

**OFFICE CONSOLIDATION
OFFICIAL PLAN
OF THE
TOWNSHIP OF BECKWITH**

Approved: November 15, 1989

This is an Office Consolidation of the approved
Official Plan of the Township of Beckwith including
all Minister's modifications and Amendments
No. 1 to 9 inclusive and Amendments No. 10, 11, 13, 14, 15, 16, 18, 20, 21, 22, 24, 25, 26.

Prepared for:

COUNCIL OF THE TOWNSHIP OF BECKWITH

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SECTION 1

TITLE, COMPONENTS AND ADMINISTRATION

1.1 Upon approval of the Minister of Municipal Affairs, this Official Plan will be known as the:

OFFICIAL PLAN OF THE TOWNSHIP OF BECKWITH

1.2 The Official Plan covers all land within the corporate limits of the Township of Beckwith. The Township is located on the most easterly side of Lanark County, bounded by the Townships of Montague and Drummond-North Elmsley, the Towns of Carleton Place and Mississippi Mills and the City of Ottawa.

1.3 The attached text and Schedule 'A' (Land Use Schedule) and Schedule 'B' (Constraints Schedule) constitute the Official Plan.

1.4 The background report contains supplementary background information which is the basis for the policies of this Plan but does not form part of the Official Plan.

1.5 Council will administer this Official Plan. The principal duties will be the review of all development applications for conformity to the Official Plan, including severances, subdivisions and zoning amendments; the review of all applications for amendments to the Official Plan, and the review of the Official Plan at least every five years to ensure its relevancy.

1.6 Council may appoint a Planning Advisory Committee under the terms and conditions that Council considers appropriate.

1.7 Pursuant to the Planning Act, no public work will be undertaken and no by-law will be passed for any purpose that does not conform to the Official Plan.

1.8 Council will ensure that the Official Plan and all amendments are available to the public so that the public can be kept informed of the Municipality's land use policies.

SECTION 2

PURPOSE AND OBJECTIVES

- 2.1 This Official Plan is a statement of policies which will provide guidance and direction for development and planning decisions within the Township of Beckwith over a 20-year planning horizon to the year 2029.
- 2.2 The objectives of this Official Plan are as follows:
- (i) Development will be encouraged in locations where services are available or can be made available at reasonable cost.
 - (ii) The communities will be encouraged to grow in a compact and orderly fashion with an appropriate range of uses and facilities to serve the residents.
 - (iii) Appropriate commercial and industrial development will be encouraged in order to provide a better assessment ratio and employment opportunities.
 - (iv) Land that is suitable for long-term agricultural production will be protected for agricultural uses.
 - (v) Mineral aggregate lands will be protected for the long term and utilized in a controlled and orderly manner.
 - (vi) A variety of appropriate land uses should be permitted in those rural lands that are not otherwise designated.
 - (vii) The policies of this Plan are intended to either ensure compatibility between land uses or facilitate mitigation measures that minimize adverse impacts between land uses to acceptable levels.
 - (viii) A variety of housing types will be permitted so that the housing needs of the existing and future residents of the Municipality can be satisfied.
 - (ix) Development will either be restricted in areas having environmental constraints, environmental hazards, human generated hazards or physical limitations or delayed until the identified constraints, hazards or limitations are resolved to the satisfaction of the Township and other appropriate approval authorities.
 - (x) An appropriate hierarchy of roads will be established so that both the efficient movement of traffic and access to property can be achieved.
 - (xi) It is the intent of this Plan that, through the effective use of this document, the quality of life for the residents will improve.
 - (xii) Development will be managed in a manner that maintains and restores the natural heritage system as a healthy ecosystem.

- (xiii) The conservation of cultural heritage resources will be encouraged so they may be enjoyed by present and future generations.
- (xiv) Energy conservation and sustainable forms of energy production, particularly alternative energy and renewable energy systems, will be encouraged, provided they are appropriate in type, scale and location.
- (xv) Development will be managed to protect groundwater and surface water resources. The Township will work with the Source Water Protection Committee to implement a Source Water Protection Plan.

The objectives of the Plan are not mutually exclusive but rather must be considered in relation to each other.

SECTION 3

BASIS OF THE PLAN

Since the late 1960s, the Township of Beckwith has evolved from being a predominantly rural community to a community consisting of settlement centre developments in Black's Corners, Franktown, Prospect, Ashton and Gillies Corners, as well as a mix of rural, agricultural and rural residential development in the rural areas. The population in the Township has increased from 3 to 5 percent per year over this period and has consistently exceeded the growth rates in the adjacent Townships and the Town of Carleton Place. This has been due to a number of factors, including:

- 1) the proximity of the Township to the City of Ottawa;
- 2) the varied landscape and attractive rural character of many areas of the Township for residential development, including the areas surrounding Mississippi Lake; and
- 3) the presence of:
 - (a) Highway 15 and County Road 17 that run north-south through the community; and
 - (b) Highway 7, which is being converted into a limited access freeway throughout the Township and County Road 10 that run east-west through the community, which have provided ease of access to the City of Ottawa and other adjacent communities and increased the appeal of the Township for employment-related development.

The Township is projected to grow by 4,586 people to 11,230 people by the 2029 planning horizon based on historical growth rates. It is anticipated that approximately 1,900 new housing units will be needed in the Township by the 2029 planning horizon, based on a projected growth rate of 3 percent per year that reflects the declining trend in average household size in the Township since 1996. It also reflects the likely re-emergence of development pressures in the Black's Corners area, given the recent resolution of groundwater contamination issues that impacted the extent of development in this area since 2000. It is further expected that low density single detached dwellings will continue to account for the majority of these new housing starts, based on the lack of municipal sewer and water services in the Township, which will remain unchanged over the 20-year planning horizon.

The 1997 inter-municipal agreement that resulted in the annexation of commercial lands along Highway 7 in the Township by the Town of Carleton Place has also subsequently impacted the local employment land base and resulted in the expansion of a large format retail node in the annexed area. Though this has impacted consumer and employment trends in the surrounding region, it is likely that employment development pressures will re-emerge with the expansion of Highway 7 through the Township of Beckwith.

The policies of the Official Plan are, therefore, based on the following assumptions:

- 3.1 The future development of the Township will be focused primarily on the Community Development Areas of Black's Corners, Franktown, Prospect, Ashton and Gillies Corners. In terms of this Plan, a community is an area which provides for concentrated residential development and supporting commercial and institutional uses. It has a recognizable identity to the inhabitants and to the Township in general. It fulfills social needs for interaction and provides for an attractive and functional physical environment. It will also provide for employment opportunities. The growth of these communities will provide a population base to support higher levels of services and facilities.
- 3.2 It is recognized that there will be a need to provide for limited development within the rural areas including development and redevelopment around Mississippi Lake. The policies of the Plan are based on such development taking place under controlled conditions so that it does not become a financial burden to the Township. The Township will manage redevelopment around Mississippi Lake to ensure that impacts to water quality, the lake environment and public health and safety are mitigated.
- 3.3 The provision of planned areas for future employment-related development, particularly along major transportation corridors, is essential to increase the Township's local resident labour force and regional market competitiveness, and to create a 'gateway' to the Township.
- 3.4 The policies of the Plan recognize that the Township has a varied physical land base and that there will be a need to:
- 1) protect land that is suitable for long-term agricultural production for agricultural uses;
 - 2) protect and encourage the stewardship and restoration of the natural heritage system as a valued visual, environmental and recreational resource;
 - 3) manage cultural heritage resources as part of the Township's identity and history; and
 - 4) protect land that contains identified mineral resources and is suitable for current or future mineral aggregate extraction or mining operations.
- 3.5 Constraint areas have been identified in this Plan. There are different standards for development in proximity to these areas depending on specific characteristics. These differing standards are incorporated into the Official Plan.
- 3.6 The policies of the Plan will either restrict development in areas having servicing or environmental constraints or delay development approval until identified constraints are resolved to the satisfaction of the Township and other appropriate approval authorities.
- 3.7 As a result of technological advances and energy deregulation, various forms of alternative energy and renewable energy are now able to provide thermal and electrical power on a site-specific basis, district basis, or as part of a more expansive utility grid system. The policies of the Plan will balance the social, economic and environmental benefits of using alternative energy and renewable energy technologies with whether the

functionality of the technology and its compatibility with the natural environment and adjacent land uses can be assured. The policies of the Plan also recognize the Green Energy Act and its regulations.

SECTION 4

GENERAL DEVELOPMENT POLICIES

The policies of this Section deal with development considerations that are common to a number of land use categories. These policies apply, where relevant, in addition to the policies under the specific land use categories.

4.1 Access to Public Road

All new development must have frontage on a public road which is maintained year round by the municipality or other public authority. An exception to this policy will be allowed for agriculture, forestry and conservation uses but does not apply to an accessory dwelling nor to any building or structure to which the public has access. An exception will also be allowed for the development of existing lots on private roads for rural residential uses around Mississippi Lake provided that such development is in accordance with all other relevant policies of this Plan.

All new development will be carefully located so that no traffic hazard is created by the new use.

The policies and guidelines of the Ministry of Transportation or the County of Lanark will apply to any new development abutting a provincial highway or a county road.

4.2 Assessment Ratio

The Municipality will give due consideration to the residential/non-residential assessment ratio and will endeavour to maintain a favourable balance of assessment to ensure a sound economic future for the Township.

4.3 Community Improvement

It is Council's intent to encourage improvements to the quality of existing development, community facilities and public services, particularly within the hamlets and to provide additional community facilities as circumstances and revenue permit. When considered appropriate, it is the intention of Council to prepare background studies, to develop more detailed Community Improvement policies and to amend the Official Plan to include these policies when the work has been completed.

4.4 Development Philosophy

It is the intention of Council to direct development to occur primarily in the Community Development Areas. Development will be permitted to occur on a limited basis in the rural area. Development will be discouraged in areas where services are not readily

available and where road improvements are a low priority as determined by the roads needs study.

Development should be tied in as much as possible with the scheduled improvements to roads and other services provided by the Municipality. Council will carefully monitor development, particularly in light of the obligations for improvements to services that may result from such development. In certain circumstances, Council may decide to restrict development in particular areas where it is deemed that the proposal may be premature in the context of the overall development of the Municipality.

In determining whether any development is premature, the Municipality will take into consideration, among other things, such factors as the condition of the existing roads, the amount of previous development activity in the immediate area and the number of undeveloped lots that exist in the Municipality.

4.5 Division of Land

The policies for the creation of new lots are outlined below. Regard must also be given to other applicable policies contained in the Plan, including the development philosophy policies of Section 4.4 and servicing requirements of Section 4.18. The division of land must also be consistent with the Provincial Policy Statement.

The division of land takes place in two ways; by consent and by plan of subdivision.

The consent process shall be used for creating new lots in the Community Development Areas and Rural Lands designation in accordance with the relevant policies of this Plan and the following:

- 1) a maximum of:
 - (a) three consents, excluding the retained lot, may be considered if the area of an original Township lot is 40 hectares (100 acres) or greater; or
 - (b) two consents, excluding the retained lots, may be considered if the area of an original Township lot is from 20 hectares (50 acres) up to but not including 40 hectares (100 acres);
- 2) a lot created through the consent process shall have:
 - (a) a minimum area of 0.6 hectares (1.5 acres) in the Community Development Areas and 0.8 hectares (2 acres) in the Rural Lands designation; and
 - (b) a minimum frontage as per the Zoning By-Law;

- 3) the retained parcel shall have a minimum frontage as per the Zoning By-Law;
- 4) consents within approved subdivisions shall be prohibited;
- 5) despite the above, residential infill through consents will be allowed in the Community Development Areas, subject to the following:
 - (a) a residential infill lot shall have a minimum area of 0.6 hectares (1.5 acres);
 - (b) the proposed development shall have minimum frontage on a public road, as per the Zoning By-Law;
 - (c) the proposed development shall be between two existing dwellings that are located on the same side of a public road and are not more than 125 metres apart;
 - (d) the proposed development shall be opposite at least two residential lots with frontage on the same public road; and
 - (e) the retained parcel shall have a minimum area and frontage on a public road, as per the Zoning By-Law;
- 6) despite the above, a consent may be granted in addition to the consent policies outlined above for a technical severance as follows:
 - (a) to correct lot boundaries;
 - (b) to convey additional land to an adjacent lot provided the conveyance does not lead to the creation of an undersized lot for the purpose for which it is being or will be used;
 - (c) to clarify title to the land;
 - (d) where the effect of the consent does not create an additional lot;
 - (e) to permit an easement; or
 - (f) to permit a consent for municipal or other public purposes.

There are certain general policies that apply to all divisions of land and more specific policies that apply to severances or plans of subdivision.

4.5.1 General Policies

- (i) The size and shape of any lot created will be appropriate for the proposed use and conform to the provisions of the Zoning By-law.
- (ii) Any application must not result in the landlocking of any parcel of land.

- (iii) The resevering of previously severed lots will generally be discouraged except where it can be shown that it would result in the proper development of the land.
- (iv) Where any division of land requires the opening up of new roads, approval must be obtained from Council. Council will consider any such requests in accordance with the overall plans for road maintenance and improvements. Any new roads must be constructed to Ministry of Transportation specifications for subsidy purposes. Where upgrading and additional maintenance may be required for new roads as part of any division of land, the Township will assess the financial impact of these additional expenditures and may request a contribution from the developer to offset these costs.
- (v) The opening up of existing unopened road allowances will require the approval of Council. Any such roads will be built to Ministry of Transportation standards for subsidy purposes. Council will normally require an agreement for the construction of the road. Where more than one landowner will benefit from the opening up of a road allowance, Council will endeavour to recover a reasonable share of the road building costs from any benefiting owners who did not contribute to the original cost of construction. Such costs may be recovered by means of a special development charge which will be a condition of a severance or plan of subdivision.
- (vi) Strip development along Township roads in the rural area will be discouraged.
- (vii) The creation of a lot having access only to a provincial highway or a county road will generally be discouraged. In special circumstances where there is no other alternative available, such lot may be considered provided that the County or the Ministry of Transportation has approved the proposed entrance. The policies and guidelines of the Ministry of Transportation or the County of Lanark will apply in such circumstances.
- (viii) Any division of land must respect the separation distances for land uses as set out in this Plan and in the Zoning By-law.
- (ix) Where appropriate, all new or expanding farm and applicable non-farm developments shall comply with the Minimum Distance Separation formulae.
- (x) Road widenings may be required as a condition of any division of land.
- (xi) The municipality is entitled to a dedication of land for park purposes as a condition on any division of land. Cash in lieu of land may be requested by the municipality in situations where there is a public park in the area which is adequate for existing and future population. Cash in lieu may also be requested where the amount of land involved is small and

therefore suitable for park development. Where lands are dedicated for park purposes, the municipality will accept only those lands suitable for park use. It is the intention of Council to obtain, wherever possible and practical, waterfront lands around Mississippi Lake.

- (xii) For any division of land, Council will impose certain conditions to the approval of the severance or subdivision. An agreement relating to the conditions may be required.
- (xiii) In considering applications for division of land, Council will consult with the School Boards and any other Boards or Committees which must plan for future growth.
- (xiv) The cumulative effect of development and the resulting financial implications for the Municipality will be monitored on an on-going basis.
- (xv) A division of land will not be allowed if the affected land parcel is subject to environmental constraints, environmental hazards, human generated hazards or physical limitations which would make it unsuitable for the intended use, unless the proposed lot(s) contain(s) sufficient suitable land outside the identified constraint, hazard or limitation to safely accommodate site access as well as all buildings, structures and sewage disposal facilities.
- (xvi) Additional information or studies relating to quality and quantity of groundwater for the proposed development and adjacent lands (such as hydrogeological and terrain analysis studies), drainage, stormwater management, noise or traffic may be required with the submission of an application for a division of land.

