the River at a ratio of 7 metres of shoreline per lot. In the development of a plan of subdivision, appropriate measures should be taken to prevent erosion or destabilization of the bank of the Burnt River by maintaining as much of the existing tree and vegetation cover on the bank as possible.

32.1.15. (Reserved for Amendment No. 58)

32.1.16. On land designated Shoreline, described as Part Lot 30, Front Range, geographic Township of Somerville, now in the City of Kawartha Lakes, known as 6463 Highway 35 and comprised of approximately 18 ha., as shown on Schedule "A" to this amendment, development of the land may proceed by consent to a maximum of four (4) shoreline residential lots and such lots shall have access from Highway 35 via a common element (i.e. a road) or a Condominium Corporation. (B/L 2002-163)

- 32.1.17. On land designated as Shoreline, on Part Lot 19, Concession "C", geographic Township of Mariposa, City of Kawartha Lakes, being draft plan 16T-03592, the payment of cash-in-lieu of the dedication of waterfront parkland is permitted and each lot within the final plan shall have an undivided fee-simple interest in the adjacent shoreline lot, which is currently owned by the applicant. (B/L 2003-166)
- 32.1.18. Despite Sections 6.7.7.7 a) and f), 8.3.1.11 and 8.3.2.1.2 on land designated Shoreline, described as geographic Township of Fenelon, Part Lot 22, Concession 8, Plan 57R-2583, Parts 9 to 15, inclusive, one additional consent for a shoreline residential lot, with access via the existing right-of-way, may be considered. (B/L 2004-145)
- 32.1.19. Despite Sections 6.7.7.7 a) and f), 8.3.1.11 and 8.3.2.1.2 on land designated Shoreline, described as geographic Township of Fenelon, Part Lot 22, Concession 8, Plan 57R-2583, Parts 9 to 15, inclusive, one additional consent for a shoreline residential lot, with access via the existing right-of-way, may be considered.
- 32.1.20. Despite Sections 8.3.1.11 and 8.3.2.1.2 on land designated Shoreline, described as geographic Township of Carden, Part Lot 22, Concession 4, north of Lake Dalrymple Road, one additional consent for a shoreline residential lot, subject to the prohibition of any residential use on the adjacent 18.45 ha. Vacant lot, south of Lake Dalrymple, may be considered. (OPA No. 114)
- 32.1.21. Notwithstanding any other policies of this Plan, on land designated as Pits and Quarries on part of the north half of Lot 21, Concession 4, Township of Emily the only permitted use shall be a pit and shall be zoned for that purpose, with no buildings or structures. Further, that an Agreement shall be registered or deposited on the title of the land to provide information to subsequent purchasers as to the permitted uses and the level of municipal service that exists.
- 32.1.22. Within this designation, as it applies to the southeast part of Lot 12, Concession 5, Township of Somerville, drilling, blasting, crushing and the extraction of aggregate material shall be restricted to a 6 hectare portion of the property, generally triangular in shape, abutting the southeast corner of the holding. Prior to the quarry site being rezoned, the developer shall provide, to the satisfaction of the Township of Somerville, site development plans of sufficient detail to comply with the provisions of the Aggregate Resources Act, S.O. 1989. Alternatively, the Township of Somerville may place the subject land in a holding zone until such time as the submission of site development plans and any matters pertaining thereto, have been completed to the satisfaction of the Township. All traffic related to or originating with the quarry operation shall access the property from Highway 121 and no access from local municipal roads shall be used.

- 32.1.23. Within this Designation, blasting, crushing and quarry-related drilling operations are restricted to the southern half of the 19.8 hectare site, on part of Lot 9, Concession 6, Township of Somerville.
- 32.1.24. The following requirements shall apply to 32.1 hectares of land within this designation constituting part of Lot 19, Concession 7, Township of Fenelon. The license to establish and operate a sand and gravel pit under the Pits and Quarries Control Act or its successor shall include within it provisions that: a) implement the recommendations contained within the report authored by Frank H. Theakston and Associates Inc. dated February 16, 1989 entitled “Wind Entrained Particulate Study, Proposed Gravel Pit, Fenelon Falls, Ontario”, and, b) ensure that coniferous trees are planted to provide buffer and windbreak from the sand and gravel pit operation and the properties to the east and north-east.
- 32.1.24.1. The above requirements shall be mandatory or as circumstances change may be modified or altered as concurred with the County of Victoria, the Ministry of Natural Resources and the Ministry of the Environment.
- 32.1.25. Within this designation as it applies to Part of Lots 7 and 8, Concession 6, Township of Somerville there shall be no extraction within 2 metres of the water table.
- Prior to site being rezoned, a noise impact study shall be submitted for consideration by the Ministry of the Environment, the Township of Somerville and the County.
- The noise and vibration generated by any operation or activity associated with the Quarry shall be consistent with the standards established by the Ministry of the Environment in its guidelines for noise control in publications NPC-105, NPC-115, NPC-118, NPC-119, NPC-131 and NPC-132.
- 32.1.26. (Reserved – Amendment No. 71)
- 32.1.27. Within the Pits and Quarries Designation, on land constituting part of the West Half of Lot 22, Concession 3, Township of Eldon, a concrete batching plant shall be permitted.
- 32.1.28. A group home operating within two dwelling units will be a permitted use on Part 1 of Plan 57R-1893 on part of the south half of Lot 12, Concession 11, Township of Mariposa.
- 32.1.29. (Reserved for Amendment No. 60)
- 32.1.30. Notwithstanding any limitations on residential development set out in other Sections of this Plan, on land described as part Lot 30, Concessions 1 and 2, geographic Township of Fenelon, up to five (5) single detached dwellings, serviced with individual water supply

and sewage disposal services, may be permitted on a lot having a minimum of 40 hectares and implemented in a site specific zone category.

- 32.1.31. The area defined as Block 40 of Condominium Plan 16CD-97501 is intended for temporary occupancy by tourists. Block 40 may be developed for a hotel, motel, or as Tourist Accommodation units, and any development shall use a communal water supply and sewage treatment system that also serves the remainder of the Condominium Plan 16CD-97501.

