



## TOWNSHIP OF SEGUIN OFFICIAL PLAN

Adopted by Council:	January 9, 2006
Approved by the OMB:	October 22, 2007
In Effect:	April 24, 2007
Consolidation Version:	August 14 <sup>th</sup> , 2025

# **TOWNSHIP OF SEGUIN OFFICIAL PLAN**

## **OFFICE CONSOLIDATION**

**This office consolidation of the Township of Seguin Official Plan includes all modifications approved by an oral decision of the Ontario Municipal Board ("OMB") made on October 22, 2007, as confirmed by the written Decision and Order of the OMB issued on November 30, 2007, and subsequent modifications and/or amendments approved by the Ontario Ministry of Municipal Affairs and Housing ("MMAH"), Council of the Township of Seguin and the OMB, up to and including August 14<sup>th</sup>, 2025. Although care has been taken to incorporate the approved modifications and amendments into this office consolidation of the Official Plan, for accurate reference, please refer to the adopted Official Plan and to the subsequent modifications and amendments made by MMAH, the Council of the Township of Seguin and the OMB.**

# TOWNSHIP OF SEGUIN OFFICIAL PLAN

## SUMMARY AND STATUS OF OFFICIAL PLAN AMENDMENTS

<b>Amendment No.</b>	<b>Name / Applicant</b>	<b>Adoption Date and By-law No.</b>	<b>MMAH / OMB Approval Date</b>	<b>Purpose and Effect</b>
<b>#1</b>	<b>Township of Seguin</b>	<b>May 22, 2007 By-law No. 2007-074</b>	<b>MMAH Sept. 10, 2008 and OMB Dec. 7, 2012 PL070771</b>	To place certain lands in the North West Seguin Development Area in site-specific overlay designations "NWSDA Policy Area 1" and "NWSDA Policy Area 2" to permit medium density residential development and commercial/industrial development respectively, subject to a number of requirements including full municipal services and additional planning approvals.
<b>#2</b>	<b>Township of Seguin</b>	<b>March 3, 2008 By-law No. 2008-025</b>	<b>MMAH Sept. 10, 2008</b>	Schedules I, II, III changed to Appendix I, II, III to permit changes without requiring an Official Plan Amendment.
<b>#3</b>	<b>Kronberger</b>	<b>Refused by Council June 15, 2009</b>	<b>OMB appeal dismissed Apr. 26, 2013 PL070426 OMB Motion for Review dismissed Sept. 9, 2013</b>	A proposed site specific Official Plan Amendment to permit the creation of an undersized lot on Horseshoe Lake
<b>#4</b>	<b>Anneca/Poole</b>	<b>Refused by Council Jan. 17, 2011</b>	<b>OMB Jun. 17, 2013 PL100136</b>	An amended site specific Official Plan Amendment to permit the creation of a mainland access lot for Slocum Island on Rankin Lake.
<b>#5</b>	<b>Rural Severances</b>	<b>Aug. 15, 2011 By-law No. 2011-066</b>	<b>OMB Mar. 29, 2012 OMB PL111015</b>	To modify the lot creation policies of the Official Plan in order to allow limited levels of rural residential development in the Township of Seguin

<b>#6</b>	<b>Child – Little Whitefish Lake</b>	<b>Sept. 23, 2013</b> <b>By-law No. 2013-083</b>		To permit the redevelopment of a commercial recreation resort to residential uses
<b>#7</b>	<b>Official Plan Review</b>	<b>March 3, 2014</b> <b>By-law No. 2014-015</b>	<b>MMAH September 3, 2014</b>  <b>OMB PL141142 (Property Roll 4903-040-007-00100 Conway Jones)</b>	Five Year Review in accordance with Section 26(1) of the Planning Act. R.S.0 1990.  Official Plan approved in part. (1)
<b>#8</b>	<b>Johnston</b>	<b>Refused by Council</b> <b>October 5, 2015</b>	<b>OMB appeal dismissed</b> <b>December 22, 2016</b> <b>PL151021</b>	A proposed site specific Official Plan Amendment to permit the creation of one new lot on Oastler Lake.
<b>#9</b>	<b>Township of Seguin</b>	<b>April 15, 2019</b> <b>By-law No. 2019-030</b>		To add, change, delete and/or replace specific policies in the Seguin Official Plan that will enhance the functionality of Seguin's Recreational Water Quality Model.
<b>#10</b>	<b>Left Intentionally Blank</b>			
<b>#11</b>	<b>Renaud</b>	<b>March 6<sup>th</sup>, 2023</b> <b>By-law No. 2023-027</b>		To add a site specific policy to the Seguin Official Plan that will enable the rezoning of the subject lands for commercial purposes.
<b>#12</b>	<b>Township of Seguin</b>	<b>June 2<sup>nd</sup>, 2025</b> <b>By-law No. 2025-046</b>		To amend the policies that limit lot creation in the Rural and Resource Area.

**(1) OMB order PL141142, Memorandum of Oral Decision May 14, 2015, Issued June 18, 2015**

**"The Board orders that the Motion in relationship to the OPA is granted in part, and the OPA is approved with the exception that Chutes Trail as depicted on Schedules A and B and B.3.3, B.12.2.1 and B.12.2.8, as they apply to the Conway Jones lands, and table E.1.2, as it applies to the Conway Jones lands, and E.1.3 and E.1.4 as they apply to the Conway Jones lands."**

<b>#13</b>	<b>K &amp; C Holdings Inc.</b>	<b>July 7<sup>th</sup>, 2025</b> <b>By-law No.</b> <b>2025-053</b>		To allow a rural mixed-use area with a range of housing types and commercial/employment uses on a specific property.
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## **THE CORPORATION OF THE TOWNSHIP OF SEGUIN**

### **By-law No: 2006-001**

*Being a By-law to adopt a new Official Plan for the Corporation of the Township of Seguin*

Pursuant to Section 17 and 21 of the Planning Act R.S.O. 1990, the Council of the Corporation for the Township of Seguin enacts as follows:

1. The Official Plan for the Township of Seguin, consisting of the attached document (comprised of both text and maps) is hereby adopted as the Official Plan for the Township of Seguin.
2. The Clerk is hereby authorized and directed to make application to the Ministry of Municipal Affairs and Housing for the approval of the Official Plan for the Township of Seguin.
3. That the Official Plan for the Humphrey, Rosseau and Christie Planning Area – Township of Christie and Monteith and all amendments thereto, as it applied to the Township of Seguin on the date of passing of this By-law, as adopted by Council on May 8th, 1981 and as modified and approved by the Ministry of Municipal Affairs and Housing is hereby repealed.
4. That the Official Plan for the Township of Humphrey and all amendments thereto, as it applied to the Township of Seguin on the date of passing of this by-law, as adopted by Council on February 24, 1995 and as modified and approved by the Ministry of Municipal Affairs and Housing is hereby repealed.
5. That the Official Plan for the Humphrey, Rosseau and Christie Planning Area – Village of Rosseau and all amendments thereto, as it applied to the Township of Seguin on the date of passing of this By-law, as adopted Council on February 18, 1980 and as modified and approved by the Ministry of Municipal Affairs and Housing is hereby repealed.
6. That the Official Plan for the Parry Sound Area Planning Area – Carling Foley McDougall and all amendments thereto, as it applied to the Township of Seguin on the date of passing of this By-law, as adopted Council on March 10, 1981 and as modified and approved by the Ministry of Municipal Affairs and Housing is hereby repealed.
7. That the existing Official Plans and Amendments currently in effect in the Township shall remain in force and effect until such time as the Township of Seguin Official Plan is approved by the Ministry of Municipal Affairs and Housing or, on appeal, the Ontario Municipal Board.
8. This By-law shall come into force and take effect as of the date of final passing thereof.

ENACTED and PASSED this 9th day of January, 2006.

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"Original Signed by"

David Conn, Mayor

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"Original Signed by"

Craig Jeffery, Clerk

**CERTIFICATE FOR THE OFFICIAL PLAN FOR  
THE TOWNSHIP OF SEGUIN**

The Official Plan for the Township of Seguin was adopted by the Council of the Corporation of the Township by By-law Number 2006-001 in accordance with the provisions of Section 17 and 21 of the Planning Act on January 9<sup>th</sup>, 2006

Corporate Seal

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"Original Signed by"  
Craig Jeffery, Clerk

## TABLE OF CONTENTS

<b>INTRODUCTION .....</b>	<b>1</b>
<b>THE STRUCTURE OF THE PLAN .....</b>	<b>2</b>
<b>VISION, GOALS AND OBJECTIVES, .....</b>	<b>1</b>
<b>AND LAND USE STRUCTURE .....</b>	<b>1</b>
<b>A.1 THE VISION .....</b>	<b>2</b>
<b>A.2 GOALS AND OBJECTIVES .....</b>	<b>4</b>
<b>A.2.1 NATURAL ENVIRONMENT .....</b>	<b>4</b>
A.2.1.1 Goal .....	4
A.2.1.2 Objectives .....	4
<b>A.2.2 WATERFRONT AREAS .....</b>	<b>5</b>
A.2.2.1 Goal .....	5
A.2.2.2 Objectives .....	5
<b>A.2.3 GROWTH AND SETTLEMENT .....</b>	<b>6</b>
A.2.3.1 Goal .....	6
A.2.3.2 Objectives .....	6
<b>A.2.4 SETTLEMENT AREAS.....</b>	<b>7</b>
A.2.4.1 Goal .....	7
A.2.4.2 Objectives .....	7
<b>A.2.5 RURAL/RESOURCE AREAS.....</b>	<b>8</b>
A.2.5.1 Goal .....	8
A.2.5.2 Objectives .....	8
<b>A.2.6 CULTURAL HERITAGE .....</b>	<b>8</b>
A.2.6.1 Goal .....	8
A.2.6.2 Objectives .....	8
<b>A.2.7 ECONOMIC DEVELOPMENT .....</b>	<b>9</b>
A.2.7.1 Goal .....	9
A.2.7.2 Objectives .....	9
<b>A.2.8 SERVICES AND TRANSPORTATION.....</b>	<b>10</b>
A.2.8.1 Goal .....	10
A.2.8.2 Objectives .....	10
<b>A.2.9 ENERGY CONSERVATION .....</b>	<b>11</b>
A.2.9.1 Goal .....	11
A.2.9.2 Objectives .....	11
<b>A.2.10 MINERAL AND MINERAL AGGREGATE RESOURCES.....</b>	<b>11</b>
A.2.10.1 Goal .....	11
A.2.10.2 Objectives .....	11
<b>A.3 LAND USE CONCEPT.....</b>	<b>12</b>
<b>A.3.1 NATURAL SYSTEM.....</b>	<b>12</b>
A.3.1.1 Environmental Protection Area.....	12
A.3.1.2 Crown Lands.....	12
A.3.1.3 Rural and Resource Area .....	13



A.3.1.4	Aggregate Extraction Area .....	13
A.3.1.5	Flood Plain Policy .....	13
A.3.1.6	Natural Heritage Features Overlay .....	13
A.3.1.7	Aggregate Resource Potential Area .....	13
<b>A.3.2</b>	<b>SETTLEMENT SYSTEM .....</b>	<b>13</b>
A.3.2.1	Settlement Areas.....	13
A.3.2.2	Employment Areas.....	13
A.3.2.3	Airport Employment Area .....	14
A.3.2.4	Major Open Space Area .....	14
A.3.2.5	Northwest Seguin Development Study Area Overlay .....	14
A.3.2.6	Waste Disposal Assessment Area Overlay .....	14
A.3.2.7	Employment Corridor Area Overlay .....	14
<b>A.3.3</b>	<b>LAKES SYSTEM .....</b>	<b>14</b>
A.3.3.1	Shoreline Area .....	14
<b>GENERAL DEVELOPMENT POLICIES .....</b>		<b>1</b>
<b>B.1</b>	<b>GENERAL POLICIES .....</b>	<b>2</b>
<b>B.2</b>	<b>NATURAL HERITAGE SYSTEM.....</b>	<b>4</b>
<b>B.3</b>	<b>LAKE CAPACITY.....</b>	<b>4</b>
<b>B.3.1</b>	<b>RECREATIONAL WATER QUALITY .....</b>	<b>7</b>
B.3.1.1	Lakes that have been modelled .....	8
B.3.1.1.1	Over Threshold and High Sensitivity Lakes.....	8
B.3.1.1.2	Over Threshold and Moderate or Low Sensitivity Lakes .....	9
B.3.1.1.3	High Sensitivity Lakes.....	10
B.3.1.1.4	Moderate and Low Sensitivity Lakes.....	10
B.3.1.2	Lakes that have not been modeled .....	11
<b>B.3.2</b>	<b>LAKE TROUT LAKES.....</b>	<b>11</b>
B.3.2.1	Lakes Trout Lakes at Capacity .....	12
B.3.2.2	Lake Trout Lakes not at Capacity .....	12
<b>B.3.3</b>	<b>RECREATIONAL CARRYING CAPACITY .....</b>	<b>13</b>
<b>B.3.4</b>	<b>LAKE PLANS AND STRATEGIES .....</b>	<b>14</b>
<b>B.3.5</b>	<b>WATERSHED MANAGEMENT .....</b>	<b>14</b>
<b>B.4</b>	<b>URBAN DESIGN .....</b>	<b>15</b>
<b>B.4.1</b>	<b>OBJECTIVES .....</b>	<b>15</b>
<b>B.4.2</b>	<b>POLICIES.....</b>	<b>16</b>
<b>B.5</b>	<b>CROWN LANDS .....</b>	<b>17</b>
<b>B.6</b>	<b>PUBLIC LAND USES.....</b>	<b>18</b>
<b>B.7</b>	<b>GROUP HOMES.....</b>	<b>18</b>
<b>B.8</b>	<b>HOME OCCUPATIONS AND HOME INDUSTRIES.....</b>	<b>19</b>
<b>B.8.1</b>	<b>HOME OCCUPATIONS .....</b>	<b>19</b>
<b>B.8.2</b>	<b>BED AND BREAKFAST ESTABLISHMENTS.....</b>	<b>19</b>
<b>B.8.3</b>	<b>HOME INDUSTRIES .....</b>	<b>20</b>

<b>B.9 GARDEN SUITE DWELLING UNIT .....</b>	<b>21</b>	
<b>B.10 SECONDARY DWELLING UNITS .....</b>	<b>22</b>	
<b>B.11 CULTURAL HERITAGE RESOURCES .....</b>	<b>23</b>	
<b>B.11.1 OBJECTIVES .....</b>	<b>23</b>	
<b>B.11.2 PUBLIC WORKS .....</b>	<b>23</b>	
<b>B.11.3 MITIGATION OF IMPACTS ON CULTURAL HERITAGE RESOURCES .....</b>	<b>23</b>	24
<b>B.11.4 BUILT HERITAGE AND CULTURAL LANDSCAPE RESOURCES .....</b>	<b>24</b>	
B.11.4.1 Cultural Heritage Registry .....	24	
B.11.4.2 Designation under the Ontario Heritage Act .....	24	
B.11.4.3 Preservation of Heritage Buildings .....	25	
<b>B.11.5 ARCHAEOLOGICAL RESOURCES .....</b>	<b>25</b>	
B.11.5.1 Archaeological Assessment Requirements .....	25	
<b>B.11.6 PROTECTED HERITAGE PROPERTY .....</b>	<b>26</b>	
<b>B.11.7 HERITAGE EASEMENTS .....</b>	<b>26</b>	
<b>B.11.8 UNMARKED BURIAL SITES .....</b>	<b>26</b>	
<b>B.11.9 HERITAGE IMPACT ASSESSMENT .....</b>	<b>26</b>	
<b>B.12 SUBDIVISION OF LAND .....</b>	<b>26</b>	
<b>B.12.1 PREFERRED MEANS OF LAND DIVISION .....</b>	<b>26</b>	
<b>B.12.2 NEW LOTS BY CONSENT .....</b>	<b>27</b>	
B.12.2.1 General Criteria .....	27	
B.12.2.2 Boundary Adjustments .....	28	
B.12.2.3 Lots for Utilities .....	29	
B.12.2.4 Waterfront Lots .....	29	
B.12.2.5 Rural and Resource Area - New Lots for Residential Purposes .....	30	
B.12.2.7 Technical Severances .....	32	
B.12.2.8 Waterfront Landings .....	32	
<b>B.12.3 SUBDIVISION AND CONDOMINIUM DEVELOPMENT POLICIES .....</b>	<b>33</b>	
<b>B.12.4 CONDOMINIUM CONVERSION .....</b>	<b>34</b>	
<b>B.13 WATER TAKING AND SOURCE PROTECTION .....</b>	<b>35</b>	
<b>B.14 SUPPORTING STUDIES .....</b>	<b>36</b>	
<b>B.14.1 GENERAL POLICIES .....</b>	<b>36</b>	
<b>B.15 ENVIRONMENTAL IMPACT STUDIES .....</b>	<b>39</b>	
<b>B.16 COMMUNITY FACILITIES, SERVICES AND INFRASTRUCTURE ....</b>	<b>41</b>	
<b>B.17 NEW MINERAL AGGREGATE OPERATIONS OR EXPANSIONS TO EXISTING OPERATIONS .....</b>	<b>41</b>	
<b>B.18 WAYSIDE PITS AND QUARRIES .....</b>	<b>43</b>	
<b>B.19 POTENTIALLY CONTAMINATED SITES .....</b>	<b>43</b>	
<b>B.19.1 OBJECTIVES .....</b>	<b>43</b>	
<b>B.19.2 GENERAL POLICIES .....</b>	<b>44</b>	

<b>B.20 LAND USE COMPATIBILITY AND SENSITIVE LAND USES .....</b>	<b>45</b>
<b>B.20.1 ESTABLISHING INFLUENCE AREAS FOR INDUSTRIAL LAND USES .....</b>	<b>45</b>
<b>B.20.2 INCOMPATIBILITY BETWEEN SENSITIVE USES AND OTHER LAND USES .....</b>	<b>46</b>
<b>B.20.3 ACTUAL INFLUENCE AREAS AND MITIGATION MEASURES .....</b>	<b>46</b>
<b>LAND USE DESIGNATIONS .....</b>	<b>1</b>
<b>C. LAND USE DESIGNATIONS .....</b>	<b>2</b>
<b>C.1 NATURAL SYSTEM .....</b>	<b>2</b>
<b>C.1.1 ENVIRONMENTAL PROTECTION AREA .....</b>	<b>4</b>
C.1.1.1 Basis and General Objectives .....	4
C.1.1.2 Permitted Uses.....	4
C.1.1.3 General Policies .....	5
<b>C.1.2 CROWN LANDS.....</b>	<b>6</b>
C.1.2.1 Basis and General Objectives .....	6
C.1.2.2 Permitted Uses.....	6
C.1.2.3 General Policies .....	7
C.1.2.4 Special Policies.....	8
<b>C.1.3 RURAL AND RESOURCE AREA .....</b>	<b>8</b>
C.1.3.1 Basis and General Objectives .....	8
C.1.3.2 Permitted Uses.....	9
C.1.3.3 General Policies .....	9
C.1.3.4 Special Policies.....	13
<b>C.1.4 AGGREGATE EXTRACTION AREA.....</b>	<b>14</b>
C.1.4.1 Basis and General Objectives .....	14
C.1.4.2 Permitted Uses.....	14
C.1.4.3 General Policies .....	15
C.1.4.4 Special Policies.....	18
<b>C.2 SETTLEMENT SYSTEM.....</b>	<b>18</b>
<b>C.2.1 SETTLEMENT AREA.....</b>	<b>19</b>
C.2.1.1 Basis and Objectives .....	19
C.2.1.2 Permitted Uses.....	20
C.2.1.3 General Policies .....	21
C.2.1.3.1 Residential Development and Density.....	21
C.2.1.3.2 Special Needs Housing.....	22
C.2.1.3.3 Institutional and Community Facility Uses.....	22
C.2.1.3.4 Medium Density Uses.....	23
C.2.1.3.5 Settlement Commercial Uses .....	24
C.2.1.3.6 Industrial Uses.....	24
C.2.1.3.7 Urban Design .....	25
C.2.1.3.8 Outdoor Storage.....	25
C.2.1.3.9 Zoning By-law Implementation .....	26
C.2.1.4 Special Policies.....	26
C.2.1.4.1 Part Lots 131 & 132, Concessions A & B (Foley) .....	26
C.2.1.5 Settlement Area Boundary Expansion .....	27
<b>C.2.2 EMPLOYMENT AREA.....</b>	<b>27</b>

C.2.2.1	Basis and General Objectives .....	27
C.2.2.2	Permitted Uses.....	28
C.2.2.3	General Policies .....	28
C.2.2.4	Special Policies.....	31
<b>C.2.3</b>	<b>AIRPORT EMPLOYMENT AREA .....</b>	<b>31</b>
C.2.3.1	Basis and General Objectives .....	31
C.2.3.2	Permitted Uses.....	31
C.2.3.3	General Policies .....	31
C.2.3.4	Special Policies.....	32
<b>C.2.4</b>	<b>MAJOR OPEN SPACE AREA .....</b>	<b>32</b>
C.2.4.1	Basis And General Objectives.....	32
C.2.4.2	Permitted Uses.....	33
C.2.4.3	General Policies .....	33
C.2.4.4	Special Policies.....	34
<b>C.3</b>	<b>LAKE SYSTEM .....</b>	<b>34</b>
<b>C.3.1</b>	<b>SHORELINE AREA .....</b>	<b>35</b>
C.3.1.1	General Objectives.....	35
C.3.1.2	Permitted Uses.....	36
C.3.1.3	General Policies .....	36
C.3.1.3.1	Residential Development Policies .....	36
C.3.1.3.2	Development On Private Roads .....	38
C.3.1.3.3	Limits of Shoreline Development.....	38
C.3.1.3.4	Marinas.....	39
C.3.1.3.5	Bed And Breakfast Establishments .....	40
C.3.1.3.6	Preservation of Vegetation.....	40
C.3.1.3.7	Resort Commercial Uses .....	41
C.3.1.3.8	Fractional Ownership.....	43
C.3.1.3.9	Undeveloped Land .....	43
C.3.1.3.10	Waterfront Design .....	43
C.3.1.3.11	Waterfront Building Design .....	44
C.3.1.3.12	Protecting the Character of Shoreline Areas.....	46
C.3.1.3.13	Waterfront Site Design .....	47
C.3.1.3.14	Waterfront and Adjacent Development.....	47
C.3.1.3.15	Waterfront Servicing .....	48
C.3.1.3.16	Waterfront Design Guidelines.....	49
C.3.1.3.17	Waterfront Development Approvals.....	49
<b>C.3.1.4</b>	<b>Site Specific Policies .....</b>	<b>50</b>
C.3.1.4.1	Slocum Island Mainland Access .....	50
C.3.1.4.2	Child – Little Whitefish Lake .....	50
C.3.1.4.2.1	Permitted Development.....	50
C.3.1.4.2.2	Sewage Systems.....	50
C.3.1.4.2.3	Shoreline Vegetation.....	51
	<b>RESOURCES, HAZARDS AND GENERAL OVERLAY DESIGNATIONS.....</b>	<b>1</b>
<b>D.1</b>	<b>FLOOD PLAIN AND EROSION HAZARDS .....</b>	<b>2</b>
<b>D.2</b>	<b>MINERAL RESOURCE POTENTIAL AREA AND AGGREGATE RESOURCE POTENTIAL AREA .....</b>	<b>4</b>

<b>D.3</b>	<b>WASTE DISPOSAL ASSESSMENT AREA OVERLAY .....</b>	<b>5</b>
<b>D.4</b>	<b>NATURAL HERITAGE FEATURES .....</b>	<b>6</b>
<b>D.4.1</b>	<b>DEER WINTERING AREAS .....</b>	<b>6</b>
<b>D.4.2</b>	<b>MOOSE AQUATIC FEEDING AREAS .....</b>	<b>7</b>
<b>D.4.3</b>	<b>WETLANDS .....</b>	<b>7</b>
<b>D.4.4</b>	<b>PROVINCIALY SIGNIFICANT WETLANDS .....</b>	<b>8</b>
D.4.4.1	Haines Lake Wetland .....	8
D.4.4.2	Rintoul Lake Wetland .....	8
D.4.4.3	Rose Point Trail Wetland .....	8
D.4.4.4	McAmmond's Wetland .....	9
D.4.4.5	Haines Creek Wetland .....	9
<b>D.4.5</b>	<b>SIGNIFICANT WILDLIFE HABITAT .....</b>	<b>9</b>
<b>D.4.6</b>	<b>HABITAT OF ENDANGERED OR THREATENED SPECIES .....</b>	<b>9</b>
<b>D.4.7</b>	<b>AREAS OF NATURAL AND SCIENTIFIC INTEREST .....</b>	<b>10</b>
<b>D.4.8</b>	<b>FISH HABITAT .....</b>	<b>10</b>
<b>D.4.9</b>	<b>ADJACENT LANDS .....</b>	<b>10</b>
<b>D.5</b>	<b>NORTHWEST SEGUIN DEVELOPMENT AREA .....</b>	<b>11</b>
<b>D.5.1</b>	<b>GENERAL POLICIES .....</b>	<b>11</b>
<b>D.5.2</b>	<b>NWSDA POLICY AREA 1 .....</b>	<b>11</b>
<b>D.5.3</b>	<b>NWSDA POLICY AREA 2 .....</b>	<b>12</b>
<b>D.6</b>	<b>EMPLOYMENT CORRIDOR AREA .....</b>	<b>13</b>
<b>D.7</b>	<b>MINE HAZARDS .....</b>	<b>15</b>
<b>D.8</b>	<b>NARROW WATERBODIES .....</b>	<b>15</b>
	<b>TRANSPORTATION AND SERVICING .....</b>	<b>1</b>
<b>E.1</b>	<b>TRANSPORTATION .....</b>	<b>2</b>
<b>E.1.1</b>	<b>OBJECTIVES .....</b>	<b>2</b>
<b>E.1.2</b>	<b>ROAD NETWORK .....</b>	<b>2</b>
E.1.2.1	Road Classification System .....	2
E.1.2.2	Highway Entrance Requirements .....	4
E.1.2.3	Road Allowance Widths .....	5
E.1.2.4	Financing of Road Construction .....	6
E.1.2.5	Road Design Standards .....	6
E.1.2.6	Road Closures and Public Lands Sale .....	6
E.1.2.7	Use of Township Roads by Trucks .....	7
E.1.2.8	Special Road Policies .....	7
E.1.2.9	Roads Needs Plan .....	8
<b>E.1.3</b>	<b>PRIVATE ROADS .....</b>	<b>8</b>
<b>E.1.4</b>	<b>OFF-STREET PARKING .....</b>	<b>8</b>
<b>E.2</b>	<b>RAILWAYS .....</b>	<b>9</b>
<b>E.3</b>	<b>TRAILS, CORRIDORS AND PORTAGES .....</b>	<b>10</b>
<b>E.3.1</b>	<b>TRAILS MASTER PLAN .....</b>	<b>10</b>

E.3.2	ACTIVE TRANSPORTATION .....	11
E.4	AIRPORT .....	12
E.5	WATER AND SEWAGE SERVICES .....	12
E.5.1	GENERAL PRINCIPLES .....	12
E.5.2	SEWAGE TREATMENT SERVICING .....	13
E.5.3	WATER SERVICING .....	14
E.6	STORMWATER MANAGEMENT .....	14
E.7	TELECOMMUNICATIONS FACILITIES .....	15
E.8	ENERGY EFFICIENCY AND ALTERNATIVE AND RENEWABLE ENERGY SYSTEMS .....	16
E.8.1	GENERAL PRINCIPLES .....	16
E.8.2	ENERGY EFFICIENCY .....	17
E.8.3	ALTERNATIVE AND RENEWABLE ENERGY SYSTEMS.....	17
	PLAN IMPLEMENTATION AND INTERPRETATION .....	1
F.1	PLAN IMPLEMENTATION AND INTERPRETATION .....	2
F.1.1	ZONING BY-LAWS.....	2
F.1.2	TEMPORARY USE BY-LAWS .....	2
F.1.3	HOLDING PROVISIONS .....	3
F.1.4	SITE PLAN CONTROL .....	3
F.1.5	DESIGN GUIDELINES .....	5
F.1.6	COMMUNITY IMPROVEMENT PLANS .....	6
F.1.6.1	Purpose of Community Improvement Plans.....	6
F.1.7	DEVELOPMENT PERMIT SYSTEM.....	6
F.1.8	PLAN OF CONDOMINIUMS .....	7
F.1.9	SECONDARY PLANS.....	7
F.1.10	ZONING WITH CONDITIONS.....	8
F.2	PLAN IMPLEMENTATION – REGULATORY BY-LAWS .....	9
F.2.1	PROPERTY STANDARDS BY-LAWS .....	9
F.2.1.1	Minimum Standards.....	9
F.2.1.2	Property Standards By-law .....	9
F.2.1.3	Property Standards Committee.....	9
F.2.2	TREE CUTTING BY-LAW .....	9
F.2.3	ADULT ENTERTAINMENT ESTABLISHMENTS .....	10
F.2.4	SITE ALTERATION BY-LAW .....	11
F.3	NON-CONFORMING USES .....	11
F.3.1	INTENT OF OFFICIAL PLAN .....	11
F.3.2	ROLE OF THE COMMITTEE OF THE ADJUSTMENT .....	12
F.3.3	ROLE OF THE IMPLEMENTING ZONING BY-LAW .....	12
F.4	NON-COMPLYING BUILDINGS, STRUCTURES OR LOTS .....	13
F.5	AMENDMENTS TO THE PLAN.....	14

<b>F.6</b>	<b>PUBLIC NOTICE AND PUBLIC CONSULTATION .....</b>	<b>15</b>
<b>F.6.1</b>	<b>ADMINISTRATIVE CHANGES .....</b>	<b>15</b>
<b>F.6.2</b>	<b>ALTERNATIVE NOTICE PROCEDURES .....</b>	<b>15</b>
<b>F.6.3</b>	<b>OPEN HOUSES .....</b>	<b>16</b>
<b>F.7</b>	<b>PRECONSULTATION REQUIREMENTS.....</b>	<b>16</b>
<b>F.8</b>	<b>COMPLETE APPLICATION REQUIREMENTS .....</b>	<b>16</b>
<b>F.9</b>	<b>INTERPRETATION .....</b>	<b>17</b>
<b>F.9.1</b>	<b>BOUNDARIES .....</b>	<b>18</b>
<b>F.9.2</b>	<b>DEFINITIONS .....</b>	<b>19</b>
<b>F.10</b>	<b>OFFICIAL PLAN REVIEW PROCESS .....</b>	<b>19</b>

## **SCHEDULES**

**SCHEDULE A – OFFICIAL PLAN LAND USE**

**SCHEDULE B – TRANSPORTATION**

**SCHEDULE C – RESOURCES, HAZARDS AND GENERAL OVERLAY DESIGNATIONS**

**SCHEDULE D - RESERVED**

**SCHEDULE E – CHILD – LITTLE WHITEFISH LAKE**

## **APPENDICES**

Appendix I – Lake Sensitivity

Appendix II – Cold Water/Lake Trout Lakes at Capacity

Appendix III – Recreational Capacity of Lakes

Appendix “A” – Recreational Water Quality Model

Appendix “B” – Soil Characteristics for Phosphorus Attenuation

## INTRODUCTION

This Official Plan is a general land use guide which is intended to serve as the basis for making land use decisions and managing change in the Township of Seguin. According to the *Planning Act*, an Official Plan “*shall contain goals, objectives and policies established primarily to manage and direct physical change and the effects on the social, economic and natural environment of the Township*”.

Section 3 of the *Planning Act* requires the Township of Seguin Official Plan to be consistent with the Provincial Policy Statement 2005 (PPS). Issued on March 1<sup>st</sup>, 2005, the PPS provides policy direction on matters of Provincial interest related to land use planning and development. The policies in the PPS focus on the key Provincial interests related to land use planning at the local level. These policies will be complemented by locally generated policies regarding matters of local interest. The intent of the Seguin Official Plan is to be consistent with and expand upon the general policy direction contained within the PPS in a manner that reflects the Township’s character, role and location within the District of Parry Sound.

The Official Plan process has resulted in the development of a Land Use Vision for the future of the Township that is expressed in this Plan. This Vision is based on the following planning principles:

- Protect and enhance the character of both developed and undeveloped lakes in the Township;
- Protect and enhance the natural environment and natural heritage features of the Township;
- Manage development by directing it to appropriate locations;
- Protect rural and resource lands from incompatible development;
- Provide appropriate services to support an excellent quality of life;
- Foster the development of a prosperous economy by encouraging appropriate economic development in the best locations; and,
- Deliver responsive and effective local government.

The goals, objectives and policies contained in this Plan are intended to guide the decisions of public authorities and private interests until 2025, which is the planning period established by this Plan. This Plan is more than a set of individual policies, it is a comprehensive policy document. The Plan is intended to be read in its entirety and the relevant policies are to be applied to each situation. Landowners, developers, and all users of this Plan should read all of the relevant policies as if they are cross-referenced with each other. While specific policies sometimes refer to other policies, these cross-references do not take away from the need to treat this Plan as a comprehensive document. All new public works must conform to this Official Plan. This Plan applies to all lands within the Township of Seguin.



## THE STRUCTURE OF THE PLAN

This Official Plan is divided into six parts, each of which is described below:

Part A (Vision, Goals and Strategic Objectives and Land Use Concept) contains the Vision of the Township. This Vision is based on an understanding of past and future trends and the wishes of the Township's residents. The goals and objectives that form the basis of the Plan support the Vision. These goals and objectives also establish a framework for the remaining policies in the Plan. This section of the Plan also describes how it is to be implemented through a series of land use designations.

Part B (General Development Policies) contains policies that apply to the entire Township of Seguin and provide general guidelines that will be considered when reviewing development and planning applications.

Part C (Land Use Policies) contains specific policies that apply to the various land use designations within the Township as set out on Schedule A, Land Use.

Part D (Overlay Designations) contains the policies dealing with overlay designations and policy areas as set out in the Land Use Schedules to the Plan in relation to flood plains, aggregate potential areas, waste disposal assessment areas, natural heritage features, and a special study area around the Town of Parry Sound. These overlay areas are shown on Schedule C

Part E (Transportation and Servicing) contains the policies that address sewage and water servicing, roads and transportation, stormwater management and drainage, and railways, trails and corridors, and other general utility policies.

Part F (Plan Implementation and Administration) describes how the Vision, Goals, Objectives and Policies of the Official Plan will be implemented.