4.5.2 Additional Policies for Severance

- (i) On the Seventh Line Road from the western boundary of the Township to Highway No. 15 and along the Ninth Line Road (including that portion of the Drummond Townline Road which is the continuation of Ninth Line Road into Drummond Township and that portion of the Goulbourn Townline Road which is the continuation of the Ninth Line Road from Ashton to Highway No. 7), new entrances will be restricted to one for every 150 metres.

In Community Development Areas, where speed limits have been reduced because of existing development, the above provisions will not apply. In other than Community Development Areas, entrances will not be permitted on a Township road within 150 metres of the intersection with a County Road unless approval is received from the County Engineer.

- (ii) The applicant will provide sufficient information to substantiate that any lots created are suitable for wells and septic systems in accordance with

current regulations. Such information will be to the satisfaction of Council and the Health Unit.

- (iii) Within the Special Service Area, as shown on Schedule 'B', the approval of any consent/severance will include a condition that will require participation in the municipal water program administered by the Township, hereinafter identified as the "Program". This Program involves the installation of water filtration equipment in the home and participation in the monitoring and rebedding program. All new homes, which are a result of new lot creation, are required to participate in the Program with no ability to opt out. The specific terms and conditions will be included in a development agreement, which will be registered on title. The approval of any consent will include a condition that will require participation in the municipal water program.

4.5.3 Additional Policies for Plans of Subdivision

- (i) Access to lots in a subdivision will be from internal roads. Where necessary for design purposes or where there is no other alternative available, access to lots in a subdivision may be considered on an existing road of an appropriate standard where the Township and the authority having jurisdiction are satisfied that such access is appropriate.

The lands in part of Lot 3, Concession 1, on the east side of Ford Road in Gillies Corners may be developed by plan of subdivision utilizing the existing abutting public roads for direct lot access. Any special access conditions will be included in the subdivision agreement.

- (ii) For draft approval of a plan of subdivision, the applicant will be required to submit sufficient information, prepared in accordance with provincial regulations and guidelines, that ascertains that the land is, or can be made to be, suitable for sewage disposal systems and that there is an adequate supply of potable water available to service the proposed development. For final approval, the applicant will have to fulfil all of the conditions of draft approval as related to private sewer and water services.
- (iii) Subdivisions will be phased in accordance with the recommendations of Council. For residential subdivisions, generally 25 lots per phase will be allowed. Development of a subsequent phase will only be permitted when a substantial part of the previous phase has been built.
- (iv) The specific provisions of the Planning Act relating to plans of subdivision will apply in addition to the policies set out in this Plan.
- (v) Plans of subdivision shall be designed to allow for the appropriate integration of the affected lands with adjacent lands.

- (vi) Where necessary for design purposes or where there is no other alternative available, access to a subdivision may be considered on a provincial highway or a county road where the Township and the authority having jurisdiction are satisfied that such access is appropriate.

4.6 Natural Heritage Features

4.6.1 Endangered and Threatened Species

- 1) No development will be permitted in significant habitat of endangered and threatened species. Screening maps from the Ministry of Natural Resources showing areas of documented occurrences of endangered and threatened species and regulated habitats will identify where this policy applies. In order to protect the exact location of such habitat or species, the Ministry of Natural Resources shall be consulted for further information.
- 2) Ecological site assessments, prepared by a qualified professional with expertise in environmental science, shall identify whether there is significant habitat of endangered and threatened species within or adjacent to an area proposed for development that is known as significant habitat of endangered and threatened species.
- 3) The Ministry of Natural Resources shall approve the extent of significant habitat identified in the ecological site assessments.
- 4) As per Section 4.6.8 of this Plan, environmental impact assessments shall be required in support of proposed developments within 120 metres of significant habitat of endangered and threatened species.

4.6.2 Areas of Natural and Scientific Interest

- 1) No development will be permitted in identified Areas of Natural and Scientific Interest or on adjacent lands within 120 metres of identified Areas of Natural and Scientific Interest, unless an environmental impact assessment, prepared in accordance with Section 4.6.8 of this Plan, demonstrates that there will be no negative impacts on the Areas of Natural and Scientific Interest or their ecological function.
- 2) The extent and significance of Areas of Natural and Scientific Interest shall be determined in consultation with the appropriate government agency and incorporated into this Plan as an overlay on Schedule 'B' through an Official Plan Amendment.

4.6.3 Fish Habitat

- 1) Development shall not be permitted in identified fish habitat, except in accordance with provincial and federal requirements. Where

development is proposed within 120 metres of identified fish habitat, an environmental impact assessment, prepared in accordance with Section 4.6.8 of this Plan, shall demonstrate that there will be no negative impacts on the fish habitat or its ecological function.

- 2) The extent and significance of fish habitat shall be determined in consultation with the appropriate government agency.

4.6.4 Significant Wildlife Habitat

- 1) No development will be permitted in identified Significant Wildlife Habitat or on adjacent lands within 120 metres of identified Significant Wildlife Habitat, unless an environmental impact assessment, prepared in accordance with Section 4.6.8 of this Plan, demonstrates that there will be no negative impacts on the significant wildlife habitat or its ecological function.
- 2) The extent and significance of wildlife habitat shall be determined in consultation with the appropriate government agency.

4.6.5 Significant Woodlands

- 1) Development within Significant Woodlands may be permitted in accordance with the underlying land use designation shown on Schedule 'A' of this Plan, provided an environmental impact assessment, prepared in accordance with Section 4.6.8 of this Plan, demonstrates that there will be no negative impacts on the significant woodlands or their ecological function.
- 2) Development within 120 metres of identified Significant Woodlands, as shown as an overlay on Schedule 'B' of this Plan, may be permitted in accordance with the land use designation shown on Schedule 'A' of this Plan, provided an environmental impact assessment, prepared in accordance with Section 4.6.8 of this Plan, demonstrates that there will be no negative impacts on the significant woodlands.
- 3) Proposed developments shall retain as much natural vegetation as possible, especially along watercourses, public roads and municipal road allowances, on steep slopes, in valued woodlots, and in areas linking green spaces, and may be subject to the preparation of a Landscaping Plan at the discretion of the Township.

4.6.6 Significant Wetlands

- 1) Wetlands are areas of swamps, bogs, marshes or fens which are valuable in their natural state for biological, social or hydrological reasons.

- 2) Provincially Significant Wetlands are evaluated and approved by the Ministry of Natural Resources and, based on wetland functions and features, classified according to their significance. All wetlands identified on Schedule 'A' to this Plan are classified as Provincially Significant, except for McGibbon Creek Wetland, which is classified as Locally Significant.
- 3) Development and site alteration of Provincially or Locally Significant Wetland identified on Schedule 'A' is not permitted.
- 4) Development within 120 metres of a Provincially Significant Wetland shall be subject to the preparation of an Environmental Impact Study which demonstrates that there will be no negative impacts on the natural features or ecological functions of the wetland.
- 5) Within a wetland, all permitted and accessory uses shall be subject to Conservation Authority regulations and the only permitted uses shall be:
 - Open space and passive recreational uses which do not involve site alterations and do not adversely affect the natural features or ecological functions of the wetland;
 - Conservation uses which improve the ecological functions of the wetland;
 - Uses of a scientific or educational nature;
 - Established agricultural uses ongoing at the time of the adoption of this Official Plan. However, new or expanded structures or the clearing and draining of additional lands within the wetland shall not be permitted;
- 6) The Policies of this section will be applied to lands where the Ministry of Natural Resources has identified new wetlands or has revised wetland boundaries, regardless of whether new wetlands or new boundaries are designated in this plan.

4.6.7 Significant Valleylands

- 1) Valleylands are natural areas that occur in a valley or other landform depression that have has water flowing through or standing for some period of time.
- 2) No development or site alteration is permitted within any Significant Valleyland unless it can be demonstrated that there will be no negative impacts on the natural features or ecological functions of the valleyland.
- 3) Development within 120 metres of Provincially Significant Valleylands shall be subject to the preparation of an Environmental Impact Study

which demonstrates that there will be no negative impacts on the natural features or ecological functions of the valleyland.

- 4) No Significant Valleylands have been identified in Beckwith Township as of the date adoption of this Plan. Despite this, it is possible for valleylands to exist throughout the Township. Should any valleylands be identified in the future through an amendment to this plan or through any Environmental Impact Study, the policies of this section shall apply.

4.6.8 Lands Adjacent to Natural Heritage Features

- 1) The Province of Ontario's Natural Heritage Reference Manual specifies adjacent lands as buffer areas that are intended to protect natural heritage features that are identified on Schedule 'A' or Schedule 'B' of this Plan, either on the effective date of this Plan or identified in consultation with the appropriate government agency or identified in this Plan through an Official Plan Amendment. In considering any development or site alteration, an environmental impact assessment will be required as follows:
 - (a) within 120 metres of a Provincially Significant Wetland;
 - (b) within 30 metres of a Locally Significant Wetland;
 - (c) within 120 metres of fish habitat;
 - (d) within 120 metres of an Area of Natural and Scientific Interest;
 - (e) within 120 metres of significant habitat of endangered and threatened species; and
 - (f) within 120 metres of significant woodlands and significant wildlife habitat.
- 2) The scope and scale of the environmental impact assessment shall be determined by the Township in consultation with appropriate government agencies.
- 3) The Township may consider reducing an environmental impact assessment to a scoped study if the proposed development is:
 - (a) minor in nature; or
 - (b) located in an area where previous relevant studies are sufficient to provide the necessary technical information to assess a proposal.

If the scoped study indicates that there may be some potential impacts that warrant a more complete review, a full environmental impact assessment shall be required.

- 4) Where a full environmental impact assessment is required, it shall:
 - (a) be prepared by a qualified professional with expertise in environmental science;
 - (b) define and assess the nature and boundaries of any significant known and unknown features and ecological functions on or adjacent to the site;
 - (c) describe the location and nature of the proposed development;
 - (d) describe the relationship of adjacent lands to any significant features or ecological functions;
 - (e) describe the relationship of the significant features or ecological functions to the proposed development and adjacent lands;
 - (f) demonstrate how and where development can proceed without negative impacts on the significant features or ecological functions; and
 - (g) describe any mitigation measures that either alleviate or eliminate the negative impacts of the proposed development on the significant features or ecological functions.
- 5) All relevant First Nations communities shall be consulted for input where any environmental impact assessment indicates areas of First Nations interest or potential for encountering First Nations artifacts.
- 6) Existing agricultural uses and normal farm practices operating on lands affected by or adjacent to an identified natural heritage feature shall not be subject to the requirement for an environmental impact assessment and shall be allowed to continue.
- 7) Development on lots of record that are affected by an identified natural heritage feature may be permitted unless Planning Act approval is required, and shall be further considered in accordance with the other relevant policies of this Plan, the Zoning By-Law and the comments of other appropriate approval authorities.

4.6.9 Land Stewardship

- 1) The Township shall encourage, support and initiate, as appropriate, public education and awareness initiatives for the protection, rehabilitation and enhancement of natural heritage features.
- 2) The Township shall encourage innovative development patterns and techniques that support and strengthen natural heritage features.

- 3) The Township shall encourage land stewardship options, including protecting private lands through easements, purchase, tax incentives, and dedication to land trusts to preserve and enhance natural heritage features.

4.7 Group Homes

- 4.7.1 A group home is a single housekeeping unit in a residential dwelling in which three to ten persons (excluding supervisory staff or the receiving family) live as a family under responsible supervision consistent with the particular requirements of its residents. The home is licensed or approved under provincial statutes and in compliance with municipal by-laws.
- 4.7.2 It is the intent of this Plan to recognize the need for group homes, to recognize the needs and concerns of the residents of the municipality and to ensure the effective integration of group homes into the community so that they will function successfully and achieve community acceptance. To achieve this objective, appropriate regulations will be included in the Zoning By-law and Council will provide input to the provincial licensing or approval authorities on any applications for group homes in the municipality.
- 4.7.3 Group homes shall be permitted in all land use designations which permit a residential uses and shall be encouraged to locate in proximity to community services and facilities that may serve its residents. Notwithstanding the foregoing, group homes shall not be permitted within the Special Service Area shown on Schedule A. Where a group home is to be established in an agricultural designation, the home must be located in an existing dwelling and will not qualify for a severance in accordance with the policies of Section 6.1 of this Plan.
- 4.7.4 Council may establish a Group Homes Advisory Committee to assist in implementing the group home policies of this Plan by providing advice on specific group home applications received, by providing advice on new group home programs approved by the Province, by assisting at public information meetings, by investigating complaints and by undertaking other related tasks.

4.8 Cultural Heritage and Archaeological Resources

4.8.1 Cultural Heritage Resources

- 1) The Township shall encourage the identification, conservation, maintenance and enhancement of cultural heritage resources.
- 2) The Township may participate in the conservation, maintenance and enhancement of cultural heritage resources by:
 - (a) consulting with the Municipal Heritage Committee on cultural

- heritage resource matters;
- (b) designating heritage properties or heritage conservation districts in accordance with the Ontario Heritage Act;
 - (c) public acquisition;
 - (d) entering into public-private joint ventures or agreements;
 - (e) providing incentives to private owners; or
 - (f) using available government and non-government funding programs to assist in the implementation of cultural heritage policies.
- 3) Where a cultural heritage property is designated under the Ontario Heritage Act:
- (a) no on-site alteration, removal or demolition shall be undertaken that would adversely affect its designation except in accordance with the Ontario Heritage Act; and
 - (b) the Township may require that a Heritage Impact Statement be prepared by a qualified professional to the satisfaction of the Township for any off-site development, site alteration or demolition which has the potential to impact the cultural heritage property.
- 4) Where an area or landscape of special heritage character is not designated under the Ontario Heritage Act but is recognized by the Township as having cultural heritage value:
- (a) proposed developments shall be encouraged to be compatible with the cultural heritage value of the area or landscape;
 - (b) the Township shall encourage the adaptive reuse of existing buildings which are vacant or underused; and
 - (c) the Township may require that a Heritage Impact Statement be prepared by a qualified professional to the satisfaction of the Township for any development, site alteration or demolition which has the potential to impact the cultural heritage value of the area or landscape.
- 5) The Township shall maintain a Register of Cultural Heritage Resources that have been:
- (a) designated under the Ontario Heritage Act;

- (b) protected by an easement under the Ontario Heritage Act;
 - (c) identified by senior levels of government; or
 - (d) endorsed by Council as having cultural heritage value.
- 6) The Township shall co-ordinate its cultural heritage plans and programs with those of senior levels of government.