A maximum of forty (40) units will be permitted on Block 40, regardless of the form of development, and the maximum size of each unit shall be more than 93 sq. m. No permanent occupancy shall be permitted in any form of development.

If Tourist Accommodation units are developed, they shall be developed in multiple ownerships through a condominium corporation. The condominium corporation's conditions of approval, declarations and by-laws regarding the Tourist Accommodation units shall:

- Prohibit permanent occupancy of any unit;
- Require that all units be available for temporary occupancy by the touring public on a regular basis; regardless of ownership; and
- Prohibit any right of access to Balsam Lake via land that is part of Condominium Plan 16CD-97501 arising from occupancy or ownership of any unit in Block 40. (OPA 102)

- 32.1.32. A private school and accessory uses will be permitted on those lands described as Part of Lot 20, Concession 5, Mark Road, geographic Township of Fenelon, now in the City of Kawartha Lakes, and comprised of approximately 1 hectare in area, as shown on Map "A" to this amendment. (OPA 113)

- 32.1.33. Land designated Highway Commercial on part of Lot 12, Concession 19, Township of Fenelon, 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.

- 32.1.34. Land designated Highway Commercial on part of Lot 12, Concession 19, Township of Verulam, shall not include automobile service station, restaurant and automobile sales agencies as permitted uses. Notwithstanding the above restriction on uses, an automobile sales establishment shall also be a permitted use on the lot described as Part 2, Reference Plan 57R-5353 being within Lot 12, Concession 19, Township of Verulam. Except for the points of access to the property, an eight metre landscaped buffer shall be established by maintaining the existing trees with additional trees as required for a buffer. A maximum of three lots may be created with the southern two

gaining access onto a road to be municipally assumed and maintained. The northern lot shall gain access directly onto Highway 36 provided the entrance is established within 23 metres of the northerly property line or within the existing reduced speed zone, whichever is greater.

- 32.1.35. Land designated Highway Commercial, identified as Lots 31 and 32, Plan 109 in the Village of Omemee and situated on the southeast corner of the intersection of King Street (Highway No. 7) and Victoria County Road 38, may, in addition to the highway commercial uses outlined above, include no more than three of the following commercial uses: an arts, crafts or antique shop; sales offices; a service shop; a local convenience store. Such limitation on uses shall be included in the implementing zoning by-law and shall be subject to site plan approval to ensure that traffic will not be unduly disrupted and, that the proposed uses will be landscaped and not detract from the character of the area.
- 32.1.36. (Reserved for Amendment # 64)
- 32.1.37. Notwithstanding all other policies of this Plan, on the vacant 18.45 ha, being Part of Lot 22, Concession 4, geographic Township of Carden, located on the south side of Lake Dalrymple Road, residential uses are not permitted.
- 32.1.38. Notwithstanding any policies of this Plan to the contrary, the lands designated 'Agricultural' on Part of Lot 4, Concession III and identified on Schedule 'A' attached, may be used for an existing motor vehicle repair shop and a minor expansion of same.
- 32.1.39. Notwithstanding any policies of this Plan to the contrary, the lands designated 'Agricultural', on part of the east half of Lot 16, Concession 6, known as 12 Woodview Road and comprised of approximately 2.68 ha., as identified on Schedule "A" attached, may be used for a sawmill, wood storage, lumber and wood products storage and sales, woodworking shop, retail sales, and a single family dwelling. (B/L 2004-79)
- 32.1.40. A private school and accessory uses will be permitted on those lands described as Part of Lot 25, Concession 11, Heights Road, geographic Township of Ops, now in the City of Kawartha Lakes, and comprised of approximately 0.5 hectare in area, as shown on Map "A" to this amendment. (B/L 2005-114)
- 32.1.41. The residential lots created on lands designated Residential on Part of Lot 2, Concession 1, Township of Ops and having approximately 199.2 metres (653.6) feet of frontage onto the forced Township Road between the east and west half of Lot 2, Concession 1, Township of Ops shall have approximately a minimum lot area of .4 hectare and a minimum lot frontage of 38 metres. However the actual lot area shall be determined by a hydrogeological assessment.

32.1.42. Future Residential Designation – Part of Lot 25, Concession 4.

The following policies shall apply to land designated as Future Residential in part of Lot 25, Concession 4 and identified on Schedule 'A' of this Plan. It is the intent of this Plan that development shall be undertaken in a manner that is consistent with the corresponding designations and policies of the Jennings Creek Community Development Plan as set out in Volume II of the Town of Lindsay Official Plan (as approved in 2000). (Amend No. 46 - B/L 2004-138)

32.1.42.1. Permitted Uses

Within the Future Residential designation, permitted uses are those uses existing at the date of the adoption of Official Plan Amendment No. 46, as well as non-intensive agricultural uses, reforestation, public utilities and stormwater management facilities. Public utilities, which would limit the type of residential uses to be developed in the Future Residential areas, shall not be permitted.
(Amend. No. 46 - B/L 2004-138)

32.1.42.2. Policies

The future uses of land designated Future Residential shall be for a variety of low and medium density residential uses permitted in accordance with the Residential policies of the Town of Lindsay Official Plan. Council shall consider land designated Future Residential as logical areas for the extension of the Residential land use designation of the Town of Lindsay Official Plan, when it has been determined that additional lands are required in the municipality to accommodate future growth and development.

To initiate residential development on lands designated Future Residential, an amendment to this Official Plan shall be required to designate the subject land for residential purposes. The future land use designation shall be consistent with the policies of the Residential designation of the Town of Lindsay Official Plan and the Jennings Creek Community Development Plan. When evaluating such an amendment, the applicable policies contained in Volume I of the Town of Lindsay Official Plan shall be used.

Those areas designated Future Residential on Schedule "A" shall be subject to a Community Development Plan in accordance with Section 6.3.2 of the Town of Lindsay Official Plan.