The policies of this Official Plan are also implemented on the following Schedules and form part of the Plan:

- Schedule A Land Use
- Schedule B Transportation
- Schedule C Overlay Policy Areas
- Schedule D (Reserved)
- Schedule E Child-Little Whitefish Lake

The Appendices are used to implement the policies of the Plan. Changes to the Appendices do not require an amendment to the Plan. The Appendices to this Plan include:

- Appendix I – Lake Sensitivity
- Appendix II – Cold Water/Lake Trout Lakes at Capacity
- Appendix III – Recreational Capacity of Lakes
- Appendix "A" – Recreational Water Quality Model
- Appendix "B" – Soil Characteristics for Phosphorus Attenuation

# **PART A**

## **VISION, GOALS AND OBJECTIVES, AND LAND USE STRUCTURE**

## **A.1 THE VISION**

The Township of Seguin values its residents and their hopes and desires for the future growth and development of their community. In order to build a shared Vision of the Township, Council undertook an extensive public consultation process toward developing this Plan and its vision. Key to the consultation process was a questionnaire circulated to all property owners in the Township in 2004. The residents of the Township were given the opportunity to provide their input into the planning process by completing a questionnaire covering a broad range of issues from water quality to future development. The Township's residents responded in incredible fashion, with a return rate of over 31%. The Vision for the Township of Seguin and for this Plan is a result of that input.

The distinctive and unique identity of the Township comes from the beauty and tranquility of the northern Ontario setting, lakes of all sizes and character, vast forested areas, and its rivers and wetlands, and Georgian Bay shoreline. The Township of Seguin is a community of several smaller communities and a *Rural Area* which includes a large Crown land component. It is a place where residents enjoy safe living, scenic beauty and an active community life. The community recognizes the unique attributes of Seguin Township and is passionate about preserving the small rural and waterfront character. The preservation and enhancement of these features, while keeping pace with the diverse needs of the community, is a principle tenant of the Township's Vision.

The Township will develop as a community that is protective of lake quality and character, sound financially, supportive of appropriate employment opportunities, provides choices for housing, and preserves the natural heritage features of the Township. The intent of the Plan is to diversify and create a more vibrant local economy through collaborative partnerships with existing businesses and adjacent municipalities and through active efforts to attract new industries and services.

The Township has a number of significant environmental and natural heritage features that contribute to the 'sense of place' felt by many of the Township's residents. These features include the 186 lakes, the Georgian Bay shoreline, the Seguin, Shadow, and Boyne River systems, the Nipissing and Seguin trails, and the vast forest tracts and smaller woodland areas, and wetland areas that support diverse wildlife communities. The protection of these attributes is a key underlying principle in this Official Plan and for this reason, this Official Plan establishes an 'Environment-First' philosophy in the Township. This means that the environment will be given priority over economic or social development when making all land use and public works decisions. This Plan also considers the natural environment, social

environment, and visual environment as components of the overall “Environment-First” philosophy.

Agricultural lands are found within Seguin Township. Although agricultural operations are limited in numbers and land holdings are considered small when compared to southern Ontario operations, these lands are an important component of what makes up the character of the community. These areas will be protected for future agricultural use so that they can continue to serve an important role in the local economy and the local landscape. The fragmentation of the rural areas and the introduction of incompatible uses in these areas will be discouraged by the Official Plan.

The Township is comprised of four historic *Settlement Areas* (Rosseau, Humphrey, Orrville, and Foley Centre), a number of small rural developments, and an extensive *Rural/Resource Area*. This Official Plan directs the majority of new residential and employment growth to the two main *Settlement Areas* of Rosseau and Humphrey. It is the intent of this Official Plan to ensure that the Township of Seguin has enough land through 2025 to accommodate expected employment and residential growth. The *Township of Seguin – Constructed and Built Form Discussion Paper* forecasts that the Township of Seguin will have a permanent population of 5,150 people in 2026, which is an increase of approximately 1,211 people from 2001. The majority of this population will reside in the four main *Settlement Areas*. *Shoreline Areas* will be the focus of resource-based recreational private development. From a planning perspective, additional shoreline development has been considered with respect to the provision of social, medical, recreational, and other facilities and services within the Township.

The *Rural/Resource Area* and *Crown Lands* serve a vital function as a source of habitat, clean water, aggregates and wood products, and is considered a major asset to the community. This Official Plan establishes the long-term role and function of the *Rural/Resource Area* within the Township. It is the intent of the Township to encourage development in the rural area that is compatible with the resource character, role and function of the area. It is also the intent of this Plan to permit the continued functioning of Natural Systems, maintain the pattern of *Crown Lands* and large parcel sizes and a landscape dominated by forests. The wise management of the *Rural/Resource Area* is an important element of the Township’s land use structure and “Environment-First” philosophy.

Encouraging diverse economic development in the Township is also a key goal of this Official Plan. The establishment of a positive business environment that provides jobs and prosperity to Township residents is a key component of this Plan. On this basis the Plan encourages, through a flexible policy regime, opportunities for additional development in the *Settlement Areas* and identified *Employment Areas*

utilizing the economic infrastructure of the Township. In addition, this Plan permits the development of additional small-scale employment uses in the rural area to provide appropriate opportunities for rural residents and to support the rural service and cottage service industries that make up a significant component of the Township's economic base.

This Official Plan assumes that the high quality of life now enjoyed by the Township's residents can be maintained and enhanced if the Township's distinct small community and waterfront character is maintained and enhanced. However, change is inevitable, and as such, it must be managed in an efficient and orderly manner to maximize the benefits of new development and minimize its impacts. It is therefore the intent of this Plan to provide Council with the tools to consider and mitigate the impacts of change on the qualities that make the Township a desirable place to live.

## **A.2 GOALS AND OBJECTIVES**

The following sections describe the goals and objectives for the Township of Seguin and provide the broad policy framework for the development of the policies and guidelines within this Plan.

### **A.2.1 NATURAL ENVIRONMENT**

#### **A.2.1.1 Goal**

**It is the goal of this Plan to protect and enhance natural heritage features and ecological functions in the Township through the adoption of an "Environment-First" principle.**

#### **A.2.1.2 Objectives**

- a) To ensure that the protection of significant environmental features and their associated ecological functions take precedence over the development of such lands.
- b) To ensure that a thorough understanding of the natural environment, including the values, opportunities, limits and constraints that it provides, guides land use decision-making in the Township.
- c) To require that land use planning contributes to the protection, maintenance and enhancement of water and related resources and aquatic ecosystems on an integrated watershed management basis.
- d) To minimize changes to the water quality and hydrological and hydrogeological characteristics of watercourses, lakes, aquifers and wetlands resulting from human activity.

- e) To minimize the loss or fragmentation of significant woodland features and the habitats and ecological functions they provide.
- f) To prohibit new development that will result in a negative impact to the critical functions and processes of watercourses, lakes, aquifers and wetlands.
- g) To prohibit the loss or fragmentation of wetlands and Areas of Natural and Scientific Interest and the habitats and ecological functions they provide.
- h) To maintain and protect significant wildlife habitat areas and the habitats of endangered or threatened species.
- i) To maintain and enhance surface and groundwater resources in sufficient quality and quantity to meet existing and future needs on a sustainable basis.
- j) To maintain important linkages between core areas of the Natural Heritage System.

## **A.2.2 WATERFRONT AREAS**

### **A.2.2.1 Goal**

**It is the goal of this Plan that all development on the Township's lakes and rivers must protect and preserve the quality of the water, protect the visual and aesthetic character of the lakes and rivers, protect the recreational, social, and environmental experiences, protect public safety by prohibiting development in areas subject to flooding or erosion, and respect the unique character of each lake.**

### **A.2.2.2 Objectives**

- a) To protect the unique character of the individual lakes and rivers, including Georgian Bay, and their watersheds in the Township from inappropriate development.
- b) To limit the density and intensity of development on the lakes in the Township in order to protect the visual qualities of the lakes, to protect the natural shoreline character and to ensure that the biological and recreational capacity of the lake is appropriate.
- c) To protect the shoreline wetlands and fish habitat.
- d) To ensure that the development of waterfront properties does not result in negative environmental impacts or increase municipal servicing costs.

- e) To prohibit development in those areas that are subject to flooding and erosion hazards.

### **A.2.3 GROWTH AND SETTLEMENT**

#### **A.2.3.1 Goal**

**It is the goal of this Plan to direct the majority of growth to existing *Settlement Areas* where the community can support additional growth, and to encourage the efficient use of land in these areas.**

#### **A.2.3.2 Objectives**

- a) To direct the majority of new residential and employment growth to *Settlement Areas*.
- b) To limit the amount of development in the *Rural and Resource Area*, by permitting limited residential development in the form of individual lots through the process of infilling.
- c) To encourage development that maintains and enhances *Settlement Area* character and scale in accordance with the policies contained within this Plan.
- d) To prohibit new development that would prejudice the future expansion of any *Settlement Area*, including *Settlement Areas* outside the Township.
- e) To limit large residential developments outside of the *Settlement Areas*.
- f) To permit limited residential development associated with major recreational features in the Township.
- g) To encourage the efficient use of land in the *Settlement Areas*, where appropriate, and to require the phasing of development in a logical manner.
- h) To encourage development and redevelopment in the Township's commercial centres and corridors that incorporates excellence in site design that complements the location and character of the Township.
- i) To encourage more balance between residential and non-residential assessment in the Township.
- j) To encourage healthy community initiatives in the Township.

## **A.2.4 SETTLEMENT AREAS**

### **A.2.4.1 Goal**

**It is the goal of this Plan to protect and enhance the character of existing *Settlement Areas* and to maintain them as diverse, liveable, safe, thriving and attractive communities.**

### **A.2.4.2 Objectives**

- a) To encourage the further development and use of the lands within the *Settlement Areas*, as appropriate.
- b) To ensure that all new *Settlement Area* development has a positive contribution to community life in the Township.
- c) To ensure that the character and stability of existing and well established *Settlement Areas* are maintained and enhanced by ensuring that development and redevelopment is compatible with the character of adjacent buildings, landscape features and the scale and density of existing development.
- d) To encourage a high quality of site and building design for all forms of development within the *Settlement Areas*.
- e) To preserve and enhance the historic character of the communities of Orville and Rosseau.
- f) To exercise appropriate municipal development control in order to achieve a consistently high standard of site, building and landscape design.
- g) To ensure new development is integrated into the fabric of the existing community.
- h) To ensure *Settlement Areas* are compact, pedestrian-friendly, with a mix of housing types, community facilities, commercial uses and open spaces.
- i) To ensure a ten year supply of land is designated and available for residential development.
- j) To encourage the use of surplus public lands for affordable housing where the site is appropriate for such a use and where the use would be compatible with adjacent uses.
- k) To ensure that all development is sustainable based on the servicing options outlined in this Plan, and are appropriate based on the scale, nature and size of the use proposed.



## **A.2.5 RURAL/RESOURCE AREAS**

### **A.2.5.1 Goal**

**It is the goal of this Plan to protect, maintain and enhance the rural open space character of lands outside of *Settlement Areas*.**

### **A.2.5.2 Objectives**

- a) To restrict development that has a negative impact on the open and natural character of the rural area.
- b) To restrict development that requires the introduction of urban services into the rural area.
- c) To discourage the intrusion of land uses that are incompatible with the rural character and/or resource activities of the area.
- d) To encourage the maintenance and development of passive low-intensity recreational uses such as four season trails in the *Rural/Resource Areas* of the Township, provided the use has a minimal impact on the character of the rural area and is properly sited.
- e) To ensure that agriculture uses remain a part of the landscape of the Township.
- f) To ensure that non-agricultural uses which may have an impact on farm operations are not permitted.
- g) To permit land based recreational facilities that are compatible with the environment.
- h) To encourage economic activity in rural areas that is compatible with rural environments and activities that must be located in rural areas.
- i) To encourage forest management activities that incorporate best management practices on Crown and patented lands.

## **A.2.6 CULTURAL HERITAGE**

### **A.2.6.1 Goal**

**It is the goal of this Plan that the Township's cultural heritage resources be identified, conserved and enhanced and that all new development and redevelopment of lands occur in a manner which respects the Township's cultural heritage.**

### **A.2.6.2 Objectives**

- a) To enhance the character of the Township by protecting and maintaining the Township's cultural heritage resources.

- b) To encourage the retention of cultural heritage resources to provide continuity between the past and the present.
- c) To foster civic pride by recognizing the contribution that cultural heritage resources make to the Township.
- d) To use cultural heritage resources to attract additional economic development, increase tourism opportunities and enhance the character of the Township.
- e) To ensure that cultural heritage and archaeological resources are considered before land use decisions are made by requiring the appropriate studies in accordance with provincial guidelines.
- f) To prevent the demolition, destruction, inappropriate alteration or use of cultural heritage resources.
- g) To encourage development that is adjacent to significant cultural heritage resources to be of an appropriate and compatible scale and character.
- h) To encourage the development of a comprehensive municipal registry of the Township's built heritage, cultural heritage landscape resources, archaeological sites and areas of archaeological potential, and establish criteria respecting the conservation of these features.

## **A.2.7 ECONOMIC DEVELOPMENT**

### **A.2.7.1 Goal**

**It is the goal of this Plan to provide opportunities for economic development and diversification in a manner that fosters a positive business environment in the Township.**

### **A.2.7.2 Objectives**

- a) To facilitate opportunities to develop and distribute a range of goods and services.
- b) To establish, maintain and enhance *Employment Areas* that provide a range of job opportunities and a broad range of commercial and service facilities geared specifically to meet the needs of residents of the Township.
- c) To encourage wherever possible, through the land use planning process, the retention and expansion of existing businesses in the appropriate areas in the Township.
- d) To ensure that a sufficient supply of employment lands is available for development at all times.

- e) To carefully monitor local and regional trends with respect to the supply of land for employment to ensure that an adequate supply in appropriate locations is available at all times.
- f) To encourage the development of home-based businesses provided the proposed use is compatible with adjacent uses.
- g) To encourage the protection of the Township's natural attributes, such as its rural character and its Natural Heritage System to ensure that the recreational and eco-tourism uses that rely upon these attributes continue to thrive.
- h) To recognize that preservation of the natural environment and character of the Township is critical to the economic health of the community.
- i) To provide flexible land use regulation to enable business to adapt to changing conditions.
- j) To encourage improved educational facilities and opportunities for residents of the Municipality.
- k) To encourage businesses and economic activity that creates added value from local products, materials and resources.

## **A.2.8 SERVICES AND TRANSPORTATION**

### **A.2.8.1 Goal**

**It is the goal of this Plan to ensure that all municipal services meet the needs of present and future residents and businesses in an efficient and environmentally sensitive manner.**

### **A.2.8.2 Objectives**

- a) To ensure that all necessary services required to serve and support development are available to meet the demands of present and future inhabitants and that reflects the financial ability of the Municipality to provide services.
- b) To establish an integrated transportation system that safely and efficiently accommodates various modes of transportation including automobiles, trucks, cycling and walking, snowmobiles, recreational vehicles, and boats.
- c) To ensure that the airport can continue to operate and expand the level of services available.
- d) To protect the continued viability and capacity of the rail corridors and yards located in the Township including

supporting strategic infrastructure improvements in support of the critical economic development role that railways play.

- e) To ensure that all development is appropriately serviced with potable water and sewage services, and that public and privately serviced developments will have no impact on water quality or quantity.
- f) To participate, where it has been demonstrated that it is financially feasible, in regional or inter-municipal transit programs.
- g) To ensure that development is sustainable on the basis of private or communal services without requiring the development of full municipal services.

## **A.2.9 ENERGY CONSERVATION**

### **A.2.9.1 Goal**

**It is the goal of this Plan to encourage the wise use of energy resources and encourage the development and the maintenance of renewable energy sources.**

### **A.2.9.2 Objectives**

- a) To recognize and encourage the maintenance of hydro-electric generation in the Township.
- b) To provide for the development of wind generated power in a manner that does not impact the visual or environmental qualities of the Township.
- c) To encourage energy conservation through planning that promotes pedestrian and cycling activities in the Municipality.

## **A.2.10 MINERAL AND MINERAL AGGREGATE RESOURCES**

### **A.2.10.1 Goal**

**It is the goal of this Plan to ensure that mineral and mineral aggregate resources are protected for long-term use while ensuring that extraction occurs in a manner that has minimal impacts on the environment and character of the Township.**

### **A.2.10.2 Objectives**

- a) To ensure that the mineral and mineral aggregate resources in the Township are protected for long-term use.

- b) To encourage the proper management of mineral aggregate operations to minimize potential negative environmental and social impacts.
- c) To encourage the Province to consider the Township's policy and By-law requirements when reviewing and approving applications for *Crown Land* pits and/or quarries.
- d) To ensure that mineral resources are considered and protected when making all land use planning decisions.

### **A.3 LAND USE CONCEPT**

The land use designations in this Plan are divided into three broad categories. The Natural System applies to lands throughout the Township that are considered to be significant from either a natural heritage or a natural resource perspective. The Settlement System applies to the four historic *Settlement Areas* in the Township, and the smaller rural *Settlement Areas*, the *Employment Areas* including the *Airport Employment Area*, and to major open space uses. The Lakes System applies to lands adjacent to all the Township Lakes including the shoreline residential areas and the shoreline commercial areas.

The land use designations in each category are intended to implement the Vision, Goals and Strategic Objectives of this Plan.

#### **A.3.1 NATURAL SYSTEM**

The land use designations and overlays within the Natural System are described below. The Natural System is made of up environmentally sensitive lands and lands which support and link rural and resource uses.

This Plan incorporates a Natural Heritage System approach to environmental planning. Wetlands, deer wintering areas, significant habitat and other natural heritage features are considered core areas and rural areas provide linkages between these core areas.

##### **A.3.1.1 Environmental Protection Area**

The *Environmental Protection Area* represents identified wetland features and natural hazard lands within the Township.

##### **A.3.1.2 Crown Lands**

This designation applies to the lands still owned by the Province of Ontario that have not been set aside for a specific land use, such as a Conservation Reserve or Provincial Park.

A.3.1.3 Rural and Resource Area

This designation applies to private lands in the rural areas of the Township of Seguin which are characterized by agricultural and rural development and large parcel sizes.

A.3.1.4 Aggregate Extraction Area

This designation applies to lands that are used for the extraction of consolidated aggregate resources in quarry operations.

A.3.1.5 Flood Plain Policy

This overlay policy applies to all lands adjacent to lakes, rivers, and other water bodies that are subject to flooding and require special policy protection to protect human life and property.

A.3.1.6 Natural Heritage Features Overlay

This overlay designation identifies areas where significant environmental features or functions have been documented and are known to require protection from the negative impacts of development and require the submission of an Environmental Impact Study to support any development applications.

A.3.1.7 Aggregate Resource Potential Area

This overlay designation identifies area of aggregate resource potential that will be protected from development that would prejudice the future extraction of the aggregate resources.

**A.3.2 SETTLEMENT SYSTEM**

The land use designations and overlays within the Settlement System are described below:

A.3.2.1 Settlement Areas

This designation applies to lands within the four main *Settlement Areas*. These areas are to be the focus of new growth and development in the Township. The *Settlement Area* designation will permit lands for residential, employment, and community facility uses, subject to clear policy guidelines

A.3.2.2 Employment Areas

This designation applies to the lands outside the four main *Settlement Areas* that are used primarily for commercial and industrial uses along the economic corridors and nodes of the Township.

A.3.2.3 Airport Employment Area

This designation applies to Parry Sound Area Municipal Airport lands, and lands in the immediate vicinity of the airport.

A.3.2.4 Major Open Space Area

This designation applies to the existing Provincial Parks and Conservation Reserves in the Township and to major recreation facilities such as golf courses.

A.3.2.5 Northwest Seguin Development Study Area Overlay

This overlay designation was developed with concurrence from the Town of Parry Sound and applies to the area of the Township of Seguin immediately adjacent to the Town of Parry Sound and establishes a policy framework for the consideration of development applications in this area.

A.3.2.6 Waste Disposal Assessment Area Overlay

This overlay designation provides policies to ensure that any new development on lands adjacent to former waste disposal sites adequately assesses the impact or potential impacts of these sites on the proposed uses.

A.3.2.7 Employment Corridor Area Overlay

This overlay designation applies to the Oastler Park Drive area that supports a range of existing employment uses and has certain locational attributes that would lend itself to appropriate new employment uses. Policies are provided to guide the consideration of new employment uses.

**A.3.3 LAKES SYSTEM**

The land use designations within the Lakes System category are described below:

A.3.3.1 Shoreline Area

This designation applies to lands that are physically and functionally related to the shoreline of the lakes and rivers in the Township that support existing low-density shoreline residential development and existing waterfront commercial uses and operations such as marinas, commercial resorts and campgrounds.

# **PART B**

## **GENERAL DEVELOPMENT POLICIES**



## **B.1 GENERAL POLICIES**

- B.1.1 It shall be a policy of the Township to ensure that all development occurs in accordance with the land use designations shown on the attached Schedules and with the policies of this Plan. No Zoning By-law shall be approved or modified and no public works shall be undertaken which do not conform with this Plan.
- B.1.2 The Township will adopt Zoning By-laws under the *Planning Act* to ensure that adequate standards including permitted uses, are required for all development relating to waterfront density and design, off-street parking and loading requirements and other similar criteria, including landscaping and adequate buffering, and controls regulating the height, mass, location, size, floor area, spacing and character of buildings.
- B.1.3 Where a land use is permitted, uses normally accessory to such use are also permitted. Provisions and regulations regarding accessory uses, including size, type, location, height, mass, floor area, and spacing shall be included in the Implementing Zoning By-law. Specific policies with respect to accessory buildings and structures in waterfront areas, such as docks, boathouses, gazebos and saunas are provided in the Section C.3.1 - *Shoreline Area* of this Plan and the specific policies shall be included in the Implementing Zoning By-law.
- B.1.4 Prior to development occurring, and before any subdivision or a provisional consent is permitted, or any Amendment to a Zoning By-law is made, it shall be established to the satisfaction of the Township and all other bodies having jurisdiction, that:
- a) Soil and drainage conditions are suitable to permit the proper siting of buildings and other site improvements such as driveways, parking, and accessory structures;
  - b) Suitable arrangements have or can be made for water supply, sewage disposal, storm drainage and all other necessary public services;
  - c) No traffic hazards will ensue because of excess traffic generation, or limited sight lines on curves or grades;
  - d) The land fronts on an improved public road, on a road which is maintained by the Township and which meets municipal standards, or in the case of residential development on a private road in accordance with the relevant policies of this Plan;
  - e) The potential impact of all adjacent land uses upon the proposed use has been adequately investigated in accordance with the policies of this Plan;

- f) The potential impact of the proposed use on adjacent lands has been considered, and an adequate mitigation, including the appropriate location and design of lots and buffer distances is provided between the use and adjacent uses in accordance with the policies of the Plan;
- g) New development will not be subject to flooding or erosion;
- h) The potential impacts on natural heritage values, both on the subject lands and on adjacent lands has been adequately evaluated and considered;
- i) The Minimum Distance Separation formulae is complied with; and,
- j) Agreements are in place with the Township to ensure that the policies of this Plan and the regulations of the implementing Zoning By-law are reflected through the development and monitoring of development sites as required.

**B.1.5** In the course of considering a development proposal, Council may undertake, or direct to be undertaken, studies to ensure that the objectives and policies of this Plan are met. Such studies may include the ecological, social and economic impacts on the Township and its residents as set out in Section B.14 of this Plan. Council may require a peer review of supporting studies and may refuse developments that would have significant adverse impacts, or may require remedial works to offset such impacts.

**B.1.6** Certain areas and types of development in the Township shall be subject to the site plan control provisions of the *Planning Act*. The specific land uses and designations which may be subject to site plan control and the associated policies are outlined in Section F of this Plan.

**B.1.7** All development and site alteration in the Township shall have regard to, and comply with any regulating By-law as passed by Council, including but not limited to Entrance By-law, Tree Cutting By-law, or Filling of Land By-law, that may be passed by Council from time to time.

**B.1.8** Where waterfront development is proposed on properties within the Settlement Area, Employment Area, Major Open Space, Rural and Resource Area and Environmental Protection Area designations, the Lake System policies of this Plan shall apply. The objectives and permitted uses of the specific designation shall continue to apply.

## **B.2 NATURAL HERITAGE SYSTEM**

The Township of Seguin supports a diverse Natural Heritage System that is composed of its lakes, Georgian Bay shoreline, rivers and streams, wetlands, large forested areas, and significant habitats for a range of threatened and endangered species, other significant wildlife habitat and fish habitat. These features are the core areas of the Natural Heritage System and the remaining rural area provides the linkages between the core areas.

While the Township has identified and designated most wetlands as “*Environmental Protection Area*” and has identified in a schematic way many of the natural heritage features in the Township, not all elements of the system have been designated or to a great extent been inventoried and identified. In support of the “Environment-First” principle of this Plan, all applications for new development in the Township will generally be required to assess the potential impacts on the Natural Heritage values on and adjacent to the site and assess the potential impacts on the Natural Heritage System to determine if the proposal is acceptable or if redesign or mitigation measures are required or appropriate.

In addition, as new inventories or evaluations of components of the Natural Heritage System are completed, the Township will endeavour to update this Plan to ensure that the significant features and functions as well as important linkages within the Natural Heritage System are identified, protected and preserved.

## **B.3 LAKE CAPACITY**

This Plan is based on the goal that all development on the Township’s lakes must protect, improve or restore the quality of the water in lakes, protect the visual and aesthetic character of the lake, and protect the recreational and social experiences of those people using the Townships’ 186 lakes. It is a basis of this Plan that the overall quality of the Township’s lakes is not comprised of a single element of a lakes “capacity”, but a combination of three interrelated components, water quality, visual quality, and recreational quality.

It is therefore a goal of this Plan to manage, protect, and preserve all three components of lake quality. Other sections of this Plan (C.3.1.3.10 to C.3.1.3.17 inclusive, F.1.4, F.1.5, and F.1.7) provide the policies and guidelines respecting the management of shoreline development and the impacts of development on the visual and aesthetic character of the Township’s lakes. This Section addresses the other two components.

This Plan is based on the policy that all eligible development proposed on the lakes in the Township shall meet the highest standards for development established by this Plan. This includes the submission of a

Site Evaluation Report and Environmental Impact Study where required, which will address the maintenance or improvement of shoreline vegetation, limiting shoreline use areas, meeting all setback requirements, controlling storm water runoff and erosion, and providing enhanced sewage treatment. These requirements may be implemented through the various tools set out in this Plan including the use of site plan control, monitoring requirements, site plan or development agreements including the posting of securities, Zoning By-law performance standards, and other regulatory by-laws including tree cutting, site alteration, and a development permit system.

Appendices I, II, and III attached to this Plan describe the Township lakes as follows: Appendix I describes the sensitivity of the Townships lakes to phosphorus and whether they are considered “over threshold” for phosphorus loading in accordance with B.3.1; Appendix II identifies those lakes that are at capacity lake trout lakes or lakes upstream of at capacity lake trout lakes based on the Provincial identification; and, Appendix III lists the calculated recreational carrying capacity of the lakes based on a residential unit to surface area criterion. When considering development applications for any lake in the Township, reference shall be made to all three Appendices and the relevant policies of this section.

The following general policies apply to all the lakes in the Township:

- a) In no case shall any development exceed the capacity of a lake to sustain additional development as set in the policies of this Section. This policy shall not restrict development on existing lots of record occurring in accordance with the approved zoning or minor variances granted thereto.
- b) Any development within 300 linear metres of a lake or permanently inflowing stream shall be deemed to have a potential impact on the lake until it is demonstrated to the satisfaction of the Township that such lands are not part of the lake ecosystem or the development will not have an impact on the lake in accordance with the policies of this Section.
- c) Council shall consider all three components of a lake’s quality and sensitivity in concert with the other policies in this Plan when determining the capability of a lake to support new development.
- d) Applications for new development on the shoreline of all eligible lakes in the Township will be evaluated and based on the submission of a Site Evaluation Report which shall provide the following information:

- i) Sufficient information about the nature of the lands, the development proposal, and the site's context in the lake system;
- ii) Site specific information such as a description and evaluation of the lands, sites location, slope analysis, soil characteristics (depths, distribution and characteristics), ground water flow, vegetation, surface drainage, erosion and seasonal flooding characteristics, and the position of the water table at seasonal high;
- iii) Description of the regional context of the site, detailing the lake ecosystem, surrounding land use and environment;
- iv) Environmentally sensitive areas shall be identified and analyzed, including wetlands, significant fish habitat, wildlife habitat, and other natural heritage features;
- v) Potential impacts of the development on lake water quality, storm water quality and quantity, erosion, vegetation, habitat, shoreline visual/aesthetic concerns should be identified;
- vi) The Site Evaluation Report shall assess the constraints and impacts of development and address if the constraints and impacts can be managed or mitigated effectively through the utilization of appropriate development control techniques;
- vii) The Report shall also address the appropriateness of the proposed development and its ability to satisfy the principles and goals of this Plan in accordance with the policies of this Plan and specifically Sections B.3 and B.14 of this Plan;
- viii) Where the use of soil characteristics to reduce phosphorus nutrients from entering the lake is required by this Plan, the criteria set out in Appendix B to this Plan shall apply. If changes to the soil criteria are proposed as a result of new information or technologies, the Province shall be consulted prior to implementing the changes to the criteria.
- ix) The Township may develop and approve guidelines or "Terms of Reference" for the preparation of Site Evaluation Reports and all reports shall be prepared in accordance with the approved guidelines/terms of reference.

The Lakeshore Capacity Assessment Handbook is a guide to assist municipalities in carrying out lakeshore capacity assessments for inland lakes in the Precambrian Shield. The information found in the Handbook may be used as a guide assist in the management of lakes in the Township of Seguin.

### **B.3.1 RECREATIONAL WATER QUALITY**

The most significant impact on recreational lake water quality is the increased level of nutrients, specifically phosphorus, that enter a lake. The sensitivity of a lake to nutrient inputs is dependent on the responsiveness of the lake to phosphorus (how the lake responds to a given loading) and the mobility of phosphorus within the watershed (whether or not soils attenuate the movement of phosphorus to the lake). All lakes in the Township must therefore be modelled for their sensitivity to phosphorus and classified as having a high, moderate, or low sensitivity to phosphorus. Where the phosphorus loading to a lake exceeds its background level (in the absence of development) plus 50% or would exceed the Provincial Water Quality Objective of 20 µg/l total phosphorus, the lake is considered to be “over threshold” for phosphorus loading.

The model used by the Township is described in Appendix A to this Plan. Lakes of low sensitivity respond only minimally to the input of phosphorus and it is unlikely that development related phosphorus will increase concentrations by more than 50% of the background phosphorus levels. Lakes of moderate sensitivity have some ability to receive phosphorus without a significant decrease in water quality. Where a lake is classified as being high sensitivity, there is the potential for development to input more phosphorus than it can sustain causing the measured phosphorus levels to increase beyond the acceptable thresholds. If changes to the model are proposed as a result of new scientific methods or technologies, the Province shall be consulted prior to implementing the changes to the lake sensitivity model.

Once the sensitivity to development of a lake is established in accordance with this Plan, Council may determine the available capacity to develop the *Shoreline Area* in either a manner that spreads the development out around the shoreline or directs it to limited locations. Specific Amendments to this Plan and Zoning By-law Amendments shall be used to provide detailed plans to direct and implement shoreline development.

The Township may consider a long-term capital program to model all the lakes, excluding Lake Huron/Georgian Bay, within its jurisdiction to determine the sensitivity of the lakes to phosphorus and classifying the lakes as having either a high, moderate, or low sensitivity. As new lakes are modelled, Appendix I to this Plan shall be updated by Council without requiring an Amendment to this Plan. When changes to Appendix I are proposed, the Province shall be consulted prior to the updating of the Appendix.

The sensitivity of a limited number of lakes in the Township according to the sensitivity modelling and the identification of Over Threshold

lakes is shown in Appendix I to this Plan. Policies with respect to lakes that have been modeled or not modelled are provided in the following sections.

**B.3.1.1 Lakes that have been modelled**

For those lakes that have been modelled and classified based on the sensitivity to phosphorus, the following policies shall apply.

**B.3.1.1.1 Over Threshold and High Sensitivity Lakes**

- a) Council shall not permit new development on any lake in the Municipality identified in Appendix I to this Plan that is highly sensitive and over threshold or where the modeled and measured level of total phosphorus would exceed either the threshold or trigger value of "Background + 50%" or the Provincial Water Quality Objective of 20 µg/l total phosphorus.
- b) New development for the purposes of a) above shall include any development requiring a Planning Act application (excluding minor variance and site plan approval) within 300 metres of the high water level of the lake identified in Appendix I, but shall not include development on existing lots of record where the existing zoning would permit the development. Zoning By-law amendments that may be permitted within 300 metres of these lakes could include an amendment to permit shoreline structures or a change in zoning to permit less intensive uses that will reduce phosphorus loading to the lake. Proposed zoning amendments must be accompanied by the required supporting studies as identified both in this Plan, and through preconsultation.
- c) If a lake is Over Threshold and has High Sensitivity, but is modeled by the Seguin Water Quality Model beyond statistically acceptable tolerances, new development may only be considered if Council initiates a lake-specific study which results in improved model predictions and confirms the phosphorus status of that lake is not Over Threshold and High Sensitivity, as was presented in the 2015 SWQM. The Terms of Reference for a lake-specific study shall be prepared in consultation with the MECP and to the satisfaction of Council. A lake-specific study to confirm or refute the Threshold and Sensitivity classifications and phosphorus status based on the 2015 SWQM is to be completed by qualified aquatic scientists which are retained, directed by Council and paid for by the applicant. If it can be demonstrated to Council's satisfaction that the lake is not an Over Threshold and High Sensitivity lake, then management policies appropriate to the revised Threshold and Sensitivity classification, which are derived from the lake-specific study, will be applied in accordance with Section 34 and 41 of the Planning Act. Furthermore, it shall be the policy of Council that a lake specific study will only be undertaken where

new development conforms to Policies B.3.2.1 – Lake Trout Lakes at Capacity, B.3.3 – Recreational Carrying Capacity, B.12 – Subdivision of Land and C.3.1 – Shoreline Area.

**B.3.1.1.2 Over Threshold and Moderate or Low Sensitivity Lakes**

- a) Where a lake is currently over threshold as a result of exceeding its background level plus 50% for total phosphorus and has a modeled status of being moderate or low sensitivity, new development may be permitted subject to the submission of a Site Evaluation Report and the highest standards for development set out in this Plan shall apply including the requirement for increased lot frontages and areas and the use of a sewage system and soils to reduce or bind phosphorus and the monitoring of the system in accordance with the requirements of Appendix “B” to this Plan.
- b) Where a lake is currently over threshold as a result of exceeding the Provincial Water Quality Objective of 20 µg/l total phosphorus and modeled as a moderate or low sensitivity lake, no new development shall be permitted except development on existing lots of record where the existing zoning would permit the development.
- d) New development for the purposes of b) above shall include any development requiring a Planning Act application (excluding minor variance and site plan approval) within 300 metres of the high mark of the lake identified in Appendix I, but shall not include development on existing lots of record where the existing zoning would permit the development. Zoning By-law amendments that may be permitted on within 300 metres of these lakes could include an amendment to permit shoreline structures or a change in zoning to permit less intensive uses that will reduce phosphorus loading to the lake. Proposed zoning amendments must be accompanied by the required supporting studies as identified both in this Plan, and through preconsultation.
- d) The implementation of the recommendations of the Site Evaluation Report shall occur using the various tools set out in this Plan, which may include the monitoring of the sewage system performance, the maintenance or restoration of the shoreline buffer, and the monitoring of stormwater management measures through a Section 51(26) Planning Act agreement or site plan agreement or development permit including the posting of the necessary securities as determined by Council.