4.8.2 Archaeological Resources

- 1) Areas of archaeological potential shall be determined through the use of provincial screening criteria or criteria developed by archaeologists licensed under the Ontario Heritage Act that are prepared in compliance with Ministry of Culture guidelines.
- 2) Archaeological preservation in situ shall be the preferred method of maintaining the integrity of archaeological resources. Rescue excavation of significant archaeological resources may be permitted as a result of a proposed development, provided it is demonstrated to the satisfaction of the Township and the Ministry of Culture that in situ preservation is not possible.
- 3) The Township may require of the development proponent that archaeological assessments be conducted by archaeologists licensed under the Ontario Heritage Act and prepared in compliance with Ministry of Culture guidelines as a condition of any proposed development in areas containing a known archaeological site or considered to have archaeological potential. All relevant First Nations communities shall be consulted for input where any archaeological assessment indicates areas of First Nations interest or potential for encountering First Nations artifacts.
- 4) In the event that human remains or cemeteries are identified or encountered during site assessment or development, all work shall cease and the site shall be secured. The appropriate Township and provincial authorities shall be notified and the required provisions under the Ontario Heritage Act and the Cemeteries Act shall be followed. All relevant First Nations communities shall be consulted for input where any burial site or remains is considered to be of potential First Nations origin. The Township may require that the development proponent retain archaeologists licensed under the Ontario Heritage Act to assess or monitor the site and recommend conservation strategies to the satisfaction of the Township, the Ministry of Culture and all relevant First Nations communities.

4.9 Holding Zones

It is not intended that all land use areas designated in the Official Plan will be zoned for such uses immediately in the Zoning By-law. Areas may be zoned otherwise in the By-law for their existing uses or in a holding zone category as provided for in the Planning Act, and in accordance with the following objectives and criteria:

4.9.1 It is the intention of Council to place certain lands within a holding category in the implementing Zoning By-law when the principle of development has been established, in order to:

- (i) identify future development areas;
- (ii) reserve their use until it is clear that private services are appropriate;
- (iii) ensure that any development constraints can be properly overcome;
- (iv) effect the phasing and proper design of large scale residential, commercial or industrial developments;
- (v) determine the financial requirements;
- (vi) ensure that any necessary agreements have been established.

4.9.2 Lands throughout the municipality may be zoned in a holding zone in accordance with the objectives set forth above.

4.9.3 Lands which are subject to holding provisions will be identified in the Zoning By-law by the symbol "h" in conjunction with the appropriate zone symbol denoting the eventual usage of the land and will be subject to the following policies:

- (i) Lands in a holding zone will generally be limited to existing uses or uses which will not prejudice the future development of the lands such as agricultural uses, forestry uses, conservation uses, park and open space uses.
- (ii) New development proposed on land zoned for holding purposes will not be permitted until Council deems it appropriate to remove the holding symbol through an amending By-law in accordance with the conditions outlined below.

4.9.4 An application for removal of the holding symbol will be reviewed by Council in consideration of the following criteria:

- (i) The proposed use of lands is in conformity with the requirements of the Zoning By-law.
- (ii) The required services are provided or can be provided.

- (iii) Any required tests or reports are completed to Council's satisfaction.
- (iv) The financial requirements of the municipality have been fulfilled.
- (v) The phasing and design of the proposed development is approved by Council.
- (vi) Any agreements have been completed to Council's satisfaction.

4.9.5 When Council is satisfied that the above criteria have been met in full, Council will consider a proposal to remove the "h" symbol. Notice will be given of Council's intention to remove the holding symbol in accordance with the requirements of the Planning Act.

4.9.6 For those lands designated as "Commercial" and located in part of Lot 21, Concession 10, the implementing Zoning By-law will include a holding zone in accordance with this section. Prior to the removal of the holding symbol, Council will be satisfied that the following additional conditions have been met:

- (i) A study has been prepared by a qualified engineer demonstrating that the proposed development will have no impact on the flow of groundwater which has been contaminated with volatile organic compounds. Such study must be acceptable to the Township and the Ministry of the Environment.
- (ii) The results of the groundwater contamination modelling being undertaken, as part of the Class Environmental Assessment Alternate Water Study Report, by the Township and the Ministry of the Environment have been received, reviewed and approved.

4.10 Home Occupations

4.10.1 General Home Occupations

Professional uses and home occupations may be permitted as an accessory use to any residential use. Specific provisions relating to home occupations will be established in the Zoning By-law.

4.10.2 Rural Home Occupations

Rural home occupations which are accessory to a farming operation may be permitted. The requirements for such uses will be established in the Zoning By-law.

4.11 Institutional Uses

Institutional uses such as schools, day care centres, hospitals, museums, churches, libraries, community centres, service clubs and similar public or quasi-public uses will generally be permitted in all land use designations except Agriculture, Flood Plain, Mineral Aggregate, Wrecking Yard and Waste Disposal provided that the design and siting of the buildings and structures are in keeping with the character of the surrounding area and the institutional use will not detract from the primary function and use of the area. Institutional uses will be subject to the following policies:

4.11.1 The land is suitable for the proposed use.

4.11.2 Adequate off-street parking and loading space will be provided.

4.11.3 Consideration will be given to locating any institutional use that generates a significant amount of traffic in an appropriate place so that surrounding uses are not adversely affected by it.

4.11.4 The location and site development of institutional uses will be regulated through the Zoning By-law.

4.11.5 Institutional uses will be discouraged in the Agriculture designation, but may be permitted where there is favourable support from the Ministry of Agriculture and Food.

4.12 Land Use Compatibility

In reviewing any development application, Council will be satisfied that the proposed use will be compatible with surrounding uses or can be made to be compatible in a manner that either eliminates or minimizes to an acceptable level any adverse effects from the proposed use. Adverse effects may include, but are not limited to:

- (i) shadowing;
- (ii) loss of privacy;
- (iii) loss of neighbourhood or streetscape character;
- (iv) development that is inconsistent with applicable Ministry of Environment Guidelines;
- (v) increased levels of traffic that exceed the capacity of the affected road network or its intended function;
- (vi) environmental damage or degradation;
- (vii) impacts of private water and sewage services on groundwater resources;

- (viii) a decline in public health or safety; or
- (ix) incompatibility in terms of scale, style and massing of associated buildings or structures.

Compatibility can be achieved in a variety of ways. It can be a separation distance which is appropriate to the particular uses. It can be buffering features such as a berm, wall, fence or landscaping or a combination of these features. It can also consist of an intervening land use which would be compatible with both of the conflicting uses. Where buffering provisions are the means to be used to ensure compatibility, such provisions will be determined through the site plan approval process.

4.13 Noise

For any proposed residential subdivision in close proximity to a major source of noise, i.e. a highway, an airport, a railway or a quarry, the developer will be required to conduct a noise study. The noise study shall be prepared in accordance with applicable Ministry of Environment Guidelines. For any proposed residential severance in close proximity to a major source of noise, Council will consider any potential noise problem in determining the appropriateness of the proposed severance.

4.14 Non-Conforming Uses

Any uses legally existing at the date of adoption of this Official Plan that do not conform to this Plan will be deemed non-conforming uses.

4.14.1 Such uses may be zoned in any implementing Zoning By-law in accordance with their present use provided that:

- (i) the zoning will not permit any change of use or performance standard that will aggravate any situation detrimental to adjacent complying uses;
- (ii) they do not constitute a danger to surrounding uses and persons by virtue of their hazardous nature or the traffic flow they generate;
- (iii) they do not pollute the air, water or soil to the detriment of health, comfort and property; and
- (iv) they do not interfere with the development or enjoyment of adjacent areas in accordance with this Plan.

4.14.2 Where an existing use does not meet with the criteria set out above, it will not be zoned in accordance with its present use. Furthermore, the Municipality may seek means to eliminate the use and may acquire it when sufficient funds are available or assist in whatever way possible in the relocation of the use.

4.14.3 Where an existing non-conforming use is discontinued, any rezoning may only take place in conformity with this Official Plan.

4.14.4 Where an existing use has been zoned as a non-conforming use, but there is merit in granting permission to extend or enlarge the use either within the lands held in ownership or on adjacent properties, Council may amend the Zoning By-law to permit such extension or enlargement without the necessity of amending the Official Plan if it complies with the general intent and purpose of this Plan. The Committee of Adjustment also may, based on merit, permit the extension or enlargement of a non-conforming use on lands owned at the time of passing of the By-law, provided that the intent and purpose of the Official Plan are maintained.

Council or the Committee of Adjustment shall use the following guidelines when assessing any application for an extension or enlargement of a use which is zoned as a non-conforming use:

- (i) The extension or enlargement should not aggravate the non-conforming situation for neighbouring uses.
- (ii) The extension or enlargement should be in reasonable proportion to the existing use and to the land on which it is to be located.
- (iii) Any extension or enlargement involving land should be minor in relation to the total property. Any major change shall require an amendment to the Plan.
- (iv) The compatibility of the extension or enlargement to surrounding uses with regard to noise, vibration, fumes, smoke, dust, odours, lights and traffic generation will be examined carefully.
- (v) Adequate buffering, setbacks and any other measures necessary to reduce the nuisance will be required and where possible shall be extended to the existing use.
- (vi) Proper access to the site will be provided to ensure that no traffic hazards are created.
- (vii) Adequate on-site parking and loading space will be provided.
- (viii) Applicable services such as storm drainage, water supply, sewage disposal and roads, etc. are adequate or will be made adequate.
- (ix) Neighbouring uses will be notified of the proposed extension or enlargement of the non-conforming use before the final decision on the application is made.
- (x) In areas subject to environmental constraints, environmental hazards, human generated hazards or physical limitations, the Township, in

consultation with other appropriate approval authorities, shall consider the potential adverse impacts of the extension or enlargement on the identified constraints, hazards or limitations.

- 4.14.5 The Committee of Adjustment may permit a change in use to a similar use or more compatible use.
- 4.14.6 Where an existing building or structure which has been zoned as a non-conforming use is destroyed, such building or structure may be reconstructed to its former dimensions provided work is commenced within twelve months of the date of destruction. An existing building or structure which is zoned as a non-conforming use may be reconstructed or strengthened to a safe condition provided the external dimensions and use of the building or structure are not changed.
- 4.14.7 The development of existing undersized lots may be permitted in accordance with the relevant provisions of the Zoning By-law provided that where the development is on private services, the lot is of an adequate size for a well and sewage disposal system approved by the Ministry of the Environment or its agents. A lot addition or enlargement to an existing undersized lot may be permitted even though the addition does not bring the lot up to the standard required in the Zoning By-law. In such a case, the lot does not lose its non-conforming status and may be developed in accordance with the relevant provisions of the By-law.

4.15 Parks and Recreation

Parks will generally be permitted within all land use designations except Mineral Aggregate, Wrecking Yard or Waste Disposal. On lands designated as Agriculture, parks may be permitted provided that there are no recreational buildings, the land is left in parcels suitable for commercial farming and does not alter the soils or topography adversely. It is intended that parkland be acquired partly by dedication as outlined in Section 4.5 and partly by acquisition. The specific details of parkland acquisition and development will be dealt with through the Recreation Master Plan which will include such things as acquiring additional land, building appropriate facilities, establishing recreation programs, developing municipally owned water oriented facilities, and encouraging public/private initiatives in developing various trails through the Municipality. Trails and pathways will be encouraged to be developed in conjunction with proposed plans of subdivision. The feasibility of incorporating trails and pathways into proposed plans of subdivision will be assessed on the basis of the following principles:

- 1) the continuity of the route system within and between developments;
- 2) the potential linkages that could be provided between major activity areas to encourage usage;
- 3) the minimization of conflicts between motorized and non-motorized travel; and

- 4) its design in regard to public safety, emergency access and maintenance requirements.

It is an important priority that wherever possible, waterfront lands be acquired by the Township as outlined in the Recreation Master Plan. The Recreation Committee will provide guidance and suggestions to Council on the implementation of parks and recreational development through the regular updating of the Recreation Master Plan.

4.16 Public Uses and Utilities

Public uses and utilities such as power, water services, roads, railways, telephone and gas but not including waste disposal sites will generally be permitted in all land use designations provided that such use or utility is necessary and appropriate in the location and can be made compatible with surrounding uses.

The following policy will apply specifically to electric power facilities:

- 4.16.1 The development of electric power facilities will occur in an orderly manner to facilitate the efficient and reliable provision of adequate electric power. As such, it is the policy of this Plan that electric power facilities are permitted in all land use designations without an amendment to the Plan provided that the planning of all such facilities is carried out having regard to the other policies of this Plan. Furthermore, Ontario Hydro will consult with the municipality on the location of any new electric power facilities.

4.17 Separation Distances

Residential uses in particular will be located an appropriate distance away from any use or facility which would be a potential source of nuisance such as railways, airports, freeways and major highways, industrial uses, waste disposal sites, wrecking yards, mineral aggregate areas, intensive livestock operations. Separation distances specific to the particular use will be established in the Zoning By-law or through development approval processes and will be subject to applicable Ministry of the Environment Guidelines. Where appropriate, the Minimum Separation Distance formulae shall also apply to all new or expanding farm and applicable non-farm development. Separation distances or appropriate remedial measures may also be incorporated into subdivision agreements or other agreements.

4.18 Servicing Requirements

4.18.1 General Requirements

- (i) For the foreseeable future, all development within the Township of Beckwith will take place on private water and sewage services. All development on private services must receive approval from the appropriate approval authority before proceeding. The minimum lot size

for any private serviced development will be in accordance with the relevant Sections of this Plan and the Zoning By-law although the Ministry may increase these minimum standards and impose other conditions or restrictions where necessary in the interests of the health and safety of the residents of the Township. Any required servicing studies will be provided by the developer to the satisfaction of Council, the Health Unit and the Ministry of the Environment.

- (ii) Development will be encouraged to take place where other services are already available or can be readily provided. Such services and facilities include public roads, garbage collection and disposal, fire protection, police protection, education, school busing and parks. In general, new development should not create an undue financial burden for the Municipality unless it can be shown that the long term benefits outweigh the costs.

4.18.2 Special Service Area Requirements

A Special Service Area has been delineated and shown on Schedule 'B'. The Special Service Area corresponds to the Implementation Area, which was determined through the Class Environmental Assessment process to arrive at a solution to the contaminated water problem. The solution to the contamination problem in Beckwith Township was determined through the Class EA process in consultation with the public and the Ministries of the Environment and Municipal Affairs and Housing. A site specific solution using in-house treatment systems, together with a Township administered monitoring and rebedding program, was determined to be the preferred solution. The boundary of the Special Service Area encompasses all properties that have had a detection of volatile organic compounds (VOCs). Within this boundary, there are also many properties that have had no detections of VOCs. However, since there is a potential for contaminated water within this area, certain special conditions for existing and future development will be required. There are 347 existing lots within the Special Service Area. Of these, 304 lots have dwellings with one property having two (2) dwellings. In addition, there are five (5) commercial lots, two (2) park properties, one (1) institutional property, and thirty-five (35) vacant lots. All existing residential property owners will be offered the opportunity to receive all required water filtration equipment, including installation, free of charge and must join the Program for five years. The monitoring and filter rebedding program will be offered on a cost recovery basis, by the Township, but participation in the Program will be voluntary after the first five years for the existing residential properties and for the existing vacant lots. In addition, for lots having existing uses other than residential, the owner will be offered the water filtration equipment and installation free of charge, provided that the water well provides for domestic type usage. Participation in the monitoring and filter rebedding program will be voluntary after five years. All existing vacant lots that are zoned to permit a residential use will be permitted to be developed. Those existing vacant lots for which a building permit is received prior to the effective date of the implementation of the water supply program will be eligible to receive the water filtration equipment, including installation, free of charge. Participation in the

monitoring and filter rebedding program will be voluntary after five years. After the effective date, owners of existing vacant lots having water that exceeds the Ontario Drinking Water Standard for VOCs will be eligible to receive the water filtration equipment, including installation, free of charge, as long as there is sufficient money in the reserve fund. Participation in the monitoring and filter rebedding program will be voluntary after five years.