Future Residential areas shall be developed on the basis of full municipal services. The Future Residential land use designation does not imply that municipal servicing capacity has been allocated for those lands.

The future use of lands in the Future Residential designation shall be for low and medium density residential uses and other uses, in accordance with Sections 4.1.2.1 – Low Density Residential Uses; 4.1.2.2 – Medium Density; 4.1.3 – Home Occupations; and 4.1.4 – Neighbourhood Commercial Uses. (Amend. No. 46 - B/L 2004-138)

32.1.43. Part of Lot 16, Concession 6

Notwithstanding the policies of Section 6.4.3 or any other provision of this Official Plan, a group home for children with special needs may be established and operated on a property identified as 33 Golden Mile Road, described as Part 2, Plan 57R-1071, being approximately 0.22 ha. (0.56 ac.). (Amend No. 47 – B/L 2005-110)

32.1.44. The following policies shall apply to approximately 16 hectares of land designated Shoreline Residential constituting part of Lots 1 and 2 Concession 1, Township of Ops. The subject lands have approximately 480 metres of shoreline along the Scugog River. At the development stage, the ultimate density for the site shall be determined through a hydrogeological assessment by a qualified hydrogeologist, to the satisfaction of the Ministry of the Environment and the Township of Ops. Further, development to the site shall only proceed by plan of subdivision.

- i. Open space shoreline, having an approximate length of 480 metres along the Scugog River and a minimum depth of 30 metres shall be zoned for park use, while specifically prohibiting the construction and use of habitable buildings. The park use may include a swimming area, boating area, picnic area and walking trails. The parkland within this Plan of Subdivision shall be held as a common area to be jointly owned by all property owners with the subdivision.
- ii. The parkland strip is designed to provide shoreline access on the basis of a minimum of 17 metres of shoreline per lot. A 30 metre buffer along the shoreline shall be maintained in as natural a state as reasonably possible while providing access to the water for open space purposes. This will include a beach and docking facilities in a location acceptable to the Ministry of Natural Resources. The 3 metre buffer shall be zoned to reflect the open space use.

32.1.45. Institutions and Community Facilities Designation – Part of Lot 25, Concession 4

The following policies shall apply to lands designated as Institutions and Community Facilities in part of Lot 25, Concession 4 and identified on Schedule “A” of this Plan. It is the intent of this Plan that development shall be undertaken in a manner that is consistent with the corresponding designations and policies of the Jennings Creek Community Development Plan as set out in Volume II of the Town of Lindsay Official Plan (as approved in 2000). (Amend. No. 46 – B/L 2004-138)

- 32.1.46. Notwithstanding any other provisions of this Plan, the uses permitted on lands designated Tourist Commercial, on parts of Lot 11, and part of the west half of Lots 12 and 13, Concession 1, shall be a golf course and related uses including a club house with guest units, a restaurant, a pro shop and maintenance building. These may be described as intended future uses in a Holding zone in implementing zoning by-laws. The Holding provision may be removed from such zone upon the execution of a site plan agreement, deemed satisfactory by Council, for development of the permitted uses.
- 32.1.47. Notwithstanding any policy of the Official Plan to the contrary, on those lands designated Agricultural which are bounded by a heavy red line in part of Lots 11, 12, 13, Concession 1, Township of Ops as shown on Schedule 'A' hereto are included in the land area utilized by hydrogeological studies prepared in 1992 by Site Investigation Services Limited to calculate nitrate concentrations for the golf course, no Official Plan Amendment to permit any other development will be considered by Council which would result in an increase in nitrate concentrations above the drinking water quality objectives established by the Province of Ontario. A hydrogeological study in a form acceptable to the Ministry of Environment and Energy and the Municipality shall be required for any development proposal prior to any amendment to the Plan being adopted by Council.
- 32.1.48. In addition to any other provisions of this Plan, on those lands designated 'Highway Commercial - Exception No. 1', on the west half of Lot 17, Concession 6, golf course, driving range, miniature golf and ancillary uses are also permitted.
- 32.1.49. On land designated Agricultural Support on part of Lot 16, Concession 7, being part of Plan 57R1408, agricultural support uses shall be permitted. In the building that existed when this plan was adopted, being the one closest to Highway 36, industrial uses will also be permitted provided that any outside storage of goods or materials is contained within a fenced area, hidden from public view.
- 32.1.50. In addition to those uses permitted in the Agricultural Support designation pursuant to Section 7.9.2., on land designated Agricultural Support on part of Lot 7, Concession 11, Ops Township, a honey and maple syrup processing and packaging plant shall be a permitted use.
- 32.1.51. In addition to those uses permitted in the Agricultural Support designation in this Plan, and notwithstanding anything to the contrary, on land designated Agricultural Support on Part of Lot 16, Concession 5, geographic Township of Ops, a Business/Professional Office and a Fairground with ancillary facilities including exhibition, entertainment and camping areas shall be permitted uses. (By-Law 2002-74)
- 32.1.52. On land designated Industrial being part of Lot 22, Concession 7, being a 3.4 hectare (8.4 acre) parcel identified in the assessment roll as poll 6, roll number 48, the buildings that existed when this plan is adopted may be used for industrial and retail commercial

uses provided that there is no storage or display of merchandise or materials in the existing front yard.

- 32.1.53. Notwithstanding any other provisions of this Plan to the contrary, the lands designated Rural in part of Lot 5, Concession 4, of the Geographic Township of Verulam, specifically the 20-acre parcel formally zoned C3-3 in the Township of Verulam By-law 6-97 as amended, operating as the Heron's Landing, may be developed and used as a mobile home park with a maximum of 62 lease sites for year-round access and occupation. This policy also recognizes that the Heron's Landing units that are existing as of the date of approval of this Official Plan shall also be subject to this special policy.