#### B.3.1.1.3 High Sensitivity Lakes

- a) Where a lake is classified as highly sensitive to phosphorus loading on Appendix I to this Plan and is not over threshold, new development may be permitted subject to the submission of a Site Evaluation Report and the highest standards for development set out in this Plan shall apply and may include the use of a sewage system and soils to reduce or bind phosphorus in accordance with Appendix "B" to this Plan.
- b) The implementation of the recommendations of the Site Evaluation Report including the monitoring of the sewage system performance, the maintenance or restoration of the shoreline buffer, and the monitoring of stormwater management measures shall occur using the various tools set out in this Plan, including a zoning by-law amendment, a Section 51(26) agreement, site plan agreement, or a development permit, and including the posting of the necessary securities as determined by Council.
- c) Council shall not permit new development on any lake that is highly sensitive where the additional development would result in the lowering of water quality of the lake above its modeled total phosphorus background level, plus 50%.

#### B.3.1.1.4 Moderate and Low Sensitivity Lakes

- a) Where a lake is classified as moderately sensitive to development inputs on Appendix I to this Plan and is not over threshold, new development may be permitted subject to the submission of a Site Evaluation Report and the highest standards for development set out in this Plan shall apply. The implementation of the recommendations of the Site Evaluation Report shall occur using the various tools set out in this Plan, including a Section 51(26) of the Planning Act agreement or site plan agreement or development permit.
- b) Where a lake is classified with low sensitivity to development inputs on Appendix I to this Plan and is not over threshold, Council may waive the requirement for a Site Evaluation Report. Council may require for other reasons set out in this Plan, such as fish habitat protection, wetland protection, steep slopes or similar issues, the submission of a Site Evaluation Report. Council shall consider requests to waive the requirements for a Site Evaluation Report in the following circumstances:
  - i) Where the application is to separate a lot that was inadvertently merged in title and currently supports two residential dwellings with separate and approved sewage disposal systems and where both lots (severed and retained) meet all the other performance standards of this Plan and the new implementing zoning by-law.

- ii) Where the application is to create a new lot which significantly exceeds the minimum performance standards of this Plan and no further development of the severed or retained lots is possible.

#### **B.3.1.2 Lakes that have not been modeled**

Not all lakes have been modelled. Where development is proposed on a lake that has not been modelled, the proponent shall be responsible to submit the required modelling to support the proposed development. The modelling may be prepared by the Township and paid for by the proponent or where submitted by the developer, subject to a Peer Review in accordance with Section B.14 of this Plan

Where a lake is modelled to determine its sensitivity to development and nutrient inputs, specifically phosphorus, the modelling shall be undertaken by a qualified individual acceptable to the Township in conformity with the modelling approach utilized in this Plan as set out on Appendix "A" to this Plan. The lake shall be classified as either high, moderate, or low sensitivity to nutrient inputs and whether the lake is over threshold based on its historic background levels plus 50% or having reached the Provincial Water Quality Objective of 20 ug/l of total phosphorus.

When the lake modelling is complete and the classification of the lake has been determined in accordance with the modelling approach utilized in this Plan, the policies of section B.3.1.1 shall apply and Appendix I to this Plan shall be updated by Council without requiring an Amendment to this Plan.

Where a proponent chooses to not model a lake to determine its sensitivity to development no new development shall be permitted until such time as the lake is modeled and Appendix I to this Plan has been updated.

#### **B.3.2 LAKE TROUT LAKES**

Lake trout lakes are rare. Only about one percent of Ontario's lakes contain lake trout, but this represents 20-25% of all lake trout lakes in the world. Of the 186 lakes in Seguin Township, 7% or 13 lakes support lake trout populations. The province and the Township, therefore, have a joint responsibility to manage lake trout lakes wisely. The lake trout is the only major, indigenous sport fish species in Ontario that is adapted to oligotrophic lakes (i.e. lakes with low levels of nutrients, high dissolved oxygen levels, and typically deep areas with very cold water). Because the lake trout is a sensitive species that is adapted to a narrow range of environmental conditions, specifically dissolved oxygen levels, lake trout lakes have been assessed by the Province with respect to a provincially defined

dissolved oxygen criterion for the protection and sustainability of lake trout populations.

Lake trout lakes are considered to be over capacity for new development where the Mean Volume Weighted Hypolimnetic Dissolved Oxygen (MVWHDO) level is measured to be at or below 7 ppm, or the modelling of the impact of developing the existing lots of record with current planning approvals would lower the predicted MVWHDO to 7 ppm or lower.

#### B.3.2.1 Lakes Trout Lakes at Capacity

- a) Appendix II to this Plan identifies the 11 lake trout lakes and four (4) upstream lakes where the amount of development has already reached or exceeded the lake's capacity as determined by the Province.
- b) New development, which shall include any development requiring a Planning Act application (excluding minor variances and site plan approvals) within 300 metres of the high water level of any lake trout lake identified in Appendix II shall not be permitted, except for development on existing lots of record where the existing zoning would permit the development. Zoning By-law amendments that may be permitted within 300 metres of these lakes could include an amendment to permit shoreline structures or a change in zoning to permit fewer units or less intensive uses that will reduce phosphorus loading to the lake. Proposed zoning amendments must be accompanied by the required supporting studies as identified both in this Plan, and through preconsultation.
- c) New development on the four upstream lakes identified on Appendix II to this Plan may be permitted subject to modeling which confirms that there is a net reduction or no net increase in annual phosphorus loadings to the downstream lake.

If the modeling confirms no net increase, then development may be permitted subject to the submission of a Site Evaluation Report and the highest standards for development set out in this Plan, which may include the use of a sewage system with soils characteristics identified in Appendix B.

- d) If a cold water lake trout lake is identified by the Province as at capacity or no longer at capacity, Appendix II to this Plan shall be updated by Council without requiring an Amendment to this Plan.

#### B.3.2.2 Lake Trout Lakes not at Capacity

- a) Three additional lakes identified as lake trout lakes by the Province, Lake Rosseau, Lake Joseph and Little Lake Joseph,

have been determined to have capacity for additional development without impact on the lake trout habitat. New development on Lake Rosseau, Lake Joseph and Little Lake Joseph shall only occur in accordance with the policies of B.3.1 and B.3.3 of this Section and the other relevant policies of this Plan.

- b) If these lakes are identified by the Province as at capacity, Appendix II to this Plan shall be updated.

### **B.3.3 RECREATIONAL CARRYING CAPACITY**

- a) Recreational carrying capacity is an estimate of the number of users that can be accommodated on the surface of a lake while maintaining the recreational amenity of the waterbody. Recreational carrying capacity is based on the principle that the lake functions as a common space. For this reason, estimates of recreational carrying capacity shall be based on the size of the lake, the number of units surrounding the lake and the public access points that exist. Dwellings, tourist units and campsites are considered to impact the lake from a recreational perspective.
- b) Guidelines for the calculation of recreational carrying capacity are based on the following formula:
  - i) Net surface area is calculated by reducing the total lake surface area by the surface area within 30 metres of the shoreline.
  - ii) A density of one residential unit for every 1.6 hectares net lake surface area and one tourist accommodation unit for every 0.8 hectares of net surface area shall be permitted.
  - iii) Distinct bays having connections to a larger portion of a waterbody less than 60 metres wide shall be considered as a separate waterbody for the purposes of the capacity calculation.
- c) In order to minimize the impact of development on the recreational carrying capacity of a lake, the Municipality may impose limitations on the size of docks, public access to the lake or seek voluntary restrictions on the power of boats using the lake.
- d) New development that would result in a lake being over-capacity in accordance with Appendix III to this Plan shall not be permitted on lakes that have a surface area of over 40 hectares.

- e) The Plan recognizes that recreational boating impacts on small lakes may be less than the recreational boating impacts on larger lakes. On this basis, on lakes that are less than 40 hectares in surface area, development in excess of the capacity identified in Appendix III may be permitted, provided it is demonstrated to Council's satisfaction that the recreational amenity of the lake will be maintained.
- f) Appendix III to this Plan shall be updated by Council without requiring an Amendment to this Plan, provided the calculations are completed in accordance with Section B.3.3 b) of this Plan.

#### **B.3.4 LAKE PLANS AND STRATEGIES**

- a) Council encourages the preparation of Lake Plans and Strategies as a tool to establish and improve communication and good land stewardship practices amongst those who share a lake community and to articulate lake specific principles and goals outlined in this Plan. This Official Plan and the Township Zoning By-law will continue to be the primary land use documents to guide land use in the Township. Council may consider Amendments to the Official Plan or Zoning By-law where Lake Plans and Strategies reveal new planning issues not already addressed by this Plan.
- b) Council supports the preparation of Lake Plans and Strategies as stewardship documents that assess issues such as sources of phosphorus and the remedial actions required to reduce impacts, recreational carrying capacity, lake level management, fisheries, vegetation retention and health, shoreline erosion, cottage conversion and septic system maintenance and re-inspection, and other issues important to lake communities. Such Plans are also encouraged to establish monitoring programs and/or remediation programs to be primarily implemented by local residents and stakeholders such as the Municipality and the Province. Council does not support the inclusion of performance standards in Lake Plans.
- c) Lake Plans and Strategies may include a Waterfront and Architectural Design Guideline as described in Section C.4 of this Plan.

#### **B.3.5 WATERSHED MANAGEMENT**

The Township's lake system is divided into a number of watersheds that are connected to lakes and watercourses in other municipalities and whose waters flow into and through these lakes in adjacent municipalities. Consequently, it is a policy of this Plan that the Township will work with its neighbours in joint watershed programs, where established, in order to protect and preserve lake water quality

or, where necessary, remediate lake water quality on these shared lake systems.

Issues of water quality, water quantity, phosphorus loading and lake capacity shall therefore be considered on a watershed basis.

## **B.4 URBAN DESIGN**

### **B.4.1 OBJECTIVES**

Urban Design is the process of providing guidance to the form and function of areas or specific locations within the Township. The focus is on the massing and organization of buildings and on the spaces between them and the relationship of the building to the public realm, rather than on the design of individual structures.

It is anticipated that the Township's existing *Settlement Areas* will continue to grow over the planning period and will attract a greater range of service and retail commercial and community service uses. It is also anticipated that more employment growth will occur in the centres and corridors identified in this Plan. In order to ensure that these areas evolve in a manner that enhances the quality and vibrancy of community, it is the desire of Council to create and encourage a high quality of built form that is sensitive to the Township's heritage and character. On this basis, it is the objective of this Plan to:

- a) improve the aesthetic quality of the Township's built form, and promote development which is based on good design principles and standards that reflect the goals, objectives, and policies of this Plan;
- b) enhance the unique character of the Township's *Settlement* and *Employment Areas* by encouraging high quality design that is complementary and compatible with existing development, the Township's cultural and natural heritage, and which fosters a strong sense of civic identity and pride;
- c) enhance gateways into the *Settlement Areas*, strengthen the commercial areas and main streets of the communities, and revitalize the employment centres and corridors;
- d) ensure high quality design is employed in the development of all public works and that these public works contribute to an improved community;
- e) exercise appropriate municipal development control in order to achieve a consistently high quality of site, building and landscape design; and,

- f) ensure that community design considers elements of healthy communities including active transportation opportunities, accessible design, vegetation retention and protection of water resources and natural features.

#### **B.4.2 POLICIES**

- a) Measures for personal safety, access, and amenity shall be incorporated in the planning and design of all development.
- b) New development will be required to harmonize with its context, having regard for:
  - scale, proportion, continuity, and texture;
  - orderly and appropriate transition to adjacent lands; and
  - the relationship of spaces to buildings and to the street.
- c) The scale of new buildings and structures should be appropriate to their surroundings and conform to the natural landscape.
- d) The use of building materials and building designs that blend with the landscape and with each other shall be encouraged.
- e) Buildings or structures on untreed sites shall incorporate landscaping to enhance the site and the surrounding area.
- f) The design of all uses shall be in accordance with good design principles and consideration shall be given to the following:
  - i) design which is in keeping with the character of surrounding land uses, has common internal vehicular and pedestrian circulation and physically integrates with the surrounding community or area in a positive manner.
  - ii) the provision of adequate parking and loading facilities; and,
  - iii) adequate buffering and or screening from adjacent residential uses. This may be achieved through fencing, landscaping, berming or a combination of these features.
- g) Where fencing is required, the use of natural construction materials such as wood or stone shall be encouraged and the fencing shall be maintained in a condition that blends with the landscape. Preference shall be given to designs incorporating additional planting or properly designed berming rather than fencing.

- h) Existing mature trees and other vegetative amenities should be retained and preserved except where removal is necessary due to disease, damage or to ensure public health and safety.
- i) Existing vegetation, topography, views and watercourses shall be preserved as much as possible. Supplementary planting of trees and shrubs shall be encouraged.
- j) On-site parking shall be integrated with the development of the site and screened by fencing or landscaping from surrounding roads and properties. Off-street parking and reduced parking standards may be permitted in the existing *Settlement Areas* and where approved by Council.
- k) Signage should be integrated with the architecture and landscape, not only to identify and inform, but also to complement and enliven the community or area.
- l) The Township will require the provision of design elements that maximize physical accessibility for all members of the public in accordance with the Ontarians with Disabilities Act and in conformity with the Township's own Accessibility Plan required under the Act.
- m) Council may develop design plans and guidelines for the *Settlement Areas*, *Employment Areas* and main streets which may include specific recommendations for public works and facilities such as improvements to municipal infrastructure, tree planting, land acquisition, parking layout and linkages to the waterfront area. Such Plans, when approved, shall be taken into consideration in the design of developments within these areas.
- n) The Township will require Dark Sky compliant lighting where exterior lighting is proposed as part of any development within the Township.
- o) Site alteration including blasting and vegetation removal should be limited and regulated by Township By-laws.

## **B.5 CROWN LANDS**

The future use and development of *Crown Lands* could have a major impact on the character of the Township and the ability of this Plan to achieve its Vision and Goals for the Municipality.

While the Crown is not bound by the policies or land use designations of this Plan, it is a policy of this Plan that the Township will work in close co-operation with the Province to determine the future use and development of the *Crown Lands*. The Township encourages the



Province and its resource Ministries to consult the Council of the Township when making land use decisions concerning *Crown Lands*.

This Plan shall be binding on any lands that cease to be *Crown Lands* either by sale or transferred into private ownership, and that the use and development of those lands shall require an Amendment to this Plan.

## **B.6 PUBLIC LAND USES**

Except as may be otherwise specifically stated in this Plan, it shall be a policy of this Plan to permit the use of any land or the use of any building or structure, for the purposes of public service by this Township, any telephone company, any natural gas company or any Department or Ministry of the Government of Ontario or of Canada or authorized contractors/agents of the Ministry or Agency. All public uses shall have regard to the specific Official Plan policies and zoning regulations for the designation and zone within which they are located. It is a policy of this Plan that public uses shall be directed away from lands designated Environmental Protection or support a natural heritage feature.

Public service uses shall not include waste management facilities, waste disposal operations, facilities operated by or for the Ministry of Corrections, or other similar uses. Such uses shall only be permitted by an Amendment to this Plan which is supported by an Environmental Impact Assessment including social, financial and servicing aspects of such development.

All existing electric power facilities and the development of any new electric power facilities, including all works as defined in the *Power Corporations Act*, such as transmission lines, transformer stations and distributing stations, shall be permitted in any land use designation, without an Amendment to the Plan provided that such development satisfies the provisions of the *Environmental Assessment Act*, including regulations made under the Act, and any other relevant statutes.

## **B.7 GROUP HOMES**

It shall be a policy of Council to permit the establishment of group homes within the Township in accordance with the following policies and all other relevant policies of this Plan.

The Zoning By-law shall establish the areas in which group homes may be permitted and such other matters as the number of persons who may reside in a group. The Zoning By-law shall specify regulations regarding performance standards. These standards shall have regard to the limitations of the existing housing stock and design, as well as the objective of community integration. Since the Township is

essentially rural in nature only those group homes which require a rural or small community setting will be permitted.

## **B.8 HOME OCCUPATIONS AND HOME INDUSTRIES**

### **B.8.1 HOME OCCUPATIONS**

Home occupations are permitted in all designations where a dwelling is a principle permitted use, provided:

- a) it is wholly located within a dwelling unit;
- b) it is clearly secondary to the primary use of the property as a residence, in terms of floor space utilization, and is compatible with surrounding residential uses;
- c) it is located in the principal residence of the person conducting the Home occupation;
- d) no outside storage of goods, materials, equipment or service vehicles other than cars, vans and light trucks related to the home occupation occurs;
- e) adequate on-site parking is provided for the home occupation use, in addition to the parking required for the residential use, and such parking is provided in locations compatible with the surrounding residential uses;
- f) the sign identifying the home occupation is limited in size and in accordance with a Municipal Sign By-law, when passed by Council; and,
- g) the existing individual on-site sewage service is acceptable to adequately service the principal residential dwelling unit and the proposed Home Occupation.
- h) the traffic generated will not impact negatively upon a Provincial Highway.
- i) the necessary permits are obtained from the Ministry of Transportation.

The Implementing Zoning By-law shall further detail the conditions under which a home occupation may be permitted.

### **B.8.2 BED AND BREAKFAST ESTABLISHMENTS**

Bed and breakfast establishments shall be permitted in single detached dwellings where listed as a permitted use in the land use designations in this Plan, subject to a rezoning. Council shall be satisfied that the following criteria can be met:

- a) the use shall not have a negative impact on the enjoyment and privacy of neighbouring properties;
- b) the use is clearly secondary to the primary use of the dwelling as a residence;
- c) the bed and breakfast establishment must be the principal residence of the owner and operator;
- d) the character of the dwelling as a private residence is preserved;
- e) adequate parking facilities are available on the lot for the proposed use;
- f) the use will not cause a traffic hazard.
- g) the existing individual on-site sewage service is acceptable to adequately service the principal residential dwelling unit and the proposed bed and breakfast establishment.
- h) shall not be permitted on an at-capacity lake.

The Implementing Zoning By-law shall further detail the conditions under which a bed and breakfast establishment may be permitted, including maximum size and separation distances.

### **B.8.3 HOME INDUSTRIES**

Home industries are small-scale industrial uses that are accessory to agricultural operations or single detached dwellings or commercial on large rural lots. These uses should not detract from the primary use of the property for agricultural or rural residential purposes.

Home industries may include welding, carpentry or machine shops, or agriculturally related uses. The accessory retail sales of products produced in the home industry is also permitted. The repair, storage or sale of motor vehicles is not considered to be a home industry.

Home industries shall be permitted in the *Rural and Resource Area* designation. The Implementing Zoning By-law shall detail the conditions and standards under which a home industry may be permitted. Appropriate performance standards shall be established in the Zoning By-law in accordance with the following guidelines:

- a) the building housing the home industry is located within the existing building cluster;
- b) the home industry has a floor area that is secondary to the scale of uses on the property;

- c) the home industry and any activity area associated with the home industry is set back an appropriate distance from all lot lines;
- d) the noise dust and odour that could potentially emanate from the use will not have an adverse impact on adjacent properties;
- e) the type and level of traffic generated by the use is compatible with the character of the area and the function of adjacent roads, and will not impact negatively upon a Provincial Highway;
- f) the operator of the home industry resides on the property;
- g) all machinery and equipment, with the exception of motor vehicles, required for the home industry are located within enclosed buildings;
- h) any open storage is associated with, and accessory to, the home industry and is screened from view and located within a fenced compound;
- i) The existing individual on-site sewage service is acceptable to adequately service the principal residential dwelling unit and the proposed home industry.
- j) the home industry has a limited number of employees; and,
- k) any retail component of the home industry is clearly accessory to the home industry and does not detract from the primary use of the property.
- l) shall not be permitted on an at-capacity lake.

The development of a new home industry shall be subject to Site Plan Control.

## **B.9 GARDEN SUITE DWELLING UNIT**

Notwithstanding any other provisions of this Plan, the establishment of a garden suite may be permitted, subject to a Zoning By-law Amendment, on land designated *Settlement Area* and *Rural and Resource Area*. The garden suite shall be considered secondary and incidental to the existing dwelling unit.

In considering garden suite dwelling units Council, prior to passing a Temporary Use By-law, shall be satisfied that:

- a) The garden suite is being permitted in conjunction with a single detached dwelling unit;

- b) The garden suite is secondary to the single detached dwelling unit and no more than two dwelling units in total, including the garden suite, shall be permitted per lot unless specifically permitted in the Zoning By-law;
- c) Adequate parking for the garden suite is available;
- d) Where necessary buffering of adjacent uses is provided;
- e) The garden suite shall not cause an encroachment into any required yard imposed by the Zoning By-law. In the case where an existing single detached dwelling is legally non-complying, the garden suite shall not cause further encroachment;
- f) The garden suite shall be portable, however, trailers shall not be permitted;
- g) The garden suite is serviced through an extension from the existing dwelling unit and the private services are adequate to service the principal residential unit and the garden suite;
- h) An agreement is entered into with the Township regarding the maintenance, alterations and improvements and eventual removal of the garden suite unit. This agreement may include a bond or security held by the Town that would ensure the removal of the unit.

## **B.10 SECONDARY DWELLING UNITS**

Notwithstanding any other provisions of this Plan, the conversion of a principal dwelling unit to accommodate a secondary dwelling unit shall be permitted as-of-right within the *Rural and Resource Areas* and *Settlement Areas* within the Township of Seguin. For the purpose of this Section, a secondary dwelling unit shall be considered secondary and incidental to the existing individual dwelling unit.

Appropriate standards and provisions shall be established in the General Zoning By-law in accordance with the following guidelines:

- a) The secondary dwelling unit is permitted only in conjunction with an existing dwelling unit;
- b) Only one secondary dwelling unit or garden suite is permitted per lot;
- c) The secondary dwelling is secondary and subordinate to the existing dwelling unit;
- d) The secondary dwelling unit forms an integral part of the structure and is so designed to maintain the character of the

single detached, semi-detached or row house or accessory structure dwelling and the surrounding neighbourhood;

- e) The lot size and configuration is sufficient to accommodate adequate parking and amenity space is available and to ensure that the character of the area or amenity space of area properties is not adversely impacted;
- f) Where necessary, buffering of adjacent uses is provided;
- g) The addition of a secondary dwelling unit shall not cause an encroachment into any required yard or height restriction imposed by the Zoning By-law. In the case where an existing single detached, semi-detached or row house dwelling is legally non-complying such addition shall not cause a further encroachment;
- h) The minimum floor area for the secondary dwelling unit and all other standards will comply with the *Ontario Building Code*, *Ontario Fire Code*, and all other applicable requirements, and;
- i) The existing individual on-site sewage and water service is adequate to service the principal residential dwelling unit and the proposed secondary dwelling unit.

## **B.11 CULTURAL HERITAGE RESOURCES**

### **B.11.1 OBJECTIVES**

It is the intent of this Plan to:

- a) recognize that the maintenance of the Township's cultural heritage resources will contribute to the preservation of the Township's character.
- b) consult and seek the advice of a Municipal Heritage Committee or other heritage organizations when making decisions regarding the conservation of cultural heritage resources in the Township.

### **B.11.2 PUBLIC WORKS**

The carrying out of any public work by any Public Authority shall retain and protect identified cultural heritage resources in accordance with the goals and objectives of this Plan.

When necessary, and in accordance with the requirements of the Environmental Assessment Act, Council will require the preparation of a Heritage/Archaeological Impact Assessment of the proposed project and identify satisfactory measures to mitigate any adverse impacts affecting cultural heritage resources. Cultural heritage resources

include built heritage sites, cultural heritage landscapes, archaeological sites and areas of archaeological potential.

### **B.11.3 MITIGATION OF IMPACTS ON CULTURAL HERITAGE RESOURCES**

Council may impose as a condition of any development approval the retention and conservation of cultural heritage resources, or the implementation of appropriate mitigation measures, to minimize the impact of the development on the cultural heritage resource. Council shall require a heritage impact assessment conducted by a qualified professional whenever development has the potential to impact a significant cultural heritage resource.

Council may require a heritage impact assessment conducted by a qualified professional whenever development has the potential to impact a protected heritage property or other cultural heritage resource.

### **B.11.4 BUILT HERITAGE AND CULTURAL LANDSCAPE RESOURCES**

#### **B.11.4.1 Cultural Heritage Registry**

Council may pursue the development and use of a comprehensive registry of cultural heritage resources including entering into a data sharing agreement with the Ministry of Culture, to assist in cultural heritage conservation. The registry may include items of cultural heritage value or interest including built heritage features, cultural heritage landscapes, scenic landscapes, and may establish criteria to be used in determining the appropriate means of conserving the cultural heritage resources.

#### **B.11.4.2 Designation under the Ontario Heritage Act**

Council may by By-law designate cultural heritage resources, such as individual buildings and conservation districts pursuant to the *Ontario Heritage Act* and the policies of this section. Prior to the passage of such a By-law, Council shall be satisfied that:

- a) the building or property is strongly associated with the life of a person who played an integral role in the development of the Township or District and/or is recognized locally, nationally or internationally;
- b) the building or property is the location of, or is associated in a significant way, with a significant local, national or international event;

- c) the building has an architectural style that is distinctive and representative of a period of history and/or is the work of a recognized architect;
- d) the building or property is considered to be an easily recognizable landmark in the Township and contributes to the character of the community.

#### B.11.4.3 Preservation of Heritage Buildings

Council shall encourage the retention of buildings of cultural heritage value or interest in their original locations whenever possible. As part of a heritage assessment, all options for on-site retention shall be considered before approval is given for relocation to another site. These options include: integration within new development areas, adaptive re-use of the building in its original location (e.g. use as a community centre within a residential subdivision), and relocation of the building on the development site.

Building updates undertaken to improve building accessibility or to provide green energy infrastructure, shall be completed in a manner that does not impact the heritage of the building.

### **B.11.5 ARCHAEOLOGICAL RESOURCES**

#### B.11.5.1 Archaeological Assessment Requirements

Council recognizes that there are archaeological remnants of prehistoric and early historic habitation as well as archaeological potential areas within the Township. Archaeological sites and resources contained within these areas can be adversely affected by any future development. Archaeological potential areas are determined through the use of provincial screening criteria or criteria developed based on the known archaeological record within the Township and developed by a licensed archaeologist in consultation with the Province. Such criteria include features such as proximity to water (current or ancient shorelines), rolling topography, unusual landforms, and any locally known significant heritage areas.

Council shall require Archaeological Assessments conducted by archaeologists licensed under the *Ontario Heritage Act*, as a condition of any development proposal affecting areas containing a known site or considered to have archaeological potential. Assessment reports conducted by licensed archaeologists are to be in compliance with guidelines set out by the Ministry of Culture, as well as licensing requirements developed under the *Ontario Heritage Act*.

Council may conserve the integrity of archaeological resources by adopting Zoning By-laws under Section 34 of the *Planning Act*, to prohibit land uses on sites where an identified significant



archaeological heritage resource exists. Any alterations to known archaeological sites shall only be performed by licensed archaeologists as per Section 48 of the *Ontario Heritage Act*.

**B.11.6 PROTECTED HERITAGE PROPERTY**

Development and site alteration may be permitted on adjacent lands to protected heritage property where the proposed development and site alteration has been evaluated through a heritage assessment and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved. Mitigative measures and /or alternative development approaches may be required to conserve the heritage attributes affected by the adjacent development and site alteration.

**B.11.7 HERITAGE EASEMENTS**

Heritage easements recognize cultural heritage resources in accordance with the Ontario Heritage Act.

**B.11.8 UNMARKED BURIAL SITES**

If remains are discovered through site alteration or the development process, the Ministry of Culture shall be contacted and appropriate steps shall be undertaken in accordance with the Cemeteries Act, the Ontario Heritage Act and the Funeral, Burial and Cremation Services Act.

**B.11.9 HERITAGE IMPACT ASSESSMENT**

A heritage impact assessment shall be required when a development has the potential to affect a protected heritage property and/or a cultural heritage resource. The assessment must be completed by a qualified professional.

**B.12 SUBDIVISION OF LAND**

This section contains policies that are to be considered with every application to subdivide land in the Township.

**B.12.1 PREFERRED MEANS OF LAND DIVISION**

A provisional consent to sever land shall only be considered when Council is satisfied that a Plan of Subdivision is not required to ensure the proper and orderly development of the lands. Where the land ownership would be capable and appropriate for division into numerous lots or there are indications that the scale of development is going beyond that for which the consent process is intended, a Plan of Subdivision shall be required.

Land division by Plan of Subdivision, rather than by consent, shall generally be required if:

- a) the extension of an existing public road or the development of a new public road is required to access the proposed lots; or,
- b) a Plan of Subdivision is required to ensure that the entire land holding or the area is developed in an orderly and efficient manner; or,
- c) more than four lots including the retained lot are being created and/or the owner is retaining sufficient lands which may be the subject of applications for the development of additional lots.

## **B.12.2 NEW LOTS BY CONSENT**

### **B.12.2.1 General Criteria**

Prior to issuing provisional consent for a new lot for any purpose, Council shall be satisfied that the lot to be retained and the lot (or lots) to be severed:

- a) conform to the specific land division policies contained in the land use designation sections of this Plan;
- b) fronts on a public road that is maintained on a year-round basis; or
- c) is considered infilling between existing lots on an existing private road as of the date of adoption of this Plan. The creation of new lots for any purpose on a private road shall be discouraged, except where the lot is already a case of infilling and the private road is of a standard that can provide access to emergency vehicles;
- d) Where located on an island or where the proposed lot is to be accessed by water, the new lot must have deeded mainland parking and dockage with direct access to a public road and/or an existing right-of-way. The deeded access shall be registered on the title of the water access lot. The deregistration of the deeded mainland access from the water access lot shall only be permitted once alternative deeded mainland access has been registered on the title of the water access lot.
- e) Access to water access lots on Lake Joseph or Lake Rosseau may be provided from a marina, provided written confirmation from the marina is obtained which indicates that adequate mainland parking and boat mooring is available to provide access for the additional development;
- f) will not cause a traffic hazard;

- g) has adequate size and frontage for the proposed use in accordance with the Implementing Zoning By-law and is compatible with adjacent uses;
- h) can be serviced with an appropriate water supply and means of sewage disposal and is generally a minimum lot size of 1 hectare or as approved in accordance with Section E5 of this Plan;
- i) will not have a negative impact on the drainage patterns in the area;
- j) will not have a negative impact on the quality of any lake or waterbody and is within the biological and recreational capacity as determined in accordance with the policies of this Plan;
- k) will not restrict the development of the retained lot or other parcels of land, particularly as it relates to the provision of access, if they are designated for development by this Plan;
- l) will not have a negative impact on the features and functions of any natural heritage feature in the area;
- m) the shape and dimension shall be appropriate to the use proposed taking into account: the character and topography of the area;
- n) Prior to the approval of a development application, the proponent shall provide confirmation that arrangements have been made for the treatment of the hauled sewage to be generated from the development at a duly licensed facility;
- o) suitable building space exists outside of the regulatory flood elevation or lands prone to flooding and the site can be accessed during times of flooding; and,
- p) meets the requirement of Section 51(24) of the *Planning Act*.

Provisional consent may be granted subject to appropriate conditions of approval for the severed and/or retained lot in accordance with the *Planning Act*.

#### B.12.2.2 Boundary Adjustments

A consent may be permitted for the purpose of correcting conveyances, enlarging existing lots or through acquisition by a public body, provided no new building lot is created. In reviewing an application for such a boundary adjustment, the Council shall be satisfied that the boundary adjustment will not affect the viability of the use of the properties affected as intended by this Plan.

#### B.12.2.3 Lots for Utilities

The creation of new lots for public utilities, communication utilities and other public uses may be permitted provided:

- a) the area of the proposed lot is minimized and reflects what is required for the use; and,
- b) the Implementing Zoning By-law, as a condition of provisional consent, only permits uses that are related to the utility on the lot.

#### B.12.2.4 Waterfront Lots

New waterfront lots shall only be permitted where it is demonstrated to the satisfaction of Council that the abutting waterbody can sustain the impact associated with the additional lot(s) and shall not exceed the lower, or most precautionary, of the recreational or biological capacity of the waterbody.

In addition to the Shoreline Development policies of this Plan when considering applications for lot creation Council shall require that:

- a) There is sufficient frontage on each lot to ensure that there is an appropriate waterfront amenity area outside of sensitive fish habitat, steep slopes, or other environmentally sensitive areas;
- b) The physical characteristics of the land enable the development in accordance with the policies of this Plan and the regulations of the Zoning By-law without alteration to the natural landscape through filling or blasting.
- c) Backlot development, which is the form of a development operating as an additional tier of lots parallel or within 300 metres to the high water line, is strongly discouraged by this Plan. New backlot development may be permitted through a Zoning By-law Amendment, if the lot to be created has a significantly large area and frontage, is located within close proximity to a maintained public access point to the lake and fronts on a year-round maintained public road. An unopened road allowance or right-of-way to the lake is not an appropriate form of access to permit backlot development.
- d) A sewage system in accordance with the policies of this Plan can be accommodated on site, with all components of the system being located a minimum of 20 metres from the high water or defined flood elevation and each lot is generally a minimum lot size of 1 hectare or as approved in accordance with Section E.5.2 and E.5.3 of this Plan.

- e) The water setback shall be a minimum of 20 metres for all principal buildings and the Zoning By-law will establish specific standards regarding accessory buildings and structures.
- f) The lot shall maintain all significant soil, vegetation and tree cover as part of its development.
- g) Appropriate access to the Lake can be obtained.

#### B.12.2.5 Rural and Resource Area - New Lots for Residential Purposes

In accordance with the Growth Management Goals and Objectives of this Plan to focus growth to settlement areas and maintain the rural character of the Township, only a limited number of new lots for residential purposes can be created in the Township. Limited residential development in the *Rural and Resource Area* will occur by consent.

- a) In considering the creation of a new lot in the *Rural and Resource Area*, Council shall be satisfied that the proposed lot(s):
  - i) Shall have a minimum lot area of 1.2 hectares for Rural Residential lots. Minimum lot sizes of 4 hectares shall be required for Rural lots to protect space-expansive rural uses, aggregate operations, existing rural character, land use compatibility, environmental or topographic features, against the fragmentation of natural heritage features and areas of agricultural lands.
  - ii) Shall have a minimum lot frontage of 150 metres onto a year-round maintained road for Rural lots. Minimum frontages of 90 metres onto a year-round municipally maintained road may be acceptable for Rural Residential lots in areas of established rural residential development with frontages less than 150 metres.