New lot creation within the Special Service Area will only be permitted by consent. On lands designated Residential or Rural Lands, a maximum of two new lots from a holding that existed as of July 1, 1973 will be allowed, provided that all other relevant policies of the Plan are met. Any such new development will only be approved with the condition that the homeowner must participate in the Program of the Township in accordance with the policies set out in Section 4.5.2 (iii) of this Plan.

4.19 Setbacks from Water

- 1) The Zoning By-Law shall contain regulations that ensure that all buildings and structures, except for electric power transmission lines and other public utilities, as well as marinas and marine facilities, private and public docks, boathouses, public beach developments or improvements and shoreline stabilization works are set back the greater of the following:
 - (a) a minimum of 30 metres from the high water mark of any waterbody or watercourse;
 - (b) 15 metres from the top of bank;
 - (c) development limits established by the regulatory flood line;
 - (d) development limits established by environmental impact assessments; or
 - (e) development limits established by the erosion hazard limit.
- 2) Setback requirements may be increased or decreased, depending on site conditions and the nature of the proposed development. Decreases shall only be considered for proposed developments on existing lots of record which cannot meet a 30 metre setback for development and shall ensure the greatest setback possible is achieved.

4.20 Site Plan Control

Site plan control is intended to be used where the type of development proposed or the features of the particular site require greater care in regulating the development of buildings, structures and other proposed features than is possible or practical through the Zoning By-law.

The entire Township shall be designated as a Site Plan Control Area. Within the Township, all commercial uses, industrial uses, institutional uses, mobile home parks, multiple residential uses (3 or more units), wrecking yards, and all properties which abut a lake or watercourse or designated Wetlands are subject to Site Plan Control.

It is Council's intention to use site plan control to obtain road widenings where necessary, especially where the proposed use will generate significant volumes of traffic or where the entrance on to the public road would otherwise be unsafe. This policy applies to all roads under Township jurisdiction.

Any new non-residential use that requires a water well for domestic type usage in the Special Service Area, as shown on Schedule 'B', will be required, as a condition of site plan approval, to provide water filtration equipment and participate in the monitoring and filter rebedding program of the Township. The specific terms and conditions will be included in a site plan control agreement, which will be registered on title.

4.21 Temporary Uses

Temporary uses may be permitted in the implementing Zoning By-law. In particular, the By-law may provide for the use of a mobile home as a temporary residence in accordance with the conditions, location and time period prescribed in the By-law.

Notwithstanding the policies and designations of this Official Plan, Council may, in accordance with the provisions of Section 39 of the Planning Act, pass By-Laws to authorize the temporary use of land, buildings or structures for any purpose. In considering applications for such temporary uses, Council shall have regard for the following:

- 4.21.1 Such uses will be temporary in nature, be compatible with surrounding land uses and will not interfere with the long term development of the area; and
- 4.21.2 Appropriate controls will be included in the amending By-law to adequately regulate the temporary uses.

4.22 Wayside Pits, Wayside Quarries, Portable Asphalt Plants and Portable Concrete Plants

- 1) Wayside pits, wayside quarries, portable asphalt plants and portable concrete plants are generally permitted throughout the Township without the need to amend this Plan or the Zoning By-law, provided that:
 - (a) no severe environmental disruption will occur; and
 - (b) the site is not within existing residential areas or designated Wetlands or in proximity to any waterbody or watercourse.
- 2) Prior to the establishment of a wayside pit, wayside quarry, portable asphalt plant or portable concrete plant for provincial purposes, Council will be advised by the

Ministry of Natural Resources that the proposed operation qualifies as a wayside pit, wayside quarry, portable asphalt plant or portable concrete plant.

- 3) Prior to the establishment of a wayside pit, wayside quarry, portable asphalt plant or portable concrete plant for municipal purposes, Council will be advised by Township staff and the Ministry of Natural Resources that the proposed operation qualifies as a wayside pit, wayside quarry, portable asphalt plant or portable concrete plant.
- 4) A rehabilitation plan shall be prepared to the satisfaction of the Township as a condition of approval.

4.23 Secondary Units

- 1) Secondary units shall be permitted in certain zones of the By-Law in accordance with Sections 16(3) and 35.1 of the Planning Act.
- 2) The development of a secondary unit within a principal dwelling shall further be subject to the other relevant policies in this Plan and the following criteria:
 - (a) no more than 40 percent of the gross floor area of the principal dwelling may be developed for a secondary unit;
 - (b) the secondary unit shall comply with the Ontario Building and Fire Codes;
 - (c) safe access, parking and private amenity areas for all residents shall be provided;
 - (d) the secondary unit shall be designed and located in such a manner so as to not have an adverse effect on servicing requirements;
 - (e) a maximum of one secondary unit shall be permitted:
 - (i) within a detached dwelling;
 - (ii) within each half of a semi-detached dwelling;
 - (iii) for the whole of a duplex dwelling; or
 - (iv) within a row house dwelling;
 - (f) a secondary unit within the principal dwelling shall not be permitted where there is a pre-existing secondary unit within an accessory building on the lot; and
 - (g) as a condition of approval:
 - (i) the secondary unit shall be subject to site plan control approval; and

- (ii) the Township may require that the secondary unit is registered in accordance with the provisions of the Municipal Act.
- 3) The development of a secondary unit within an accessory building shall further be subject to the other relevant policies in this Plan and the following criteria:
 - (a) the secondary unit shall be limited to a single bedroom only with no sanitary, kitchen or cooking facilities;
 - (b) the secondary unit shall comply with the Ontario Building and Fire Codes;
 - (c) safe access and parking shall be provided;
 - (d) the secondary unit shall be designed and located in such a manner so as to not have an adverse effect on areas having environmental constraints, environmental hazards, human generated hazards or physical limitations, the streetscape, traffic levels, the character of the surrounding neighbourhood or privacy of adjacent residential properties;
 - (e) a maximum of one secondary unit shall be permitted;
 - (f) a secondary unit within an accessory building shall not be permitted where there is a pre-existing secondary unit within the principal dwelling on the lot; and
 - (g) as a condition of approval:
 - (i) the secondary unit shall be subject to site plan control approval; and
 - (ii) the Township may require that the secondary unit is registered in accordance with the provisions of the Municipal Act.

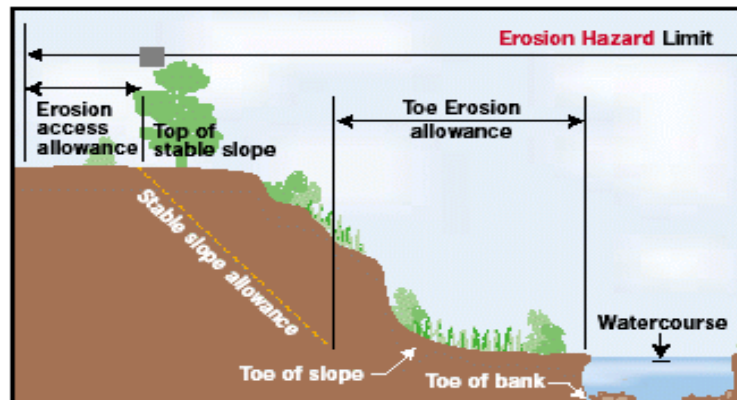
4.24 Renewable Energy Systems

- 1) For the purposes of this Section, renewable energy systems shall include, but not be limited to, wind energy, solar energy and biomass energy systems.
- 2) The Township shall:
 - (a) promote development that explores opportunities for the use of renewable energy infrastructure; and
 - (b) support public education, pilot projects and demonstration programs that explore ways to use renewable energy infrastructure in development.

4.25 Hazard Protection

4.25.1 Erosion Hazards

- 1) To reduce the risk to public safety and property due to erosion and slope instability, the Township, in consultation with the appropriate Conservation Authority, shall ensure that proposed developments are located outside erosion hazard limits, which are described and shown in Schedule 'EH-1' below as the sum of:
 - (a) an amount for toe erosion, which is defined as the erosion that takes place at the bottom of a slope;
 - (b) the stable slope allowance, which is defined as a horizontal setback measured from the toe of the bank, bluff or slope, equal to three times the height of the bank, bluff or slope; and
 - (c) an erosion access allowance of at least 6 metres from the top of the stable slope or 10 metres from the top of the bank, whichever is greater.



Schedule EH-1: Erosion Hazard Limit

- 2) Despite the above:
 - (a) the extent of the erosion hazard limit for areas containing organic soils, including muck, marsh and peat type soils, shall be equal to the outer limit of the organic soils, measured landward from the toe of slope; and
 - (b) the extent of the erosion hazard limit for areas containing or suspected of containing sensitive marine clays (Leda Clay) shall be determined by a geotechnical study prepared by a qualified engineer to the satisfaction of the Township.
- 3) This Plan encourages that the Township, in consultation with the appropriate Conservation Authority, continue to identify and map erosion hazard limits within the Township.

4.25.2 Contaminated Sites

- 1) Where Township records or other information indicate that a property may be contaminated by a prior or current use, a Phase 1 Environmental Site Assessment that documents prior uses shall be prepared by the proponent to the satisfaction of the Township as part of a proposed development of the property.
- 2) Where a Phase 1 Environmental Site Assessment prepared in support of a proposed development indicates that the affected property may have been contaminated, a Phase 2 Environmental Site Assessment shall be prepared by the proponent to the satisfaction of the Township.
- 3) If contamination has spread beyond the affected property, the Township shall require that an Off-Site Management Plan and Remedial Action Plan be implemented.
- 4) Mandatory filing of a Record of Site Condition in the Provincial Registry shall be required for the change in use of a property from industrial or commercial to residential or parkland. Cleanup of contaminated properties shall be done in accordance with Provincial Regulations and Guidelines.
- 5) Where a gasoline station site is being redeveloped and there is no change in use to a more sensitive use, the Township shall require a letter of continued use from the Technical Standards and Safety Authority.

SECTION 5

LAND USE POLICIES - COMMUNITY DEVELOPMENT AREAS

The community development areas shown on the Land Use Schedule are the locations where concentrated urban-type growth will be encouraged. The boundaries indicate the future limits for these areas. Any significant expansions beyond these boundaries will require an amendment to this Plan. The major land use designations within these areas are shown on Schedule 'A'. The policies for the various land uses are set out below.

5.1 Residential

- 5.1.1 Residential development will include a variety of dwelling types ranging from single family to low rise multiple family housing.
- 5.1.2 Development will take place in accordance with the policies of Section 4 and any other relevant policies of this Plan. It is Council's intention that development will generally occur by plan of subdivision. Severances may be allowed in infilling situations or in exceptional cases where it is clear that a plan of subdivision is not necessary for the orderly development of the land. Within the Special Service Area shown on Schedule 'B', new residential subdivisions will not be permitted.
- 5.1.3 For any proposal for multiple family development, the applicant must provide an engineer's report which sets out the recommendations for development on private services. The applicant may be required to provide such things as test wells, a hydrogeological study, detailed design or other such information as determined by Council in consultation with the Ministry of the Environment and the Health Unit. Within the Special Service Area shown on Schedule 'B', multiple family developments will not be permitted.
- 5.1.4 Where any proposed development is intended to involve condominium ownership or other ownership method where the Ministry of the Environment requires the municipality to be a party to the operating agreement, the municipality will not sign the agreement or enact the amending By-law until Council is satisfied that the proposed private services will be of the highest reasonable standard to ensure the reliable functioning of the systems in the future and that satisfactory financial arrangements have been made between the developer and the municipality to ensure that the Township will not incur the cost of repair or replacement of these systems. The Ministry of the Environment may require municipal ownership of communal water and/or sewage system works.
- 5.1.5 Local commercial uses such as convenience stores and personal services may be allowed within the residential area. Other commercial uses may be permitted subject to the policies outlined below.
- 5.1.6 Residential development shall be accommodated through development of vacant lands, evaluating surplus municipal lands for their suitability for housing

developments, converting non-residential structures, infill and redevelopment.

- 5.1.7 The Township may assist, where required by legislation, the Federal and Provincial Governments in the administration of housing programs.
- 5.1.8 Residential developments that offer innovative design features, construction techniques or tenure arrangements; which are consistent with the objectives of the Plan and which broaden the range of housing alternatives, including affordable housing, shall be encouraged.
- 5.1.9 When evaluating requests for new residential development or redevelopment, Council will:
 - (i) encourage a minimum 25% of new residential development to be affordable, that is, affordable to households within the lowest 60% of the income distribution as defined from time to time by the appropriate provincial agency; and
 - (ii) encourage housing forms and densities designed to be affordable.
- 5.1.10 Opportunities for intensification and redevelopment shall be promoted where it can be accommodated through existing building stock, infill and existing vacant lots, including brownfield sites. Consideration for such initiatives shall recognize the availability of existing or planned infrastructure suitable to accommodate projected needs. Council may establish minimum targets for intensification and redevelopment without an amendment to the Official Plan.

5.2 Commercial

- 5.2.1 Commercial uses will include a wide range of commercial services for the residents of the municipality and the travelling public. Commercial development will be permitted along the main roads in the communities and at key locations along the highways. Commercial areas have been identified on the Land Use Schedule along Highway No. 7 and in the Black's Corners community. In the other communities, specific commercial areas have not been identified but it will be the policy of Council to encourage such uses to locate in coherent groupings as much as possible along the main roads. The main roads will include the Ninth Line Road and the Goulbourn Townline Road in Ashton, County Road No. 10 in Prospect, Highway No. 15 and County Road No. 10 in Franktown and County Road No. 10 in Gillies Corners. The compatibility of commercial development with other uses will be ensured by such means as the control of ingress and egress to the site, provision of adequate parking and loading spaces, buffering and any other restrictions that Council considers appropriate.
- 5.2.2 For any proposed commercial development, the applicant must provide an engineer's report which sets out the recommendations for development on private services. The specific matters to be addressed in the report will be determined by Council in consultation with the Health Unit and the Ministry of the

Environment.

- 5.2.3 Commercial development in the form of shopping plazas will be permitted subject to the provisions of the Zoning By-law. For any proposed shopping centre with a proposed gross floor area in excess of 2500 m², Council may require that a market study be prepared.

5.3 Industrial

- 5.3.1 Industrial development will be permitted within lands so designated on the Land Use Schedule. It is Council's intention to encourage the development of these areas as industrial parks.
- 5.3.2 The uses permitted in the industrial parks will be restricted to those uses that do not require large quantities of water, do not pose problems for the disposal of wastes and do not create problems from smoke, dust, noise or similar obnoxious features. Complementary commercial and institutional uses will also be allowed within the industrial park. The Zoning By-Law will establish permitted uses and setbacks from residential or other sensitive uses in accordance with applicable Ministry of Environment Guidelines.
- 5.3.3 The industrial areas within the communities are intended to be developed as business parks with a mixture of light industrial, commercial, institutional and business uses.
- 5.3.4 For any proposed development in an industrial area, the applicant must provide an engineer's report which sets out the recommendations for development on private services. The specific matters to be addressed in the report will be determined by Council in consultation with the Health Unit and the Ministry of the Environment.