33. DIVISION OF LAND AND BUILDINGS

33.1. SUBDIVISIONS

- 33.1.1. In evaluating Plans of Subdivision, the Council will consider all information as specified in the Planning Act and may require additional information deemed appropriate. Council will only recommend for approval those Plans of Subdivision that conform to the policies and land use designations in this Plan.
- 33.1.2. All approvals of draft plans of subdivisions shall include a lapsing date. If the approval of a draft plan of subdivision lapses or when secondary plans prepared by an area municipality are updated, implementing the growth management objectives of the policies of this plan shall be considered as a key component of the development review process.
- 33.1.3. If a plan of subdivision or part thereof has been registered for eight years or more and does not conform to the policies of this plan, the City may use its authority under the Planning Act to deem it not to be a registered plan of subdivision.

33.2. CONDOMINIUMS

- 33.2.1. 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.
- 33.2.2. Council may require any information deemed necessary to evaluate such development proposals.

33.2.3. 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.

33.2.4. Any condominium development will require the signing of a development agreement to ensure adequate service levels.

33.2.5. The conversion of rental accommodations to condominium tenure may be permitted provided:

- the conversion will not reduce the vacancy rate below 3% within the urban centre; and
- there will be no net loss of affordable residential units.

33.3. CONSENTS

33.3.1. 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.

33.3.2. In addition to specific policies with respect to the creation of lots within a land use designation, the following policies shall also apply:

33.3.3. 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. Notwithstanding, a Consent may be considered in the Waterfront Designation where the parcel abuts an unassumed municipal road or private road if it qualifies under the definition of infilling.

33.3.4. Consents should not be granted where access may create a traffic hazard because of limited sight lines on curves or grades.

33.3.5. The size of any parcel of land created by Consent should be appropriate for the proposed uses and the services available.

33.3.6. 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.

33.3.7. 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.

Consents should not be considered within a draft plan of subdivision to create new lots that would be created if the plan was registered.

33.3.8. Consents will not be granted where the proposed use would conflict with the Minimum Distance Separation Formulae.

33.3.9. 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.

33.3.10. 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.

33.3.11. When an application for Consent is submitted to create new lots, only one parcel of land shall be retained. The checker boarding of an application or applications is not permissible.

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. 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.

In the Urban and Hamlet Designations, consideration may be given to the granting of as many as six consents, including the remnant parcel, to create new lots provided it can be demonstrated that the location of the severed lot(s) will not inhibit logical growth.

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.

33.3.12. Residential lots will be discouraged from being created on haul routes for mineral aggregate operations and in Aggregate Resource designations.

34. DEVELOPMENT CONTROL

34.1. EXISTING USES

Nothing in this Plan or the implementing Zoning By-law prevent the use of any land, building or structure for a purpose prohibited by the is Plan, if the land, building or structure was lawfully used for that purpose on the date this Plan was adopted by Council. The City may recognize the existing use of land in an implementing zoning by law.

Nothing in this Plan applies to prevent the reconstruction of any building or structure that lawfully existed in the date this Plan was adopted, that is damaged or destroyed by causes beyond the owner's control provided the ground floor area of the reconstructed building or structure is within the outside limits f the building or structure that existed on the date this Plan was adopted.

Nothing in this Plan applies to prevent the conversion of a legally existing use to a similar use. An amendment to the implementing Zoning By-law to permit any other use not identified will be required and will only be approved if it can be demonstrated that the conversion will bring the use into closer conformity with the requirements and policies of the Official Plan. Council may also 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.

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.

34.2. 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.

34.3. PUBLIC USES

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.

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.

34.4. 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:

- the physical conditions of yards and passageways including the accumulation of debris and rubbish;
- the adequacy of sanitation including drainage, waste disposal and garbage;
- the physical condition of accessory buildings; and
- the physical conditions of dwellings or dwelling units, commercial and industrial buildings.

34.5. ZONING BY-LAW

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.

Residential lots in the Waterfront 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.

Two residential zones will be used for residential lots within the Waterfront 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).

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.

Where residential lots in the Waterfront 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.

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.

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.

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.

34.6. HOLDING SYMBOL IN ZONING BY-LAW

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.

The Holding Symbol may be used in a zoning by-law to meet or achieve any of the following objectives:

- to recognize or require the phasing of development;
- 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
- 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.
 - 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.
 - 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.
 - Prior to passing a by-law to remove a Holding Symbol, the City shall ensure that:
 - the development is consistent with the orderly development of the municipality;
 - adequate municipal services are available for the proposed development;
 - 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;
 - 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
 - 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.

34.7. SITE PLAN CONTROL

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, aggregate extraction, forestry, open space and single detached residential lots.

The by law may contain provisions limiting the Site Plan Control Area to specific uses within a land use designation.

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 the Planning Act.

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 arterial road so as to establish a right-of-way 13 metres on each side of the centreline of the existing pavement.

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.

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.

The Ministry of Transportation controls all land use within 45 metres of the highway right-of-way and the area within 395 metres of the centre point of the intersection of the highway and any intersecting road. As well, the ministry's control area extends to 800 metres of a controlled access highway corridor for large traffic generating type developments. All development within the control area is subject to ministry approval and it is the responsibility of the landowner to acquire all necessary permits for signing, building and land use and entrances prior to the commencement of any construction. The ministry will require the submission of a site plan, and possibly a Traffic Impact Study and Storm water Management Report and potential other reports, depending on the scope of the development."

34.8. PHASING

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.

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.

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.

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.

The timing of development shall be based on the regulation of the geographic sequence and balance so that:

- there is the logical extension of municipal services that avoids the leap-frogging of large undeveloped tracts of land;
- a compact urban form and pattern of development is maintained;
- the provision of all municipal services proceeds in an economically viable manner;
- there are adequate opportunities for both infilling and greenfield development but first priority is to be given to infilling.

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Section
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Appeal.
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This will be done by:

- 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
- 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.

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.

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.

In all future draft plans of subdivision approvals, a clause reflecting the above shall be included.

To ensure that municipal 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. For draft plans of subdivision to be serviced by municipal services, a condition will also be added that the draft approved plan shall lapse within 3 years if final approval is not given.

A provision shall be included in the conditions of draft approval or the executed subdivision agreement to ensure that phases are developed in a reasonable time or the allocation of services will be withdrawn or reallocated to another development.