Exceptions to these requirements may be permitted:

- for parcels that are being divided that have an existing deficient frontage (ex, a split frontage lot) on a year-round maintained road, and the deficient frontage is not being further reduced; or
- if the proposed parcel has the required amount of continuous frontage between a year-round municipally maintained road and an unopened road allowance.

A shared entrance secured by a right-of-way may be appropriate to avoid negative impacts to the natural heritage features, road functions, or the unnecessary extension of municipal roads, as determined by the Township. Each lot will still meet the frontage requirements.

- iii) is located at least 300 metres from the limits of the shoreline of a high sensitivity, over-threshold lake, in accordance with Section B.3.1.1.1 a) and b) of the Official Plan or an at capacity Lake Trout Lake in accordance with Section B.3.2.1 b) of the Official Plan
- iv) Limited back lot development as defined in the policies of Section B.12.2.4 c) of the Official Plan shall be permitted subject to the new lot(s) having minimum lot area of 4 hectares, and a minimum frontage of 120 metres on a year-round maintained public road;
- v) Preserves natural vegetation in the front yard in order to maintain the rural character of the area."

#### B.12.2.6 Islands

The following policies shall have application to all development on islands with water only access:

- a) The minimum size for new lot creation on islands with water only access shall be 1.2 ha above the normal or controlled high water level.
- b) A plan or a sketch prepared by an Ontario Land Surveyor may be required in order to confirm that the minimum lot size can be satisfied.
- c) Council will generally require an Environmental Impact Study and/or a Site Evaluation Report, in order to address the environmental and waterfront design policies of this Plan. The recommendations of these studies shall be implemented as required by the development approval process;
- d) A sewage system in accordance with the policies of this Plan can be accommodated on site, with all components of the system being located a minimum of 20 metres from the normal or controlled high water level.

- e) The water setback shall be a minimum of 20 metres for all principal buildings and the Zoning By-law will establish specific standards regarding accessory buildings and structures.
- f) The lot and/or island shall maintain all significant soil, vegetation and tree cover as part of its development.
- g) Building height will be limited so as to preserve shoreline visual character and the Zoning By-law will establish maximum height standards.
- h) Where development is permitted on islands, there are sufficient provisions for deeded mainland parking, docking and waste disposal.
- i) Development shall proceed by way of Site Plan Approval.

#### B.12.2.7 Technical Severances

A consent application to correct a situation where two or more lots have merged on title may be considered, provided Council is satisfied that the new lot(s):

- a) was once a separate conveyable lot(s) in accordance with the Planning Act;
- b) merging was unintentional and was not merged as a requirement of a previous planning approval;
- c) is of the same shape and size as the lot which once existed as a separate conveyable lot;
- d) can be adequately serviced by on-site sewage and water systems;
- e) fronts on and will be directly accessed by a public road that is maintained year-round by a public authority;
- f) there is no public interest served by maintaining the entire property as a single conveyable parcel;
- g) conforms with the policies of B.12.2.1 of this Plan; and,
- h) is subject to the access policies of the relevant road authority.

#### B.12.2.8 Waterfront Landings

Waterfront Landings are properties that provide access for water access properties. Waterfront Landings may contain parking areas, and

docking facilities for a limited number of boats and may be tied to water access properties. Waterfront Landings are not appropriate for all properties and may be permitted in the Shoreline Designation subject to a Zoning By-law amendment and the following criteria:

- a) A limited number of boat docking spaces may be permitted.
  - b) Site specific zoning to specify the use and outline performance standards such as the maximum number of boat docking and car parking spaces and to limit the development of structures.
  - c) The site is appropriately buffered from neighbouring land uses.
  - d) A natural shoreline buffer is maintained between parking areas and the shoreline, except for a path for access to docking areas.
  - e) A stormwater management plan is provided to outline how stormwater from the parking area is to be mitigated before entering the lake.
- 
- a) The preparation of an EIS to consider fish habitat and the potential impact of dock development and parking areas and to recommend mitigation measure and techniques. The EIS shall also identify the most appropriate location for docks.
  - b) Proper legal access.

### **B.12.3 SUBDIVISION AND CONDOMINIUM DEVELOPMENT POLICIES**

This section is intended to contain general subdivision policies that are to be considered with every application for Plan of Subdivision or Plan of Condominium. Regard shall also be had to the specific policies dealing with lot creation in each land use designation and other relevant policies of the Plan.

Prior to the consideration of an application for Plan of Subdivision or Plan of Condominium, Council shall be satisfied that:

- a) the approval of the development is not premature and is in the public interest;
- b) the lands can adequately support the proposed development in terms of sewage and water services;
- c) the lands are adequately serviced with schools, parkland and open space, community facilities and other amenities;
- d) the density of the development is appropriate for the area;
- e) the subdivision, when developed, will be easily integrated with other development in the area;



- f) the subdivision conforms with the "Environment-First" policies of this Plan; and,
- g) the proposal conforms to Section 51 (24) of the *Planning Act*, as amended.

Prior to the registration of any Plan of Subdivision or Condominium, a Subdivision or Condominium Agreement between the landowner and the Township will be required. The required agreement is to be completed to the satisfaction of Council and should ensure that the proponent assumes all financial responsibilities with respect to the development. It is anticipated that securities will be required to be posted for all road, service infrastructure, drainage site works to be completed as part of a subdivision, including landscaping and vegetation preservation.

#### **B.12.4 CONDOMINIUM CONVERSION**

Condominium conversion is the change of an individually owned building to a condominium structure. This could include the conversion of rental apartments to condominium units, the conversion of a hotel or motel to condominium units or the conversion of a non-residential building to smaller condominium non-residential units.

The Township recognizes that the maintenance of its rental housing supply is a priority. It is particularly important because rental housing is an important component of affordable housing in the Township.

The Township understands that conversion of rental housing to condominium ownership has the potential to reduce the supply of affordable and entry level housing opportunities available to local residents.

Where conversion of a residential rental property to condominium ownership is proposed, the proponent shall supply a rental housing analysis demonstrating that there will be no negative impact on the supply and affordability of rental housing within the Township.

Applications for condominium conversion shall be supported with the following information:

- a) A Planning Report that details how the proposed development conforms to all applicable policy and regulations including Section 51 of the Planning Act;
- b) An Engineers Report in accordance with Section 9.4 of the Condominium Act. The requirements of the Engineering Report should be determined in consultation with the Chief Building Official for the Township and may include such items as a review of foundations, structural compliance, electrical systems, heating systems and other building utilities;

- c) A Sanitary and Water Systems Report shall be prepared to detail the current water and sewage services for the development;
- d) Where a condominium conversion is approved, the proponent shall be required to enter into an agreement with the Township including servicing agreements to ensure that on-site services are monitored and maintained at no expense to the Township; and,
- e) Any other information this is required by the Township to make a decision on the application.

### **B.13 WATER TAKING AND SOURCE PROTECTION**

It is the Township's goal to be involved in the process of approving and considering applications that involve commercial water taking for the purpose of resale of water as a commercial use. It is also Council's goal to ensure that a process is established whereby landowners in the vicinity of proposed water taking are informed of a proposed taking and given an opportunity to comment on the proposal.

It is recognized that the approval of all applications for water taking rests with the Ministry of Environment, in accordance with the *Ontario Water Resources Act*, as amended. It is a policy of this Plan that the taking of more than 50,000 litres of ground or surface water per day or a commercial water taking is deemed to be a land use.

The implementation of this policy shall occur through the Implementing Zoning By-law. On this basis, the Implementing Zoning By-law shall include water taking as a land use to be regulated by the Township.

In preparing the Implementing Zoning By-law, the Township shall determine which type of water taking will require a rezoning and under what conditions such a zoning change could be granted. If a water taking requires a rezoning Council shall be satisfied that at a minimum:

- a) the quality of groundwater and surface water in the area will be maintained and, where possible, improved or restored; and,
- b) the quantity of water available for other uses in the area and that base flow for rivers and streams, wetlands and other waterbodies in the watershed will not be affected.
- c) The taking of water does not preclude other developments in the area envisioned by this Plan.

As a condition of approval, Council may also require the proponent to enter into a monitoring and financial assurance agreement to ensure that Council has the ability to ensure that neighbouring drinking water supplies are not affected by the extraction. If it is deemed that the extraction is having a negative impact on the quality and/or overall quantity of water available in the area, Council will have the ability, pursuant to the monitoring and financial assurance agreement, to require the water extraction to decrease or cease or require mitigative measures be undertaken.

As part of its commitment to source water protection, the Township may establish a Source Water Protection Strategy and Program to protect the ground and surface water systems in the Township. The Strategy and Program may include a number of initiatives including but not limited to the following:

- a) A co-operative program with property owners may be established to limit fertilizer and pesticide applications, manage natural areas and grass cover and replacement, replace and/or upgrade heating oil storage tanks, limit vehicle repair and maintenance, and better manage residential fuel and chemical storage;
- b) Reduction or the elimination of roadside salt use within areas that may impact surface or groundwater;
- c) Reduction or the elimination of fertilizer and pesticide use on public lands;
- d) Develop a spills action plan; and
- e) Develop a regular sewage system re-inspection program.

## **B.14 SUPPORTING STUDIES**

Council may request supporting technical studies or reports or Design Guidelines or similar such supporting studies as part of the local planning application review process or as part of a comprehensive planning study in order to satisfy the goals and strategic objectives of this Plan. The following policies provide guidance for some of the supporting studies that may be required.

### **B.14.1 GENERAL POLICIES**

Council will determine the need and the timing for the submission of the supporting studies on a site-specific basis having regard to the policies and provision of this Plan, and Provincial legislation, policies and implementing guidelines.

Where a supporting study or report is required, it shall be prepared by a qualified professional in the relevant field and shall have regard to all federal and Provincial legislation, policies and guidelines and best management practices within the field. Where a supporting study is required, it shall be at the full cost of the landowner.

Council may require a supporting study required under the provisions of this Plan to be peer reviewed. Where Council has required that a peer review be completed, the proponent of the planning application will pay for the costs of the peer review studies.

Where a proponent wishes to avoid Peer Review costs, the Township may agree to co-ordinate the preparation of a terms of reference and consultant selection all at the expense of the proponent. The proponent will be required to front-end the full costs of the study based on the accepted proposal. The selected consultant shall be retained by the Township and report directly to the Municipality.

The following identifies the typical technical studies that Council may request be submitted in support of a planning application:

- a) Storm Water Management Study to address impacts of the development on receiving waters, pre and post development flows, respecting both quality and quantity issues and recommend the required management facilities as well as any other mitigation measures to prevent adverse off site impacts.
- b) Lake Capacity Study to determine that the proposed development will have no negative impact on the water quality of the lake, impact sensitive lake trout populations, or recreational carrying capacity.
- c) Environmental Impact Study to determine that the proposed development would have no negative impact on the features and functions of the Natural Heritage System, and environmentally sensitive areas in accordance with the requirements of this Plan.
- d) Traffic Impact Study to demonstrate that a proposed development and the resultant traffic generated can be accommodated by the existing road system or system reconfigured as part of the development.
- e) Settlement Impact Study to demonstrate that the proposed development will not prejudice the expansion and future growth of the *Settlement Areas*.
- f) Noise and/or Vibration Study shall demonstrate that the proposed development will have acceptable levels of noise and vibration associated with the proposed uses or will not be impacted by existing generators of noise and vibrations.

Regarding rail lines, all proposals within 300 metres shall require a Noise Study and all proposals within 75 metres shall require a Vibration Study. All development between 300 to 1,000 metres of a rail yard shall require a Noise Study to the satisfaction of Council and the appropriate railway.

- g) Land Use Compatibility Study to demonstrate that the proposed use will have no impact on sensitive land uses and shall be prepared in accordance with MOE guidelines.
- h) Functional Servicing Study will assess the water, sewage disposal, and other servicing impacts of the proposed development and the potential impacts of the development on the Township's ability to supply the necessary services.
- i) Hydrogeological Study shall assess the impacts of the proposed development on groundwater quality and quantity and the maintenance of base flows in adjacent watercourses.
- j) Flood Plain Study, prepared by a qualified engineer, to identify the engineered regulatory flood elevation and the location of the flood plain lines under regulatory flood conditions.
- k) Erosion or Slope Stability Study, prepared by a qualified engineer, to identify any erosion or slope stability hazards and recommend appropriate mitigation and prevention measures.
- l) Archaeological assessment reports to provide an inventory of archaeological resources present on a development property, and recommendations for the conservation and protection of these resources must be prepared in accordance with terms of the Ontario Heritage Act, Section 65.
- m) Truck Routing for the determination of the appropriate truck routing, and impact on roads used by the truck traffic.
- n) Design Guidelines to set out an approach to building layout and design that must be addressed in all development applications.
- o) A Tree Preservation Plan in *Waterfront Areas* and *Settlement Areas*. Tree Preservation Plan describing the existing treed areas of the site and how these areas will be protected, preserved, or managed as part of the development.
- q) Heritage Impact Assessment reports to provide an inventory of cultural heritage landscapes and built heritage resources present on a development property, and recommendations for the conservation and protection of these landscapes and resources must be prepared in accordance with terms of the Ontario Heritage Act, Section 65.

## **B.15 ENVIRONMENTAL IMPACT STUDIES**

- a) Where the policies of this Plan require that an Environmental Impact Study (EIS) be prepared by a qualified professional, such an EIS shall be prepared in accordance with the requirements of this section. The EIS shall include a description of:
- i) the proposed undertaking;
  - ii) the natural features and ecological functions of the area potentially affected directly and indirectly by the undertaking, and their sensitivity to development;
  - iii) any lands that support environmental attributes and/or functions that may qualify the lands for designation within the *Environmental Protection Area* designation;
  - iv) the direct and indirect effects to the ecosystem that might be caused by the undertaking;
  - v) any natural and human-made hazards that need to be addressed as part of the design.
  - vi) any monitoring that may be required to ensure that mitigating measures are achieving the intended goals;
  - vii) how the proposed use affects the possibility of linking areas of the Natural Heritage System by natural corridors that may or may not be identified on Schedule C to this Plan;
  - viii) a Management Plan identifying how the adverse effects will be avoided or minimized over the construction period and the life of the undertaking and how environmental features and functions will be enhanced where appropriate and describing the net effect of the undertaking after implementation of the Management Plan. The Management Plan shall also establish mitigation measures including the limits of buffers and setbacks adjacent to watercourses, waterbodies, valleys, wetlands and vegetation to protect the natural feature and its attributes and/or function from the effects of development.

The purpose of an EIS is to collect and evaluate the appropriate information in order to have a complete understanding of the boundaries, attributes and functions of the environmental features, and to make an informed decision as to whether or not a proposed use will have a negative impact on the natural features and ecological functions of the Township.

Any EIS required by this Plan must describe the natural features and ecological functions, identify their significance and sensitivities and describe how they could be affected by a proposed use. The EIS should give consideration to the relevant aspects and inter-relationships of various components of the Natural Heritage System on and off the site. In addition, the EIS must address how the proposed development will protect, maintain or restore the significant natural features and ecological functions of the Natural Heritage System.

- b) Any EIS must be approved by Council, in addition to the other appropriate agencies, before a planning application (e.g. Zoning By-law Amendment, Official Plan Amendment, site plan agreement, consent, minor variance, subdivision) which facilitates the development that is the subject to the EIS is approved by Council.
- c) Council will not approve any planning application unless the EIS demonstrates, where applicable, that the proposed use would:
  - i) not discharge any substance that could harm air quality, groundwater, surface water and associated plant and animal life;
  - ii) be supplied by an adequate supply of water and that the groundwater taking associated with the use will not harm existing water supplies and associated plant and animal life;
  - iii) not cause erosion or siltation of watercourses or changes to watercourse morphology;
  - iv) not interfere with groundwater recharge to the extent that it would adversely affect groundwater supply for any use;
  - v) not cause an increase in flood potential on or off the site;
  - vi) maintain/enhance/restore the natural condition of affected watercourses, and protect/enhance/restore aquatic habitat;
  - vii) not significantly affect the scenic qualities of the area;
  - viii) not encourage the demand for further development that would negatively affect wetland function or contiguous wetland areas; and,
  - ix) enhance and restore endangered terrestrial and aquatic habitat where appropriate and feasible.

- x) have no negative impact on the natural features or ecological functions of significant habitat of endangered or threatened species, or other significant wildlife habitat, fish habitat, a Provincially Significant Wetland or other significant natural heritage feature or function.

## **B.16 COMMUNITY FACILITIES, SERVICES AND INFRASTRUCTURE**

Community facilities, services and infrastructure include schools, clinics, libraries, community centres, parkland, access points and Township services that are designed to meet the social and cultural needs of Township residents. It is the intent of this Plan to ensure that:

- a) schools are maintained to adequately serve the surrounding neighbourhood and/or catchment area;
- b) the Township continues to be well served by schools and community centres in appropriate locations;
- d) adequate library services are provided to Township residents as determined by Council;
- e) adequate emergency access is provided throughout the Township by police, fire ambulance and other emergency vehicles; and,
- f) public access points to the water are maintained.

In order to ensure that community services are provided in a manner that meets the needs of Township residents, servicing strategies that deal with service areas may be prepared to serve as a guide for the provision of services to the Township.

## **B.17 NEW MINERAL AGGREGATE OPERATIONS OR EXPANSIONS TO EXISTING OPERATIONS**

All new mineral aggregate quarry operations (an open excavation from which stone or other material is extracted by blasting, cutting, or drilling) shall require an Amendment to the Official Plan and Zoning By-law.

Applications to expand existing mineral aggregate quarry operations will require an Amendment to the Zoning By-law and will be considered in accordance with the policies of this Section.



Applications to develop new or expand existing sand and gravel aggregate operations shall require an Amendment to the Zoning By-law and will be considered in accordance with the policies of this Section.

Any application for Amendment to the Official Plan and/or the Zoning By-law shall be supported by studies that address:

- a) the potential impacts of the operation on:
  - the ~~significant~~ natural heritage features and ecological functions on the site and in the area;
  - nearby communities and residential uses;
  - agricultural resources and activities;
  - the character of the area;
  - the quality and quantity of groundwater and surface water;
  - the cultural heritage resources in the area;
  - significant geologic formations on the site and in the area;
  - the groundwater recharge functions on the site and in the immediate area; and,
  - nearby wells used for drinking water purposes.
- b) the effect of the increased truck traffic on the environment and the land uses in the area;
- c) the suitability of the proposed haul routes;
- d) the effect of the noise, odour, dust and vibration generated by the proposed use on adjacent land uses;
- e) how the natural features and functions on the site and in the area can be protected and/or enhanced as part of the design of the operation and through progressive rehabilitation;
- f) how the impacts from the proposed operation on adjacent uses will be mitigated; and,
- g) how the site will be progressively rehabilitated to accommodate subsequent land uses after the extraction is completed.

In addition to the above, the appropriate studies shall take into account the added impact of the proposed operation on the items listed in this Section and also take into account the impacts from existing operations in the immediate area. In considering the cumulative impact of the new operation and existing known impacts,

Council shall ensure that mitigation measures intended to lessen the added impact are reviewed and applied as required. During the course of this review, phasing options shall be considered as one means to minimize the combined impacts of the proposed and existing operations on the general area.

Applicants shall consult with the Township to determine the nature, scope, and terms of reference for the required supporting studies under this section. The preparation of the supporting studies shall be subject to the policies of Section B.14 of this Plan.

The policies of Section B.18 shall apply to wayside pits and quarries.

## **B.18           WAYSIDE PITS AND QUARRIES**

Wayside pits and quarries are regulated by the Aggregate Resources Act and will be defined in the Implementing Zoning By-law(s) in accordance with Provincial requirements. Wayside pits and/or quarries are temporary excavations made for the removal of sand or gravel or bedrock aggregate and are opened and used by a public road authority (or its authorized contractor) for the purpose of a particular project or contract of road construction.

Wayside pits and quarries, as well as portable asphalt and concrete plants shall be permitted in all land use designations without amendment to this Plan or the Zoning By-law, except on lands designated Shoreline Area, Settlement Area, and Environmental Protection Area, or lands adjacent to existing, residential development, and are discouraged from locating within 300 metres of any lakes or watercourses.

## **B.19           POTENTIALLY CONTAMINATED SITES**

Potentially contaminated sites include lands, buildings and structures where the environmental condition of the property and the quality of the soil or groundwater, as a result of current or past land uses may have the potential for adverse effects to human health or the natural environment.

### **B.19.1       OBJECTIVES**

- a) To outline the Township's policies respecting the identification of land uses where contamination may have occurred or is occurring.
- b) To outline the Township's requirements for site assessment and clean up prior to the granting of planning approvals.

- c) Ensure, in co-operation with the Province, that contaminated soil and groundwater do not create a hazard for the health of the natural environment or for human health.

## **B.19.2 GENERAL POLICIES**

- a) All applications for planning approval will be required to complete a screening questionnaire regarding the current and past use of the lands and the actual or potential contamination of the lands;
- b) The Township may require applications for planning approval for development to be supported by an affidavit from a qualified engineer indicating that a Phase I Environmental Site Assessment (ESA) has been completed in accordance with Part XV.1 of the *Environmental Protection Act* and Ontario Regulation 153/04 or their successors;
- c) The Township will require a Phase II ESA has been completed in accordance with Part XV.1 of the *Environmental Protection Act* and Ontario Regulation 153/04 to be undertaken where the Phase I ESA reveals that the site may be contaminated. The Phase II ESA will provide a sampling and analysis of the property to confirm and delineate the presence of soil or groundwater contamination at the site or confirm the absence of contamination;
- d) Prior to planning approvals for subdivision, site plan, and consent applications from the Township for residential development or where the application is for a change of use to a more sensitive land use than the sites previous land use, and where the Phase I and II ESA's reveal the site is or may be contaminated, the applicant shall provide a Record of Site Condition in accordance with Part XV.1 of the *Environmental Protection Act* and Ontario Regulation 153/04 as amended from time to time. The Record of Site Condition shall be acknowledged by the Ministry of the Environment and registered on title of the subject lands, confirming that the site has been remediated and made suitable for the proposed use. The Record of Site Condition and Ministry of the Environment acknowledgment shall be provided to the Township;
- e) Where the Township is to be deeded land for public highways, road widenings, parkland, stormwater management facilities or any other public use, the Township will require as a condition of the transfer a Phase I ESA in accordance with Part XV.1 of the *Environmental Protection Act* and Ontario Regulation 153/04 or their successors confirming that no contamination exists on the land or a Record of Site Condition and acknowledgement from

Ministry of the Environment to ensure that the lands have been properly remediated where such contamination was discovered;

- f) The Township will require that a Record of Site Condition, acknowledged by the Ministry of the Environment be submitted for development applications on sites where there is a gas station with a licence to operate from the Technical Standards and Safety Authority (TSSA). When the site is being redeveloped for the same use, the Township will require a letter of continued use from the TSSA in place of the Record of Site Condition. For instances where contamination has extended onto a Township road or other municipal lands, the Township will require that an Off-site Management Agreement and Remedial Action Plan pursuant to the *Environmental Protection Act* be implemented to the satisfaction of the Township prior to the issuance of a building permit; and
- g) In managing development on potentially contaminated sites, the Township should:
  - i) Identify and inventory those lands that are suspected or known to be contaminated;
  - ii) inform the applicant upon receipt of an application for development of any such site where contamination could be problematic given the nature of the proposed use(s);
  - iii) secure conditions and/or agreements as part of the planning review and approval process to ensure a Phase I or II ESA is carried out in accordance with this Plan.

## **B.20 LAND USE COMPATIBILITY AND SENSITIVE LAND USES**

Incompatible land uses are to be protected from one another. While buffers between incompatible land uses may be used to prevent or minimize adverse effects, distance is often the only effective buffer, and therefore adequate separation distance, based on a major facility's potential or actual influence area, is the preferred method of mitigating adverse effects. The separation distance should be sufficient to permit the functioning of the incompatible land uses without adverse effect occurring. Separation of incompatible land uses should not result in the sterilization of intervening land usage.

### **B.20.1 ESTABLISHING INFLUENCE AREAS FOR INDUSTRIAL LAND USES**

In absence of establishing actual areas of influence for industrial land uses, the following separation distances based on potential influence areas between industrial and sensitive land uses should be used:

- a) 1000 metres between Class 3 industrial uses and sensitive land uses;
- b) 300 metres between Class 2 industrial uses and sensitive land uses;
- c) 70 metres between Class 1 industrial uses and sensitive land uses.

Where new industrial uses are proposed to be located in proximity to existing sensitive land uses; or, where new sensitive land uses are proposed to be located in proximity to existing industrial land uses at distances less than those prescribed above, technical studies will first need to be produced to establish the actual influence area of the industrial land use.

At no time will the actual influence area of the industrial land use or facility be less than the following minimum separation distance:

- a) 300 metres for Class 3 industrial land uses and facilities;
- b) 70 metres for Class 2 industrial land uses and facilities;
- c) 20 metres for Class 1 industrial land uses and facilities.

The actual influence area of a particular class of industrial land use will be established through technical studies by qualified professionals, prepared in keeping with the Ministry of Environment's D-Series Guidelines on Land Use Compatibility, which also include criteria on the definition of the three classes of industrial land use. Where technical studies have been approved by the Township, the recommendations of the technical studies shall be considered the minimum requirement.

## **B.20.2 INCOMPATIBILITY BETWEEN SENSITIVE USES AND OTHER LAND USES**

Ministry of Environment's D-Series Guidelines on Land Use Compatibility also contain more detailed direction on the requirement for technical studies for Establishing Influence Areas for Aggregate Extractive Land Uses; Development in Proximity to Operating or Closed Waste Disposal Sites; Development in Proximity to Provincial Highways and Rail Lines; and, Development in Proximity to Other Stationary Noise Sources.

Incompatible land uses shall not be permitted on or adjacent to existing pits, quarries or licensed areas. Sensitive land uses proposed within 1000 metres of an existing pit or quarry shall require a study to demonstrate that the proposed sensitive use is appropriately located and is compatible with the existing pit or quarry.

## **B.20.3 ACTUAL INFLUENCE AREAS AND MITIGATION MEASURES**

Once the actual influence area is known, and mitigation techniques have been identified, a development proposal can proceed, subject to its appropriateness as demonstrated by the technical studies, and subject to the implementation of the findings of the technical studies through the planning process.

Where technical studies identify irreconcilable incompatibilities where impacts from discharges and other compatibility problems cannot be reasonably mitigated, the proposed development shall not proceed.

**PART C**  
**LAND USE DESIGNATIONS**

## **C. LAND USE DESIGNATIONS**

The land use concept and structure for the Township of Seguin is set out on the attached Schedules “A”, “B” and “C”, and nine land use designations and six overlay designations. Each land use policy must be read in conjunction with the land use schedules and the other policies of this Plan.

### **C.1 NATURAL SYSTEM**

The Township’s Natural Heritage System represents a network of natural areas and the lands and waters that support the ecological functions critical to the ecological health of the Township and District. In general the Township’s Natural Heritage System is comprised of core areas and linkages. Core areas include wetlands, deer wintering areas, significant habitat and other natural heritage features while other rural areas of the Township provide linkages between these core areas.

This Plan is based on the recognition that a healthy Natural Heritage System is an important attribute of the community’s well being and makes a positive contribution to the economy and quality of life enjoyed by Township residents and business owners. This Plan also recognizes that the Township supports a wealth of natural resources, including aggregates, mineral resources and forest resources that, through wise use and management, will contribute greatly to the economy of the area. This Plan is based on the complimentary principle that appropriate natural resource extraction uses and other rural uses can be accommodated within the Natural System in a sustainable manner.

In order to ensure that the tools are available to maintain and balance the elements of the ecological features and functions and the natural resources of the Natural System, this Plan establishes a Natural System in accordance with the Provincial Policy Statement. The intent of the Natural System is to maintain, as a permanent landform, an interconnected system of natural areas and open space areas that will preserve areas of significant ecological value while providing, where appropriate, opportunities for resource use and extraction, rural residential and accessory uses, and recreation uses.

The Natural System in the Township of Seguin is included within the following designations and overlay designations:

- *Environmental Protection Area*
- *Crown Land*
- *Rural and Resource Area*
- *Aggregate Extraction Area*



- *Moose Aquatic Feeding Areas Overlay*
- *Natural Heritage Features Overlay*
- *Area of Natural and Scientific Interest (ANSI)*
- *Stratum 1 Deer Wintering Area Overlay*
- *Stratum 2 Deer Wintering Area Overlay*
- *Provincially Significant Wetlands (PSW)*
- *Wetlands*
- *Aggregate Resources Potential Overlay*
- *Mineral Resource Potential Overlay*
- *MNDM Abandoned Mine Sites*
- *Waste Disposal Assessment Area Overlay*

The policies of the *Environmental Protection Area, Crown Land, Rural and Resource Area*, and *Aggregate Resource Area* designations are contained in this Section of the Plan. Policies respecting the Overlay designations that form part of Natural System are contained in Section D to this Plan.

It is the intent of this Plan to:

- a) establish a balanced relationship between development and nature by preserving natural features and ecological systems and protecting people and property from environmental hazards;
- b) protecting natural resources for wise use and management;
- c) maintain, improve and where possible restore the health, diversity, size and connectivity of natural heritage features and related ecological functions;
- d) maintain natural stream form and flow characteristics and the integrity and quality of waterbodies including lakes, rivers, and watercourses;
- e) ensure that the Natural System is maintained as a series of inter-connected natural features for the benefit of present and future generations;
- f) provide the tools to properly assess development applications located in close proximity to natural heritage features;
- g) ensure that all development is appropriately setback from natural heritage features;
- h) eliminate the potential for the loss or fragmentation of wetlands and the habitats and ecological functions they provide;
- i) encourage and support the Ministry of Natural Resources in evaluating unevaluated wetlands within the Township;

- j) protect lands with the potential for mineral aggregate or mineral extraction from development that would limit its future use and development;
- k) provide opportunities, where appropriate, for natural resource development; and
- l) implement the 'Environment-First' objectives of this Plan.

## **C.1.1 ENVIRONMENTAL PROTECTION AREA**

### **C.1.1.1 Basis and General Objectives**

*Environmental Protection Area* designation is land and water areas containing natural features or ecological functions of Provincial and local significance as identified by the Province or Township. *Environmental Protection Area* lands have been identified by the Township to:

- a) preserve and protect identified wetlands both for the values as wetlands and to preserve and protect associated habitat;
- b) preserve the locally significant watercourses and other locally significant environmental features;
- c) preserve areas that contain hazardous lands such as steep slopes and lands prone to flooding;
- d) preserve and enhance the quality and quantity of ground and surface water; and,
- e) preserve and enhance areas of significant fish habitat.

### **C.1.1.2 Permitted Uses**

The following uses may be permitted, in accordance with the other policies of this Plan:

- a) passive recreational uses, such as nature viewing and pedestrian trail activities;
- c) forestry and resource management uses where undertaken in a manner that minimizes any potential impact on the natural features and functions of the area;
- d) watershed management and flood and erosion control projects carried out or supervised by a public agency;
- e) archaeological conservation.

#### C.1.1.3 General Policies

- a) It is the policy of this Plan to restrict the alteration of the physical and/or biological features of lands designated *Environmental Protection Area*. Any proposed alteration to an *Environmental Protection Area* shall be supported by appropriate justification in the form of an Environmental Impact Study as described in Section C.1.1.3 (c) (Environmental Impact Studies) of this Plan. The precise boundary of any *Environmental Protection Area* shall be determined as a component of the required Environmental Impact Study.
- b) Not all of the natural heritage features in the Township have been designated *Environmental Protection Area* or incorporated on the Land Use Schedules at the date of the adoption of this Plan. As new information becomes available, additional lands may be incorporated into the *Environmental Protection Area* designation as part of the five-year review or as an Amendment to the Official Plan required by the *Planning Act*.
- c) It is essential that *Environmental Protection Areas* be protected from future development to preserve the Township's natural environment. As such, an application for the redesignation of an area of private lands designated *Environmental Protection Area*, may be given due consideration only if it is established to the satisfaction of Council through an Environmental Impact Study that the lands are not part of the environmental feature and that any development proposed will have no negative impact on the environmental feature or function of the area. Nothing in this Official Plan shall be construed to imply that *Environmental Protection Area* lands are free and open to the general public or that such areas will be purchased by the Township or any other public agency.
- d) It is recognized that not all of the above natural heritage features have been identified by the Province and/or the Township at the date of the adoption of this Plan and therefore they are not shown on the Schedules to this Plan. The incorporation of additional natural heritage features shall be in accordance with Section C.1.1.3 of this Plan.
- e) The boundaries of the *Environmental Protection Area* designation are delineated in a conceptual manner on Schedule A to this Plan. The extent and exact location of the boundaries are intended to be delineated in the Implementing Zoning By-law in accordance with detailed mapping provided by the Province or as produced by the Township, and will not require an Amendment to this Plan. Such lands will be placed in

appropriate environmental zones in the Implementing Zoning By-law.

- f) The Zoning By-law shall incorporate general setbacks for lot lines, buildings, structures, parking areas and other similar facilities from lands designated *Environmental Protection Area* in relation to the extent and severity of the natural environmental features and ecological functions of the area. The Township will evaluate this general setback for specific development applications, and as established in the Zoning By-law, to provide the appropriate setback required to protect the area from the impacts of construction. A greater setback may be required to reflect specific circumstances.

## **C.1.2 CROWN LANDS**

### **C.1.2.1 Basis and General Objectives**

The Province continues to own and manage a significant land base of the Township outside of specific lands that have been identified and planned for a particular use, such as a Provincial Park or Conservation Reserve. In recognition of the major role that *Crown Lands* play in the landscape of the Township, these lands are placed in a *Crown Lands* designation.

The objectives of this Plan for the *Crown Lands* are to:

- a) recognize the role and function that the significant *Crown Lands* play in the overall land use structure and landscape of the Township;
- b) recognize that the Province is not bound by the policies of this Plan;
- c) to encourage the Province to consult with Council and work with the Township in determining the future use and development of the *Crown Lands*;
- d) ensure that lands which are deemed surplus by the Province and no longer *Crown Lands* are subject to the policies of this Plan and require an Amendment to the Plan prior to development proceeding.

### **C.1.2.2 Permitted Uses**

Permitted uses within the *Crown Lands* designation shall include all those uses approved by the Province of Ontario and should generally include uses that are compatible with nature resource management including:

- a) mineral aggregate operations;
- b) mineral exploration and development;
- c) forestry management;
- d) linear recreational trails,
- e) water and resource management activities,
- f) wildlife management including trapper cabins and hunt camps;  
and
- g) existing waste management facilities.