5.4 Institutional

- 5.4.1 There is one area in the community of Black's Corners that has been specifically designated for Institutional uses. This area presently contains the new school site, the municipal office, the firehall and some municipal parkland. It is Council's intention that this area become a focal point for the Township of Beckwith and for the community of Black's Corners.
- 5.4.2 Other uses such as commercial and residential uses will be allowed within this area subject to the relevant policies of this Plan. Any such development must be designed and arranged to complement the principal purpose of this area.
- 5.4.3 For any proposed institutional development, the applicant must provide an engineer's report which sets out the recommendations for development on private services. The specific matters to be addressed in the report will be determined by Council in consultation with the Health Unit and the Ministry of the

Environment.

5.4.4 Within the area designated Institutional in the community of Franktown, a private school and facilities related thereto will also be permitted. The other relevant policies of this Section will apply to this area.

5.5 Black's Corners Community

Black's Corners is the largest Community Development Area in Beckwith Township. Considerable growth has taken place in and around this community. Black's Corners has become the focal point for the municipality and it is intended to foster and enhance this role.

In recent years, over 60 percent of the Township's growth has occurred in Black's Corners. Given the recent resolution of groundwater contamination issues that impacted the extent of development in this area since 2000, it is assumed that this ratio will continue over the twenty-year planning horizon to 2029.

The boundary of the Black's Corners Community, as shown on Schedule 'A', reflects the following considerations:

- the boundary adjustment at the northern part of the community
- the additional lands required for future residential development
- natural and man made development constraints.

The Black's Corners Community has specific land use designations as shown on Schedule 'A'. The land use policies for the Community Development Areas as set out in preceding Sections of the Plan will continue to apply. As a result of the Black's Corners Planning Study, the following special policies will also apply specifically to the Black's Corners Community.

- 5.5.1 It is intended that Black's Corners will function as a focal point for the Township of Beckwith.
- 5.5.2 Wherever possible, linkages between residential areas will be encouraged.
- 5.5.3 Subdivision design should incorporate the natural features of the site.
- 5.5.4 In reviewing plans of subdivision, Council will encourage the retention of existing healthy vegetation beyond the site development envelope.
- 5.5.5 Through the requirements of the Zoning By-law, appropriate spacing between dwellings will be maintained so that the rural residential character of the community is preserved.
- 5.5.6 Multiple family housing will be encouraged to locate on the main roads within the community.

- 5.5.7 It is the intention of Council to protect significant woodlots or other interesting natural features to enhance the visual amenities of the Community.
- 5.5.8 Commercial and industrial uses which abut Highway 15 will be required to provide appropriate landscaping and other site elements to create an attractive appearance from the road.
- 5.5.9 Council will consider utilizing signage or other design elements to define the community as a place.
- 5.5.10 For any portion of a new residential development or any other sensitive land uses(s) with the Black's Corners Community that falls within 500m of lands east of the railway, and adjacent to the property containing the former Levine landfill site, located in Part of Lot 13, Concession 10, development is not permitted, except on existing lots of record. For any proposed development within 500 metres of lands west of the railways, and adjacent to the property containing the former Levine landfill site, a hydrogeological study must be undertaken prior to any development occurring in order to address any potential groundwater implications relating to the Volatile Organic Compounds (VOC) contaminants originating from this landfill site. The specific terms of reference for the study are to be determined in consultation with the Ministry of the Environment (MOE) and the Township.
- 5.5.11 For any portion of a new residential development or any other sensitive land uses(s) within the Black's Corners Community that falls within 500 metres of a main railway line, or near an airport for which NEF/NEP contours have not been developed, the policies of Sections 4.13 and 4.17 of this Plan apply.
- 5.5.12 Special Policy Areas – Part of Lot 13, and Part of Lot 14, Concession 10

The former Levine Landfill site is located on Part of Lot 13, Concession 10, as identified on Schedule 'B'. This site has been associated with groundwater contamination in an area originating at the site and flowing in an easterly and southeasterly direction.

Part of Lot 13 and Part of Lot 14, Concession 10, are identified as Special Policy Area 1, Special Policy Area 2 or Special Policy Area 3 on Schedule 'B'. The function of the Special Policy Areas is to provide appropriate requirements to ensure that sufficient studies are conducted to provide the Township with satisfaction that development can occur with adequate quality and quantity of water to service the development.

Special Policy Area 1

Prior to any development occurring on the subject lands identified on Schedule 'B' as Special Policy Area 1, the following requirements must be met to the satisfaction of the Ministry of Environment and the Township of Beckwith:

- Completion of a long term aquifer test at test well TW3-1 using a

minimum of three on-site observation wells and two observation wells on the Levine landfill site (if available). The duration of the aquifer test will be long enough to produce a measurable response in observation wells located within approximately 300 metres of the pumping well. Groundwater quality in TW3-1 and in the observation wells would be monitored during aquifer testing;

- Completion of a long term aquifer test at test well TW3-2 using a rate similar to the estimated groundwater demand for the proposed development in Special Policy Area 1;
- Installation of a minimum of two observation wells on-site, in addition to existing monitoring well BH8, to be used during aquifer testing. The observation wells will be positioned at various distances and directions from the pumping well. One of the two observation wells will be installed in a cored borehole. The core will be logged to provide additional information on geology, stratigraphy, and fracture density at the site;
- Preparation of a report presenting the results of the aquifer testing. The report will include a discussion of the site conceptual model and the 3-D numerical groundwater flow model used to predict the migration of groundwater contaminants originating at the Levine landfill site. Data from the aquifer test will be used to assess if the groundwater flow system in the vicinity of the site acts as an equivalent porous media (i.e. relatively consistent spatial distribution of drawdown) at the scale of interest. The report will also include recommendations regarding future groundwater monitoring;
- Completion of a hydrogeological report and terrain analysis assessment to determine the impact of nitrates on the groundwater from septic systems; and
- Completion of a Certificate of Well Compliance for the drilling of each well.

Special Policy Area 2

Prior to any development occurring on the subject lands identified on Schedule 'B' as Special Policy Area 2, the following requirements must be met to the satisfaction of the Ministry of Environment and the Township of Beckwith:

- Completion of a detailed conceptual model of the area in the vicinity of the Levine landfill site and the Beckenridge subdivision, and additional fieldwork (to include but not be limited to borehole core logging, downhole borehole geophysics and hydraulic testing) to characterize the fractured bedrock formations in the area;
- Completion of a 3-D numerical model that incorporates fracture flow and transport concepts in fractured rock to assess the potential for

contaminant transport from the Levine landfill site towards the Beckenridge subdivision;

- Installation of a monitoring well(s) between the Levine landfill site and the Beckenridge subdivision with regular monitoring for water quality and to validate model predictions;
- Completion of a long-term pumping test (2 weeks in duration) at test well TW3-1 and monitoring of groundwater levels and groundwater quality in a minimum of four (4) observation wells;
- Preparation of a report presenting the results of the aquifer testing, fractured bedrock characterization investigations and groundwater quality monitoring. The report will include a discussion of the site conceptual model and the 3-D numerical groundwater flow model used to predict migration of groundwater contaminants originating at the Levine landfill site. The report will also include recommendations regarding future groundwater monitoring;
- Completion of a hydrogeological report and terrain analysis assessment to determine the impact of nitrates on the groundwater from septic systems; and
- Completion of a Certificate of Well Compliance for the drilling of each well.

Special Policy Area 3

The former Levine Landfill site is located on Part of Lot 13, Concession 10, as identified on Schedule 'B'. No development will be permitted on these lands. The only permitted activities within this area will be those related to groundwater monitoring. Any site remediation will only be undertaken with the prior approval of the Ministry of the Environment and the Township of Beckwith. Any other proposed use of these lands will require an amendment to the Official Plan. Prior to initiating an amendment to the Official Plan, a terms of reference which will set out the required supporting studies will have to be prepared in consultation with the Ministry of the Environment and the Township. The required supporting studies must be submitted with the application for amendment.

All study requirements and pump testing for Special Policy Area 1, Special Policy Area 2, or Special Policy Area 3, as identified above, shall be completed in consultation with the Ministry of the Environment (MOE) and the Health Unit. No development shall occur unless Council is satisfied that the above information, and any subsequent information submitted, sufficiently concludes that an adequate supply of potable water will be available.

Council will require the use of development controls under the Planning Act to ensure that development within the Special Policy Areas occurs to its satisfaction and that the conclusions and recommendations of the above mentioned studies are implemented.

These controls may include conditions of approval on consent applications, conditions of approval for plans of subdivision, site plan approvals, and development agreements as appropriate.

Prior to development proceeding within the Special Policy Area, an amendment to the Zoning By-law will be required.

5.6 Expansions to Community Development Areas

The Township may identify a new community development area or allow for the expansion of a community development area boundary only at the time of a comprehensive review and only where it has been demonstrated that:

1. Sufficient opportunities for growth are not available through intensification, redevelopment and designated growth areas to accommodate the projected needs over the identified planning horizon;
2. The infrastructure and public service facilities which are planned or available are suitable for the development over the long term and protect public health and safety;
3. In prime agricultural areas:
 - a. the lands do not comprise specialty crop areas;
 - b. there are no reasonable alternatives which avoid prime agricultural areas;
 - c. there are no reasonable alternatives on lower priority agricultural lands in prime agricultural areas; and
4. Impacts from new or expanding community development areas on agricultural operations which are adjacent or close to the community development area are mitigated to the extent feasible.

In determining the most appropriate direction for expansions to the boundaries of settlement areas or the identification of a new community development area the Township shall consider and apply all the policies related to natural heritage features, natural resource protection, cultural heritage protection and protection of public health and safety.

SECTION 6

LAND USE POLICIES - RURAL AREAS

The rural areas constitute the remainder of the Township, excluding the community development areas. The following land use designations are provided for the rural areas: Agriculture, Mineral Aggregate, Flood Plain, Wetlands, Rural, Mobile Home Park, Wrecking Yard, Airport, Waste Disposal Site and Hauled Septage Disposal Site. The policies for these various land uses are set out below.

6.1 Agriculture

6.1.1 Permitted uses in the Agriculture designation will be limited to:

- 1) agricultural uses, including the growing of crops, including nursery and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including accommodation for full-time farm labour when the size and nature of the operation requires additional employment;
- 2) agriculture-related commercial and agriculture-related industrial uses that are small scale and directly related to the farm operation and are required in close proximity to the farm operation; and
- 3) secondary farm occupations, including home occupations, home industries, bed and breakfast operations, agri-tourism uses and uses that produce value-added agricultural products from the farm operation on the property.

6.1.2 Land may be removed from the Agriculture designation for the following purposes:

- 1) the expansion of Community Development Area boundaries at the time of a comprehensive review of the Official Plan;
- 2) mining or quarry operations, subject to the policies in Section 6 of this Plan; or
- 3) limited non-residential uses, provided that:
 - (a) the land does not comprise a specialty crop area;
 - (b) there is a demonstrated need for additional land to be designated within the planning horizon for the proposed use;

- (c) there are no reasonable alternative areas that avoid Agriculture lands; and
 - (d) there are no alternative areas in the Agriculture designation consisting of lower capability agricultural soils to accommodate the proposed use.
- 6.1.3 In considering an amendment to the Agriculture designation, Council will consult with the Ministry of Agriculture and Food.
- 6.1.4 All new or expanding farm and applicable non-farm developments shall comply with the Minimum Distance Separation formulae. This policy may have implications for land use designations other than Agriculture.
- 6.1.5 Severances for agricultural purposes may be permitted if the consent is intended to consolidate or re-divide good agricultural lands, and provided that both the retained and severed lots are generally at least 39 hectares (96 acres) in size and appropriate for the agricultural activity in the area and agricultural practices in the long run. In determining the appropriateness, consideration will be given to the capability, flexibility, suitability and viability of both the severed and retained farm parcels, and the Ministry of Agriculture and Food should be consulted in this regard.
- 6.1.6 Agriculture-related commercial and agriculture-related industrial uses will be encouraged to consolidate into groups and locate within, or adjacent to Community Development Areas or on lower quality agricultural land. Such uses will be zoned appropriately in the Zoning By-Law.
- 6.1.7 Farm-related severances will only be permitted for the following:
 - 1) an existing residence that is surplus to a farming operation resulting from a farm consolidation, provided that the minimum lot area is 0.6 hectares (1.5 acres) and no new residential dwelling is permitted on any additional vacant remnant parcel that may be created by the severance;
 - 2) an agricultural-related business and service use subject to Section 6.1.1 of this Plan, and provided that any new lot is limited to the minimum size needed to accommodate the proposed use and appropriate private water and sewage services; and
 - 3) public uses and utility corridors in cases where easements or rights-of-way are not appropriate.
- 6.1.8 An existing lot of record in the Agriculture designation may be used for residential purposes in accordance with the relevant provisions of the Zoning By-Law provided the lot complies with the Minimum Distance Separation Formulae and other relevant policies of this Plan.

6.1.9 New farm-related severances and any new or expanding non-farm use shall not limit normal farm practices and shall comply with the Minimum Distance Separation formulae.

6.1.10 Notwithstanding the policies in Section 6.1.7 of this Plan, the creation of non-farm residential lots in the Agriculture designation shall be prohibited.

6.2 Mineral Aggregate

6.2.1 Mineral Aggregate areas include sand, gravel and limestone resources. These resources have been identified in studies by the Ministry of Natural Resources. It is the intention of Council to protect mineral aggregate resources as much as possible for long-term use and to ensure that the resources are utilized in accordance with proper controls.

6.2.2 On the Land Use Schedule, the areas designated as Mineral Aggregate have been further identified as Pit or Quarry. These designations include both existing licensed operations as well as reserve areas. In the areas identified as Mineral Aggregate - Pit, only pit operations together with accessory uses such as crushing facilities, stockpiles and screening operations will be permitted. Within the areas identified as Mineral Aggregate - Quarry, pit and quarry operations will be permitted together with accessory uses such as crushing facilities, stockpiles and screening operations. Asphalt plants, ready-mix concrete plants and aggregate transfer stations may be permitted within the land designated as Mineral Aggregate - Quarry but will require site specific zoning in the Zoning By-law. Within the reserve areas, interim land uses such as agriculture, forestry and outdoor recreation uses may be permitted provided that these do not include buildings or activities which would preclude the establishment of a pit or quarry.

6.2.3 For the areas designated as Mineral Aggregate - Quarry, the area to be zoned or licensed must be located within the boundaries of the designation shown on Schedule 'A'. Any proposal to expand beyond these limits will require an amendment to the Official Plan. For the areas designated as Mineral Aggregate - Pit, the area to be zoned or licensed may extend beyond the boundaries of the designation shown on Schedule 'A' provided such expansion is reasonable, respects any separation distances and does not encroach on existing uses in the area.

6.2.4 The concept of an influence area is recognized as a means to provide mutual protection from encroachment by incompatible uses for either sensitive land uses or existing or proposed mineral aggregate operations. The extent of the influence area from the boundary of an existing or proposed Mineral Aggregate designation shall be at least 300 metres for a pit and 500 metres for a quarry. These distances may be increased without amendment to this Plan in order to address public health and safety concerns, environmental impacts, land use impacts, and any other adverse effects. In these areas, development which would preclude or hinder the establishment of new mineral aggregate operations or access to the resources will only be permitted if a Land Use Compatibility

Study, undertaken by a qualified professional, demonstrates that:

- 1) resource use would not be feasible;
- 2) the proposed land use or development will not prevent mineral resource extraction;
- 3) the proposed land use or development serves a greater long term public interest; and
- 4) public health and safety concerns, environmental impacts, land use impacts, and any other adverse effects are addressed and mitigated.