34.9. 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.

34.10. SERVICE AREAS

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.

In the Waterfront 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.

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.

34.11. CAPITAL AND PUBLIC WORKS

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.

Council may levy against benefiting properties all or part of the cost of municipal services and facilities.

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.

34.12. LAND ACQUISITION

Council may acquire land to implement any feature of this Plan in accordance with the provisions of Provincial Statutes and Regulations.

The City may undertake land assembly in order to provide affordable housing through the Lindsay Non-Profit Housing Corporation, the Kawartha Lakes Halliburton Housing Corporation or in conjunction with partnerships with non-profit agencies or the private sector.

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

34.13. PARKS

Within the City, parks are classified under three general headings.

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 adjacent to lakes and rivers. The City also operates two camping parks. All these facilities provide accommodation to the vacationing and travelling public.

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.

Local parks – Local parks will be provided and managed by the City. Management should be aimed at providing recreational opportunities to local residents.

The City will establish a hierarchy of parks based on classification that include City Parks, Community Parks, Neighbourhood Parks and Greenbelt lands.

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.

Pursuant to the Planning Act, the City shall accept the 5 percent parkland dedication or the equivalent in cash in lieu of parkland for residential. 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.

Where appropriate, the City should encourage parkland dedications adjacent to future school sites conveyed through the development process. The City should collaborate with school boards to develop such parkland dedications for school and community use.

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.

In the case of an industrial or commercial development, two percent cash-in-lieu equivalent of the land should be taken.

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.

34.14. CONSERVATION EASEMENTS

In Ontario, land trusts, conservation authorities, municipalities, or other government agencies under the authority of the Conservation Land Act can hold conservation easements.

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.

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.

The City will work with the Conservation Authorities, the Kawartha Heritage Conservancy, and the Couchiching Conservancy to ensure that conservation easements do not compromise the logical growth management and the overall planning objectives of the City. The City will support and encourage the use of conservation easements that support the objectives of this Plan.

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.

34.15. PARKING

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.

Parking for all uses outside the Central Business District should be provided entirely on site.

34.16. COMMITTEE OF ADJUSTMENT

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.

A Committee shall adhere to the policies contained within this Plan especially those relating to non conforming uses.

34.17. 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 and conforms with all provincial plans.

35. NOTICE PROCEDURES FOR OFFICIAL PLAN, ZONING BY LAW AND SECONDARY PLAN AMENDMENTS

- Policy 17(18) and 34(14) of the Planning Act provide for alternative Notice Procedures.
- 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.
- 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.
- 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.
- 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.

- 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.
- 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.
- 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.
- 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.
- For the purposes of this Policy, Council shall mean either the City Council or a Committee of Council established by Council to conduct the public meeting.

35.1. AMENDMENTS

Proposed amendments 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.

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.

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.

From time to time amendments to this Plan are approved in a format that may be inconsistent with the policy 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.

35.2. PRECONSULTATION

35.2.1. The City has establish a Preconsultation Committee to review planning proposals prior to making an application.

35.2.2. If an application for an official plan amendment, rezoning, or plan of subdivision/condominium is proposed, application should be made to appear before the Preconsultation Committee.

The Director of Development Services can waive the preconsultation if an application is considered to be minor and it is determined that preconsultation is not required. Normally if consent is granted where a rezoning is required as a condition of final approval of the consent, no preconsultation is required.

35.3. COMPLETE APPLICATIONS

35.3.1. A complete application shall have the prescribed information as required under Sections 22(4), 34(10.1) and 51(17) of the Planning Act as applicable for each application. In addition to this the City may also require additional information as per Sections 22(5), 34(10.2) and 51(18) of the Planning Act as applicable for each application. A complete application for an official plan amendment, zoning by-law amendment, or application for draft approval of a plan of subdivision or condominium may include the following background studies or reports as follows:

- Agricultural Capability
- Archaeological Assessment
- Environmental Impact Study
- Flood Plain Study
- Functional Servicing Report for water, wastewater, storm water management and traffic
- Growth and Settlement
- Hydrogeological Study
- Market Study
- Noise Study
- Planning Justification Report
- Servicing Options Study
- Storm Water Management Report
- Traffic Study
- Vegetation Analysis and Tree Preservation Plan
- Vibration Study

35.3.2. A description of the above studies are found in the Appendices. In addition to the above, if a proposal relates to a policy issue in the PPS or Growth Plan that will also require addressing by a study or report. Such studies will be identified in the Preconsultation Comments. This list can be reduced to specific studies and reports after the Preconsultation Committee has considered the proposal. The list of studies or reports required in the Preconsultation Committee Comments will be considered to be what would form part of the complete application for the specific development proposal. If the planning applications are for a proposal substantially different from what was considered by the Preconsultation Committee, the Director of Development Services can make the following determination:

- Return the application and accompanying material indicating why it is not considered to be a complete application and recommend that it go to the Preconsultation Committee again for consideration.
- Accept the application as complete.

35.4. SCHEDULES

The following schedules, presented in a number of sub-schedules, are located after Section 36, Appendices.

35.4.1. 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 “A-9” – Omemee
 Schedule “A-10” – Bobcaygeon

35.4.2. 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” – Pleasant Point Wellhead Protection Zones
 Schedule “C-8” – Sonya Wellhead Protection Zones
 Schedule “C-9” – Victoria Glen - Omemee Wellhead Protection Zones
 Schedule “C-10” – Victoria Place Wellhead Protection Zones
 Schedule “C-11” – Western Trent/Palmina Wellhead Protection Zones
 Schedule “C-12” – Woodfield-Sundance/Manorview Wellhead Protection Zones
 Schedule “C-13” – Woods of Manilla Wellhead Protection Zones
 Schedule “C-14” – Woodville Wellhead Protection Zones

35.4.3. Schedule D - Waste Management Facilities Schedule

35.4.4. Schedule E - Development Plans.

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) - Szakacsi Subdivision, Verulam
 Development Plan Area Six (DP-6) - 564711 Ontario Inc., Fenelon
 Development Plan Area Seven (DP-7)- Cranberry Area, Dalton
 Development Plan Area Eight (DP-8) - Longford Reserve Area.
 Development Plan Area Nine (DP-9) – Various Locations as shown on Schedule A
 Development Plan Area Ten (DP-10) – Angeline St. S. and Hwy. 7, Ops

35.4.5. Schedule F - Secondary Plan Schedules (SP)

Following Lake Plan has been included as a secondary plan to the OP.
 Special Policy Lake Plan Area- SP 1- Four Mile Lake Area.