#### C.1.2.3 General Policies

- a) The Township encourages the Province and its resource Ministries to consult with the Council of the Township when making land use decisions concerning *Crown Lands*;
- b) The Township encourages the Province to consider the Vision, Goals, Objectives, and Policies of this Plan including its natural heritage and nature corridor policies when making land use and resource management decisions regarding the *Crown Lands* located within the Township of Seguin;
- c) The Township will co-operate and participate with the Province in any land use or resource management planning process with respect to *Crown Lands* located in the Township;
- d) The Province is encouraged to consult with Council prior to making any decision with respect to the sale of any *Crown Lands* located in the Township;
- e) The policies of this Plan shall apply to any *Crown Lands* that are deemed surplus by the Province and are sold into private ownership. Before any former *Crown Lands* may be used and developed, they shall be the subject of an Application to amend this Plan and the Implementing Zoning By-law. The Application to redesignate lands within the *Crown Land* designation shall take into consideration the land use designations and structure as set out in the policies and on the Schedules to this Plan and shall consider the Vision, Goals, Objectives and Policies of this Plan;
- f) The Province is encouraged to continue to permit the use and development of the linear multi-use trails including snowmobile

trails system in the Township. The Township may consider the development of a Trails Master Plan for the Township and would expect the Province to participate in the process in order to permit the development of an inter-connected trail system in the Township on both private and public lands for a full range of recreational uses.

C.1.2.4 Special Policies

**C.1.3 RURAL AND RESOURCE AREA**

C.1.3.1 Basis and General Objectives

The *Rural and Resource Area* designation includes all of those private lands within the corporate limits of the Township outside the *Settlement Areas* and not within any of the other major land use designations. The *Rural and Resource Area* designation accommodates a range of uses including agriculture, forestry, linear open space, rural residential, small-scale commercial and industrial operations, aggregate extraction, and mining. Over the lifetime of this Plan, the rural area will experience limited development and is intended to maintain its rural and resource character and preserve the natural environment.

It is the objective of the *Rural and Resource Area* designation to:

- a) encourage the preservation of lands for agricultural uses;
- b) To minimize the impacts of development on existing agricultural operations.
- c) To integrate agriculture, forestry, open space, and aggregate and mining uses in a satisfactory manner and to protect areas of mineral and aggregate resource potential from incompatible development.
- d) To encourage the preservation of present and future linear trail systems for the benefit of the residents and visitors to the Town.
- e) To recognize existing aggregate extraction uses and permit new or expansions to existing sand and gravel aggregate operations subject to a rezoning application and new or expansions to existing quarry operations through an Amendment to this Plan and the Zoning By-law, and to protect existing operations from incompatible uses.
- f) To recognize existing waste management facilities and require new facilities to amend the Official Plan and Zoning By-law.

- g) To recognize existing rural residential uses and permit limited new rural residential development in accordance with the policies of this Plan.
- h) To recognize existing small-scale commercial, industrial, and institutional uses, and to permit limited new development that must be located in the Rural Resource Area and is compatible with the rural environment.
- i) To buffer adjacent lands and uses from the potential negative impact of the uses permitted within the *Rural and Resource* designation.

#### C.1.3.2 Permitted Uses

Permitted uses in the *Rural And Resource Area* include:

- a) agriculture uses;
- b) forestry;
- c) linear open space trails;
- d) single detached residential dwellings;
- e) bed and breakfast operations;
- f) small-scale commercial and industrial operations including recreational camps;
- g) minor institutional uses;
- h) sand and gravel extraction operations;
- i) mineral exploration and development;
- j) water or resource management activities; and
- k) home occupations and home Industries are also permitted subject to the policies of this Plan.

#### C.1.3.3 General Policies

- a) The lands designated *Rural And Resource Area* shall be placed in specific zones in the Implementing Zoning By-law. Areas within the *Rural And Resource Area* designation that are considered good agricultural lands may be zoned in an Agricultural Zone. Existing sand and gravel pits within the *Rural And Resource Area* designation shall be zoned in an Aggregate Resources zone. Existing waste management facilities will be placed in the appropriate zone.
- b) Conflicts between agricultural and resource extraction uses and adjoining uses shall be minimized.
- c) New land uses, including the creation of lots, and new or expanding livestock facilities shall comply with the minimum distance separation formulae (MDS).

- d) It is a policy of the Plan that existing employment uses (industrial, commercial, institutional) shall be permitted and shall be appropriately zoned by the Implementing Zoning By-law. It is also a policy of this Plan to encourage and permit the growth and expansion of these existing uses subject to the provision of adequate services, appropriate road access, and meeting the MOE D series guidelines.
- e) Small-scale commercial and light industrial uses may be permitted by Amendment to the Zoning By-law where the use has a low traffic generation, no nuisance effects on surrounding areas, a scale consistent with existing uses, and minimal environmental impact. Before considering such an Amendment, Council shall be satisfied that:
  - i) the size of the proposed commercial or light industrial use is appropriate for the area;
  - ii) the building housing the use is set back an appropriate distance from adjacent uses and from lot lines;
  - iii) the use is located at least 500 metres (1640 feet) from lands within defined *Settlement Areas* and *Shoreline Areas* designations;
  - iv) no outside storage shall be permitted;
  - v) any noise emanating from the use will not have an adverse impact on the enjoyment of adjacent properties; and,
  - vi) an appropriate servicing and stormwater management plan is put in place
- f) The protection and enhancement of agricultural areas and lands exhibiting ongoing agricultural activity shall be encouraged. Development shall not be located in areas that would adversely affect existing agricultural operations. When considering development proposals in the vicinity of agricultural uses and agricultural uses in the vicinity of development, the Minimum Distance Separation formulae will be used. The Zoning By-law will implement the Minimum Distance Separation requirements.
- g) Development of agricultural lands for non-agricultural purposes shall only occur where the following criteria have been satisfied:
  - i) the lands have not been used for agricultural purposes for the past 10 years;



- ii) the lands do not contain farm buildings that are in good condition;
  - iii) new dwellings and non-agricultural development comply with the Minimum Distance Separation formulae;
  - iv) the development will not adversely affect neighbouring farming operations; and,
  - v) the least productive portion of the lands are proposed for development.
- h) Forestry operations are encouraged to follow sound forest management practices and shall be set back from all shorelines an appropriate distance so that clearing and cutting operations do not impact the visual quality and character of the shoreline from the waterbody. Clear cutting shall be prohibited within 500 metres of any lake used for recreational purposes, unless carried out in accordance with sound forest management practices, and maintaining appropriate vegetation buffers.
- i) The establishment of new sand and gravel aggregate operations or the expansion of existing operations shall be subject to the policies of this Plan and the Aggregate Resources Act, and shall require an Amendment to the Zoning By-law. Extractive uses shall also be subject to Site Plan Control where matters are not addressed in the Aggregate Resources Act, its regulations, or the provisions of a licence of ARA site plan. It is recognized that the Ministry of Natural Resources licenses and regulates mineral aggregate operations under the Aggregate Resources Act. It is the intent of this Plan to ensure that there is open and transparent consultation between the appropriate Provincial Ministries and agencies, the proponent of the mineral aggregate operation and the Township before licenses are issued or modified, in order to ensure that new sand and gravel aggregate operations or expansions of existing operations are carried out in a manner that is consistent with the goals and objectives of this Plan. In reviewing Planning Act applications to permit new sand and gravel operations or expansions to existing operations Council shall consider the following:
- i) the natural heritage features and ecological functions on the site and in the area;
  - ii) nearby communities and residential uses;
  - iii) agricultural resources and activities;
  - iv) the character of the area;
  - v) the quality and quantity of groundwater and surface water;

- vi) the cultural heritage resources in the area;
- vii) significant geologic formations on the site and in the area;
- viii) nearby wells used for drinking water purposes;
- ix) ground water recharge areas;
- x) the effect of the increased truck traffic on the natural environment and the residences in the area;
- xi) the suitability of the proposed haul routes;
- xii) the effect of the noise, odour, dust and vibration generated by the proposed use and the use of the haul route on adjacent land uses;
- xiii) how the natural features and functions on the site and in the area can be protected and/or enhanced as part of the design of the pit and/or after the pit has been progressively rehabilitated;
- xiv) how the impacts from the proposed pit or quarry will be mitigated in order to lessen those impacts;
- xv) the impacts of existing pits or quarries in the immediate area; and,
- xvi) how the site will be progressively rehabilitated to accommodate subsequent land uses after the extraction is completed.

In considering the added impact of the new quarry operation to existing known impacts, Council shall ensure that mitigation measures intended to lessen the added impact are reviewed and applied as required. During the course of this review, phasing options shall be considered as one means to minimize the combined impacts of the proposed quarry and existing pits or quarries on the general area.

- j) Within the *Rural and Resource Area* designation there is considerable land that has moderate to high potential for mineral exploration and development. The *Rural and Resource Area* designation permits the exploration, development, production and closure of mineral and ore mines subject to the applicable regulations of the Mining Act or other pertinent legislation. Amendments to the Official Plan or Zoning By-law for new mines are not required. Interim uses of these lands are permitted, where the use is compatible with the eventual use and development of the lands for mining uses. Interim uses include agriculture, forestry, or passive recreation uses.
- k) Recreational trails, such as the Seguin Trail, have been established within the *Rural and Resource Area* designation. In

addition, a number of snowmobile trails have been established within the Township. These trails will be protected as much as possible. Council shall consider the impact of any development on the trail. No new driveways shall be permitted along linear multi-use trails.

- l) It is a general policy of this Plan that community service and institutional uses shall be directed to the defined *Settlement Areas*. However, new minor institutional uses may be permitted in the *Rural and Resource Area* designation subject to an Amendment to the Implementing Zoning By-law. Minor institutional uses may include churches, places of worship, community centres, clubs, but shall not include recreational camps. Before considering such an Amendment, Council shall be satisfied that:
  - i) the size of the proposed institutional use is appropriate for the area;
  - ii) the building housing the use is set back an appropriate distance from adjacent uses and from lot lines;
  - iii) the use is located at least 500 metres (1640 feet) from lands within defined *Settlement Areas* and *Shoreline Areas* designations;
  - iv) any noise emanating from the use will not have an adverse impact on the enjoyment of adjacent properties;
  - v) an appropriate servicing and stormwater management plan is established; and,
  - vi) any traffic generation as a result of the use will be low volume and will not have an adverse impact on the enjoyment adjacent properties.
- m) New golf courses or expansions of existing golf courses that will add lands not presently within the development envelope shall require an Amendment to this Plan.
- n) A new institutional use shall also be subject to a Site Plan Agreement in accordance with Section F1.4 of this Plan.
- o) Agricultural operations shall be encouraged to keep livestock separated from surface water features and groundwater features through the use of fencing or vegetative buffering.

#### C.1.3.4 Special Policies

#### **C.1.4 AGGREGATE EXTRACTION AREA**

##### **C.1.4.1 Basis and General Objectives**

The *Aggregate Extraction Area* designation recognizes the existing quarry aggregate operations in the Township. The *Aggregate Extraction Area* designation is intended to recognize these significant industrial operations and to permit their continued operation and expansion and to protect them from inappropriate land uses. This Plan is based on the premise that quarry operations, in light of the long-term nature of the extraction and the potential to cause greater impacts on adjacent environments, land uses and roads, require a separate designation in the Plan. Stand alone sand and gravel operations, where no quarrying operations will occur (blasting, drilling, or breaking of consolidated rock) shall not be placed in this designation unless the owner intends to eventually commence quarrying.

The objectives of this Plan with respect to the *Aggregate Extraction Area* designation are to:

- a) recognize existing mineral aggregate quarry operations;
- b) protect known aggregate deposits for potential future extraction;
- c) ensure that new mineral aggregate operations are located where there will be no negative impact on natural heritage features and functions;
- d) ensure that aggregate operations are developed in an orderly fashion and thus not creating the necessity for major improvements to roadways over long distances;
- e) ensure that the haul routes used are appropriate;
- f) ensure that extractive activities are carried out with minimal environmental and social cost; and,
- g) prevent new conflicts between incompatible land uses.

##### **C.1.4.2 Permitted Uses**

Permitted uses on lands designated *Aggregate Extraction Area* are limited to:

- a) the extraction of stone, gravel, sand and other aggregates and associated operations such as crushing, screening, washing and aggregate storage;
- b) forestry, agriculture and resource management uses that do not preclude or interfere with the use of the lands for aggregate extraction;

- c) accessory office and accessory dwelling use; and,
- d) the establishment of permanent concrete batching plants or asphalt plants or other forms of processing on lands within the *Aggregate Extraction Area* designation may be permitted, subject to Council approval of the appropriate implementing zoning.

#### C.1.4.3 General Policies

- a) It is recognized that the Ministry of Natural Resources licenses and regulates mineral aggregate operations under the Aggregate Resources Act. It is the intent of this Plan to ensure that there is open and transparent consultation between the appropriate Provincial Ministries and agencies, the proponent of the mineral aggregate operation and the Township before licenses are issued or modified, in order to ensure that new mineral operations or expansions of existing operations are carried out in a manner that is consistent with the goals and objectives of this Plan.
- b) It is the intent of this Plan to ensure that new mineral aggregate quarry operations or expansions of existing operations are carried out in a manner that is consistent with the goals and objectives of this Plan.
- c) When new development of a sensitive use is proposed within 1000 metres of a quarry within the *Aggregate Extraction Area* designation, Council shall be satisfied that the proposed use is compatible with the operation of the pit or quarry. A minimum separation distance between the uses may be required after a study has been undertaken to determine the actual influence area and shall be no less than 500 metres from the quarry operation.
- d) All new mineral aggregate quarry operations and/or expansions to existing mineral aggregate quarry operations onto lands that are not designated *Aggregate Extraction Area* shall require an Amendment to the Official Plan. All such applications shall be supported by studies that address the effect of the operation of the mineral aggregate resource use on:
  - i) the natural heritage features and ecological functions on the site and in the area;
  - ii) nearby communities and residential uses;
  - iii) agricultural resources and activities;
  - iv) the character of the area;

- v) the quality and quantity of groundwater and surface water;
- vi) the cultural heritage resources in the area;
- vii) significant geologic formations on the site and in the area;
- viii) nearby wells used for drinking water purposes;
- ix) ground water recharge areas;
- x) the effect of the increased truck traffic on the natural environment and the residences in the area;
- xi) the suitability of the proposed haul routes;
- xii) the effect of the noise, odour, dust and vibration generated by the proposed use and the use of the haul route on adjacent land uses;
- xiii) how the natural features and functions on the site and in the area can be protected and/or enhanced as part of the design of the pit and/or after the pit has been progressively rehabilitated;
- xiv) how the impacts from the proposed pit or quarry will be mitigated in order to lessen those impacts; and,
- xv) how the site will be progressively rehabilitated to accommodate subsequent land uses after the extraction is completed.

The required information shall be contained in an Environmental Impact Study that is prepared in accordance with Section C.1.1.3 c) of this Plan or other study as required by this Plan. The required studies shall assess the impacts of the proposed quarry on all lands within 1000 metres of the site or as determined by the Township.

- e) In addition to the above, the required studies shall take into account the impacts from existing pits or quarries in the immediate area.

In considering the added impact of the new quarry operation to existing known impacts, Council shall ensure that mitigation measures intended to lessen the added impact are reviewed and applied as required. During the course of this review, phasing options shall be considered as one means to minimize the combined impacts of the proposed quarry and existing pits or quarries on the general area.

- f) An application for a mineral aggregate operation shall not be approved unless the applicant demonstrates that:

- i) the quality of groundwater and surface water in the area will be maintained and, where possible, improved or restored;
  - ii) the quantity of water available for other uses in the area and as base flow for rivers and streams will not be affected;
  - iii) as much of the site as possible will be rehabilitated by establishing or restoring natural self-sustaining vegetation; and,
  - iv) the health, diversity, size and connectivity of natural features on the site and on adjacent land will be maintained and, where possible, improved or restored.
- g) Alternate uses of the lands in the *Aggregate Extraction Area* shall not be permitted until such time as the resource is either substantially depleted or it is shown to Council's satisfaction that it is not feasible to extract. In such cases, an Amendment to the Official Plan and/or a Zoning By-law Amendment will be required to facilitate the establishment of a use that will preclude the use of these lands for mineral aggregate extraction in the future. It is the intent of this Plan that the after use be compatible with and will have minimal impact on the surrounding natural environment and existing uses.

The determination of the appropriate designation of the lands for an after use will be made at the time an application is submitted. Factors to be considered by Council shall include:

- i) the use of the land before the extraction commenced;
  - ii) the land uses on adjacent properties;
  - iii) the proximity of the lands to agricultural lands and activities;
  - iv) the character of the area;
  - v) the accessibility of the property;
  - vi) the recreational opportunities that the site may afford;
  - vii) the opportunities that may be available to enhance natural heritage features and functions in the area; and
  - viii) the nature and cost of any long-term monitoring required on the site.
- h) The progressive rehabilitation of all pits and quarries within the Township is required. Council will work with pit and quarry operators to establish appropriate progressive rehabilitation

plans, and complete agreements with owners to ensure rehabilitation.

- i) The policies of this Section with respect to aggregate extraction uses shall apply, with appropriate modifications, to mineral resource exploration and development.
- j) The Implementing Zoning By-law shall place all existing mineral aggregate operations in separate zones that permits quarries and sand and gravel operations, and a zone that permits only sand and gravel extraction operations. The Implementing Zoning By-law will contain setbacks for extraction operations from adjoining properties designated for residential purposes by this Plan, municipal right-of-ways and property boundaries.

#### C.1.4.4 Special Policies

##### C.1.4.4.1 Rural Settlement Area – Oastler Park Drive Rural Community

The following uses are permitted in this designation, on the lands described as *PART LOTS 142,143 CON B FOLEY, PARTS 1 TO 14 42R22726 SUBJECT TO AN EASEMENT IN GROSS OVER PART 5 42R22726 AS IN GB42490 SUBJECT TO AN EASEMENT OVER PARTS 2,3,14 42R22726 AS IN RO15701 TOWNSHIP OF SEGUIN*;

- i. lots for employment uses along Oastler Park Drive
  - ii. lots for single family dwellings
  - iii. lots for semi-detached dwellings
  - iv. lots for multiple dwellings up to 5 units
- blocks for roads, parks, trails and stormwater management

## C.2 SETTLEMENT SYSTEM

The Township's Settlement System represents lands that support the most concentrated levels of human activity in the Township. This Plan is based on the principle that human activities related to living areas, *Employment Areas*, and major recreational areas should be directed primarily to existing communities or identified locations that will accommodate future growth and development in a sustainable manner.

The Settlement System in the Township of Seguin is included within the following designations:

- *Settlement Area*
- *Employment Area*
- *Airport Employment Area*
- *Major Open Space Area*
- *Northwest Seguin Development Policy Area 1 and 2 Overlay*



- *Waste Disposal Assessment Area Overlay*

It is the intent of this Plan to direct the majority of new growth and development to the Settlement System.

The policies of the *Settlement Area*, *Employment Area*, *Airport Employment Area*, and *Major Open Space Area* designations are contained in this Section of the Plan. The overlay designations are contained in Section D to this Plan.

## **C.2.1 SETTLEMENT AREA**

### **C.2.1.1 Basis and Objectives**

This Plan identifies the communities of Rosseau and Humphrey as the major *Settlement Areas* of the Township and the communities of Orrville and Foley Centre as existing *Settlement Areas*. These four communities are designated *Settlement Area* on Schedule "A" to this Plan. Rosseau and Humphrey are considered major *Settlement Areas* in recognition of the concentration of community service facilities, housing, and commercial and employment uses. Orrville and Foley Centre may have fewer higher order uses, but both represent long-standing communities in the Township. The objective of this Plan is to build on the historical communities of Rosseau, Humphrey, Orrville and Foley Centre as the main focus of growth and development in the Township during the planning period of this Plan.

It is the intent of this Plan to:

- a) maintain and enhance the character and identity of the defined *Settlement Areas*;
- b) encourage the provision of a range of housing types to accommodate persons with diverse social and economic backgrounds, needs and desires based on servicing capability of the Township;
- c) ensure that *Settlement Areas* permit a variety of complementary and compatible land uses including special needs housing, community facilities, schools, commercial and small-scale employment uses, and open space areas;
- d) establish a comprehensive set of Design Guidelines and policies that foster the establishment of a community environment that is safe, functional and attractive;
- e) encourage commercial development that will provide a full range of goods and services, at appropriate locations, to meet the needs of the Township's residents and visitors;

- f) ensure that all new development in *Settlement Areas* is compatible with adjacent development, and is appropriately phased based on the type and availability of all ranges of services;
- g) ensure that a full range of institutional uses are available to meet the social, cultural and educational needs of Township residents;
- h) ensure that there are sufficient lands available for the creation of diverse employment opportunities at strategic locations in the existing settlements;
- i) ensure that the Township is positioned to accommodate new and expanded business activities that provide jobs to local residents;
- j) ensure that new small-scale industrial development occurs in an orderly manner and in appropriate locations;
- k) streamline the approval process for the development of new and expansion of existing employment uses;
- l) ensure that services are adequate to sustainably support the nature and scale of all development; and,
- m) allow the Township to consider municipal servicing options for settlement areas.

#### C.2.1.2 Permitted Uses

The permitted residential uses in the *Settlement Area* designation include:

- a) single detached dwellings;
- b) semi-detached dwellings; and
- c) duplex dwellings.

Also permitted within the *Settlement Area* designation, subject to a Zoning By-law Amendment and the policies of Section C.2.1.3.4, include the following multiple residential dwelling uses:

- d) multiple dwellings;
- e) street townhouse dwellings;
- f) block townhouse dwellings; and,
- g) low-rise apartment dwellings.

Certain commercial uses are permitted within the *Settlement Area* designation, subject to a Zoning By-law Amendment and the policies of Section C.2.1.3.5 of this Plan including the following:

- h) retail and service uses;
- i) offices including financial institutions and medical uses;
- j) hotels and motels;
- k) grocery store;
- l) restaurants;
- m) convenience retail uses;
- n) automobile related uses;
- o) personal service uses; and,
- p) marinas

Small-scale industrial uses are permitted within the *Settlement Area* designation, subject to a Zoning By-law Amendment and the policies of Section C.2.1.3.6 of this Plan, including:

- q) small-scale industrial uses within wholly enclosed buildings, such as manufacturing, assembling, processing, fabricating, warehousing, wholesaling and distribution facilities;
- r) printing and associated service establishments;
- s) industrial malls, containing one or more of the uses permitted in this designation; and,
- t) secondary uses in accordance with the policies of this Plan.

Institutional and community facility uses are permitted within the *Settlement Area* designation, subject to Zoning By-law Amendment and the policies of Section C.2.1.3.3 include the following:

- u) government administration offices and buildings;
- v) post office;
- w) library;
- x) hospitals or medical clinics;
- y) places of worship;
- z) cemeteries
- aa) public and private schools;
- bb) community centres and arenas; and
- cc) public parks.

### C.2.1.3 General Policies

#### C.2.1.3.1 Residential Development and Density

It is a policy of this Plan that new growth be directed to the existing *Settlement Areas* of the Township. In recognition of the limited long-term growth and the Township goal to maintain its rural and small community character, new residential development will be permitted in the designated *Settlement Areas* of this Plan subject to the policies of Section E.5.2 and the following policies:

- a) Lot size and project density will be determined on the basis of a Hydrogeological Study prepared in accordance with this Plan and the relevant MOE Guidelines.
- b) Council may require, where the development size, density or site conditions warrant, the preparation and submission of a Servicing Options Feasibility Study. The Servicing Options Feasibility Study will be prepared in accordance with this Plan and will investigate all options for servicing including communal systems.
- c) It is a policy of this Plan that all new development within the *Settlement Areas* shall utilize tertiary treatment systems that will reduce or eliminate phosphorous and nitrates.
- d) It is a policy of this Plan that where private communal systems are prepared and acceptable to Council, that a Responsibility Agreement and Financial Assurance will be required in accordance with MOE Guidelines.

#### C.2.1.3.2 Special Needs Housing

Special Needs Housing such as long-term care facilities and retirement homes may be permitted subject to an Amendment to the Implementing Zoning By-law and provided Council is satisfied that:

- a) the site has access and frontage onto an arterial or collector road as shown on Schedule B to this Plan;
- b) the site is large enough to accommodate the building, on-site parking and appropriate buffering in the form of landscaping, fencing and trees;
- c) the building does not exceed 3 storeys in height and is buffered from adjacent low density residential uses by setbacks, landscaping, fencing and trees to ensure compatibility of the use with adjacent land uses;
- d) the use will not cause traffic hazards or an unacceptable level of congestion on surrounding roads; and,
- e) water and wastewater facilities are adequate and available.

#### C.2.1.3.3 Institutional and Community Facility Uses

Day nurseries and institutional uses which directly serve the needs of the adjacent residential areas such as private and public schools, nursery schools, and places of worship, may be permitted subject to an Amendment to the Implementing Zoning By-law and provided Council is satisfied that

- a) the size of the site and its location is appropriate for the development;
- b) the use is intended to serve and support only the immediate neighbourhood and is not more appropriately located in the major community;
- c) the use is designed to complement the low density nature of the community;
- d) the use will not cause any traffic hazards or an unacceptable level of congestion on surrounding roads;
- e) the site is large enough to accommodate the building, on-site parking, play areas, where required, and appropriate buffering in the form of landscaping, fencing and trees to ensure the compatibility of the use with adjacent land uses;
- f) the noise generated by the use will not adversely affect the enjoyment of neighbouring properties;
- g) the use will be a positive addition to the neighbourhood and will provide a service that is required by residents;
- h) in the case of public elementary schools, the site is located adjacent to a neighbourhood park to provide a neighbourhood focal point and encourage the provision of complementary facilities such as sports fields, hard surface play areas and components and play equipment; and,
- i) water and wastewater systems are adequate and available.

#### C.2.1.3.4 Medium Density Uses

- a) The permitted Medium Density uses in the *Settlement Area* designation are limited to multiple unit dwellings, street townhouse dwellings, block townhouse dwellings, and low-rise apartment dwellings.
- b) New medium density residential areas shall be established by way of Amendment to the Zoning By-law in accordance with the following provided that the development:
  - i) is located on and has direct access to a road capable of accommodating the increase in traffic;
  - ii) respects the character of adjacent residential neighbourhoods, in terms of height, bulk and massing;
  - iii) can be easily integrated with surrounding land uses;

- iv) will not cause traffic hazards or an unacceptable level of congestion on surrounding roads;
- v) is located in close proximity to community facilities, such as parks, schools or open spaces;
- vi) is located on a site that has adequate land area to incorporate the required parking, recreational facilities, landscaping and buffering on-site; and,
- vii) can be adequately serviced by water and wastewater systems.

#### C.2.1.3.5 Settlement Commercial Uses

- a) Commercial uses may be permitted provided Council is satisfied that:
  - i) the use will not cause or create traffic hazards or an unacceptable level of congestion on surrounding roads;
  - ii) the use can easily be accessed by pedestrians;
  - iii) the use is located on a site that has adequate land area to incorporate required parking, waste management facilities, landscaping and buffering on-site;
  - iv) the use, scale, massing and siting of the development is compatible and consistent with adjacent development; and,
  - v) the uses permitted serve the local retail and service needs of the surrounding area and community. On this basis, the Implementing Zoning By-law may restrict the size and coverage of a local commercial centre or use.

#### C.2.1.3.6 Industrial Uses

- a) Small-scale industrial uses may be permitted provided Council is satisfied that:
  - i) the use will not cause or create traffic hazards or an unacceptable level of congestion on surrounding roads;
  - iii) the existing road network can appropriately accommodate the vehicles that are proposed;
  - iii) the use is located on a site that has adequate land area to incorporate required parking, waste management facilities, landscaping and buffering on-site;

- iv) the use, scale, massing and siting of the development is compatible and consistent with adjacent development in accordance with MOE D-Series Guidelines;
- v) the use is a dry industrial use; and,
- vi) the use does not create noxious odours or noxious noises.

#### C.2.1.3.7 Urban Design

It is the intent of this Plan to improve the vibrancy and aesthetics of all lands within the *Settlement Area* designation in the Township. On this basis, the approval under the *Planning Act* of any development proposal will depend on Council being satisfied that:

- a) improvements to the aesthetics of the public realm (roads, parks, sidewalks) will occur as a condition of development, or will be made possible as a result of the development, as appropriate;
- b) the siting, height, scale and massing of buildings contribute to a safe and attractive pedestrian environment and streetscape, and enhances the historic character of the community;
- c) parking facilities are designed to not dominate the streetscape or front yard;
- d) landscaping is used to buffer adjacent uses and improve the overall aesthetics of the development; and,
- e) lighting is designed to prevent trespass onto adjacent lands and preserve the dark sky at night.

Council shall have regard to the design policies of this Plan when considering any commercial or industrial development application requiring a *Planning Act* approval. In addition to the above, the Implementing Zoning By-law shall contain provisions relating to building siting, location and massing to implement these same urban design policies.

Parking requirements in the *Settlement Areas* may be relaxed to encourage a pedestrian environment.

#### C.2.1.3.8 Outdoor Storage

It is recognized that many businesses require outdoor storage of raw materials and/or finished products outdoors. However, it is recognized that the location and type of outdoor storage may have impacts on the

aesthetics of an area and on adjacent land uses. On this basis, the establishment of a new accessory outdoor storage area on a lot shall be subject to Site Plan Control. In considering such an application, Council shall be satisfied that the outdoor storage is:

- a) not located between the main building and the street;
- b) clearly accessory to the main use on the property;
- c) is set back an appropriate distance from the side and rear lot lines, having regard to the nature of adjacent land uses; and,
- d) is completely enclosed and/or screened by landscaping that functions year-round.

The Implementing Zoning By-law may contain additional provisions regarding the location of outdoor storage on a lot.

#### C.2.1.3.9 Zoning By-law Implementation

Lands within the *Settlement Area* designation shall be placed in appropriate zones in the Implementing Zoning By-law.

#### C.2.1.4 Special Policies

##### C.2.1.4.1 Part Lots 131 & 132, Concessions A & B (Foley)

A former large industrial operation is located within the boundaries of the Foley Centre *Settlement Area* on the shoreline of Little Otter Lake and located in Part of Lots 131 and 132, Concession A and B (Foley).

It is a policy of this Plan that all development and re-development of this operation shall be in accordance with the water quality policies of this Plan and shall protect and preserve the water quality of Little Otter Lake. It is a corollary policy of this Plan that any development or re-development of the site shall be in accordance with the policies of Section B.18 of this Plan respecting potentially contaminated sites.

All changes in land use of the site shall be evaluated and considered in accordance with the following principles:

- a) Any development or re-development shall have no impact on the water quality of Little Otter Lake.
- b) Any development or re-development shall generally not include a processing or manufacturing operation that uses chemicals in the operation.
- c) A change in land use shall be to a use that is more compatible with the sensitive site and shoreline location and is either a low



water use light industrial operation, low water use commercial use, or a residential use in accordance with the policies of Section C.2.1 of this Plan.

- d) The Township may consider the use of a Community Improvement Plan in accordance with Section F.1.6 of this Plan to permit the use of certain financial tools to assist in the re-development of the lands to a use which is more compatible with the sensitive shoreline location and with the surrounding settlement area. The financial tools that could be considered under a Community Improvement Plan include study grants, fee reductions or waiving, tax increment financing, or similar tools in order to encourage and facilitate the development or re-development of the site.
- e) A change in land use shall require the submission of the supporting studies in accordance with Section B.14 of this Plan prior to the consideration of the planning application.
- f) The implementing Zoning By-law may consider the use of a special zone or a the use of a holding symbol pursuant to Section F.1.3 of this Plan in order to prohibit a change of use of the subject lands until such time as the required studies are received and approved by Council.

#### C.2.1.5 Settlement Area Boundary Expansion

Settlement Area Boundary expansions shall only be permitted though a municipally initiated comprehensive review and only where it has been demonstrated that additional lands are required.

### **C.2.2 EMPLOYMENT AREA**

#### C.2.2.1 Basis and General Objectives

This Plan recognizes a number of existing nodes of concentrated employment uses located at strategic locations throughout the Township. The *Employment Area* designation is intended to permit a broad range of light industrial and commercial uses in appropriate locations that also respects the “Environment-First” principle of this Plan. All new employment uses must be appropriate to the character to the Township and the existing level of services provided.

It is the intent of this Plan to:

- a) recognize, protect, and enhance the existing *Employment Areas* and the maintenance of those elements which contribute to the success of these area for employment uses;
- b) ensure that the design of new employment uses is sensitive to the character of the Township and contributes to the

improvement of the appearance of the Highway and other Corridors;

- c) promote the existing businesses and industries and associated activities and enhance their capacity to contribute to the economy of the Township;
- d) provide for the development of new employment uses which are compatible with the existing development in the Township;
- e) ensure that new employment uses will not have an impact on the environmental and groundwater resources of the Township; and,
- f) ensure that the scale of development is compatible with the role and function of the *Employment Area* designation and the Township.

#### C.2.2.2 Permitted Uses

Permitted uses on lands designated *Employment Area* include:

- a) manufacturing;
- b) assembly;
- c) processing;
- d) fabrication;
- e) storage and/or warehousing uses;
- f) research establishments;
- g) office;
- h) wholesale establishments;
- i) office uses;
- j) educational facilities;
- k) retail uses;
- l) restaurants; and,
- m) land intensive retail uses, including building supply depots and automobile sales dealerships.

#### C.2.2.3 General Policies

- a) All new development shall be subject to an Amendment to the Implementing Zoning By-law and may be subject to Site Plan Control. Any redevelopment of existing industrial uses which would involve an expansion of the floor area of more than 25% may also be subject to Site Plan Control. Prior to considering an application for re-zoning and/or Site Plan approval, Council shall be satisfied that:
  - i) Adequate parking and loading facilities are provided on the site;
  - ii) The proposed buildings are designed to blend in with their surroundings and with other buildings in the area;

- iii) The proposed buildings or structures on unvegetated sites incorporate landscaping to enhance the site and surrounding area;
  - iv) Outdoor storage areas are substantially screened from view from passing traffic and adjacent land uses, and specifically prohibited in yards directly adjacent to Highway 400;
  - v) The proposed use can be serviced with an appropriate water supply and means of sewage disposal; and,
  - vi) Where a proposed use abuts or is in close proximity to an existing residential use, fencing, landscaping, berming or a combination of these features are utilized to ensure that there is adequate screening between the uses.
- b) Council may permit necessary retail and service commercial uses that may not be dependent solely on passing traffic. The Implementing Zoning By-law, shall identify the size and type of these additional uses.

Lands designated as *Employment Area* are intended to accommodate those uses and activities which place a heavy reliance upon vehicular traffic and the motoring public to maintain their economic existence. It is the policy of this Plan to encourage the development of such uses and activities adjacent to similar uses in accordance with good design principles. Specific regard shall be had for the means of ingress and egress to such areas so as to not create a traffic hazard or result in the disruption of through traffic movements.

- c) Regard shall be had for the compatibility of the *Employment Area* uses with uses in adjoining areas so as to ensure that the use will not have a detrimental effect upon adjoining properties. Development or redevelopment proposals shall incorporate site planning standards which will result in a desirable design including the following:
- i) Adequate buffer planting shall be provided between the commercial use and any adjacent residential areas. Such buffer planting may include provision for grass strips and appropriate planting of trees and shrubs.
  - ii) Adequate off-street parking facilities shall be provided for all permitted uses. Access points to and from such parking areas shall be limited in number and designed in a manner that will minimize the danger to both vehicular and pedestrian traffic.