6.2.5 Generally, only existing licensed pit and quarry operations will be zoned in the Zoning By-law. The zoning will define the specific uses to be allowed as well as the zone requirements that will apply. Existing pits and quarries which are not designated as Mineral Aggregate in the Official Plan may be zoned as such in the Zoning By-law provided that Council is satisfied that such zoning is appropriate.

6.2.6 Within the areas designated Mineral Aggregate in the Official Plan, the establishment of a new pit or quarry or the expansion of an existing operation onto lands not zoned for such use shall require an amendment to the Zoning By-law.

6.2.7 The lands within the Mineral Aggregate designation which are not zoned for a pit or quarry will be placed in an appropriate zone category which will protect the lands from any incompatible development.

6.2.8 The Township is designated under the Aggregate Resources Act. All pit and quarry operations must be licensed by the Ministry of Natural Resources and must meet the requirements of that Act. Through the licensing procedure, Council may recommend to the Ministry of Natural Resources that certain conditions be placed on the licence.

6.2.9 All pits and quarries must satisfy the requirements of the Ministry of the Environment with respect to pumping and dewatering, water supply, waste water, solid and liquid waste disposal, dust and all emissions to the atmosphere including noise and vibrations.

6.2.10 Small pit operations (Class B licence) which remove up to a maximum of 20,000 tonnes of material per year will also be permitted within the Rural Land and Agriculture categories in the Official Plan. Such operations normally provide material where demand for aggregate is not large. It is intended that by limiting the amount of material per year to 20,000 tonnes that this type of operation can proceed and should have very minimal impact on surrounding uses. Any such pit must be zoned in accordance with the appropriate zone category in the Zoning By-law. Such operations must also be licensed by the Ministry of Natural Resources, meet with the requirements of the Ministry of the Environment and

Energy comply with any other relevant provisions of this Plan. Any pit operation which exceeds the limit of 20,000 tonnes per year which is not within an area designated Mineral Aggregate will require an amendment to this Plan.

6.2.11 The removal of part of the Mineral Aggregate designation from the Schedule will require an amendment to this Plan. Such an amendment will provide justification for the change in designation and clearly demonstrate and document the need for the alternate land use. In considering such amendments, Council will consult with the Ministry of Natural Resources and shall take into account the following:

- (i) evidence provided by the applicant that aggregate extraction is not feasible due to quality, quantity or other development constraints;
- (ii) the necessity of the alternate land use in comparison to the necessity of the mineral aggregate resource;
- (iii) the reason for the choice of the location and consideration given to alternate locations on non-aggregate lands;
- (iv) the consideration given to the option of sequential land use in which the mineral aggregate is removed prior to development of land for the proposed use.

6.2.12 Pits, quarries and related facilities except for short form pits and wayside operations are only permitted within the areas designated as Mineral Aggregate in accordance with the policies of this Section. The establishment of any new Mineral Aggregate areas will require an amendment to the Official Plan. In proposing any such amendment, the applicant must provide sufficient information for Council and the Ministry of Natural Resources to properly evaluate the proposal. The information that the applicant must provide may include, but not necessarily be limited to, the following:

- (i) the compatibility of the proposed development with existing and planned land uses within a 500 metre radius;
- (ii) location of access and haulage routes, including consideration of upgrading of existing roads and truck traffic impacts on Community Development Areas or the residents along those routes;
- (iii) reports from qualified professionals regarding noise, blasting, hydrogeology, drainage, environmental impact, archaeological assessment and any other relevant matters; and
- (iv) mining or quarry plans and supporting information related to site development, landscaping and buffering, operations, decommissioning and progressive and final site rehabilitation.

6.2.13 All relevant First Nations communities shall be consulted for input where any archaeological assessment, submitted in support of an Official Plan amendment

that proposes to establish any new Mineral Aggregate area, indicates areas of First Nations interest or potential for encountering First Nations artifacts.

6.2.14 In the Agriculture designation, the extraction of mineral aggregates may be permitted as an interim use provided that the site is rehabilitated with substantially the same area and soil capability for agriculture being restored. Complete agricultural rehabilitation may not be required only if it is demonstrated that:

- 1) there is a substantial quantity of mineral aggregate below the water table warranting extraction;
- 2) the depth of planned extraction in a quarry makes restoration of pre-extraction agricultural capability unfeasible;
- 3) other alternatives have been considered by the applicant and found to be unsuitable; and
- 4) agricultural rehabilitation in the remaining areas will be maximized.

6.2.15 The proponent of the mineral aggregate operation shall undertake progressive and final site rehabilitation in accordance with Provincial Regulations.

6.3 Highway 7 Corridor

- 1) Permitted uses on lands designated Highway 7 Corridor shall include:
 - (a) agricultural related business and service uses;
 - (b) research and development, technology, office, administrative, professional and technical service uses;
 - (c) limited highway commercial uses that require large sites and have extensive parking, loading and storage requirements; and
 - (d) accessory retail and service commercial uses.
- 2) Prior to future developments being considered, a secondary plan shall be prepared by the Township in partnership with affected landowners and in consultation with the Ministry of Transportation that addresses such matters as:
 - (a) land assembly requirements;
 - (b) proposed lot patterns, land uses and zoning considerations;
 - (c) service road access to individual landholdings;
 - (d) traffic circulation patterns and impacts;

- (e) compatibility with existing, planned or adjacent land uses;
 - (f) on-site and off-site servicing requirements and impacts;
 - (g) provisions for landscaping, buffering, exterior lighting, parking, loading, fencing, storage and signage;
 - (h) architectural design treatments; and
 - (i) timing and phasing of proposed development.
- 3) The preparation of the secondary plan and the consideration of future proposed developments shall be guided by the following:
- (a) rationalization of land ownership patterns is encouraged to create appropriately sized parcels and lot patterns;
 - (b) service road access to individual landholdings is a primary consideration in the context of reorganizing ownership patterns and facilitating future development;
 - (c) plans of subdivision shall be the preferred means of land division;
 - (d) proposed developments shall be of a high quality in terms of building and site design, which shall be established through architectural design and landscaping plans and guidelines;
 - (e) adequate buffering, in the form of fencing, berming and landscaping, shall be required to minimize potential impacts between existing, planned or adjacent land uses;
 - (f) adequate parking and loading facilities shall be provided;
 - (g) exterior lighting of any building or parking area shall be designed to deflect glare from adjacent properties; and
 - (h) servicing shall meet the requirements of the appropriate approval authority.
- 4) The Township shall not consider any development applications for Zoning By-Law Amendments or draft plans of subdivision within the Highway 7 Corridor until the secondary plan has been approved and implemented, either through an Official Plan Amendment, Zoning By-law amendment, or a combination of both.

6.4 Flood Plain

- 6.4.1 Lands designated as Flood Plain include those lands in the Township that are mapped by the local Conservation Authorities and are susceptible to flooding. It

is recognized that not all flood plain areas are identified on Schedule 'B'. Where a proposed development is proximate to a known flood plain for which a flood line study has not been completed, the proponent may be required to undertake a flood line study in accordance with Provincial Regulations and Guidelines.

- 6.4.2 The floodplain around Mississippi Lake is based on the “Two Zone” flood hazard delineation. On Mississippi Lake, the Floodway and Flood Fringe are defined as follows:

Flood Fringe: The outer portion of the floodplain between the Floodway and the 1:100 regulatory flood line. For Mississippi Lake, the Flood Fringe is defined as all areas around the lake between 135.0 meters and 135.6 metres elevation.

Flood Way: The hazardous portion of the floodplain where water flows during flood conditions are expected to be greatest and would cause danger to public health and safety, or property damage. For Mississippi Lake, the Floodway is defined as all areas around the lake that fall below the elevation of 135.0 metres.

6.4.2.1 Flood Fringe

Within the flood fringe, permitted uses include those allowed in the abutting designation where it has been demonstrated that such development can occur safely and with no adverse impacts.

Development and site alteration in the Flood Fringe is subject to the permit requirements of the Mississippi Valley Conservation Authority in order to address flood proofing requirement and ensure safe access.

Uses not permitted within the flood fringe include: any institutional use associated with hospitals, nursing homes, pre-school, schools, nurseries, and day-cares; essential emergency services such as fire, police and ambulance stations, and electrical sub-stations; and uses associated with the disposal, manufacturing, treatment or storage of hazardous substances.

Existing buildings, structures or private sewage disposal systems which are damaged or destroyed by flooding may only be repaired or reconstructed if approved flood proofing techniques are used to the satisfaction of the public body having jurisdiction, or Council. Council will encourage property owners to relocate such buildings or structure outside the floodplain where there is sufficient land available for such relocation.

Minor extensions or enlargements of existing habitable or occupied buildings located in the flood fringe, other than those listed as permitted above, may be permitted where it is clearly demonstrated to Council and the relevant Conservation Authority, through engineering or other studies, that the flood hazard can be overcome. Such measures may include flood proofing, ensuring that any openings are located above the flood elevation, and ensuring safe access in the event of a flood.

6.4.2.2 Flood Way

Within the flood way, permitted uses are limited to uses which by their nature must locate within the flood plain, including flood or erosion control structure; ancillary facilities which are passive, non-structural, and do not adversely impact the floodplain; minor additions to existing uses.

Uses not permitted within the flood way include: any institutional use associated with hospitals, nursing homes, pre-school, schools, nurseries, and day-cares; essential emergency services such as fire, police and ambulance stations, and electrical sub-stations; and uses associated with the disposal, manufacturing, treatment or storage of hazardous substances.

Existing buildings, structures or private sewage disposal systems which are damaged or destroyed by flooding may only be repaired or reconstructed if approved flood proofing techniques are used to the satisfaction of the public body having jurisdiction, or Council. Council will encourage property owners to relocate such buildings or structure outside the flood way where there is sufficient land available for such relocation.

Minor extensions or enlargements of existing habitable or occupied buildings located in the floodplain, other than those listed as permitted above, may be permitted where it is clearly demonstrated to Council and the relevant Conservation Authority, through engineering or other studies, that the flood hazard can be overcome. Such measures may include flood proofing, ensuring that any openings are located above the flood elevation, and ensuring safe access in the event of a flood.

6.4.3 For those areas designated Flood Plain which are located along the Mississippi River downstream from the Highway No. 7 bridge, the following policies will apply:

- (i) No development will be permitted within the flood plain except for flood or erosion control structures, shoreline stabilization, water intake facilities and minor recreational facilities such as docks and boathouses. Uses such as agriculture, forestry, conservation, wildlife management and similar activities will be permitted provided that no associated buildings and structures are located on the flood plain.

6.4.4 For those areas designated Flood Plain along the Jock River, the following policies will apply.

- (i) No development will be permitted within the flood plain except for flood or erosion control structures and shoreline stabilization. Uses such as agriculture, forestry, conservation, wildlife management and similar activities will be permitted provided that no associated buildings and structures are located on the flood plain.

- (ii) Minor changes to the boundary of the flood plain may be considered without an amendment to this Plan provided that the applicant can demonstrate to the satisfaction of Council and the Rideau Valley Conservation Authority that such changes are appropriate.

6.4.5 Where any new or additional engineered flood line mapping is available, it will be included in the Official Plan by amendment.

6.4.6 In any area designated Flood Plain, it will be the policy of Council to encourage the retention of natural vegetation.

6.4.7 All development, including the placement or removal of fill, in any area designated Flood Plain will require the approval of the appropriate Conservation Authority.

6.5 Rural Land

Lands designated as Rural Land represent the balance of the rural area after excluding the resource and environmental land use designations. Within these areas, a variety of land uses will be permitted including uses within the Agriculture designation, as well as residential, commercial, industrial and outdoor recreation uses.

The policies for residential, commercial, industrial development and outdoor recreation are set out below.

Not all Rural Land is equally suitable for development. Local conditions such as bedrock at surface, poor drainage, organic soils or high water table may make certain areas undesirable for development. Council will discourage the use of lands that would require substantial changes and improvements before development could occur.

6.5.1 Rural Residential

6.5.1.1 General Policies for Rural Residential

- (i) Rural residential uses will generally be limited to single family dwellings. The conversion of existing single family dwellings into two family dwellings may be permitted in accordance with the provisions of the zoning By-law.
- (ii) The creation of lots may take place by severance and by subdivision in accordance with the policies set out in Section 4. Plans of subdivision in areas designated as Rural Land will be limited to a maximum of 25 lots. Any proposal to expand beyond 25 lots will require an amendment to the Official Plan. In considering such amendment, Council will take into account the amount of undeveloped land with the Community Development Areas, the actual growth rate of the municipality in relation to the growth projections and the potential demand for the new lots

proposed, as well as all of the other relevant criteria as set out in this Plan. Within the Special Service Area shown on Schedule 'B', new rural residential subdivisions will not be permitted.

- (iii) Rural residential development will be in accordance with the other relevant policies of this Plan, including the Minimum Distance Separation formulae.
- (iv) It is the intent that rural residential development be located so that the impact on natural heritage features will be minimal.
- (v) It is anticipated that there may be proposals for multiple residential development in the rural area from time to time. Council will consider such proposals for exceptional circumstances such as a multiple residential development related to a major recreational facility or public or private senior citizens projects. For any such proposal, the applicant must provide an engineer's report which sets out the recommendations for development on private services. The applicant may be required to provide such things as test wells, a hydrogeological study, detailed design or other information as determined by Council in consultation with the Ministry of the Environment and the Health Unit. Where any proposed development is intended to involve condominium ownership or other ownership method where the Ministry of the Environment requires the municipality to be a party to the operating agreement, the municipality will not sign the agreement or enact the amending By-law until Council is satisfied that the proposed private services will be of the highest reasonable standard to ensure the reliable functioning of the systems in the future and that satisfactory financial arrangements have been made between the developer and the municipality to ensure that the Township will not incur the cost of repair or replacement of these systems. The Ministry of the Environment may require municipal ownership of communal water and/or sewage system works.
- (vi) There is rural residential development around Mississippi Lake that does not have frontage on a public street. Such areas may be zoned in an appropriate zone category to recognize this condition. Development of existing vacant lots on private roads may be permitted subject to the provisions of the Zoning By-law.

6.5.1.2 Special Policy Areas for Rural Residential

(1) Gardiner Shore

Gardiner Shore began as an unplanned cottage area on Mississippi Lake and has evolved into a mixed cottage and permanent residential area. It is anticipated that, over time,

Gardiner Shore will become a lake-oriented rural residential community. While there is already an established pattern of development, the creation of a planning framework is essential in order to guide this transition for the future. This planning framework will ensure the incremental improvements which will benefit not only the existing and future residents of this community but the municipality as well. The following policies will guide future development within Gardiner Shore.

- (i) The initial lot creation will only be permitted by plan of subdivision. The entire subdivision may be registered as one phase. After the subdivision is registered, consents may be considered for lot line adjustments or to effect the consolidation of properties.
- (ii) A maximum of 89 residential lots will be permitted within the Gardiner Shore community. Single detached dwellings only will be permitted.
- (iii) Servicing will continue to be on the basis of private water and sewage disposal systems. New or replacement water and sewage disposal services will be on the basis of on-site individual systems. Improvements to the servicing systems will be encouraged. Any such improvements must be undertaken in accordance with the recommendations set out in the hydrogeological report and will be subject to the approval of the municipality or its agent. Conditions relating to servicing will be incorporated into the subdivision agreement.
- (iv) Lot configurations in the subdivision will reflect the following criteria:
 - sufficient area for on-site services
 - frontage on a public road
 - provision of reasonable side yards
 - retention of the middle tier (Centre Block) as one block.
- (v) The roads within the subdivision will be dedicated as public roads. The right-of-way width of the Gardiner Shore Road will be 20 metres wherever possible. Where the right-of-way width is less than 20 metres, road widenings will be encouraged when opportunities arise. It is anticipated that a road widening will be possible when the Centre Block is phased out. Road widenings may also be achieved through dedications on site plans. The Lower Gardiner Shore Road will have a right-of-way of 9 metres which reflects the ultimate disposition of this road. It is intended that when the Centre Block is vacant, the Lower Gardiner

Shore Road will be closed and removed. Any surplus land after the road widening may be conveyed as lot additions to abutting lots.