35.4.6. Schedule G – Oak Ridges Moraine Plan Amendment – (Under separate cover)

36. APPENDICES

36.1. APPENDIX A - BACKGROUND STUDIES

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.

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.

Hydro geological Investigation:

All official plan amendments 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.

Noise Study:

All Official Plan amendments 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.

Storm Water Management Report:

All Official Plan amendments 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.

The MTO requirement in this regard can be found at following website linkage:
www.mto.gov.on.ca/english/engineering/drainage.

Environmental Impact Study:

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

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.

Agricultural Capability:

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

Growth and Settlement:

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

Servicing Options:

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

Traffic Study:

All residential Official Plan amendments 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.

Vibration Study:

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

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.

Market Study:

All Official Plan Amendment applications requesting redesignation to Highway Commercial, Large Format Retail and Shopping Centres for new developments or expansions exceeding 3000 square metres of gross floor area.

Planning Justification Report

All Official Plan amendments, subdivision applications and rezonings will require a planning justification report.

36.2. APPENDIX B - TRAFFIC IMPACT STUDY REQUIREMENTS

Consult with the Public Works Department on the requirements for a traffic impact study. If the proposed use is a significant traffic generator in close proximity to a provincial highway, MTO shall be consulted to determine whether a traffic impact study/report is required.

36.3. APPENDIX C – CULTURAL HERITAGE STUDY REQUIREMENTS

The requirements of the Ministry of Culture form the basis of Archaeological Studies. 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:
within 300 metres of a lake, major watercourse, a wetland, or an ancient water source;
on a site possessing elevated topography, sandy soil in a clay or rocky area or unusual land forms;

- include historic cultural features;
- a known Archaeological site; or
- a designated Historical site.

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.

36.4. APPENDIX D - HYDRO GEOLOGICAL STUDY REQUIREMENTS

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. The area of DP8 is exempted from the study requirements as long as development does not form a cluster of five or more units within 100 metres of each other.

The Study must include:

- the testing of at least one well on the property and must consider all wells within 300 metres of the property;
- the potential for cross contamination of existing and proposed subsurface sewage disposal systems;
- that an adequate and safe supply of potable water, relative to the Ontario Drinking Water objectives, is available for the proposed development;
- 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;
- the appropriate lot size or site alterations required to meet MOE Technical Guidelines;
- compliance of the study with all pertinent Provincial policies, guidelines and legislation;
- identify additional investigations if there is insufficient information to make a definitive determination relative to items (a) to (f) above; and
- the report should take into consideration that the systems will be designed and built to meet the requirements of the Building Code.

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.

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.

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.

36.5. APPENDIX E - DEVELOPMENT APPLICATIONS

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.

Without limiting the applicability of any specific requirements set out by any other policy of this plan or for a specific land use designation policy 13.1 sets out the types of background studies that may be required for specific types of applications.

Notwithstanding the list, set out below the City may require additional studies as a condition of granting an approval.

All studies and reports submitted in support of an application may be submitted to a peer review in accordance with applicable City policy.

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.

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

36.6. APPENDIX F - WASTE DISPOSAL SITES

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.

A Waste Disposal Facility may be permitted in the Agricultural and 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.

Waste disposal sites shall be zoned in an appropriate zoning category.

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.

"Waste Disposal Assessment Areas" are shown on Schedule 'D' and include sanitary landfill sites or sewage treatment facilities that are in operation or have been closed.

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.

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.

If City 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 City that the new use can be safely established without risk of negative impacts.

36.7. 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

36.8. 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
Growth Plan	Growth Plan for the Greater Golden Horseshoe
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
MDS	Minimum Distance Separation Formulae (see definitions)
MMAH	Ministry of Municipal Affairs & Housing
MNDM	Ministry of Northern Development & Mines
MNR	Ministry of Natural Resources
NHS	Natural Heritage System
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
TES	Threatened and Endangered Species
Sq.m.	square metres
m ³ or cu.m.	Cubic metres
l	litre
ha	hectare
m	metre

36.9. APPENDIX I - METRIC EQUIVALENTS (APPROXIMATE)

<u>Area</u>	<u>Length</u>
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

36.10. APPENDIX J – ENVIRONMENTAL IMPACT STUDY.

Terms of Reference: Environmental Impact Study

The following are the general Terms of Reference for an Environmental Impact Study (EIS) to determine the potential impacts on the Natural Heritage System (NHS) from development and site alteration proposals. The actual Terms of Reference for any particular application will be determined by the CKL in conjunction with the Conservation Authority.

Objectives

The objectives of the Terms of Reference are as follows:

- To provide an outline to applicants and their consultants of the expectations of the CKL for an EIS, subject to a Terms of Reference meeting with the Authority.
- To ensure that the required work and/or studies are known and agreed to prior to the commencement of work, to facilitate a cost-effective, stream-lined and timely review process.

General Policies

It is mandatory that the applicant and/or their consultant meet with the Authority to determine and agree upon the Terms of Reference of the EIS prior to the commencement of any work. Failure to hold this meeting and/or to reach agreement on the scope of the study prior to commencement of the EIS may result in refusal on the part of the Authority to review or approve the EIS.

The EIS must be undertaken, at the appropriate time of year by a qualified professional in environmental or related sciences to the satisfaction of the Authority.

A visit to the site may be required by the Authority prior to, during, or upon receipt of the EIS.