- iii) In the absence of municipal water supply and sewage treatment systems, only those establishments which place no demands for water supply or sewage disposal, beyond the requirements normally considered necessary for the personal use of employees, shall be permitted.
- iv) Employment uses should be encouraged to consolidate in nodes adjacent to similar uses and should not be permitted to develop in an indiscriminate manner, particularly in those areas which demonstrate a high resource capability for agriculture or aggregate resources.
- v) Highway Commercial uses and activities should be encouraged to locate adjacent to major roads and highways within the areas designated under this Plan. Further, new uses proposed in close proximity to existing residential areas should be designed with the intent of providing adequate pedestrian and vehicular access to these built-up residential areas, as well as servicing the travelling public. These measures can be assured through effective site plan control measures.
- vi) An application for an Amendment to this Plan or the Implementing By-law, to allow for the development of a permitted use, shall be accompanied by a site plan prepared in accordance with the requirements of Section F of this Plan.
- vii) Development proposals in the *Employment Area* designation shall be encouraged to provide access off service roads and/or secondary roads rather than direct access to existing roads.
- viii) It shall be the policy of this Plan that *Employment Area* uses be included in a separate zoning classifications in the Implementing Zoning By-law, where under suitable provisions and regulations are prescribed to govern the future development and use of such lands.
- d) No use that causes, or is likely to cause air pollution, offensive odours, ground or surface water pollution, or noise in excess of Provincial regulations or guidelines shall be permitted.
- e) All existing commercial and industrial uses within the *Employment Area* designation shall be placed in an appropriate Zone in the Implementing Zoning By-law. The By-law will zone commercial and institutional lands in separate zones to ensure that permitted uses are compatible.

#### C.2.2.4 Special Policies

- a) Redesignation of Employment Lands is only permitted though a comprehensive review and only where it has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion.

### **C.2.3 AIRPORT EMPLOYMENT AREA**

#### C.2.3.1 Basis and General Objectives

The Parry Sound Area Municipal Airport is located in Part of Lots 2 and 3, Concessions 10, 11 and 12 (Humphrey) and is considered a major anchor of the Township's economic infrastructure and a major component of the regional economy. It is the intent of this Plan to:

- a) support the continued development of the Parry Sound Area Municipal Airport as a significant component of the Township's economic base;
- b) encourage the establishment of employment uses that are related to and compatible with the functioning of the airport;
- c) permit a range of employment uses to development on the airport lands to create a threshold employment node; and
- d) Support the current role and enhance the future role for "clean" manufacturing and related employment focused on the airport.

#### C.2.3.2 Permitted Uses

Permitted uses in the *Airport Employment Area* designation include:

- a) airport facilities and accessory uses;
- b) airport-related manufacturing, assembly, maintenance, processing, and fabrication;
- c) storage and/or warehousing uses;
- d) research establishments;
- e) business offices;
- f) wholesaling establishments;
- g) private and public school facilities related to aviation and manufacturing;
- h) hotels, motels, restaurants; and,
- i) automotive related commercial uses.

#### C.2.3.3 General Policies

- a) Development shall be compatible with the airport uses on the adjoining lands and in the vicinity. In determining

compatibility, regard shall be had to the possible detrimental impacts on the airport use by virtue of noise, odour, dust, fumes, vibration, lighting, signs, refuse or waste, height of buildings or any other element that may have a detrimental impact on the airport's operation in accordance with MOE Guidelines;

- b) All development in the vicinity of the airport shall be in accordance with Federal Regulations;
- c) Industrial development shall be subject to the approved policies and requirements of the authorized Provincial Ministries, including the D series Guidelines of the Ministry of the Environment;
- d) The outdoor storage of goods and materials shall be accessory to a permitted use and shall be restricted through zoning by the type, amount, locations and other regulations in the Implementing Zoning By-law;
- e) Accessory outdoor storage and display shall be in locations where visual exposure is acceptable or is limited and screened, and where it does not detract for the operation of the airport;
- f) Adequate parking and loading facilities shall be provided on site to serve the employment development.

C.2.3.4 Special Policies

**C.2.4 MAJOR OPEN SPACE AREA**

C.2.4.1 Basis And General Objectives

Major open space uses, such as Provincial Parks and Conservation Reserves, linear trail corridors and golf courses, are major elements of the land use structure of the Township and contribute to the economic base of the Municipality. These land uses may also generate significant impacts on local roads and waterways. The intent of this Plan is to recognize major open space uses in the Township and to:

- a) manage major open space uses in a satisfactory manner.
- b) to encourage the preservation of present and future linear trail systems for the benefit of the residents and visitors to the Township.
- c) to participate and support, where appropriate, the initiatives of other agencies and groups in establishing or expanding interconnected linear and other recreational open space systems within the Township.

#### C.2.4.2 Permitted Uses

Permitted uses in the *Major Open Space Area* designation are limited to passive and active recreational uses, conservation uses, linear multi-use trails, golf courses, and forestry uses in accordance with good management practices.

#### C.2.4.3 General Policies

- a) The following Provincial Parks and Conservation Reserves are located in the Township and identified as *Major Open Space Area* on Schedule A to this Plan:
  - Oastler Lake Provincial Park
  - The Massasauga Provincial Park
  - Crane Lake Forest Conservation Reserve
  - Dutcher Lake Conservation Reserve
  - Horseshoe Lake Conservation Reserve
- b) Where the lands designated *Major Open Space Area* are Crown owned, the Township has no planning control. The Township will encourage the Province of Ontario to consult with Council on all decisions with respect to the future use, development, or disposition of Crown owned lands within the Township of Seguin;
- c) The Township will ensure that all proposed land uses are consistent with the environmental policies of this Plan;
- d) The Township recognizes the significance of existing trail systems such as the Seguin Trail, Nipissing Trail, and TOPS trails and shall endeavour to preserve and protect these trail networks and major open space systems where feasible;
- e) The Township will support and participate in, as appropriate, the initiative of other agencies and interest groups to expand and interconnect existing linear trail systems;
- f) The Township will consider all master plans or management plans prepared for the trail systems, including the Seguin Trail Management Plan, when considering all applications for development adjacent to the trail;
- g) The uses of privately owned lands in the *Major Open Space Area* designation include active recreational uses such as golf courses. It is a policy of this Plan that uses shall be limited to existing uses and activities and related facilities and operations.

- h) New intensive recreational uses or expansions to existing uses, such as golf courses or cross-country ski and mountain bike facilities, shall only be permitted through an Amendment to this Plan and to the Implementing Zoning By-law. Applications for new recreational uses shall be supported by appropriate studies as required by the Township and shall include those studies/investigations deemed necessary by Council and other relevant agencies and shall include an Environmental Impact Study as required by this Plan.

#### C.2.4.4 Special Policies

- a) The Ministry of Natural Resources has prepared Statements of Conservation Interest (SCI) with respect to the Crane Lake Forest, Dutcher Lake and Horseshoe Lake Conservation Reserves. The Province is encouraged to ensure that both the public and the Township are consulted in the preparation of the SCI's for the Conservation Reserves or any Amendments thereto, and that the Conservation Reserves are managed in accordance with the approved SCI's.

### C.3 LAKE SYSTEM

The Township's lakes, including Georgian Bay, represent its single most dominant landscape feature and land use form. This Plan is based on the understanding that the management of the Township's lakes must occur through the partnership of a number of stakeholders including the Township, the Provincial Ministries of Natural Resources and Environment, Lake Associations, and lakefront landowners. The intent of this Plan is to ensure that development on the Township's lakes achieves the protection of lake quality for both human and non-human use, protects the unique waterfront experience of each lake, and preserves the visual and aesthetic qualities of shoreline living in the Township of Seguin.

The Lake System in the Township of Seguin is contained within the *Shoreline Area* designation.

It is the intent of this Plan to maintain and enhance the Lake System wherever possible. On this basis, development will be carefully regulated within the Lake System in the Township of Seguin.

The policies of the *Shoreline Area* designation are contained in this Section of the Plan.

It is the intent of this Plan to:

- a) ensure that there is no reduction in lake water quality as the result of human activity during the life of this Plan;



- b) ensure development does not exceed the capacity of the lake;
- c) ensure that only land uses that maintain, improve or restore the water quality of the Lake System are permitted;
- d) provide the tools to properly assess development applications proposed on or adjacent to the shoreline of the lakes in the Township;
- e) ensure that all development is appropriately setback from the shoreline and from fish habitat;
- f) encourage the development of a "green" waterfront within the Township;
- g) implement the 'Environment-First' objectives of this Plan;and,
- h) ensure that the natural shoreline landscape dominates over human-made features.

### **C.3.1 SHORELINE AREA**

#### **C.3.1.1 General Objectives**

Within the Township of Seguin there are approximately 186 lakes. These lakes have been divided into large lakes, such as Georgian Bay, the north end of Lake Joseph and Lake Rosseau, mid-size lakes including Otter Lake, Horseshoe Lake, Star Lake, Whitefish Lake and Clear Lake and numerous smaller and remote lakes. The *Shoreline Area* designation recognizes the areas of existing or approved development adjacent to the lakes in the Township of Seguin. The General Objectives for the *Shoreline Area* designation are as follows:

- a) To identify the ecosystem and community that is physically, functionally and socially focused on the lakes and rivers in the Township.
- b) To ensure that the quality of the lake environments are maintained or improved.
- c) To preserve the visual qualities that attract people to the waterfront.
- d) To maintain and protect the character of the shoreline residential areas.
- e) To protect the natural features of the *Shoreline Area* and the immediate shoreline including fish habitat.

- f) To ensure that existing development is appropriately serviced with water and sanitary services.
- g) To classify the lakes and provide specific policies based on the size and character of the lakes.

#### C.3.1.2 Permitted Uses

Permitted uses on lands designated *Shoreline Area* on Schedule A to this Plan include:

- a) low density residential uses;
- b) recreational and tourist commercial uses including recreational camps;
- c) small-scale industrial uses servicing the waterfront community; and,
- d) parkland and natural areas.

#### C.3.1.3 General Policies

##### C.3.1.3.1 Residential Development Policies

- a) It is the intent of this Plan to ensure that existing septic systems are upgraded to the highest standards possible and that an appropriate water supply is available for each dwelling unit. In order to implement this intent, the approval of the appropriate agency is required and septic systems shall conform to the standards as required in this Plan before certain types of improvements can be made to a lot or dwelling unit.

These improvements are listed below:

- i) The enlargement, renovation or addition to a dwelling unit requiring a permit under the *Building Code Act*;
- ii) The development of an accessory building requiring a permit under the *Building Code Act*; and,
- iii) The development of a deck or accessory building or structure in the same yard as the septic system.

In addition, confirmation must be received prior to the issuance of a Building Permit for the above improvements that indicates the well servicing the dwelling, if there is a well supplying water to the dwelling, is located on the same lot as the dwelling. If the well servicing the dwelling is not located on the same lot, an agreement that indicates that the water supply from another lot is available for use on the subject lot is required.

- b) New residential development shall consist primarily of single detached dwellings on separate lots. New lots shall have at least 90 metres of shoreline frontage and a lot area of 1.0 hectare or as approved in accordance with Section E.5.2 and E.5.3 of the Plan. Larger lots may be required in areas where environmental or physical constraints exist on the lands and on narrow channels (less than 120 metres (400 ft.)) or small water bodies, or in deer wintering areas or sensitive fish habitat. All development on islands shall have a frontage of 120 metres and an area of 1.2 hectares. Special lot standards for specific lakes are provided in Appendix I to this Plan.
- c) All new residential development, when recommended by a Site Evaluation Report, shall utilize sewage disposal systems that incorporate tertiary treatment that will reduce or prevent the migration of phosphorus and nitrogen into the adjacent waterbody.
- d) One guest cabin may be permitted in the *Shoreline Area* designation as an accessory use to a residential use provided the lot has a minimum area of 1 hectare or as approved in accordance with Section E.5.2 and E.5.3 of the Plan. Guest cabins will be limited in size and shall be smaller than and incidental to the main dwelling. Guest cabins will be considered as part of the total lot coverage permitted on a lot. Specific regulations shall be provided in the Implementing Zoning By-law.
- e) Additional dwelling units, guest cabins and other habitable buildings may be permitted on larger lots as though each use was on a separate lot provided the development, including density, is in keeping with the provisions of this Plan and shall require an Amendment to the Implementing Zoning By-law. Supporting technical studies may be required to support the proposed use.
- f) Residential development may take the form of cluster developments where the residential development is set back from the waterfront and the waterfront area is maintained as open space for the use of abutting landowners. In such instances the density of the development shall not exceed 20 metres (66 feet) of frontage on the waterbody per unit or 2.5 units per gross hectare (1 unit per acre). This form of development shall occur by Plan of Subdivision or Condominium and an Official Plan Amendment and Zoning By-law Amendment.
- g) Alternative development standards may be considered for unique topographical features such as points or peninsulas where it is demonstrated that the development maintains the

character of the natural shoreline environment and maintains the built form of the area.

C.3.1.3.2 Development On Private Roads

- a) All lots that do not have frontage on and direct access to a public road that is maintained year round shall be placed in a Limited Service Residential Zone in the Implementing Zoning By-law.
- b) Rezoning of lands within the Limited Service Residential Zone to a Zone that does not distinguish between service levels may be considered by Council provided the following criteria are met:
  - i) The lot(s) being rezoned shall have frontage on, as well as direct access to, a public road maintained year-round by the Municipality or on a private road controlled by a condominium corporation;
  - ii) The dwelling(s) on the lot(s) to be rezoned shall comply with all building and construction standards that apply to permanent dwellings;
  - iii) The dwelling(s) on the lot(s) to be rezoned shall be serviced by a private well on the same lot or an appropriate water supply;
  - iv) The dwelling(s) on the lot(s) to be rezoned shall be serviced by an appropriate means of sewage disposal that is designed to serve a permanent residence and which has obtained the approval under Part 8 of the *Ontario Building Code*;
  - v) The emergency services confirm, in writing, that the dwelling(s) on the lot(s) to be rezoned can be serviced year round by emergency vehicles; and,
  - vi) The lot(s) to be rezoned complies with all applicable Zone provisions in the Implementing Zoning By-law.

C.3.1.3.3 Limits of Shoreline Development

It is the intent of this Plan that new development in the *Shoreline Area* be directed to lands that are physically suitable for development in their natural state in an effort to maintain the area's unique character. Creating lands that are suitable for development by blasting or filling the natural landscape or dredging the lake bottom shall not be permitted.

New residential development in the *Shoreline Area* designation shall be limited to small-scale subdivisions, condominium or minor infilling by consent to sever. Any Amendment to this Plan that has the effect of permitting additional residential development adjacent to the *Shoreline Area* designation will only be considered on the basis of a complete review of the extent and limits of the existing *Shoreline Area* designation for the entire lake. The review shall also determine the extent to which development within existing designated land would consume available development capacity on the lake.

Applications for new lot creation within the *Shoreline Area* designation will be evaluated and based on the submission of a Site Evaluation Report which shall provide the following information:

- a) Sufficient information about the nature of the lands, the development proposal, and the sites context in the lake system;
- b) Site specific information such as a description of the lands, location, slope and soil characteristics, vegetation, drainage, erosion and flooding characteristics;
- c) Description of the regional context of the site, detailing the surround land use and environment;
- d) Environmentally sensitive areas shall be identified and analyzed, including wetlands, significant fish habitat, and wildlife habitat;
- e) Potential impacts of the development should be identified including lake water quality impacts, storm water quality and quantity impacts, erosion, vegetation, habitat, shoreline and visual/aesthetic impacts;
- f) The Site Evaluation Report shall assess the constraints to development and address how the constraints can be managed or mitigated effectively through the utilization of appropriate development control techniques including site plan control;
- g) The report shall also address the appropriateness of the proposed development and its ability to satisfy the principles and goals of this Plan and shall be prepared in accordance with the policies of this Plan and specifically Sections B.3 and B.14 of this Plan; and
- h) The Township may develop and approve guidelines or “Terms of Reference” for the preparation of Site Evaluation Reports and all reports shall be prepared in accordance with the approved guidelines/terms of reference.

#### C.3.1.3.4 Marinas

Existing marinas are permitted in the *Shoreline Area* designation. Any new marina shall require an Amendment to the Zoning By-law and shall only be considered if the proposed marina is compatible with the character of the *Shoreline Area*.

Existing marinas will be encouraged to continue to provide a broad range of goods and services to the shoreline community. Expansions to existing marinas will require an Amendment to the Zoning By-law. Changes in use from a marina to another commercial use shall generally be discouraged and will require an Amendment to this Plan.

The conversion of marina properties to residential uses is not permitted by this Plan. There are a limited number of marina properties in the Township that provide lake access, boat services and convenience commercial items for shoreline properties. The establishment of new marina properties is generally not feasible. This Plan recognizes the importance of maintaining marina properties.

#### C.3.1.3.5 Bed And Breakfast Establishments

New bed and breakfast establishments may be permitted by way of an Amendment to the Implementing Zoning By-law and subject to Site Plan Control in accordance with the policies of Section B.8.2 of this Plan.

#### C.3.1.3.6 Preservation of Vegetation

New development in the shoreline shall be sensitive to the preservation of tree cover and vegetation wherever possible so as to prevent erosion, siltation and possible nutrient migration and help maintain wildlife habitat. Development shall be set back a minimum of 20 metres from the high water level. A greater setback may be required where necessary to address water quality, wetland, fish habitat or similar issues.

Site alteration and disturbance of vegetation within the 20 metre setback shall be limited to minor alterations to accommodate access trails, docks, water pumping equipment or restoration work. Performance standards respecting the protection of the vegetative buffer and the amount and type of development permitted to encroach within the buffer shall be set out in the Implementing Zoning By-law and through Site Plan Control.

As a condition of development or redevelopment, revegetation of shorelines with local native species shall be required. In these instances, undisturbed shorelines shall be used as an example of how to appropriately revegetate a disturbed shoreline.

#### C.3.1.3.7 Resort Commercial Uses

The resort commercial uses permitted in the *Shoreline Area* designation shall be limited to existing and appropriately zoned tourist establishments and resorts, or other similar uses and facilities which are privately owned and operated to provide accommodation on a temporary basis (which includes tent and trailer camps, rental cabins and housekeeping cottages), lodges, motels, marinas or other similar recreational commercial uses. Ancillary uses and activities, such as indoor and outdoor recreational facilities, retail commercial uses of a convenience nature, or eating establishments which primarily serve the needs of persons using the resort commercial use shall also be permitted. Residential accommodation shall also be permitted for the accommodation of the owner or caretaker or other similar personal and staff members.

It is the intent of this Plan to provide for the continuation of existing tourist establishments and resort commercial uses and, wherever possible, to recognize their future viability and contribution to the local economy in keeping with changing lifestyles and leisure activities.

Prior to considering a rezoning application to allow the conversion of existing tourist commercial uses to residential uses, Council shall be satisfied that the change in use has a positive long-term impact on the economy, the environment and the surrounding area.

New resort commercial developments shall not be permitted. Council may consider expansions of existing resort commercial uses by way of Zoning By-law amendment and or site plan control. In considering such applications, the following shall be addressed:

- a) Regard shall be had for the layout and design of resort commercial areas such that the internal road pattern provides for the adequate movement of vehicular traffic. Access points to and from public roads shall be limited in number and designed in such a manner that will minimize the danger to both vehicular and pedestrian traffic.
- b) It is the intent of this Plan to encourage increased setbacks of large scale development from the shoreline. Setbacks for buildings, structures and uses requiring proximity to the water such as docks, boathouses, marina service facilities and water pumping equipment shall be identified in the Zoning By-law.
- c) It shall be the policy of this Plan to require a minimum of five percent of the gross area associated with those resort commercial uses which provide accommodation for improved outdoor purposes. For the purposes of this Plan, improved outdoor areas shall mean lands which have been graded and levelled and, as may be necessary, sodded or seeded or

otherwise enhanced so as to provide suitable areas and facilities for the use and enjoyment of visitors or patrons.

- d) A detailed hydrogeological report with respect to the adequacy of groundwater supplies and the ability of the soils to sustain development on the basis of private services may be required. All individual sewage systems and water systems shall be installed in accordance with the authority responsible for their approval. Tertiary treatment systems may be required in accordance with the recommendations of a Site Evaluation Report.

- e) In considering the expansion of a resort commercial use, Council shall have regard for the physical suitability of the site, the adequacy of vegetative cover, the location of the proposed site relative to the land use policies and designations contained in this Plan.

Specific regard shall also be had for such matters as the provision of adequate setbacks, buffer planting and landscaped open space, the design and location of off-street parking facilities and access points, and the location of signs and outdoor lighting so as to provide for a reasonable degree of compatibility with adjacent land uses.

- f) The site plan shall be prepared in accordance with the provisions of Section F.1.4 of this Plan.
- g) Notice of applications to amend the Zoning By-law to permit expansions of resort commercial uses shall be given to property owners within 400 metres (1200 ft) of the subject lands and affected Cottage Owners Associations. Wherever possible public meetings for these proposals shall be held during the summer season, between Victoria Day and Thanksgiving.
- h) Tourist commercial developments may be permitted on the basis of 6 metres (20 feet) per accommodation unit frontage on the waterbody and a maximum density that does not exceed 10 units per hectare (4 units per acre) where a unit is defined as a rental cottage or a camp site, or room in a hotel, motel, lodge or similar arrangement of units.

Densities up to 25 percent in excess of these requirements may be permitted through an Amendment to the Zoning By-law subject to the developer entering into a Site Plan Agreement with the Municipality that ensures the development of additional facilities such as a golf course, swimming pools or other significant land based recreational facilities.



- i) Expansions of existing tourist commercial uses shall not be permitted within 300 metres of at-capacity or over threshold lakes as set out on Appendix I, Appendix II, and Appendix III respectively to this Plan.

#### C.3.1.3.8 Fractional Ownership

Densities permitted for developments based on fractional ownership shall be based on the nature and built form of the development. Developments in the form of individual cottages shall meet the frontage and density requirements for residential uses. Developments in the form of tourist resorts with communal facilities and commercial services shall be based on the policies for tourist commercial developments.

#### C.3.1.3.9 Undeveloped Land

The Shoreline Area designation includes lands that are still in a natural state and are primarily undeveloped. The inclusion of these lands in the Shoreline Area designation does not imply that all of these lands will ultimately be developed for those uses permitted by the Shoreline Area designation. It is a policy of this Plan to ensure that the future use of these lands is consistent with the objectives and policies of the Shoreline Area designation, specifically Sections C.3, C.3.1.1, and C.3.1.2. Proposals for significant or major new developments that are not anticipated by this Plan in terms of use, form, scale or height, shall require an amendment to this Plan.

#### C.3.1.3.10 Waterfront Design

Waterfront Design policies address the complex relationships between all of the elements of built form, the natural environment and the lake environment, and focuses on:

- the connections between people and these places,
- the relationship between buildings and the lake, natural areas and vegetative buffers, and other uses,
- the lake as public domain,
- the processes for ensuring successful lake communities.

It is anticipated that the Township's waterfront will see considerable growth and change during the life of this Plan. In order to ensure that the waterfront areas evolve in a manner that enhances the quality of waterfront life, it is the desire of Council to create and encourage a high quality of built form that is sensitive to the Township's lake heritage and relates to the principles listed above. On this basis, the following are objectives of this Plan relating to waterfront design:

- to improve the aesthetic quality of the Township's waterfront built form, and promote development which is based on good design principles and standards that reflect the goals, objectives, and policies of this Plan;
- to enhance the unique character of the Township's waterfront areas by encouraging high quality design that is complementary and compatible with existing development, the Township's natural heritage, and which fosters a strong sense of place;
- to exercise appropriate municipal development control in order to achieve a consistently high quality of site, building and landscape design.
- to be sensitive to the impact of light and sound on the lake environment.
- protect significant natural heritage values and ecological functions.

#### C.3.1.3.11 Waterfront Building Design

- a) The design of new buildings should achieve a complementary design relationship to existing buildings, while accommodating a diversity of architectural styles, building materials, subdued lighting, energy conservation techniques and innovative built forms.
- b) The design of all buildings shall have regard to appropriate setbacks and the protection or provision of vegetative buffers along the lakefront. Buildings should be massed to recognize appropriate scale and provide an appropriate building height at the waterfront and be architecturally articulated to provide visual variety and interest. Generally, building articulation features such as canopies, decks, and varying facade materials and setbacks should be used to reinforce a lake friendly scale.
- c) Buildings shall be encouraged to orient themselves to the lake, where possible, and present their principal building facades with an appropriate building design to the lake. Buildings located at major vista terminations on a lake, or on view corridors on the lake, shall be given special treatment through the use of massing and building articulation strategies, such as added height, special roof treatments, and use of special cladding materials and lighting fixtures.
- d) Building functions that do not directly require lake access, such as private garages, shall not face the lake.
- e) Roofscapes shall be an integral part of the design of a building and harmonize with the design of the rest of the building.

- f) Buildings in the *Shoreline Area* will be designed and constructed to blend in to the natural environment and preserve the historic architectural characteristics of the area. Council may adopt Design Guidelines for the *Shoreline Area* that will include architectural details and landscape elements that will implement the policies of this Plan. The Zoning By-law implementing this Official Plan will include regulations that will:
- i) limit lot coverage up to a maximum of 10 percent of the lot area within the front 60 metres of the lot, and impose total coverage regulations which may be less than permissible lot coverage;
  - ii) limit the size of the waterfront dwellings based on the height of the dwelling;
  - iii) limit the expansion and additions to existing dwellings where the building does not comply with the By-law performance standards including shoreline setbacks;
  - iv) establish standards to direct and mitigate development on lands containing steep slopes including defining steep slopes or a range of slopes, regulating building placement and height based on the nature of the slope, regulating structures including stairs used to provide access to the water, and prohibiting development on lands over a certain slope.
  - v) limit the height of buildings within the front 60 metres of a lot to ensure that the building height does not intercept the natural tree line when viewed from the water;
  - vi) limit the size of docks to a maximum percent of the shoreline frontage of the lot or a defined size, whichever is greater;
  - vii) boathouses, which include boatports, may be permitted as established by the implementing Zoning By-law which will specify:
    - a) lakes on which boathouses may be permitted subject to the character and natural features of the lakes;
    - b) minimum lot frontage standards to permit boathouses including boatports;
    - c) maximum height and width standards;
    - d) whether human habitation is permitted.
  - viii) Width, height and setback standards in the implementing Zoning By-law will limit the visual impact of boathouses on adjacent lands and on the natural quality of the shoreline.
  - ix) Where human habitation is permitted by the implementing Zoning By-law, the human habitation use shall be permitted subject to the use being counted as a

guest cabin and to the establishment of maximum floor area regulations.

- f) Council will require site plan approval for all new development in the *Shoreline Areas*.

#### C.3.1.3.12 Protecting the Character of Shoreline Areas

The character of the shorelines in Seguin Township includes exposed bedrock, coniferous and deciduous vegetation and a landscape where the natural environment predominates over human built buildings, structures or alterations to the landscape.

Buildings in the shoreline designation shall be sited to limit the removal of vegetation and to preserve significant landscape features in the Shoreline Areas such as peninsulas, islands, steep slopes, cliffs and narrow waterbodies.

Development and redevelopment proposals shall be designed and sited so that buildings are incorporated into the existing landscape and buffered from the waterbody.

Development that does not protect the character of shoreline areas shall not be permitted.

In considering new applications for shoreline lot creation the Township may require site specific zoning to: restrict uses; the number and location of buildings and structures; and, the development of shoreline structures to ensure that future development on the severed and retained lots conforms to the goals, objectives and policies of the Plan.

The following applies to development in the shoreline designation:

- a) Natural features shall dominate the shoreline, with the Township generally requiring that up to 90 percent of the front 20 metres of a lot be maintained in a natural vegetative state.
- b) Vegetation buffers and landscaping are a major contributor to a quality lakefront. A high quality of natural area preservation and landscape design will be required to enhance the visual aesthetics of development and to enhance the site and waterfront compatibility.
- c) Landscaping shall be used to screen or buffer development from adjacent uses, and mitigate the visual impact of the development, where necessary.
- d) Landscape materials shall be selected for their ecological characteristics. Native species are encouraged, and invasive species or species requiring use of pesticides, herbicides and fertilizers shall be discouraged.

- e) Landscaping can play an important role in delineating a site's side yards and often provides a visual break. Existing natural areas between uses should be preserved wherever possible
- f) Significant treed areas on a development site shall generally be preserved, maintained and integrated into the new landscape design.
- g) Landscaping requirements shall be implemented through Site Plan Control and shall be included in Waterfront Design Guidelines when they are prepared.

#### C.3.1.3.13 Waterfront Site Design

- a) Site design incorporates the built form of structures, vegetation buffers, landscaping, services and the layout of all amenities. Site design shall promote an appropriate design relationship between the lake, adjacent land uses, on-site uses and structures and visual aesthetics, in order to promote a lake environment that is pleasant, natural and attractive to the community.
- b) Site design shall consider a development's compatibility with the density, height, form, setbacks, materials and colours of development on adjacent lands.
- c) The design of sites adjacent to parks, woodlots and watercourses shall be sensitive to natural areas. In these instances, buildings should be sited with the greatest possible setbacks from sensitive natural areas while on-site landscaping should be well integrated with natural areas.
- d) Site design shall also address compatibility between differing adjacent land uses through appropriate site layout, building locations and landscape treatments.
- e) Site design shall generally not permit the alteration of the existing topography through filling, soil removal, or blasting, except where such activity minimizes visual impact. Development on steep slopes shall be subject to strict control and Site Plan Approval.
- f) Parking areas shall be well removed from the waterfront and visually buffered from the shoreline and adjacent lands.

#### C.3.1.3.14 Waterfront and Adjacent Development

- a) Non-residential buildings higher than two storeys should be designed to minimize overlook conditions particularly if located

adjacent to existing residential dwellings. Massing strategies such as stepping down towards buildings of lower height should be employed to minimize impacts.

- b) Development on private lands shall be designed with the intent of recognizing the relationship between the public realm and adjacent land uses.
- c) Noise generating activities should be located away from sensitive land uses, such as residential areas and waterfront areas, and buffered as necessary.
- d) Lighting shall be designed to minimize light trespass onto adjacent lands and the water.
- e) When a non-residential development is located adjacent to existing or planned residential areas, sufficient building setbacks should be provided to minimize potential height and massing impacts such as shadowing and high wind speeds. Site Plan applications may be required to submit wind and/or shadow studies to address such potential conditions.
- f) Landscaping plays an important role in buffering potential negative effects. There should be a wide and generously-planted landscape strip using a combination of deciduous and coniferous trees; as well as opaque fencing with noise attenuation properties where required, along the property line abutting existing residential development.
- g) When a non-residential development abuts a street with a residential use on the opposite side, the frontage should be treated with a wide landscaped strip and, where possible, parking shall not be located closer to the street than the building face.
- h) On large sites, efforts should be made to encourage pedestrian linkages between uses and adjacent sites.

#### C.3.1.3.15 Waterfront Servicing

- a) Site and building services and utilities such as wells, sewage treatment systems, waste storage facilities, loading, air conditioning equipment, satellite dishes, and hydro equipment and telephone transformers shall be located and/or screened from the lake and adjacent residential dwellings or other sensitive land uses, in order to buffer their visual and operational effects.
- b) Site access, service areas and loading areas shall be located away from the lake so as to minimize disruption or conflicts with adjacent land uses. Sidewalks and other pedestrian routes

and shall be visually screened as necessary from public views. Screening should be designed to use natural vegetation, landscaping and/or solid fencing. Loading and service areas should be buffered for noise and lighting impacts, particularly when located adjacent to residential areas.

- c) It is recognized that in some developments, there will be a need to accommodate outside processing and storage areas, particularly for uses such as commercial marinas and some waterfront industrial operations. These storage areas should be organized and placed to reduce their potential negative impacts. Therefore, open processing and storage areas should be located in the rear or side yards and screened from public view, or from views from adjacent properties, using fencing and/or landscaping.

#### C.3.1.3.16 Waterfront Design Guidelines

- a) The Township may require the preparation of Waterfront Design Guidelines for selected areas within the Municipality.
- b) Where Council has required the preparation of Waterfront Design Guidelines, they shall be prepared in accordance with the policies of Section B.14 of this Plan.
- c) This Council encourages Lake Associations to develop, in co-operation and consultation with the Township, Waterfront Design Guidelines for the individual lakes in the Township.
- d) Once adopted by Council, the Waterfront Design Guidelines shall be employed in the evaluation of all development applications and site plan control applications.
- e) In areas where Waterfront Design Guidelines have been adopted by Council, all development applications shall be evaluated to determine the extent to which the application achieves the design policies of this Plan and the relevant Council adopted Waterfront Design Guidelines.

#### C.3.1.3.17 Waterfront Development Approvals

- a) The Waterfront Design policies of this Plan, and any Council-adopted Waterfront Design Guidelines, shall be employed in the evaluation of all development applications located within the waterfront area.
- b) The Township shall exercise its powers of zoning and site plan approval to encourage a high quality of building and landscape design and may prepare a Site Plan Manual in order to implement the Waterfront Design policies of this Plan.

- c) The Township shall ensure that its municipal By-laws are regularly reviewed and amended to reflect the Waterfront Design policies of this Plan and any Council-adopted Waterfront Design Guidelines.

#### **C.3.1.4 Site Specific Policies**

##### **C.3.1.4.1 Slocum Island Mainland Access**

Notwithstanding the requirements of Sub-section B.3.1.1.1 of the Plan, a waterfront lot subject to the appropriate site specific zoning and subject to site plan control, for the sole purpose of providing mainland parking and a dock for access to one dwelling unit on Slocum Island, may be created on the easterly most part of the property known municipally as 227 Rankin Lake Road, being adjacent to the Township Shore Road Allowance lands forming the westerly boundary of the Rankin Lake Boat Launch Park.

##### **C.3.1.4.2 Child – Little Whitefish Lake**

###### **C.3.1.4.2.1 Permitted Development**

Notwithstanding any provision of the Official Plan of the Township of Seguin to the contrary, in particular the provisions of Section B.3.1.1. a) and b) and Appendix I, Lake Sensitivity, Appendix II, Coldwater/ Lake Trout Lakes at Capacity, Appendix III, Recreational Capacity of Lakes, Section B.3.3. and Section B.3.2 and Section B.12.2.5 (respecting lots in the Rural and Resource Area), on the lands illustrated on Schedule E in this Plan and described as being Part of Lot 99, Concession A, and Part of the Original Road Allowance in front thereof, Geographic Township of Humphrey, now in the Township of Seguin, District of Parry Sound, two (2) shoreline residential lots and two (2) rural residential lots shall be permitted subject to the further policies detailed in Subsection C.3.1.4.2.