- (vi) The subdivision roads will be maintained by the lot owners. The subdivision roads will be assumed by the municipality only if the roads are upgraded to a standard acceptable to the Council. The specific details regarding maintenance and possible eventual assumption by the municipality will be set out in the subdivision agreement.
- (vii) The middle tier of dwellings which is shown as the Centre Block on the plan of subdivision will be phased out over time. This portion of the property will be retained as one block on the plan. Nine new residential lots are being created along Gardiner Shore Road for the eventual replacement of the dwellings in the Centre Block. The nine lots will be zoned with a holding provision in the Zoning By-law. Council will not enact a By-law removing the holding provision until documents are provided which establish that the owner of such new lot assumes the responsibility for the removal of a dwelling within the Centre Block and provides to the municipality an appropriate financial security to guarantee the removal.
- (viii) Access to the water for the back lots in the subdivision will be provided by the Park Block, easements or water access blocks. The ownership of these user-in-common lands and the rights of the property owners to such lands will be set out in the subdivision agreement.
- (ix) A condition of subdivision approval will be the rezoning of the lands into appropriate zone categories. Special zoning provisions will need to be created for the residential lots. The Park Block will be zoned as Open Space. The Centre Block will be zoned appropriately to reflect the long term objective of the removal of the dwellings and the dedication of the lands for road widening and lot additions. Zoning provisions that encourage lot consolidation will also be considered.
- (x) The Gardiner Shore Community is included as a site plan control area. Any development or redevelopment may require a site plan as a condition for approval.
- (xi) The shoreline of Mississippi Lake is designated "Flood Plain". Many of the lots created by means of the subdivision will include an area in this designation and will be affected by the policies of this designation.

6.5.2 Commercial

Most commercial development will take place in the areas designated as commercial nodes or as commercial areas within the community development areas. However, it is anticipated that there will still be a need for small scale commercial development in the rural area. As well, there will be resort commercial development associated with Mississippi Lake and River or with other significant recreational facilities. Commercial uses will be allowed in the Rural Land designation in accordance with the policies outlined below.

- (i) Small scale commercial uses should provide services to residents, businesses or the travelling public such as vehicle sales and service, antique shops, automobile service stations and similar uses. Resort commercial uses should be related to a natural or man-made tourist attraction.
- (ii) The use must be appropriate for the proposed location.
- (iii) Access to commercial uses will be carefully controlled in order to avoid creating any traffic hazard. Generally there should be no more than two access points per lot.
- (iv) Adequate off-street parking and loading spaces will be provided.
- (v) Advertising devices and outdoor storage of goods and materials will be strictly controlled.
- (vi) Commercial development will be in accordance with the other relevant policies of this Plan, including the Minimum Distance Separation formulae and Ministry of Environment Guidelines. Commercial uses will be placed in a separate zone category in the Zoning By-Law.
- (vii) Tent and trailer parks will be permitted as a resort commercial type of development. Tent and trailer parks include seasonally operated parks for the accommodation of tents and recreational vehicles together with accessory facilities such as convenience stores and services catering to the day to day needs of the visitors. The following policies will apply to tent and trailer parks.
 - (a) The site development standards such as lot area, density, campsite area, frontage and others, will be established in the Zoning By-law.
 - (b) Adequate buffering will be provided between the tent and trailer park and any adjacent residential uses.
 - (c) Adequate parking for users as well as visitors will be provided on site.

- (d) Water and sewage disposal services for the park must be provided in accordance with the requirements of the Ministry of the Environment.
- (e) New tent and trailer parks will require an amendment to the Zoning By-law.
- (f) The applicant will submit a site plan for the proposed park which must be approved by Council before an amending By-law is enacted.

6.5.3 Industrial

Most industrial development will take place within the areas designated as Industrial Parks or as industrial areas within the community development areas. However, it is anticipated that certain types of industrial uses can be located in the rural area. Industrial uses will be allowed in the Rural Land designation in accordance with the policies outlined below.

- (i) The industrial uses permitted will be of the type that do not require large quantities of water and do not pose problems for the disposal of wastes. They should be oriented to the local economy such as those which use local resources or serve local businesses and residents such as sawmills, feedmills, processing of agricultural produce, open storage, farm service businesses and similar uses.
- (ii) The use must be appropriate for the proposed location.
- (iii) Access to the industrial uses will be carefully controlled in order to avoid creating any traffic hazard. Generally there should be no more than two accesses per lot.
- (iv) Adequate off-street parking and loading spaces will be provided.
- (v) Advertising devices and outdoor storage of goods and materials will be strictly controlled.
- (vi) Industrial development will be in accordance with the other relevant policies of this Plan, including the Minimum Distance Separation formulae and Ministry of Environment Guidelines. Industrial uses will be placed in a separate zone category in the Zoning By-Law.

6.5.4 Outdoor Recreation

- (i) Outdoor recreation uses may include golf courses, country clubs, snowmobile clubs, nature study activities and other such uses.
- (ii) Outdoor recreation development will be in accordance with the other relevant policies of this Plan, including the Minimum Distance Separation

formulae.

- (iii) Adequate off-street parking and loading spaces will be provided.

6.6 Mobile Home Park

- 6.6.1 A mobile home park will mean a property developed for the placement of mobile homes on permanent foundations. Uses which are incidental to a mobile home park including a park management office, accessory commercial uses such as convenience stores, recreational facilities, laundromat, storage facilities, and other similar uses will be permitted. Mobile home parks will be subject to the following policies.
- 6.6.2 The establishment of a new mobile home park will require an amendment to the Official Plan and Zoning By-law.
- 6.6.3 Mobile home parks may be developed either as a single entity or on a freehold basis.
- 6.6.4 Where a park is a single entity, ownership and maintenance of the roads, servicing systems, snow clearance, garbage collection, landscaping, and other amenities and services will rest with the management of the park.
- 6.6.5 Sewer and water services may be provided either on a communal or individual basis in accordance with the requirements of the Ministry of the Environment. The provision of communal sewer and water services at the park will be contingent upon agreement for future municipal ownership and appropriate responsibility and operating agreements for such services.
- 6.6.6 Internal roads will be built to municipal standards.
- 6.6.7 All mobile home sites will have frontage on an internal road.
- 6.6.8 Where the park is a single entity, development will take place in accordance with a site plan approved by the municipality. Where the park is on a freehold basis, development will take place by plan of subdivision. A site plan agreement or a subdivision agreement as the case may be, will be required.
- 6.6.9 Lot area, density, site size, yard requirements, parking requirements and other such matters will be regulated through the implementing Zoning By-law.
- 6.6.10 A minimum of 5% of the total area of the park should be provided in a consolidated form for recreational purposes.
- 6.6.11 Generally mobile home parks should be located within a reasonable distance from existing communities.

6.7 Wrecking Yard

- 6.7.1 Wrecking yards will be located an adequate distance away from any existing or proposed residential, commercial, institutional or park uses. The actual separation distance may vary depending on topography, intervening land uses or natural buffering. Site specific distances will be established in the Zoning By-law.
- 6.7.2 The wrecking yard will be adequately screened on all sides either naturally or by artificial means so that no portion of the operation, including the storage area, is visible from a public road.
- 6.7.3 The wrecking yard will not cause or contribute to the pollution of any watercourse or designated Wetland.
- 6.7.4 An accessory dwelling for the owner of the wrecking yard will be permitted.
- 6.7.5 All wrecking yards will be licenced by the Municipality.
- 6.7.6 An amendment to the Official Plan and Zoning By-law will be required to establish a new wrecking yard. A new wrecking yard will only be considered in a Rural Land designation.

6.8 Airport

The Airport designation will permit a public or private airport which is used primarily for commercial or recreational purposes. Any related facilities which are normally incidental to the operation of an airport will also be permitted.

- 6.8.1 Site specific standards and uses for airports will be established in the Zoning By-law.
- 6.8.2 The Zoning By-law will also establish appropriate controls in the vicinity of the airport to restrict land use and provide limits on the height of buildings and structures in accordance with Ministry of Transport regulations.
- 6.8.3 The establishment of a new airport will require an amendment to this Plan.

6.9 Waste Disposal Site

- 6.9.1 Waste disposal sites will be located an adequate distance away from any Wetland or any existing or proposed residential, commercial, institutional or outdoor recreation uses. A report from a qualified professional which establishes appropriate separation distances based on site specific considerations will be required for new waste disposal sites.
- 6.9.2 All waste disposal sites will be located so that contamination of any water supply does not occur.

- 6.9.3 All waste disposal sites will be set back a sufficient distance from a public road so that all functions related to the operation of the site can be carried on within the site so that there is no unsightly appearance visible from the road.
- 6.9.4 All waste disposal sites will be located so that ingress and egress points do not create a traffic hazard.
- 6.9.5 All waste disposal sites no longer in use will be rehabilitated to the standards required by the Ministry of the Environment. No use will be made of land used as a waste disposal site within a period of twenty-five years from the year in which such land ceased to be used, without prior approval of the Ministry of the Environment.
- 6.9.6 All waste disposal sites will be operated and maintained in accordance with the standards set by the Ministry of the Environment.
- 6.9.7 The establishment of a new waste disposal site will require an amendment to the Official Plan and Zoning By-law.
- 6.9.8 Generally, no new development shall be permitted within 500 metres of the perimeter of a fill area of an open or closed waste disposal site. On the basis of site specific studies carried out by a qualified professional and in accordance with Ministry of the Environment Guideline D-4: Land Use on or Near Landfills and Dumps, this distance may be reduced in accordance with the recommendations of such studies without the need to amend this Plan.

6.10 Hauled Septage Disposal Site

- 6.10.1 Septage means waste removed from a cesspool, a septic tank system, a privy vault or privy pit, a chemical toilet or portable toilet.
- 6.10.2 The establishment of a hauled septage disposal site will require an amendment to the Official Plan and Zoning By-law. In considering any proposed amendment, Council will be guided by the following criteria:
 - (i) No sites will be permitted within 450 metres of a Community Development Area, 200 metres of any residential or institutional development including associated wells, within 30 metres of public roads, within 100 metres of surface waters such as lakes and rivers or within 150 metres of designated Wetlands. These distances may be varied depending on site specific conditions or septage application procedures;
 - (ii) All sites will be located a reasonable distance from existing or proposed commercial or other use requiring the installation of a well;
 - (iii) All sites will be located so that pollution of any watercourse or the groundwater does not occur;

- (iv) All sites will be adequately screened on all sides either naturally or by artificial means and such screening will apply to all open storage areas and disposal site operations;
- (v) All sites will be located so that ingress and egress points do not create a traffic hazard;
- (vi) Council will consult with the Ministry of the Environment for any such amendment.

6.10.3 All hauled septage disposal sites must be approved, operated and maintained in accordance with the requirements of the Ministry of the Environment.

SECTION 7

ROADS

A safe, convenient and functional road network is of great importance to the municipality. It is especially important to the residents for the delivery of municipal services such as road maintenance, snow plowing, school bus service, fire protection, police protection and garbage collection. It is therefore a policy of this Plan to work toward the maintenance and improvement of the road system within the financial capability of the Township and in cooperation with the County of Lanark and the Ministry of Transportation. The various types of roads in the municipality and the policies relating thereto are set out below.

7.1 Provincial Highways

Highways No. 7 and No. 15 in the Township of Beckwith are Special Controlled Access Highways. Highway No. 7B is classed as a Major Access. These highways are under provincial jurisdiction and subject to the Ministry of Transportation policies and regulations.

Entrances serving any home occupation, industry or business located adjacent to a provincial highway require approval of the Ministry of Transportation. Typically, the Ministry of Transportation will require that the property owner obtain an entrance permit and a sign permit if necessary. As a condition of these permits, the Ministry of Transportation requires the property owner to acknowledge that the use of their existing entrance cannot be converted to a commercial entrance in the future and that an additional entrance will not be permitted to accommodate the home occupation, industry of business. In addition, the Ministry of Transportation would not support a future severance that would result in a separate entrance to a business and one for the retained parcel.

7.2 County Roads

County Roads 10 and 17 presently serve the Township of Beckwith. County Road 10 traverses the southern part of the Township passing through the community of Franktown. County Road 17 presently runs between Lots 20 and 21, north from County Road No. 10.

Where development is proposed adjacent to a County road, permission for an entrance must be obtained by the County in accordance with the policies of this Plan.

7.3 Local Roads

The Township roads identified on Schedule 'A' are under municipal jurisdiction and are maintained year round. Direct access to these roads will only be permitted in locations which can accommodate traffic in a safe manner. Where sight deficiencies exist

because of curves or grades, no new access will be permitted unless the applicant corrects the deficiency in a manner acceptable to the municipality, at his own expense.

The Official Plan designates Township roads as either Primary Local Roads or Secondary Local Roads. The Primary Local Roads include the Ninth Line Road; the Seventh Line Road from Highway No. 15 to the westerly limit of the Township; the Tenth Line Road from Highway No. 15 to Mississippi Lake and Lake Park Road from Highway No. 7 to Mississippi Lake. The remainder of the Township roads are Secondary Local Roads.

New entrances will not be established unless a permit is issued by the municipality. Where the Township determines that a culvert is necessary, it will be installed by the Township at the owner's expense or by the owner under the supervision of the road superintendent.

The Township has prepared a road needs study and a roads plan. These documents will be used to establish priorities for road improvements. The schedule of road improvements will be a consideration in reviewing development applications.

7.4 Private Roads

Where a private road exists within the municipality, there is no legal obligation on the part of the municipality to maintain, repair or otherwise service any development located on that private road or right-of-way. If a private road is reconstructed by landowners to the standards of the Ministry of Transportation for subsidy purposes and the road allowance on which it is located is deeded to the municipality, the Council may assume the road by By-law if it abuts an existing public road which is currently maintained year round.

Prior to undertaking any such work, the landowners will obtain the approval of Council. The work will be supervised by the Township and will be to the standards determined by the Municipality.

7.5 Road Widenings

It is the intention of Council that all roads under the jurisdiction of the Township eventually be widened to the proposed right-of-way width of 20 m, using such mechanisms as subdivision approvals, consent approvals and site plan control approvals. The maximum dedication which may be required for a road widening as a condition of site plan approval shall be 5 m, or the amount necessary to provide the proposed right-of-way width, whichever is less. Country roads within the Township may eventually be widened to a right-of-way width of 30 metres.