The staking of regulated areas (i.e., wetlands, top of bank, etc.) and NHS features (i.e., woodlands, etc.) by the Authority may be required. Staking will generally occur between the end of May and the end of October. Any staking that occurs outside of this time may require a confirmatory visit between May and October.

Existing Conditions

The existing conditions of the subject property must be clearly described and clearly mapped on aerial photographs.

The description must include the zoning and all designations of all Official Plans on and adjacent to the subject property. This includes any land use designations from other municipal planning documents, such as Secondary Plans.

Land use designations from any other applicable planning documents (i.e., Oak Ridges Moraine Conservation Plan, Greenbelt Plan) must be clearly described and the limits identified in the mapping.

The EIS shall identify the components of the Natural Heritage System and their respective Levels. The boundaries of the NHS may be required to be staked in the field by the proponent and approved by the Authority. The staked and surveyed boundaries shall be provided on a figure in the report.

All designated environmental features (i.e., the NHS or natural features identified in the O.P.) must be identified in the mapping and described in the report. These features include provincial or regional Areas of Natural and Scientific Interest (ANSIs), Provincially Significant Wetlands (PSWs), etc.

The vegetation communities must be identified using the Ecological Land Classification (ELC) system to vegetation type. The communities must be identified in the mapping, using the appropriate ELC codes, as well as described in the text. A three-season survey may be required.

As a component of the ELC, a plant list must be included as an appendix. The list must include an analysis for the presence of federal, provincial, regional and/or watershed rare, threatened or endangered species. This should include information from the MNR district office and NHIC.

The EIS may require a breeding bird survey. The need for such a survey will be determined as part of the initial Terms of Reference/scoping meeting. The survey must be conducted during the breeding bird season at an appropriate time of day in appropriate weather conditions and by a qualified professional. A minimum of two surveys are required and they must follow generally accepted scientific protocols, not necessarily atlasing methods.

A list of the breeding birds is required as an appendix. The list must include an analysis for the presence of federal or provincial rare, threatened or endangered species.

Watershed rarity status shall be determined in conjunction with the Conservation Authority.

The EIS may require a breeding amphibian/reptile survey. The survey must be conducted during the breeding amphibian season and by a qualified professional. For calling amphibians a minimum of three surveys are required. These surveys must span the full amphibian breeding season to ensure that the peak periods of activity for early and late breeding species are accounted for. For non-calling amphibians, appropriate methodology must be used.

A list of the breeding amphibians is required as an appendix. The list must include an analysis for the presence of federal, provincial, threatened or endangered species.

Watershed rarity status shall be determined in conjunction with the Conservation Authority.

If any watercourses or waterbodies identified in the NHS as habitat for fish are present, a fisheries assessment shall be provided. Existing data regarding fish species shall be obtained from the conservation authority and/or the MNR. Where necessary, fish will be sampled through electro fishing and/or netting during the appropriate season, under a collection permit issued by the Ministry of Natural Resources. The assessment shall include a description of watercourses or other fish habitat on and/or adjacent to the property.

All incidental wildlife observed shall be reported on and listed in an appendix. The list must include an analysis for the presence of federal or provincial rare, threatened or endangered species. Watershed rarity status shall be determined in conjunction with the conservation authority.

A functional assessment of the subject property describing the ecology of the natural heritage features and functions should be provided. This shall include a consideration of the hydrological requirements of natural heritage features, particularly wetlands.

Where the NHS has identified a stream linkage or potential proximity linkage on or adjacent to the property, the EIS must identify the location, width and proposed vegetation composition of the linkage. Once the limits of the linkage have been determined to the satisfaction of the CKL and the Conservation Authority, these shall be staked in the field and subsequently surveyed.

Mapping (at a minimum) shall consist of the following:

- All mapping must have a title, figure number, north arrow, legend and scale or scale bar.
- A site location map that provides the regional or watershed context of the subject property.
- The extent of the Natural Heritage System and its components must be clearly demarcated on an orthophoto base.
- The locations of all watercourses and waterbodies and an indication of their flow and thermal regimes.
- Vegetation communities must be delineated and identified using ELC.
- The location of any rare, threatened or endangered species and/or populations shall be identified.
- The location of any important wildlife features (i.e., hibernacula, den, stick nest, etc.) shall be identified.

Assessment of Impacts

The potential impacts to the features and functions of the Natural Heritage System shall be identified and discussed with possible mitigation measures through the following:

- evaluation of the possible extent or area of the natural feature(s)
- that the development will affect, directly or indirectly
- evaluation of the possible future and cumulative impacts of
- permanent development that may occur as a result of demand created by
- the present development (i.e., whether the proposal will lead to
- multiple or successive development or site alteration activities)
- recommendation of actions that may be necessary to prevent,
- mitigate or remedy the effects of the development, as well as
- alternative methods to carry out the development and
- alternatives to the form of the proposed development

A number of factors should be considered in assessing potential impacts, including:

- the spatial extent, magnitude, frequency and duration of the
- impacts;
- the extent and degree to which adjacent lands will be affected;
- potential impacts on specific features and functions; and
- whether the impacts are likely to result in cumulative impacts (for

- information on the assessment of cumulative impacts

A description of the natural features proposed for removal shall be provided. The quantity of removal shall also be included.

An assessment of the potential impact on the Natural Heritage System, including any Linkages areas that have been identified.

Recommendations and Mitigation Measures

Preferred approach to mitigation.

Determine adequate buffers through the identification of the critical function and protection zones of the NHS.

Where avoidance of a feature is not feasible or possible, mitigation approaches/techniques must be provided. These may include edge management plans, buffer plantings, fencing, etc.

In cases where a Linkage area has been identified on a property, the EIS must demonstrate how it will be integrated into the proposed development plan.

Recommendations for Best Management Practices during construction should be provided. This may include silt fencing, tree protection, fencing, identification of timing or seasonal constraints to construction or restoration, etc.

Mitigation for negative impacts on the natural features or their ecological functions (or to achieve no net negative impact) may include, at the discretion of the planning authority in conjunction with the Authority, approaches to replace lost areas or functions.