###### **C.3.1.4.2.2. Sewage Systems**

Upon application for lot creation of any of the subject lots, a Condition of Approval shall include the requirement to enter into a 51(26) agreement pursuant to the Planning Act RSO 1990., which shall include the following:

- a) that any new sewage disposal beds or filters shall utilize either imported soils that have a Phosphorus absorption capacity of



100 mg phosphorus/100 gm, or greater capacity as confirmed by a qualified professional, and

- b) that on site "B" horizon soils be utilized to the extent possible in the construction of any new sewage disposal beds or filters as confirmed by a qualified professional, and
- c) that any new sewage system on any lot incorporate a tertiary treatment type sewage system.

#### C.3.1.4.2.3. Shoreline Vegetation

Upon application for lot creation of any of the shoreline lots, a Condition of Approval shall include the requirement to enter into an agreement pursuant to Subsection 51(26) of the Planning Act, RSO 1990 which shall include the following requirements:

- a) all existing significant healthy vegetation in the foreshore area of the lots shall be required to be maintained and implemented in a Site Plan Agreement pursuant to Section 41 of the Planning Act, RSO 1990, and
- b) on Lot B replanting of shrubs and trees behind 75% of the open beach area within 20 metres of the shoreline shall be required and documented in a Site Plan Agreement pursuant to Section 41 of the Planning Act, RSO 1990.

#### C.3.1.4.3 Renaud – Lake Joseph Road/Clear Lake Road

- C.3.1.4.3.1 Notwithstanding the policies listed in Section C.1.3.3 e) of the Official Plan of the Township of Seguin to the contrary, on the lands described as PT LT 35 CON 9 HUMPHREY AS IN RO209206; S/T HU1883; SEGUIN, a motor vehicle sales and repair establishment shall be permitted, as well as other light commercial uses and accessory uses.

**PART D**  
**RESOURCES, HAZARDS AND GENERAL OVERLAY  
DESIGNATIONS**

## D.1 FLOOD PLAIN AND EROSION HAZARDS

Areas of known and/or mapped flood plains have been designated as “*Environmental Protection Area*” on the Schedules to this Plan. It is the intention of this Plan that no development shall occur on those lands that are subject to flooding. The extent and exact location of the boundaries of these flood plain areas shall be delineated in the Implementing Zoning By-law or through individual development applications. There are many other lakes and waterbodies where detailed mapping of flood plains and erosion hazards have not occurred. The policies of this Section shall guide the consideration of development adjacent to these waterbodies.

In this Plan, the floodline is defined as the level of the 100-year flood or the Regional flood, whichever is greater. In view of the absence of detailed mapping, Council shall seek the general technical assistance of the Ministry of Natural Resources and shall use the boundaries of the *Environmental Protection Areas* delineated on the schedules to this Plan and the flood elevations listed below as a general guideline in the preparation of the Zoning By-law and the assessment of development proposals.

The Ministry of Natural Resources has determined stillwater and regulatory flood elevations for Georgian Bay and for Lakes Rosseau and Joseph based on Engineering Studies. These elevations are provided below in Table D.1. In all cases, new development and site alteration shall not be permitted lower than the regulatory flood elevation, except in the case of overwater structures such as docks, boathouses and boatports. Council may consider permitting development below the identified regulatory flood elevation where a supporting engineering flood plain study or report is submitted addressing such items as fetch, wind setup, wave uprush, and potential ice damage. The flood plain study shall be prepared and stamped by a qualified professional in the relevant field and shall have regard to all Federal and Provincial legislation, policies and guidelines and best management practices within the field. The study may be the subject of a peer review in accordance with the policies of Section B.14 of this Plan.

Table D.1

Lake	Stillwater Flood Elevation	Regulatory Flood Elevation including wave run-up (wave up-rush)
Georgian Bay	177.8 m	178.3 m (0.5 m)
Lake Joseph	226.77 m	227.93 m (1.16 m)
Lake Rosseau	226.77m	227.99 m (1.22 m)

\* Elevations are referenced above Canadian Geodetic Datum

In this regard, it should be noted that, due to the flood susceptibility of some areas along the shoreline of Georgian Bay, Lake Joseph and Lake Rosseau, determination of the boundaries of the flood plain by an Ontario Land Surveyor will be required for development proposals and implemented in the Zoning By-law. The Zoning By-law will identify the regulatory flood elevation requirements and setback requirements for new development on these three lakes. The Zoning By-law will also place flood plains in the Environmental Protection Zone of the Zoning By-law. In addition, the flood susceptibility of the areas along all watercourses including the Seguin, Boyne, and Shadow River may limit development in some areas. Development proponents may be required to obtain detailed, engineered floodplain mapping completed in accordance with the Ministry of Natural Resource Technical Guidelines to the satisfaction of the Township Council. This mapping will be incorporated into this Plan by amendment.

Minor alterations to the boundaries of the *Environmental Protection Areas* resulting from some more detailed mapping, which are implemented in the Zoning By-law, will not require an Amendment to this Plan provided the general intent of this Plan is maintained. Existing detailed mapping, regulatory flood elevations, and setback requirements will be placed in the Zoning By-law and amended as new mapping becomes available.

It shall be the policy of this Plan to impose building setbacks from the *Environmental Protection Areas*, the established flood elevations, and identified erosion hazards in the Implementing Zoning By-law in relation to the extent and severity of the existing or potential hazard. It shall also be a policy of this Plan that the removal or placing of fill in flood plain areas is prohibited. In addition, new structures which require by necessity to be located adjacent to the water, may be permitted subject to the provisions and performance standards of the Zoning By-law. Major new structures or major expansions to existing structures which by their nature must be located adjacent to the water, such as docks, may require the submission of a Flood Plain Study to determine the appropriateness of the structure and to ensure that no impacts occur to adjacent lands and structures.

Where this Plan and the Implementing Zoning By-law require minimum lot areas, those areas shall be calculated based on the amount of land above the flood elevations shown on Table D.1.

Development or site alteration shall not be permitted in areas of potential erosion hazards, unless it has been demonstrated that safe development and site access can occur using the 100-year erosion rate.

Potential erosion hazards have not been mapped, therefore proponents may be required to retain a qualified professional engineer to provide an opinion on whether the area is susceptible to erosion hazards.

## **D.2 MINERAL RESOURCE POTENTIAL AREA AND AGGREGATE RESOURCE POTENTIAL AREA**

Areas having high aggregate or mineral resource potential are identified on Schedule "C" attached to this Plan as *Aggregate Resource Potential Area Overlay and Mineral Resource Potential Overlay* designations. These areas shall generally be protected for long-term use for resource extraction. The underlying land use designations shown on the Schedules to this Plan have generally been determined to be compatible with the long-term protection of these areas for resource extraction. New development in these areas for purposes other than resource extraction will not be permitted except where it can be shown that the proposed development has a greater long-term public interest than the extraction of the resource and that the proposed use will not hinder or preclude the establishment of future extractive activities or that the extraction of the resource is not feasible and that issues of public health, public safety and environmental impact have been addressed. Proponents of non-aggregate land uses in these areas or adjacent to these areas, will be required to submit technical reports to the satisfaction of Council to support the application for alternate land uses.

Once the mineral aggregate potential of an identified site has been exhausted, or shown to be insignificant, development may proceed in accordance with the land use designations delineated on the Schedules to the Plan or in accordance with the approved development application.

Some of the lands identified *Mineral Resource Potential or Aggregate Resource Potential Areas* are also within or adjacent to the Natural System. As stated in Sections A and C of this Plan, new development within the Natural System is strongly discouraged by this Plan, given that one of the underlying philosophies of this Plan is that the protection of the environment shall take precedence over the development of these same lands. However, there may be cases where it can be shown that aggregate extraction will not have a negative impact on the significant natural heritage features and ecological functions. In such cases, Council shall be satisfied that the criteria set out in this Plan are met to their satisfaction prior to approving new extraction activities in these areas.

### D.3

### WASTE DISPOSAL ASSESSMENT AREA OVERLAY

The *Waste Disposal Assessment Area* Overlay designation identifies areas where the existing or prior use of the lands for the disposal of waste may have an impact on future uses of these lands and possibly adjacent lands. An overlay designation *Waste Disposal Assessment Area* is denoted on Schedule "C" to this Plan and identifies lands for which the following policies are intended to ensure that all development recognizes the existing or prior waste disposal use in the area so as to safeguard all future uses.

In areas identified as a *Waste Disposal Assessment Area*, uses may be permitted by the Township in consultation with the Ministry of the Environment and in accordance with the underlying land use designation subject to the following policies:

- a) Written approval has been received from the Ministry of the Environment that the development satisfies the provisions of the *Environmental Protection Act*;
- b) Studies have been carried out to the satisfaction of Council and in accordance with the policies of this Section of the Plan that show that the development is compatible and can safely take place;
- c) The Township shall require the construction and phasing of all development to coincide with the control of any problems identified by the engineering studies;
- d) Studies of gas, leachate and hydrogeology, shall be carried out by a qualified engineer and/or Hydrogeologist;
- e) The Township shall be satisfied with the required studies with respect to any matter regarding structural stability, safety, and integrity of any and all structures; and
- f) Notwithstanding the land use designations on the various Schedules to this Plan, residential development will not be allowed to proceed on areas identified by Sections (b) and (d) above, as containing organic or chemical wastes.

In areas subject to a *Waste Disposal Assessment Area* Overlay, only land uses compatible with potential impacts of waste disposal sites or their engineered controls will be permitted and may have to be determined by Amendment to the Zoning By-law as supported by the results of studies conducted under this Section.

Land subject to a *Waste Disposal Assessment Area* Overlay may be zoned in a holding category as an interim measure. When such areas are deemed suitable for development, lands affected by the overlay

and Holding zone may be rezoned in accordance with the policies of this Plan.

New accessory buildings such as barns or private garages and renovations to existing residential buildings shall not be subject to the policies of this section.

## **D.4 NATURAL HERITAGE FEATURES**

Schedule "C" to this Plan identifies a number of Overlay's that apply to natural heritage features in the Township. These areas have been identified as they have special environmental significance as a result of significant biological, ecological and/or other natural heritage features or functions. Accordingly, notwithstanding the land use designations on the Schedules to this Plan, development shall only be permitted on lands within an Overlay or with a Natural Features Symbol where it is established, through the submission of an Environmental Impact Study, to the satisfaction of Council that development can proceed without having a negative impact on any significant natural features that may have been identified.

There may also be instances where natural heritage features have not been identified by the Official Plan. Where natural heritage features are identified or are likely to occur, an Environmental Impact Study shall be required in accordance with this section.

Where it has been established to Council's satisfaction that development can proceed with no negative impact, then it may proceed on the basis of the land use policies and designations delineated on the Schedules of this Plan.

Where development is proposed on or adjacent to a natural heritage feature an Environmental Impact Study shall be prepared in accordance with the policies of this Plan.

### **D.4.1 DEER WINTERING AREAS**

The Township recognizes the importance of protecting deer wintering habitat, which is shown on Schedule "C" of this plan, and is composed of both Stratum 1 and Stratum 2.

Stratum 2 forms the entire deer wintering habitat and is the area occupied by deer in early winter or occasionally all winter during mild winters. A mild winter occurs when the snow cover in the area is light and fluffy, and less than 30 centimetres in depth. Stratum 1 is the core of the deer's wintering habitat. It is primarily composed of coniferous trees (pine, hemlock, cedar, spruce) with a canopy cover of more than 60%, which limits snow depth. Deer use this area when mobility is most restricted by snow deeper than 50 centimetres.

Protecting Stratum 1 and Stratum 2 deer wintering habitat is important because finding suitable wintering habitat is a primary limiting factor for northern deer populations.

Development and site alteration in Stratum 1 habitat shall not be permitted unless the conifer thermal cover has been mapped and it has been determined through the preparation of an EIS that there will be no negative impacts on the natural features or the ecological unit.

Development and site alteration in Stratum 2 habitat must conserve conifer stands, feeding areas and movement corridors and shall be subject to the preparation of an EIS to identify the compatibility of the proposal and mitigation measures.

Access roads and driveways in winter deer habitat should avoid areas of thermal cover and deciduous browse within 30 to 50 metres of the conifer thermal cover.

New lots in deer wintering habitat must have a minimum lot frontage and depth of 90 metres. Where new lot creation is proposed in areas where there is a narrow conifer fringe on the shoreline that provides critical deer habitat, the minimum frontage shall be 120 metres and minimum depth 90 metres. Lesser lot sizes may be considered pending an evaluation prepared by a qualified specialist indicating that winter deer habitat does not exist.

#### **D.4.2 MOOSE AQUATIC FEEDING AREAS**

The Township recognizes the importance of protecting moose aquatic feeding areas, which are shown on Schedule "C" of this plan.

Moose aquatic feeding areas are a form of wildlife habitat. Accordingly, development proposed within and adjacent to a moose aquatic feeding area shall require the preparation of an EIS and is subject to site plan control.

Development and site alteration will not be permitted unless it has been demonstrated that there would be no negative impact on the features and ecological functions of the habitat.

#### **D.4.3 WETLANDS**

The Township of Seguin contains numerous wetlands. In general, the wetlands are located within the Environmental Protection designation on Schedule "A" to the Official Plan. Wetlands are also identified on Schedule "C" to the Official Plan. It is the policy of this Plan to protect wetlands and limit development in proximity to these natural heritage features.



#### **D.4.4 PROVINCIALY SIGNIFICANT WETLANDS**

The province has identified five evaluated Provincially Significant Wetlands in Seguin Township. These wetlands are identified on Schedule "C" to the plan and are referred to as the Haines Lake Wetland, Rintoul Lake Wetland, McAmmond's Wetland, Haines Creek Wetland and Rose Point Trail Wetland.. Development and site alteration are not permitted within Provincially Significant Wetlands. If new Provincially Significant Wetlands are identified, they should also be recognized through the policies of this Plan.

Where development is proposed on adjacent lands to a Provincially Significant Wetlands, an assessment of negative impacts is required to be completed by a qualified wetland specialist. Development and site alteration will not be permitted unless the ecological function of the adjacent lands has been assessed and it has been demonstrated that there would be no negative impacts on the natural features or on their ecological functions.

##### **D.4.4.1 Haines Lake Wetland**

The Haines Lake Wetland is recognized as being high in biodiversity and contains special feature components. Special feature components include a heronry, species of special concern (snapping turtle), significant wildlife habitat and a locally significant fishery.

##### **D.4.4.2 Rintoul Lake Wetland**

Rintoul Lake Wetland is recognized as being high in biodiversity and contains special feature components. The wetland contains attributes that contribute to high biodiversity scores because of the size of the wetland and the diversity of wetland types and vegetative communities. Special feature components include threatened species (blandings turtle), a species of special concern (snapping turtle), significant wildlife habitat and a locally significant fishery.

##### **D.4.4.3 Rose Point Trail Wetland**

Rose Point Trail Wetland is recognized as being high in biodiversity and contains special feature components and relatively high scores hydrological and social sections. The wetland contains attributes that contribute to high biodiversity scores because of the size of the wetland and the diversity of wetland types and vegetative communities. Special feature components include threatened species (Blandings Turtle), significant wildlife habitat and a costal wetland score. The area has a high flood attenuation score and a high score for water quality improvement.

#### D.4.4.4 McAmmond's Wetland

McAmmond's Wetland is located primarily in McDougall and McKellar Townships. Parts of this wetland extend into Lots 33 and 34 Concession 14 in the former Township of Christie.

#### D.4.4.5 Haines Creek Wetland

Haines Creek Wetland is located primarily within Concession B, Lots 121, 122 and 123 in the former Township of Foley on the west side of Highway 400 at the Horseshoe Lake Road interchange.

### **D.4.5 SIGNIFICANT WILDLIFE HABITAT**

Significant Wildlife Habitat is important because of the species it supports. It is the policy of this Plan to protect significant wildlife habitat. New development or site alteration in or adjacent to significant wildlife habitat shall not be permitted unless it has been demonstrated through and EIS that the development will not result in negative impacts on the natural features or their ecological functions.

### **D.4.6 HABITAT OF ENDANGERED OR THREATENED SPECIES**

The Township recognizes the importance and value of protecting the significant habitat of endangered species or threatened species. Some areas of significant habitat of endangered or threatened species is identified as a Natural Heritage Feature on Schedule "C" to this Plan.

The Endangered Species Act requires that the habitat of species listed on the Species at Risk in Ontario List as an endangered or threatened species, shall not be damaged or destroyed.

All development must ensure that the habitat of threatened, endangered, species, is protected. No development or site alteration shall be permitted in the significant habitat of endangered or threatened species.

Where development is proposed adjacent to the significant habitat of endangered or threatened species an environmental impact study shall be required. In order for development to proceed it shall be demonstrated that the proposed development will have no negative impact on the natural habitats of the features or their ecological function. The EIS may also recommend mitigation measures.

Where development is proposed in areas that have the potential to contain significant habitat of endangered or threatened species, an EIS shall be required.

Where an EIS has been prepared, prior to approving any development the Township shall ensure, through land use planning controls, that the appropriate measures are in place to mitigate potential negative impacts to the significant habitat of endangered and threatened species.

#### **D.4.7 AREAS OF NATURAL AND SCIENTIFIC INTEREST**

There are two types of Areas of Natural and Scientific Interest (ANSI). These include earth science ANSI's and Life Science ANSI's. The Seguin River Marble Gorge is a life science ANSI which is located in the Seguin River Valley. It is considered to be regionally significant and is the only ANSI identified in the Township of Seguin and is identified on Schedule "C" to the Plan.

#### **D.4.8 FISH HABITAT**

Fish habitat should be protected from incompatible development.

Development of boathouses shall require the preparation of an EIS to identify appropriate locations for development. The EIS shall identify mitigation strategies to limit impacts on fish habitat. Replacement of existing structures shall not require the preparation of an EIS.

#### **D.4.9 ADJACENT LANDS**

Adjacent lands are the lands relevant to which impacts of a development must be considered. The affect of a development proposal on features must be considered when the proposed development is within:

- 120 metres of the boundary of a Provincially Significant Wetland or unclassified wetland in excess of 0.8 ha;
- 50 metres of the boundary of other wetlands;
- 30 metres of any watercourse;
- 50 metres from the boundary of a provincially or regionally significant earth Area of Natural and Scientific Interest;
- 120 metres from the boundary of a provincially or regionally significant life science Area of Natural and Scientific Interest;
- 120 metres from the boundary of a fish habitat area;
- 300 metres from the shoreline of a Lake Trout Lakes that is at capacity;

- 120 metres from the boundary of significant habitat of endangered or threatened species;
- 120 metres from significant wildlife habitat;
- 120 metres from deer wintering areas; and,
- 120 metres from moose aquatic feeding habitat.

## **D.5 NORTHWEST SEGUIN DEVELOPMENT AREA**

### **D.5.1 GENERAL POLICIES**

The *North West Seguin Development Area* is an area of lands immediately adjacent to the Town of Parry Sound that are functionally related to the Town and have been found suitable for a limited range of development based on full municipal services and in conjunction with associated areas in the Town. The following Policy Areas are the result of a detailed planning study of the North West Seguin Development Area prepared in conjunction with and with the full participation of the Town of Parry Sound.

A limited number of locations within the *North West Seguin Development Area* shown on Schedule C to this Plan have been designated for new development.

This section identifies two additional areas where development may proceed on the basis of full municipal services and in conformity with the policies of this Plan and this section. It is therefore the intent of this Official Plan that all new development within the *North West Seguin Development Area* shall only be permitted in conformity with this Plan and on the basis of the policies of this Section during life of the Plan.

### **D.5.2 NWSDA POLICY AREA 1**

The lands designated "NWSDA Policy Area 1" on Schedule "C" to this Plan and described as Part of Lots 31 and 32, Concession 11 (former Foley Township) applies to those lands generally on the western side of Rose Point Road immediately south of the lands in the Town of Parry Sound that are designated and zoned in the Town for a mixed use waterfront redevelopment concept. The lands designated "NWSDA Policy Area 1" on Schedule "C" to this Plan are therefore permitted to be developed, without amendment to this Plan, for medium density residential development providing it forms part of and is integrated with the Parry Sound Waterfront Development.

The development of these lands will be subject to applications for an amendment to the General Zoning By-law, Site Plan, and subdivision/condominium approvals, if required. The development of

these lands shall also be subject to the Township of Seguin and the Town of Parry Sound entering into an agreement regarding the extension and provision of full municipal services to these lands. The policies of this Plan shall apply to the development of these lands and the consideration of all development applications, particularly Sections B.12, B.14, B.15, C.3.1.3, C.3.1.3.3, C.3.1.3.10, C.3.3.11, C.3.1.3.12, C.3.1.3.13, C.3.1.3.16, and C.3.1.1.17 modified as necessary to fit the context of the development of these lands.

### **D.5.3 NWSDA POLICY AREA 2**

The Lands designated "NWSDA Policy Area 2" on Schedule "C" to this Plan and described as Part of Lots 146, 147, 148, Concession A former Township of Foley applies to those lands that are located between the commercial power centre lands in the Town of Parry Sound and Richmond Lake to the south and to the west of Oastler Park Drive. The lands designated "NWSDA Policy Area 2" on Schedule "C" to this Plan are permitted to be developed, without amendment to this Plan, for commercial/industrial development providing it is preceded by a general concept plan for the whole of the "NWSDA Policy Area 2" lands, the required technical studies, and the extension of full municipal services from the Town of Parry Sound.

The "NWSDA Policy Area 2" lands are to be developed in a comprehensive manner through the preparation and approval of an overall concept plan for the area and with all development to be serviced with municipal sanitary and water services. Development shall take the form of a comprehensively planned commercial and industrial area. Within the "NWSDA Policy Area 2" an east-west road linkage will be required linking Parry Sound Road within the Town of Parry Sound with Oastler Park Drive in the Township and shall be shown and detailed in the overall Concept Plan. The development of this east-west road linkage may also necessitate the upgrading of the existing road within the Town.

The development of these lands will be subject to applications for amendment to the General Zoning By-law, Site Plan, and subdivision/condominium approvals, if required. The development of these lands shall also be subject to the Township and the Town entering into an agreement regarding the extension and provision of full municipal services to these lands.

Prior to development occurring in this area, in addition to the submission and approval of the required overall Development Concept, the relevant studies listed in Section B.14.1 will be required and shall be prepared by a qualified professional and the applicant shall be responsible for a peer review of the required supporting studies. The general policies of this Plan shall be addressed and used as a basis for the required studies.

## **D.6 EMPLOYMENT CORRIDOR AREA**

Lands identified within the *Employment Corridor Area* Overlay designation on Schedule "C" to this Plan support a range of existing employment uses and has certain locational attributes as an employment corridor that would lend itself to the establishment of appropriate new employment uses. Accordingly, development of new employment uses within the *Employment Corridor Area* Overlay shall be permitted and shall occur by Amendment to the Zoning By-law and will not require an Amendment to this Plan.

All new employment uses shall require an Amendment to the Zoning By-law if the subject lands are within the *Employment Corridor Area* Overlay designation. It is a policy of this Plan that only those uses that require larger land areas, can be considered "dry uses", and are typically accessed by vehicle would be considered appropriate within the *Employment Corridor Area*. Permitted uses could include manufacturing, outdoor storage, warehousing, building supply depots and automotive sales. Uses permitted shall not include any form of manufacturing or assembly operation that uses significant water in the processing, cooling, cleaning, or the making of a product. Low water demand uses shall generally limit water use to potable supply for staff and visitors.

For the purposes of this Section low water usage shall be defined as 50,000 litres per day or less, but the following also applies for various assessment and approvals:

- a) for employment uses that have an average daily flow greater than 4,500 litres per day, the B-7 Guideline "Incorporation of the Reasonable Use Concept into Groundwater Management Activities" will apply.
- b) for employment uses that have subsurface sewage disposal systems of greater than 10,000 litres per day, a Certificate of Approval from MOE will be required. For subsurface sewage disposal systems of 10,000 litres per day or less, a *Building Code Act* permit is required from the appropriate approval body.

New employment uses that will require more than 50,000 litres per day shall require an Amendment to this Plan and the Zoning By-law as well as a Permit to Take Water under the Ontario Water Resources Act.

Any application for Amendment to the Zoning By-law for new employment uses shall be supported by studies that address:

- a) the potential impacts of the operation on:

- the natural heritage features and ecological functions on the site and in the area;
  - nearby residential uses and communities and other sensitive land uses in accordance with the MOE D series guidelines;
  - the character of the area;
  - the quality and quantity of groundwater and surface water;
  - the groundwater recharge functions on the site and in the immediate area; and,
  - nearby wells used for drinking water purposes.
- b) the effect of the increased traffic on the residential uses in the area and the existing road network;
- c) the effect of the noise, odour, dust and vibration generated by the proposed use on adjacent land uses;
- d) how the natural features and functions on the site and in the area can be protected and/or enhanced as part of the design of the operation and through progressive rehabilitation; and,
- e) how the impacts from the proposed operation on adjacent uses will be mitigated.

In addition to the above, the appropriate studies shall take into account the added impact of the proposed use on the items listed in this Section that also take into account the impacts from existing uses in the immediate area. In considering the added impact of the new employment use to existing known impacts, Council shall ensure that mitigation measures intended to lessen the added impact are reviewed and applied as required. During the course of this review, phasing options shall be considered as one means to minimize the combined impacts of the proposed and existing operations on the general area.

Applicants shall consult with the Township to determine the nature, scope, and terms of reference for the required supporting studies under this section. The preparation of the supporting studies shall be subject to the policies of Section B.14 of this Plan. In addition, all applications shall have consideration to the policies of Section C.2.2 of this Plan with respect to new employment uses and mitigating negative impacts of those uses.

## **D.7 MINE HAZARDS**

Mine hazards shall be rehabilitated and safety hazards mitigated prior to the approval of new development. Any development on or adjacent to lands affected by mine hazards must be supported by a study that:

- a) identifies any potential safety hazard;
- b) demonstrates that the site can be rehabilitated to mitigate the known or suspected hazard;
- c) establishes procedures for site rehabilitation and mitigation of the safety hazard; or,
- d) provides evidence that potential hazards do not exist on the site.

There are a number of known mine hazards located in the Township as shown on Schedule "C" as Abandoned Mine Sites that must be addressed, in accordance with the policies of this Plan, prior to final development approval. Other mine hazards may exist in the Township and these site, when identified by the Ministry of Northern Development and Mines or the Township, shall be added to Schedule "C" without the need for Amendment to this Plan. A list of potential mine hazards is available at the Township, being the Ministry of Northern Development and Mine's "Abandoned Mines Report" dated February 13, 2013..

Where development is proposed on lands which include, or are abutting or are within 1000 metres of lands affected by mine hazards or former mineral resource operations, the development will be permitted only if rehabilitation measures to address and mitigate known or suspected hazards are under way or have been completed. The approval authority will require documentation from a development proponent to this effect. Alternatively, confirmation will be required from a qualified professional that the lands proposed for development are not affected by the mine hazards.

Where a development is confirmed to be affected by a mine hazard and rehabilitation has not occurred or is not underway, and depending on the extent of the hazard, the feasibility to mitigate and rehabilitate the hazard as required under the Mining Act, the development may be not proceed.

## **D.8 NARROW WATERBODIES**

Narrow waterbodies are identified as areas on a river where the distance from shoreline to shoreline is less than 50 metres, or areas on lakes where the distance from shoreline to shoreline is 150 metres.



These areas have been identified as development may have an impact on the character of the shoreline or water based navigation. Narrow waterbodies are generally identified on Schedule "C" to the Official Plan.

Where lot creation is proposed in narrow waterbodies, larger lot frontages shall be required to maintain the character of the shoreline.

New shoreline structures development in narrow waterbodies shall consider the impact of the proposed development on the character of the narrow waterbody and the safety of boat navigation and winter ice travel.

New development in narrow waterbodies shall be subject to Site Plan Control. New shoreline structure development shall be subject to the preparation of a Site Evaluation Report to identify the location of development on the property in a manner that will minimize the risk to navigation safety and environmental features to the satisfaction of the Township.

The Implementing Zoning By-law may place properties in narrow waterbodies in a separate zone that requires greater lot frontages, greater development setbacks and limits the development of shoreline structures, in comparison to other waterfront areas.

# **PART E**

## **TRANSPORTATION AND SERVICING**

## **E.1 TRANSPORTATION**

### **E.1.1 OBJECTIVES**

It is the objective of this Plan to:

- a) facilitate the movement of people and goods within the Township's communities and to and from adjacent municipalities;
- b) establish an integrated transportation system that safely and efficiently accommodates various modes of transportation including rail, automobiles, trucks, cycling and walking;
- c) protect transportation corridors to facilitate the development of a transportation system that is compatible with and supportive of existing and future land uses due to the inter-dependency of land use and transportation planning decisions in relation to environmental and topographical features;
- d) ensure that new roads are constructed safely and designed to help distribute car and truck traffic evenly and provide access for the future operation of an efficient roads system;
- e) ensure that new roads protect significant natural heritage features and their ecological function;
- f) ensure that appropriate right-of-way widths for all existing and proposed roads are provided in accordance with the *Planning Act*;
- g) encourage the use of alternative development standards for roads, where appropriate;
- h) restrict development on private roads;
- i) ensure that the financial implications of decisions relating to road construction and maintenance are thoroughly considered.

### **E.1.2 ROAD NETWORK**

#### **E.1.2.1 Road Classification System**

For the purposes of this Plan, all roads in the Township are classified as follows:

- Provincial Highway;
- Arterial Road;
- Local Road; and,
- Private Road / Condominium Road/Private Laneway

The types of roads described in this section of the Plan are shown on Schedule B. New roads, and re-constructed roads shall be developed to comply with the classification, function and general design requirements outlined in Table E.1.2 - Road System Function and Classification.

Any road transferred from the Province of Ontario to the Township shall be considered an Arterial Road for the purposes of this Plan.

The location of any future roads shown on Schedule B are approximate. The exact alignment of future roads shall be determined either through municipal studies or during the consideration of development applications. No Amendment to the Official Plan will be required to modify the locations of future roads, provided their function and location will continue to generally conform with the intent of the Official Plan.

<b>Table E.1.2 – Road System Function and Classification</b>		
<b>Type of Facility</b>	<b>Function</b>	<b>General Design Guidelines*</b>
Provincial Highways	<ul style="list-style-type: none"> <li>◆ Serve mainly regional (inter-municipal) travel demands</li> <li>◆ General design guidelines for Provincial highways will be as determined by the Ministry of Transportation</li> <li>◆ May function as aggregate haul routes</li> </ul>	<ul style="list-style-type: none"> <li>◆ Up to 6 travel lanes</li> <li>◆ Road allowance width generally 50 m but to be determined by MTO</li> <li>◆ Access is restricted (under the jurisdiction of MTO) to one property – one access, where permitted</li> <li>◆ Surface upgrades may be required for haul routes</li> </ul>
Arterial Roads	<ul style="list-style-type: none"> <li>◆ Serve mainly local travel demands</li> <li>◆ Connect communities to Provincial Highways</li> <li>◆ Provides internal truck routes</li> <li>◆ When in <i>Settlement Areas</i> has moderate property and intersection access</li> <li>◆ May function as aggregate haul routes</li> </ul>	<ul style="list-style-type: none"> <li>◆ Up to 6 travel lanes</li> <li>◆ Road allowance width generally 30 m</li> <li>◆ Consolidated access points where possible</li> <li>◆ On-street parking may be permitted where appropriate</li> <li>◆ Access is partially controlled</li> <li>◆ Surface upgrades may be required for haul routes</li> </ul>
Local Road	<ul style="list-style-type: none"> <li>◆ Provide direct access to land uses</li> </ul>	<ul style="list-style-type: none"> <li>◆ 2 travel lanes</li> <li>◆ Road allowance width up to</li> </ul>

	<ul style="list-style-type: none"> <li>◆ Connect individual properties to highways and arterials</li> <li>◆ Carry comparatively low volumes of traffic</li> </ul>	<p>20 m in <i>Settlement Areas</i></p> <ul style="list-style-type: none"> <li>◆ Road allowance width up to 26 m in rural areas</li> <li>◆ Convenient linkages to collector roads and arterial roads</li> <li>◆ Parking in rural areas is generally restricted</li> <li>◆ Parking in urban areas may be allowed on both sides depending on pavement widths</li> <li>◆ Access control not required</li> </ul>
Private Roads	<ul style="list-style-type: none"> <li>◆ Lands are not owned by the Township or public agency and no maintenance or services are provided</li> <li>◆ Private road may be subject of legal right-of-way.</li> <li>◆ Provides direct access to land uses.</li> </ul>	<ul style="list-style-type: none"> <li>◆ Township shall not set standards with respect to private roads.</li> <li>◆ New development on private roads shall be limited to infill development in accordance with the policies of this Plan.</li> <li>◆ Condominium development on private roads may be permitted provided the private roads are a common element in the plan of condominium.</li> <li>◆ Minimum requirements for emergency access will be encouraged.</li> </ul>
<ul style="list-style-type: none"> <li>◆ * Road Allowance widths in some cases, may need to be wider to accommodate design features, noise walls, turning lanes, bike paths, and utilities etc. Final road allowance requirements along roads will be determined through functional designs reports and subdivision approvals.</li> </ul>		

#### E.1.2.2 Highway Entrance Requirements

The Township supports the continued maintenance and upgrading of Highway 400 and other Provincial Highways in the Township. In order to preserve the functions and efficiencies of Provincial Highways, the number of new entrances to Highways will be limited and controlled by the Ministry of Transportation. Highway 400 is a controlled access highway with all access restricted to interchanges. The Ministry of Transportation must approve any new entrances or changes to existing entrances to Provincial Highways.

Any development in proximity to existing or future Provincial Highways will require review by the Ministry of Transportation and may require permits in accordance with the Public Transportation and Highway

Improvement Act. The Ministry of Transportation's permit control jurisdiction can extend out to 800 metres from a highway limit in some circumstances, and pre-consultation with the MTO is encouraged.

In addition to all the applicable municipal requirements, all proposed development located adjacent to and in the vicinity of a provincial highway within MTO's permit control area under the Public Transportation and Highway Improvement Act will also be subject to MTO approval. Early consultation with the MTO is encouraged to ensure the integration of municipal planning initiatives with provincial transportation planning. Any new areas in the Township identified for future development that are located adjacent to or in the vicinity of a provincial highway or interchange/intersection within MTO's permit control area will be subject to MTO's policies, standards and requirements. Direct access will be discouraged.

Development adjacent to a provincial highway may be required to undertake various operational and safety studies, including but not limited to a traffic impact study, drainage and stormwater management study, exterior illumination study, environmental impact study, or noise impact study, all in accordance with Section B.14 of this Plan. The Ministry of Transportation is not financially responsible for development driven studies, or any highway improvements deemed necessary by MTO through the review of those studies.