SECTION 8

PROPERTY MAINTENANCE

- 8.1 In order to encourage the rehabilitation of existing buildings and property, the municipality will endeavour to ensure that the detracting influence of substandard structures is minimized. If so required, the municipality may pass a By-law which prescribes standards for the maintenance and occupancy of property (Maintenance and Occupancy By-law). Before adopting the By-law, Council will hold a public meeting to provide an opportunity for interested persons to have input.
- 8.2 Any Maintenance and Occupancy By-law passed under the authority of the Planning Act will have regard to and will prescribe appropriate standards for the physical condition of yards and passageways including the accumulation of debris and rubbish and the physical condition of all buildings and structures.
- 8.3 Any Maintenance and Occupancy By-law may also require substandard properties to be repaired and maintained to comply with the standards, prohibit the use of substandard property and require the demolition and clearing of such property where the owner does not intend to repair and maintain it. Any Maintenance and Occupancy By-law may also prescribe appropriate standards for the protection and maintenance of cultural heritage resources that have been:
- (a) designated under the Ontario Heritage Act;
 - (b) protected by an easement under the Ontario Heritage Act;
 - (c) identified by senior levels of government; or
 - (d) endorsed by Council as having cultural heritage value.
- 8.4 Following the passage of a Maintenance and Occupancy By-law, the municipality will appoint a Property Standards Officer who will be responsible for administering and enforcing the By-law. The municipality will also appoint a Property Standards Committee for the purpose of hearing appeals against an order of the Property Standards Officer.
- 8.5 The measures to be used generally in achieving a property maintenance program would include an education and public relations program to show people the benefits of continued property maintenance, together with information showing that improvements can be made without increasing assessment.
- 8.6 Complementary to the enforcement of minimum standards on private properties, the municipality will undertake to keep in a fit and well-maintained condition all municipally-owned properties and structures, and to provide or maintain in good repair such municipal services as roads, sidewalks and other such facilities.

SECTION 9
IMPLEMENTATION

9.1 Zoning By-law

The Township of Beckwith has an approved comprehensive Zoning By-law.

When this Official Plan is approved, Council will enact a new Zoning By-law to implement the provisions of this Official Plan.

Zoning is the principal means for implementing an Official Plan. As set out in Section 34 of the Planning Act, the Zoning By-law will regulate the use of land, the erection and use of buildings and structures, yard requirements, parking and loading space requirements and other such matters.

9.2 Site Plan Control By-law

Various land uses as set out in this Plan are proposed site plan control areas.

For these areas, Council may pass a Site Plan Control By-law pursuant to the Planning Act. Where a Site Plan Control By-law is in effect, the applicant will submit for approval such plans or drawings as required by Council. The applicant may also be required to enter into an agreement with the municipality to provide and maintain those facilities required on the site plan. Such agreements may be registered against the land to which it applies.

9.3 Building By-law

The Building Code Act has been adopted by By-law as the Building By-law for the Township of Beckwith.

9.4 Maintenance and Occupancy By-law

Council may pass a Maintenance and Occupancy By-law for prescribing the standards for the maintenance and occupancy of property and for prohibiting the use of such property that does not conform to the standards.

9.5 Other By-laws

By-laws passed by Council under the authority of the Municipal Act or any other Act may implement the policies of this Plan. For instance, By-laws dealing with the regulation of derelict motor vehicles, wrecking yards, pits and quarries, trailers or signs may be passed by Council where considered appropriate. Any such By-law must conform to this

Official Plan.

9.6 Subdivision of Land

Council will use subdivision and consent approval processes to ensure control over the subdivision of land. All plans of subdivision and consent applications must conform to the requirements of this Plan. As part of the approval process, certain requirements may be imposed as a condition to the approval of a plan of subdivision or a consent and the owner may be required to enter into an agreement with the municipality before final approval.

9.7 Construction of Public Works

Certain policies of this Plan will be implemented through the construction of public works. No public works will be undertaken that do not conform to the intent and purpose of the Official Plan.

9.8 Land Acquisition

The municipality may acquire and hold land within the municipality for the purpose of developing any feature of the Official Plan. The municipality may also sell, lease or otherwise dispose of such land when no longer required.

9.9 Amendments

Amendments may be made to the Official Plan when such changes are warranted. The provisions of the Planning Act with respect to Official Plans apply similarly to amendments including the approval of the Minister or the Ontario Municipal Board as the case may be. When amendments are made to the Official Plan, appropriate amendments will also be made to implementing By-laws so that any such By-law is in conformity with the Plan.

9.10 Committee of Adjustment and Land Division Committee

When a Zoning By-law is in effect, a Committee of Adjustment may be appointed to rule on applications for minor variance from the provisions of the Zoning By-law. In granting a variance, the Committee will be satisfied that such variance is minor, is desirable for the appropriate development or use of the land, building or structure and that the intent and purpose of the Official Plan and Zoning By-law are maintained.

In addition, the Committee of Adjustment has the power to permit an extension or enlargement for a building or structure which is a non-conforming use. The Committee will have regard for the policies of Section 4.14 of this Plan in reviewing such applications.

The Land Division Committee for the County of Lanark has the power to grant consents to sever land within Beckwith Township. The Land Division Committee will follow the policies governing consents as well as any other relevant policies in this Plan.

9.11 Review Procedure

- 1) Council shall, not less than every five years after the Official Plan comes into effect, undertake a review of the Official Plan, hold a separate meeting open to the public and revise the Plan, as required, in accordance with the Planning Act. The revisions shall ensure that the Official Plan conforms to provincial plans, has regard to matters of provincial interest, and is consistent with the policy statements issued under Section 3 of the Planning Act.

9.12 Procedural Guidelines

From time to time, Council may adopt procedural guidelines in order to assist Council, municipal staff and the public in effectively dealing with such matters as subdivisions, consents and site plan. These guidelines will not form a part of the Official Plan.

9.13 Public Notification

The Planning Act provides the statutory requirements for giving notice of planning matters. Council may establish additional requirements for notification which will be set out in the procedural guidelines. On a case by case basis, additional notification over and above the statutory requirements and the Council procedural requirements may be considered. For those amendments to the Official Plan and Zoning By-law which are of a housekeeping nature (for example, typographical, grammatical or dimensioning errors, rearranging format or renumbering, consolidations, etc.), Council may forego public notification. This will not apply to any changes which would affect the policies or intent of the Official Plan.

9.14 Strategy

The Official Plan is for the most part implemented as a result of development proposals. The role of Council is to review and evaluate such proposals in the context of the Official Plan. There are, however, certain initiatives that Council can take to implement certain goals of the Official Plan. Some of the initiatives that Council may undertake include applications under the PRIDE program, the completion of the Franktown plan, the preparation of a municipal housing statement and the formation of an economic development commission.

9.15 Provincial Policy Statement

Council is committed to updating this Official Plan in accordance with section 26(1) of

the Planning Act. The purpose is to reflect new local direction on development and to ensure this Plan is consistent with the Provincial Policy Statement (PPS). Until this Plan is updated, Council shall recognize that where conflicts may arise in interpretation of this Plan, the PPS takes precedent.

9.16 Community Improvement

- 1) As set out in Section 28 of the Planning Act, Council intends to use Community Improvement Policies to plan for and coordinate physical improvements to the quality of existing development, community facilities and public services.
- 2) The Township shall be considered a Community Improvement Area, focusing particularly on the Community Development Areas in this Plan.
- 3) The objectives in designating Community Improvement Project Areas and preparing Community Improvement Plans are to:
 - (a) upgrade physical services as well as social and recreational facilities;
 - (b) stimulate private property maintenance and reinvestment activity for unused or underused lands or buildings;
 - (c) facilitate the cleanup and redevelopment of environmentally contaminated properties;
 - (d) recognize and protect cultural heritage resources;
 - (e) enhance land use compatibility;
 - (f) promote energy efficiency standards for existing land uses;
 - (g) integrate improvement projects with other local programs and senior government initiatives;
 - (h) support the creation of affordable housing by considering any municipally-owned, undeclared surplus land for affordable housing before any other use is considered;
 - (i) support the implementation of measures that will assist in achieving sustainable development and sustainable living;
 - (j) support the recognition and protection of heritage buildings or areas; and
 - (k) where feasible, acquire lands or buildings to carry out improvement projects.
- 4) The designation of a Community Improvement Project Area, preparation of a Community Improvement Plan and provision of financial assistance in a

Community Improvement Plan shall be at the sole discretion of the Township.

9.17 Interim Control By-laws

- 1) As set out in Section 38 of the Planning Act, Council may pass Interim Control By-laws to prevent or limit the use of land, buildings or structures within designated areas of the Township until detailed planning studies for the area are completed and approved by the Municipality.
- 2) An Interim Control By-law shall initially be in effect for a period of up to one year from the date of its passing but may be extended for a maximum of one additional year.

9.18 Temporary Use By-laws

- 1) As set out in Section 39 of the Planning Act, Council may pass Temporary Use By-laws to permit the temporary use of land, buildings or structures for any purpose that is otherwise prohibited by the Zoning By-law.
- 2) In considering an application for a temporary use, Council shall be satisfied that:
 - (a) the proposed use:
 - i. shall be temporary in nature;
 - ii. shall be compatible with surrounding land uses;
 - iii. shall not have adverse effects on the future development of the area; and
 - (b) the amending By-law contains appropriate controls to regulate the temporary use.
- 3) A Temporary Use By-law may initially be authorized for a period of up to three years from the date of its passing, except in the case of garden suites, which may:
 - (a) be authorized for a period of up to twenty years; and
 - (b) be subject to an agreement between the owner of the garden suite and the Municipality in accordance with the Municipal Act.
- 4) A Temporary Use By-law may be extended by By-law for further periods of not more than three years each. Upon expiry of a Temporary Use By-law, the use authorized by the said By-law shall cease.

9.19 Consultation and Application Requirements

9.19.1 Pre-Consultation

- 1) The Township shall make staff available for pre-consultation for all development applications for which it is the approval authority, and will also be available for pre-consultation for subdivisions.
- 2) Township Council shall require that all applications for subdivision and consents receive pre-consultation approval from Planning Committee prior to submission to the County.

9.19.2 Development Applications: Required Information and Material

- 1) As per the Planning Act, Council or its designated approval authorities may require applicants to provide additional information or material to accompany the following development applications:
 - (a) Official Plan Amendments;
 - (b) Zoning By-Law Amendments;
 - (c) Applications for Plan of Subdivision or Condominium;
 - (d) Applications for Site Plan Control;
 - (e) Consent Applications; and
 - (f) Applications for Minor Variance.
- 2) In addition to the information and materials required under the Planning Act and any other legislation or regulation, as amended, the Township shall confirm which of the following must be provided by the applicant at the time of the pre-consultation regarding a development proposal for a planning approval listed in Section 9.19.2 (1) of this Plan:
 - (a) description of the applicant's interest in the land (owner, tenant, purchaser);
 - (b) identification of the registered landowner, if different from the applicant;
 - (c) the owner's authorization / consent to apply for Planning Approval, if the owner is not the applicant;
 - (d) identification of the agent for the applicant, if any, with written authorization from the applicant;
 - (e) identification of the applicant's planner, if any;

- (f) the owner's authorization / consent to use and disclose personal information and to allow site visits;
- (g) written confirmation of pre-consultation with Planning Committee for all subdivision and consent applications;
- (h) the Assessment Roll Number of the subject land(s);
- (i) the existing Official Plan designation and Zoning By-Law classification for the property;
- (j) description and sketch of any existing or proposed easements and/or rights-of-way;
- (k) description and/or sketch of existing uses, previous uses and a complete description (e.g. frontage and depth) of the subject lands;
- (l) description and/or sketch of the existing land uses adjacent to and within 500 metres of the subject lands;
- (m) description and/or sketch of the natural and artificial features on the subject lands and within 500 metres of the subject lands (e.g. buildings, railways, wells, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, etc.); and
- (n) any studies identified by the Township under Section 9.19.3 of this Plan.

9.19.3 Development Applications: Additional Studies and Assessments

- 1) In addition to the requirements of Section 9.19.2 of this Plan, additional information in the form of the studies or assessments listed in this Section may be required in order to consider a planning application complete.
- 2) The additional information will be required as part of a complete application in order to ensure that all relevant and required information pertaining to a planning application is available at the time of submission to enable Council and/or its designated approval authorities to make informed decisions within the prescribed time periods, and also ensure that the public and other stakeholders have access to all relevant information early in the planning process.
- 3) The number and scope of studies and assessments to be required for the submission of a complete application shall be in keeping with the scope and complexity of the application.

- 4) The additional information or material that may be required includes, but is not limited to, the studies and assessments listed below:
- i. Aggregate Studies / Impact Assessments;
 - ii. Agricultural Soils Assessment / Impact Analysis;
 - iii. Air Quality / Dust / Odour / Noise Study;
 - iv. Archaeological Assessments;
 - v. Compatibility Assessments;
 - vi. Concept Plans;
 - vii. Construction Management Plans;
 - viii. Decommissioning Plans;
 - ix. Dispute Resolution Protocol;
 - x. Electromagnetic Interference Reports;
 - xi. Emergency Management Plans;
 - xii. Environmental Impact Assessments / Audits / Previous Land Use Inventories / Site-Specific Risk Assessments;
 - xiii. Financial Impact Assessments / Analyses;
 - xiv. First Nations Consultation;
 - xv. Flood Plain Management / Slope Stability Reports;
 - xvi. Forest Management Plans;
 - xvii. Geotechnical Studies;
 - xviii. Groundwater Nitrate Impact Assessment;
 - xix. Heritage Impact Statements;
 - xx. Hydrogeological Reports;
 - xxi. Ice Throw Reports;
 - xxii. Influence Area Studies;
 - xxiii. Lake Capacity Assessments;
 - xxiv. Landscaping Plans;
 - xxv. Market Justification / Impact Assessments;
 - xxvi. Micro-Climatic Impact Assessments;
 - xxvii. Minimum Distance Separation Formulae;
 - xxviii. Natural Heritage Evaluation / Impact Studies;
 - xxix. Nutrient Management Plans;
 - xxx. Parking and/or Loading Studies;
 - xxxi. Planning Justification / Rationale;
 - xxxii. Servicing Reports;
 - xxxiii. Shadow Impact / Flicker Studies;
 - xxxiv. Site Rehabilitation Plans;
 - xxxv. Stormwater Management / Master Drainage Plans;
 - xxxvi. Structural Engineering Analyses;
 - xxxvii. Transportation / Traffic Impact / Access Analyses;
 - xxxviii. Tree Inventory / Tree Preservation / Tree Protection Plans;
 - xxxix. Urban Design Study/Guidelines; and
 - xl. Visual Impact Studies.
- 5) Notwithstanding the required studies and assessments listed above in Section 9.19.3 (4), Council may ask for any additional information that is considered reasonable and necessary in order to make a decision on a development application.

- 6) The Township may require any of the studies or assessments noted in Section 9.19.3 (4) to be peer reviewed on behalf of the Township at the proponent's expense.

SECTION 10

INTERPRETATION

- 10.1 It is intended that the boundaries of any areas shown on Schedule 'A' or Schedule 'B' be considered as approximate only, except where bounded by such features as existing roads, railways, rivers or other natural features. It will not be necessary to make amendments to the Official Plan for minor variations in the approximate boundaries provided that the intent of the Plan is preserved.
- 10.2 It is intended that all figures and quantities contained in the Plan be considered as approximate only. Amendments will not be required for any reasonable variation from these figures.
- 10.3 It is intended that buildings, structures and uses that are normally incidental, accessory and essential to a permitted use will also be allowed even though not specifically stated in the land use policies.
- 10.4 Any significant change from the policies contained herein will require an amendment to the Official Plan and implementing By-law. If a change is major, particularly if it will cause changes in the way in which an area is developing, then the Official Plan should be reviewed in whole.