If acceptable, replacement shall, to the extent possible, occur within the same sub watershed as the proposed development or site alteration.

The appropriate amount of replacement will be determined through discussions with the Authority and the planning authority and will be agreed to by all parties in writing.

If monitoring is required, the details of a monitoring program must be agreed to in writing by the Authority, the CKL and other parties.

Conclusions

The EIS must demonstrate the following:

- Identify residual impacts and include discussion of their significance, severity

- and longevity.
- Conformity with the policies and requirements of the Official Plan(s).
- Conformity with the policies and requirements of other applicable planning documents (i.e., ORMCP, Greenbelt Plan, etc).
- Conformity with the requirements of the conservation authority's Watershed Development Policies.
- whether the proposed development will have any negative impacts on the natural heritage features or on the ecological functions for which an area is identified, thus enabling the City to weigh the positive and negative aspects of a proposal and make an informed planning decision.

36.11. APPENDIX K – LOCAL PLANNING APPEAL TRIBUNAL APPEAL LIST

2012 Official Plan OMB Appeal Summary – Updated June 11, 2012

Appeal withdrawn on June 8, 2012	Appellant	Location	Section(s) Appealed
	Delta Urban on behalf of Mason Homes	Entire City and Mason Homes properties	<ul style="list-style-type: none"> • Appealing entire Official Plan • Sections 17.7.1 and 21.2.4. inhibit the planned function of shopping centres by limiting their size to 2000 sq.m. • Section 34.8.1. phasing cap to 100 units impacts Mason developments
	William Wescott	Bobcaygeon	<ul style="list-style-type: none"> • Section 4.1.2. Settlement Area Boundary Expansions. • Section 18.3.2. Servicing policies relating to expanded settlement areas. • Section 18.3.3 Servicing – levels of existing service need to be clarified. • Section 18.5.2. Settlement area expansions do not appear to achieve 40 residents and jobs per hectare. • Section 18.11. Appealing Secondary Plan process. • 18.11.1. and 18.11.2. Victoria County OP should not be repealed until Secondary Plan complete.
	Wayne Taylor	N/A	<ul style="list-style-type: none"> • Section 14.1. Permanent Asphalt Plants should not be permitted in wayside pits or quarries.
	Bob Spittal	Bobcaygeon	<ul style="list-style-type: none"> • Sections 18.11, 18.11.1 and 18.11.2 no development should be allowed in Bobcaygeon without a Secondary Plan. • Sections 18.3.2 and 18.3.3. Expansion and servicing of Urban Settlement Boundary
	Ferma Aggregates	Ferma Holdings, Carden	<ul style="list-style-type: none"> • Schedule H should include Ferma known aggregates and be divided into sectors • Section 23.3.11 Haul Routes need to be reviewed by industry.
	Davis LLP on behalf of Runnymede Developments	Runnymede and Jennings Creek properties	<ul style="list-style-type: none"> • Section 21.2.4. potentially limits the development potential of the Runnymede lands. • Section 28.8.1. protecting for expansion of airport impacts Runnymede lands. • Section 34.8.1. phasing cap to 100 units impacts Runnymede developments
	Black Sutherland on behalf of Bromont Homes	Lands east of Hwy 36, north of Hwy 7	<ul style="list-style-type: none"> • Schedule A3 – Urban Settlement Area of Lindsay should be expanded to include lands west of Hwy 36 and north of Hwy 7

Grant King	661 Shamrock Road	<ul style="list-style-type: none"> Requesting a site specific amendment to permit and infill severance of the subject lands.
City of Kawartha Lakes	N/A	<ul style="list-style-type: none"> Section 12 be removed from the Official Plan
Donald Kerr on behalf of Woodland Hills Developments	Lots 24 and 25 Concession 8 Manvers	<ul style="list-style-type: none"> No lapsing provisions should be placed on any of the Woodlands Hills Developments
Anthony Ussher on behalf of the Longford Reserve	Longford Township	<ul style="list-style-type: none"> Section 3.3.21 – incorrect information Section 3.5.7. – unclear and burdensome requirement Section 3.5.30. and Schedule B8 – Significant Wildlife Habitat (Deer Wintering yard) not previously included Section 28.9.4. exceeds the requirements of the Endangered Species Act. Section 33.10. – inflexible EIS requirements
Catherine Gravely	Bobcaygeon	<ul style="list-style-type: none"> Appealing the expansion of the Bobcaygeon Urban Settlement Area without formal process. Section 4.1. identifying Bobcaygeon as a settlement area in the absence of adequate policy Section 5.3.7. as it applies to Bobcaygeon Sections 18.1, 18.2, 18.3 – 18.7 as they apply to Bobcaygeon Section 18.11 recommending additional wording.
Richard Taylor on behalf of William Jones	1288-1292 Hwy 7A, Bethany	<ul style="list-style-type: none"> Site specific amendment to Section 31.2.4. permitting additional uses within the Oak Ridges Moraine Plan as it pertains to the subject lands.
Weir Foulds on behalf of Mr. Whittall and Ms. Graham	Lots 18-21, Con 4, Lots 20 and 21 Con5 and Lots 19 and 20 Con 2 Dalton Twp.	<ul style="list-style-type: none"> Section 1.2, Section 8, and Schedule B8 should correctly reference the QE 2 Provincial Park. Section 3.5. needs to clarify requirements for an Ecological Site assessment Section 3.5.7. and Appendix J should better reflect unevaluated wetlands and Section 6.3. of the OMNR Natural Heritage Reference Manual Schedule H needs to be refined to remove the identification of bedrock resources in the noted area Sections 21, 22, and 23 need to be clarified to require proper study requirements in the absence of an Aggregate Secondary Plan
Kerry Doughty	All aggregate sites	<ul style="list-style-type: none"> Section 21.3.2. – objecting to the requirement for an Official Plan amendment for new sites. Section 21.3.7. – objecting to additional requirements for Omeme Kame Resource Reserve

SCHEDULES