#### E.1.2.3 Road Allowance Widths

Road allowance widths for every type of road are set out in Table E.1.2. The road allowance width for any public road may allow for the placement of travel lanes, turning lanes, utilities, infrastructure, high occupancy vehicle lanes, sidewalks, paths, bicycle lanes, medians, streetscaping and landscaped boulevards, where appropriate.

In addition to the road allowance widths set out in Table 1, the Township may, without the need for an Amendment to the Official Plan, require the dedication of lands to be used for daylight triangles to provide sufficient sight distances and turning lanes and/or traffic control devices to provide safe and appropriate access to major generators or attractors of traffic. A greater road allowance width may be required in cases where design solutions require additional lands for road improvements.

As a condition of a development approval, land for road widenings shall be conveyed at no expense to the Township in accordance with the provisions of the *Planning Act*. As a general principle, required road widenings will be taken equally from both sides of the road allowance. Unequal road widenings may be considered by the Township where:

- a) the area is the site of a topographic feature which is difficult to overcome or costly to develop for road purposes; and/or,
- b) the location of an identified cultural heritage resource limits design options; and/or,
- c) the presence of a natural heritage feature limits design options; and/or,
- d) the preservation of mature trees that contribute to the character of an area is desired.

Notwithstanding the policies set out in this Plan, the Township recognizes that the reconstruction of roads to approved minimum standards in some existing developed areas may not be appropriate from a road allowance acquisition or community design perspective, or economically or physically feasible. Any attempt to reconstruct such roads to minimize deficiencies shall only be undertaken after a study to determine a right-of-way which will result in a streetscape which minimizes impacts on abutting properties and is appropriate to the character of the area, while serving anticipated traffic volumes. No Amendment to the Plan shall be required to implement such a modification to the road allowance.

#### E.1.2.4 Financing of Road Construction

Construction of any part of the road network shall be in accordance with the ability of the authority having jurisdiction to finance such infrastructure. In addition, road construction under the jurisdiction of the Township shall be in accordance with the approved Capital Budget and/or the Capital Forecast. In addition, any new road proposed shall be the subject of a detailed financial analysis with respect to the cost to maintain the road and the projected tax revenue from the adjacent development. Council may refuse to approve a new road where the cost of maintenance is considered too high in relation to the projected revenues.

#### E.1.2.5 Road Design Standards

Council may prepare and endorse a road standard design manual that reflects the Township's design policies and which will serve as the basis for the construction and design of roads that are under the jurisdiction of the Township. Council may consider alternative design standards to provide for the more efficient use of land in certain development applications. Changes to standards and design criteria for such roads and facilities may be permitted without an Amendment to this Plan.

#### E.1.2.6 Road Closures and Public Lands Sale

Council may stop up and close existing local roads, shoreline road allowances, concession road allowances and road related facilities subject to the provisions of the *Municipal Act, 2001* as amended and, where applicable, subject to the provisions of the Public Transportation and Highway Improvement Act, and in accordance with any Municipal land sale policy without the need to amend the Official Plan.

Council may impose such conditions and requirements on the sale of public lands including existing local roads, concession road allowances and shore road allowances, that Council deems appropriate and necessary to further advance the objectives and policies of this Plan.

The Township will not stop up or sell concession road allowances, other roads or public lands that provide access to lakes and rivers unless alternative access options are available in the immediate areas.

Where historic building or structure encroachments exist, the Township may only consider the sale of a road allowance or public land to correct the encroachment in accordance with the policies of this section and where the relocation of the building or structure is not practical or feasible.

Generally,

Shoreline road allowances that abut Type 1 Fish Habitat should not be sold unless the Township and owner have entered into a Site Plan Agreement restricting the use and development of the lands abutting the Type 1 Fish Habitat.

#### E.1.2.7 Use of Township Roads by Trucks

Truck traffic, and specifically truck traffic generated by aggregate operations, is expected to use Provincial Highways and Arterial Roads as shown on Schedule B to this Plan and may be discouraged from using Collector and/or Local Roads. All haul routes may be regulated in accordance with the policies of this Plan and the provisions of a By-law passed pursuant to the *Municipal Act*.

#### E.1.2.8 Special Road Policies

- a) Schedule "B" to this Plan identifies a number of road improvements and or extensions. It is the intention of this Plan that these improvements occur at such time as appropriate or warranted by development in the area.
- b) Schedule "B" to this Plan is intended to identify roads that require, because of volume, planned function, or substandard width, road widenings to the required width. It is the intention of this Plan that these improvements occur at such time as appropriate or warranted by development in the area. The road



widenings as identified will be included in this Plan through an Amendment.

- c) Schedule "B" to this Plan identifies a number of intersections and bridges requiring improvement because of volume or substandard level of service. It is the intention of this Plan that these improvements occur at such time as appropriate or warranted by developments in the area.

#### E.1.2.9 Roads Needs Plan

The Township has completed a Roads Needs Study as input into this Plan and to the Five Year Capital Budget.

### E.1.3 PRIVATE ROADS

Private roads are lanes, roads or right-of-ways providing access to two or more lots maintained by private individuals or Condominium Corporations. New Private Roads are only permitted to be developed as a Plan of Condominium.

Development on private roads shall be subject to a Private Road Agreement. The Private Road Agreement shall contain wording that indicates that:

- i) the owner acknowledges and agrees that the lot in question does not front on an improved public road maintained by the Township or other road authority;
- ii) the owner acknowledges and agrees that the Township does not, or is not, required to maintain or snowplow the said private road, and will not provide certain line services including, garbage collection or school busing;
- iii) the owner acknowledges that the Township provides no assurances that the private road is at a standard or is maintained to a standard that will permit the provision of emergency services;
- iv) the owner acknowledges and agrees that the Township will not take over or assume a private road as a Township public road or street unless it has been built according to an appropriate road standard; and,
- v) the owner acknowledges and agrees that the Township is not liable for any injuries, losses or damages as a consequence of the Township issuing a building permit.

### E.1.4 OFF-STREET PARKING

The Township shall require that, as a condition of development or redevelopment, adequate off-street parking and loading facilities are provided. In addition, points of ingress/egress to parking areas shall be limited in number and the sharing of access points with adjacent similar uses shall be encouraged.

The Township shall review off-street and on-street parking regulations to reflect evolving patterns of automobile use and automobile size at the time of the preparation of the Implementing Zoning By-law. Reduced parking requirements may be considered where sufficient public off-street and on-street parking facilities exist within the Settlement commercial areas. In addition, parking requirements may be reduced if the uses on the lot each require parking at different times of the day. Opportunities for the sharing of parking in mixed use development will be considered during the review of a development application.

New development based on water access shall be contingent on deeded mainland parking and dockage with direct access to a public road and/or an existing right-of-way. The deeded access shall be registered on the title of the water access lot.

## **E.2 RAILWAYS**

The following policies apply to the rail network in the Township as shown on Schedule "B" to this Plan:

- a) The Township shall work with the Railway Corporations, and the Federal, and Provincial governments to establish grade separated railway crossings on major roads wherever possible. Improvements to existing at-grade crossings shall also be encouraged to improve safety.
- b) The Township will work with the appropriate Provincial and Federal authorities regarding the long-term potential of a passenger train stop or station being located at the Airport Employment Node, as shown on Schedule 'B' to this Plan;
- c) Industrial uses that are adjacent to existing rail lines will be encouraged to use rail transport for the distribution of goods in order to reduce the burden on the existing highway system and to better utilize existing infrastructure. In addition, aggregate extraction operators will be encouraged to utilize rail wherever possible to transport aggregate to market and thereby minimize the impact to truck travel on residents, businesses and the natural environment.
- d) All proposed development adjacent to railway corridors shall ensure that appropriate safety measures such as setbacks, berms and security fencing are provided to the satisfaction of

Council in consultation with the appropriate rail authority. The development shall also comply with the sightline requirements of Transport Canada and the appropriate railway.

- e) The implementation and maintenance of any required rail noise, vibration and safety impact mitigation measures, along with any required notices on title will be secured through appropriate legal mechanisms to the satisfaction of Council and the appropriate railway.
- f) New residential development or other sensitive land uses shall not be permitted within 300 metres of a rail yard. Please refer as well to Section B.20 Land Use Compatibility and Sensitive Land Uses.
- g) Council shall work with the appropriate agencies to develop appropriate strategies to deal with the movement of dangerous goods through the Township.

### **E.3 TRAILS, CORRIDORS AND PORTAGES**

The Township currently contains a number of trail and corridor systems that support a wide range of linear recreational activities including snowmobiling, ATV's, walking, biking, and skiing. The trail systems and the activities that they support are significant components of the Township's tourism infrastructure. As such, it is a goal of this Plan to identify, protect, improve and expand the network of trail and corridor systems for the Township and for the broader regional economic benefits. The existing trail systems, including the "Park to Park", Seguin, Rose Point and the Nipissing Trails are shown on Schedule "B" to this Plan. The Township is also the home of a number of TOPS snowmobile trails which also provide a significant contribution to the local economy.

Portages provide important links between lakes and for waterway travel. The maintenance of Portages is important for supporting recreational paddling opportunities in the Township.

It is a policy of this Plan that any proposed development abutting the trail systems and portages shall be required to consider the impact of the development on the continued functioning of the trail or portage and identify potential impacts and mitigation measures with respect to ensuring the continued operation of the trail or portage. It is also a policy of this Plan that any proposed development adjacent to the trail systems shall consider possible linkages to the system.

#### **E.3.1 TRAILS MASTER PLAN**

Council may expand the existing system of interconnected trails providing access to major activity and recreational areas in the Township. In this regard, Council may develop a Trails Master Plan to provide the basis for the establishment of an expanded trail network in the Township.

In the Master Plan, Council should:

- a) consider the provision of safe and convenient trails in the Township;
- b) consider linkages to existing trail systems both inside and outside the Township including the TOPS system and the Trans Canada Trail system;
- c) encourage and support measures which will provide for barrier-free design of trail systems and facilities;
- d) ensure that lands for trails are included within the plans for development;
- e) ensure that the rights and privacy of adjacent property owners are factored into the design process for the trail system;
- f) consider the development of a comprehensive signage system for the trail system; and,
- g) ensure that new trails protect natural heritage features and their ecological functions.

### **E.3.2 ACTIVE TRANSPORTATION**

The active transportation system connects people and places and is an important component to promoting healthy lifestyles.

The Township will encourage the creation, upgrading and expansion of an active transportation network or trails and shared roadways. During road improvements and new road construction, consideration will be given to ways to further improve the active transportation system, including, through the creation of on-road active transportation corridors.

During major road reconstruction, particularly roads that connect the settlement areas of the Township, the Township will consider and promote the development of wider shoulders that promote various active transportation options.

The Township may require buffering and screening of land uses adjacent to the active transportation system as a condition of Planning Act approvals.

The Township may require dedication of lands for use as part of the active transportation system as a condition of Planning Act approvals.

As part of this Official Plan, Schedule 'B' has identified "Future Potential Active Transportation Linkages." Future Potential Active Transportation Linkages are routes in the Township that have been identified as currently experiencing high levels of cycling or other active transportation participation. Road and trail improvements in these areas should recognize the existing demand and should strongly consider incorporating initiatives to make active transportation safer.

The Township may seek to partner with the Ministry of Transportation to improve Active Transportation opportunities.

## **E.4 AIRPORT**

All development in the Municipality shall recognize the importance of air transportation to the economy of the Municipality. When considering applications for development Council shall ensure that the ability to expand existing air transportation services throughout the Municipality is not restricted.

Notwithstanding any other provisions in this Plan to the contrary, no new residential development or other sensitive land uses will be permitted in areas near the airport above 30 NEF/NEP as set out on maps (as revised from time to time) approved by Transport Canada.

Subject to conformity with other policies of this Plan, redevelopment of existing residential uses and other sensitive land uses or infilling of residential uses may be considered above 30 NEF/NEP if it has been demonstrated that there will be no negative impacts on the long-term function of the airport.

All new development adjacent to the airport is subject to the Federal Zoning regulations for the airport.

## **E.5 WATER AND SEWAGE SERVICES**

### **E.5.1 GENERAL PRINCIPLES**

Historically development in the Township has been serviced by individual on-site sewage services and individual on-site water services. The proposed servicing approach as set out in this Plan will continue to rely primarily upon individual on-site servicing options however, the Township will consider the appropriateness of municipal sewage services and municipal water services in the *Settlement Areas* of the Township. Council will require higher forms of servicing as part of any development applications, subject to the policies of this Plan in accordance with MOE's D-5 Series (5-1 to 5-5) Guidelines on Planning for Sewage and Water Services.

The principles for water and sewage servicing for the Township are as follows:

- a) The approval of development must be coordinated to ensure that adequate services are available to provide for the proposed use;
- b) Servicing options should be based on a hierarchy which considers environmental, technical, capital and operating costs to determine the appropriateness of the servicing for new developments;
- c) This Plan recognizes that certain uses due to their scale, nature or size should be directed to *Settlement Areas* that either have or can be provided with communal or full municipal services;
- d) Servicing must be adequate to the proposed use and in relation to the capacity of the lands to support the servicing;
- e) Innovative fiscal arrangements and partnerships with other levels of government and the private sector may provide opportunities for the cost effective provision of infrastructure services in the future and should be explored.

#### **E.5.2 SEWAGE TREATMENT SERVICING**

Generally throughout the Township the minimum servicing requirement shall be individual on-site sewage services. Individual systems shall be approved by the appropriate agency pursuant to the *Ontario Building Code Act* or the *Environmental Protection Act*. It is a goal of this Plan that new individual on-site sewage services utilize the most current technologies available. In the *Shoreline Areas* and *Settlement Areas* all development and redevelopment shall use appropriate sewage systems and where recommended by a Site Evaluation Report, a tertiary treatment systems that reduces or eliminates phosphorus and nitrate from reaching the shoreline shall be used.

Prior to the approval of any development application for three or more residential lots less than 1.0 hectare or industrial and commercial developments generating wastewater in excess of 10,000 litres per day, a Hydrogeological Study shall be submitted and have demonstrated that the sewage systems will operate satisfactorily with no impact on water quality. In addition, prior to the approval of all new development, the proponent shall provide confirmation that arrangements can or have been made for the treatment of the hauled sewage generated from the development at a duly licensed facility. In the case of waterfront lots, a Hydrogeological Study supporting lot sizes of less than 1.0 hectares shall not be required where the

proposed water supply will be treated lake source water. The Township will require in such cases an appropriate agreement ensuring that potable water supply shall be treated lake source water.

All sewage treatment systems shall be set back a minimum of 20 metres from the shoreline. A greater setback may be imposed in order to address water quality issues.

The Township may establish and/or participate where appropriate, in programs to inform residents about the proper care and maintenance of individual on-site sewage treatment systems and establish an active re-inspection program for existing in-ground sewage treatment systems.

### **E.5.3 WATER SERVICING**

Generally throughout the Township the minimum water servicing requirement shall be a individual on-site water services via a well. Shoreline development may also be serviced by individual on-site systems that use surface water. Private wells shall be constructed in accordance with the *Ontario Water Resources Act*.

Prior to the approval of any development application for three or more residential units or industrial and commercial developments, a Hydrogeological Study shall be prepared and submitted and have demonstrated that such wells will provide sufficient quantity and quality of potable water without impacting adjacent wells.

## **E.6 STORMWATER MANAGEMENT**

All major commercial, industrial, institutional and residential development (three or more lots) proposals shall be supported by a Stormwater Management (SWM) report. The content and scope of the SWM report shall be determined through pre-consultation with the Township when the development is proposed.

The SWM Report shall be prepared by a qualified professional to the satisfaction of Council and the appropriate agencies and be prepared in accordance with the Ministry of the Environment "Stormwater Management Practices Planning and Design Manual" (2003) and the Fish Habitat Protection Guidelines for Developing Areas (1994) or their successors and shall:

- a) provide recommendations on a stormwater quantity system which ensures that post-development run-off rates will not be greater than the pre-development run-off rates for storms up to and including the 1:100 year flood and the Regional storm flood;

- b) document the possible impacts of development on watershed flow regimes including their interconnection with groundwater resources;
- c) provide recommendations on how to maintain pre-development water quality and improve run-off where appropriate;
- d) document the means by which stormwater volume control will be provided; and,
- e) determine and describe the necessary measures required to be undertaken during construction to mitigate the potential negative impact of development.

All stormwater management facilities shall be placed in the Environmental Protection Zone in the Implementing Zoning By-law to reflect the potential for these lands to be flooded and to ensure that their intended use is recognized. Stormwater management facilities for condominium developments and other large single uses may be privately owned and maintained. Agreements with the Township may be required as a condition of approval, to provide for their continued maintenance.

## **E.7 TELECOMMUNICATIONS FACILITIES**

Residents of the Township of Seguin are becoming increasingly dependent on wireless communications to enhance their daily lives from both a business and personal perspective. Emergency response services such as 911, police, fire and ambulance services also rely on wireless communication to reduce response times and ultimately keep the Municipality's residents safe.

In order to increase the level of service that telecommunication carriers provide, there must also be an increase in the associated infrastructure. In anticipation of this increased demand, this policy is intended to mitigate the potential land-use conflicts between new large-scale telecommunication towers, encourage co-location, encourage the use of existing structures (buildings or towers) and stealth and unobtrusive design. In the future, as service providers scope-down and localize their networks, it is anticipated that stealth design in telecommunication towers will be the vehicle of choice for carriers. As a result, this policy encourages stealth applications in all areas of the Township. Before stealth design becomes viable throughout the Township, the Municipality will promote co-location and unobtrusive design. It must be noted that co-location and unobtrusive design are mutually exclusive. Co-location towers are more bulky in order to support increased load and therefore a more obtrusive design. The Municipality will work with service providers to determine which option best suits each location. Emphasis will be placed on co-location.



Telecommunications and telecommunication infrastructure in Canada fall under the jurisdiction of the Federal government and as such, is regulated by Industry Canada. Through CPC-2-0-03, (Environmental Process, Radio frequency Fields and Land-Use Consultation), Industry Canada has recognized that local land-use authorities should have an opportunity to influence the location of telecommunication towers and facilities. Although Industry Canada requires consultation with land-use planning authorities, it is not obligated to act upon the recommendations of these authorities. It is therefore a policy of this Plan to establish a co-operative approach in its attempt to direct the siting of telecommunication structures and facilities to desired locations within the Township.

The Township of Seguin realizes the need for wireless communication infrastructure in the Municipality and will work in co-operation with the wireless service providers to develop site locations within the Municipality. The Township may develop a Siting Protocol to assist in public consultation and to ensure that efforts are made to appropriately site telecommunications facilities in the Township.

## **E.8 ENERGY EFFICIENCY AND ALTERNATIVE AND RENEWABLE ENERGY SYSTEMS**

### **E.8.1 GENERAL PRINCIPLES**

The Township supports the use of energy efficient building and landscaping design practices and the use and development of alternative and renewable energy systems. The Township understands that energy efficient design and alternative and renewable energy systems can form a part of the "Environment First" principle of this Plan. However, Council wishes to ensure that any decisions on alternative or renewable energy systems respect the overall "Environment First" principle of the Plan and protects the other goals and objectives of the Plan as set out and described in Section A.2 of this Plan.

The principles for energy efficiency and alternative and renewable energy systems are therefore as follows:

- a) The Township encourages the use of energy efficient building and landscaping design practices in all development in the Township;
- b) The Township will actively participate with the responsible authorities in planning for the future expansion and location of power supply and distribution services servicing the Township and the area. The proponents of such expansions or new uses will satisfy the Township that there will be no major impacts from the development as related to environmental, economic,

social, transportation and other concerns as determined by the Township;

- c) Reducing energy use, providing the Township residents with access to green energy sources, and developing energy efficient building designs are encouraged by this Plan;
- d) Wind energy, both individual scale generating systems and larger scale commercial wind farms are permitted in the Township subject to the policies and guidelines of this Plan;
- e) Other alternative energy systems and renewable energy systems may be considered in accordance with the policies and guidelines of this Plan

### **E.8.2 ENERGY EFFICIENCY**

The Township encourages the use of energy efficient building and landscaping design practices in all development in the Township. The Township will consider a program of municipal retrofits of all Township owned facilities utilizing the best energy efficiency systems and alternative methods. Alternative methods of heating, cooling and constructing buildings to assist in reducing greenhouse gas emissions will be considered in all new Township buildings and facilities.

Archaeological assessments and heritage impact assessments may be required to determine whether a proposed development would impact cultural heritage resources.

The Township may establish and/or participate where appropriate, in programs to conserve energy and improve energy efficiency across the entire Township. The Township also encourages energy efficient building and landscape design practices including:

- a) utilizing techniques and materials that increase energy efficiency;
- b) siting buildings so as to best use passive solar energy and utilizing existing or planted tree shade to reduce summer energy use;
- c) designing buildings that meet LEED (Leadership in Energy and Environmental Design) or equivalent standards.

Retrofitting built heritage resources may only be considered if there is no impact to the heritage attributes and the retrofitting maintains the heritage integrity.

### **E.8.3 ALTERNATIVE AND RENEWABLE ENERGY SYSTEMS**

Alternative and renewable energy systems are encouraged in the Township as being complementary and supportive of the Plan's overall "Environment First" principle. The Plan recognizes that alternative and green energy systems can help reduce the output of greenhouse gases and contribute to the quality of the environment in Seguin Township.

The Green Energy Act, 2009, removed the ability of the Township to regulate green energy projects. Given the important characteristics of the settlement areas, rural areas and shoreline areas of the Township, it is important that this Plan provide direction for the locating of green energy facilities in the Township.

The following criteria are important to the development of green energy facilities:

- a) Green energy facilities should not be permitted in locations that are visible from lakes in the Township. The exceptions shall be ground mounted individual wind turbines in the rear yard and solar systems mounted on the roof of a principal building.
- b) Green energy facilities should not be permitted on shoreline structures.
- c) In accordance with the Goals, Objectives and Policies of this Plan, shoreline vegetation areas are to be maintained adjacent to waterbodies. Green energy projects should not locate in these areas.
- d) Green energy facilities are encouraged to locate in rural areas, outside of settlement areas.
- e) Green energy facilities should not locate on Class 1-3 agricultural lands or in or adjacent to natural heritage features.
- f) Green energy facilities should not locate in areas that may impact cultural heritage resources including cultural heritage landscapes.
- g) Where renewable energy facilities and projects are proposed, the Township should request the following information to assist in reviewing the project:
  - i) A noise study to identify the setbacks or other mitigation measures, if any, required to meet the applicable Ministry of Environment standards;
  - ii) A visual impact study analyzing the impact on the landscape as viewed from arterial roads, shorelines and area residences and the mitigation measures required, if any;

- iii) A study on impacts on storm water management and potential impacts of ground and surface waters;
- iv) A study analyzing the potential amount of adverse shadow or light reflection effects on sensitive uses adjacent to the subject property and the related mitigation measures, if any;
- v) A study of any impacts on environmental features and functions such as bird migration and feeding activities;
- vi) A study outlining the potential impact on agriculture and required mitigation measures; and,
- vii) A property value benchmark study to review the potential effect of the proposed development on properties in the area of the proposal in comparison to other properties in the Township.

# **PART F**

## **PLAN IMPLEMENTATION AND INTERPRETATION**

## **F.1 PLAN IMPLEMENTATION AND INTERPRETATION**

### **F.1.1 ZONING BY-LAWS**

- a) It is the intent of the Township that this Plan will be implemented through a new Comprehensive Zoning By-law. The land use designations in this Plan shall be implemented through an appropriate zone or zones as is determined by Council and in accordance with the policies of this Plan.
- b) Until such time as the Zoning By-laws are revised or a new Zoning By-law enacted, the existing Zoning By-laws shall remain in effect. However, any Amendment to the existing By-law shall be in conformity with this Plan.
- c) Notwithstanding any designation shown on the schedules to this Plan, the areas of the Township where development is not imminent and/or the specific pattern of land use such as density and form, road design and layout, or other requirements have not been determined, the lands may be placed in a deferred development zone or a Rural/Resource zone category. For development to occur, an Amendment to the Zoning By-law must be approved.

### **F.1.2 TEMPORARY USE BY-LAWS**

The Township may pass Temporary Use By-laws apply to private land permitting:

- a) temporary housing;
- b) temporary tourist uses and facilities; and,
- c) specific one-time events.

These temporary uses may be authorized for a specific time period up to three years and should be applied where it is considered inappropriate by the Township to permit the proposed use on a permanent or continuing basis and where alternatives such as relocation are not practical. Subsequent By-laws granting extensions of up to three years may be passed. However, once the By-law has lapsed, the use must cease or otherwise will be viewed as contravening the Implementing Zoning By-law.

Prior to the approval of a Temporary Use Zoning By-law, Council shall be satisfied that the following principles and criteria are met:

- a) The proposed use shall be of a temporary nature and shall not entail any major construction or investment on the part of the owner so that the owner will not experience undue hardship in

reverting to the original use upon the termination of the temporary use;

- b) The proposed use shall be compatible with adjacent land uses and the character of the surrounding neighbourhood, and will not negatively impact natural heritage features;
- c) The proposed use shall not require the extension or expansion of existing municipal services;
- d) The proposed use shall not create any traffic circulation problems within the area nor shall it adversely affect the volume and/or type of traffic serviced by the area's roads;
- e) Parking facilities required by the proposed use shall be provided entirely on-site;
- f) The proposed use shall generally be beneficial to the neighbourhood or the community as a whole; and,
- g) The owner has entered into an agreement with the Township and/or posted securities, if necessary, to ensure that structures associated with a temporary use provision can be removed upon expiry of the By-law.

### **F.1.3 HOLDING PROVISIONS**

In accordance with the *Planning Act*, Council may use a Holding (H) symbol in conjunction with the zoning of land to prohibit development until specific conditions of the Township have been met. These conditions may be set out in the policies applying to the land use designations in this Plan or may be specified within the language of a Zoning By-law Amendment. The objective of utilizing a Holding Provision is to ensure that:

- a) the appropriate phasing of development or redevelopment occurs;
- b) development does not proceed until services and utilities are available to service the development; and/or,
- c) agreements respecting the proposed land use or development are entered into.

### **F.1.4 SITE PLAN CONTROL**

All areas of the Township are designated as proposed Site Plan Control areas under the provisions of the *Planning Act*. Specific uses subject to Site Plan Control as described in this Plan shall be identified in the

Township's Site Plan Control By-law passed under the provisions of the *Planning Act*.

The intent of a Site Plan Agreement is to ensure that any proposed development is designed to be compatible with adjacent development, appropriately serviced and accessed and otherwise in conformity with the goals and strategic objectives of this Plan. Any required site plan agreement shall deal with the following, as appropriate:

- a) road widenings;
- b) location of vehicular access points;
- c) loading, parking and driveway locations;
- d) the surfacing of loading, parking and driveway areas;
- e) the location and design of walkways and walkway ramps, including those for persons with disabilities;
- f) the location, massing and conceptual design of any buildings and structures;
- g) the location and type of lighting, landscaping, and preservation of natural vegetation;
- h) the location and type of garbage storage;
- i) the location and nature of easements;
- j) the grade and elevation of the land;
- k) the type and location of storm, surface and wastewater disposal facilities;
- l) the location and type of snow removal facilities; and,
- m) the protection of cultural heritage resources.

The design and development of the shoreline areas of the Township and the integration of the site design practices and approaches set out in this Plan is of critical importance to achieving the Plans goals and objectives for the excellence in waterfront design. Therefore, all lands that front onto a lake or river in the Township are hereby designated pursuant to Section 41 (5) of the Planning Act as areas where the following drawings may be required:

- a) the massing and conceptual design of the proposed building(s);



b) the relationship of the proposed building(s) to adjacent buildings, streets, and exterior areas to which members of the public have access; and

c) the provision of interior walkways, stairs, elevators and escalators to which members of the public have access from streets , open spaces and interior walkways in adjacent buildings.”

The Township may consider external building design elements and architectural controls through the Site Plan process in accordance with the Planning Act and its Regulations.

The Township may also secure off-site boulevard enhancements through the Site Plan process such as landscaping, paving materials and street furniture.

#### **F.1.5 DESIGN GUIDELINES**

The Township is vitally concerned about the development and design of new development, particularly in its main community *Settlement Areas*, on the waterfront of its lakes and at the critical corridor gateways into the Township.

In order to ensure that all new development conforms to and achieves the Vision, Goals, Objectives, and policies of this Plan, Council may direct the preparation of “Design Guidelines”. The Design Guidelines will provide a more specific articulation of the design policies of this Plan and a translation of the policies into specific design guidelines and standards regarding the full range of public and private realm design issues.

Design Guidelines should be prepared with the full participation of the residents of the community or lake association. Once prepared and adopted by Council, the Design Guidelines will be used in the review of all applications for Amendments to the Official Plan and Zoning By-law, applications for subdivision and condominium, and applications for Site Plan Approval.

The Township recognizes the importance of low-impact or Dark Sky compliant lighting in maintaining the natural night skies of all areas of the Township. The Township will consider the development of a Dark Sky lighting by-law, protocol and information pamphlet to encourage the use of Dark Sky lighting techniques and to educate the community.

## **F.1.6 COMMUNITY IMPROVEMENT PLANS**

### **F.1.6.1 Purpose of Community Improvement Plans**

Community Improvement Plans identify the specific projects that need to be carried out in a particular area to improve the quality of life, heritage conservation and the protection, maintenance and upkeep of cultural heritage resources and the built environment in an area. Community Improvement Project Areas may be established by Council and designated by By-law, in accordance with the provisions of the *Planning Act* if:

- a) a number of the non-residential land uses conflict with residential uses in a predominantly residential area;
- b) a number of incompatible land uses conflict with commercial or industrial uses in a commercial or industrial area;
- c) the area contains a number of buildings in need of maintenance, repair or rehabilitation;
- d) there are deficiencies in the drainage or storm water systems in the area;
- e) there are deficiencies in the road network and associated infrastructure in the area;
- f) there is a lack of appropriate parkland and other recreational facilities within the area;
- g) the potential exists to achieve economic growth in an area as a result of building improvement, repair and/or replacement;
- h) a number of environmental problems such as soil contamination exist in the area; or,
- i) there are a number of screening, buffering or landscaping deficiencies in the area.

Areas identified for Community Improvement Plans are identified as the settlements of Rosseau, Humphrey, Foley Centre, and Orrville.

## **F.1.7 DEVELOPMENT PERMIT SYSTEM**

Section 70.2 of the *Planning Act* permits the Province to pass a regulation to establish a Development Permit System that a municipality may adopt by By-law in order to control land use development in the Municipality.

The Development Permit System generally replaces the various planning tools under Part V of the Act (Zoning By-law, Minor Variances, and Site Plan Control) with a single approval process. The main objectives of a Development Permit System is to create a quick and efficient approval process that combines all elements of the three systems into one approval.

The Township may consider adopting a Development Permit System subject to the requirements of the Provincial regulations issued pursuant to Section 70.2 of the *Planning Act*. The Township may consider the establishment of a Development Permit System for the *Shoreline Areas*. An Amendment to this Plan will not be required to establish a Development Permit System, but a public meeting shall be held to consider a By-law under Section 70.2 of the *Planning Act* to establish a Development Permit System.

#### **F.1.8 PLAN OF CONDOMINIUMS**

The Township shall consider for approval applications for Plan of Condominium that conform to the following criteria:

- a) The Plan of Condominium conforms to the Vision, Goals, Objectives and policies and land use designations of this Plan;
- b) The Plan of Condominium conforms to the provisions of the Zoning By-law or an Amendment to the By-law;
- c) The Plan of Condominium conforms to the provisions and regulations of the Condominium Act;
- d) The Plan of Condominium proposes a form of development than can adequately address the full requirements of the development including access, servicing, design and massing, landscaping, and other relevant development conditions; and,
- e) The Township shall use condominium agreements and/or site plan agreements to ensure that appropriate conditions and requirements of development are satisfied as part of the development.

#### **F.1.9 SECONDARY PLANS**

Secondary Plans may be prepared or required for specific areas of the Township or in relation to a development application where it is considered necessary to provide more detailed planning objectives and policies for development of a specific area of the Municipality. Secondary Plans may be prepared for established, partially developed or undeveloped areas within existing community *Settlement Areas*. As well, a Secondary Plan may be required as part of an expansion to an

existing *Settlement Area* or as a requirement of a policy area overlay designation as contained in this Plan.

Secondary Plans may be incorporated into this Official Plan by Amendment or may be adopted as a separate document that conforms to the Official Plan but details specific planning objectives and policies for the defined area. Secondary Plans shall be the subject to the same administrative and public involvement procedures as required for an Official Plan Amendment.

Secondary Plans may include some or all of the following as deemed necessary by Council:

- a) land use structure, density, and design;
- b) transportation;
- c) environmental protection, enhancement, and management;
- d) heritage/archaeological potential;
- e) storm water management;
- f) servicing strategy;
- g) integration and compatibility of the Secondary Plan area with the adjacent uses; and
- h) other relevant issues as deemed required by Council.

A Secondary Plan may be required by Council where an expansion to a *Settlement Area* is warranted, where a major development is proposed that would significantly impact the community, or where the basic assumptions and policies of this Plan need to be revised.

#### **F.1.10 ZONING WITH CONDITIONS**

Recent amendments to Section 34 of the Planning Act provide municipalities with the authority to implement zoning with conditions. However, at the time this Plan was prepared, the necessary Ontario Regulation had not been brought into effect by the Province.

Subsequent to the enactment of the applicable Regulation, this policy shall enable Council to implement zoning with conditions, provided such a By-law is used exclusively to facilitate and regulate site alteration and development within the Township.

The consideration of a broader application of zoning with conditions will be required through an Official Plan Amendment or an Official Plan Review.

Zoning with conditions may be implemented through an agreement registered on the title of a property.

## **F.2 PLAN IMPLEMENTATION – REGULATORY BY-LAWS**

The goals, objectives, policies and guidelines of this Plan may be implemented through a number and range of tools, including regulatory By-laws passed under the Municipal Act and other legislation. All regulatory By-laws shall consider the goals and objectives of this Official Plan and be in conformity with this Plan.

### **F.2.1 PROPERTY STANDARDS BY-LAWS**

#### **F.2.1.1 Minimum Standards**

Council may enact a Property Standards By-law in accordance with the *Ontario Building Code Act*, regarding minimum standards for the following:

- a) the physical condition of buildings and structures;
- b) the physical condition of lands;
- c) the adequacy of sanitation;
- d) the fitness of buildings and structures for occupancy; and,
- e) To prescribe minimum standards for the maintenance of heritage attributes for properties designated under the Ontario Heritage Act.

#### **F.2.1.2 Property Standards By-law**

The By-law may require that substandard properties be repaired and maintained to comply with the standards, prohibit the use of substandard property, and require the demolition and clearing of such property which the owner does not intend to repair and maintain. Upon passing a Property Standards By-law, Council shall appoint a Property Standards Officer who will be responsible for administering and enforcing the By-law.

#### **F.2.1.3 Property Standards Committee**

Council shall also appoint a Property Standards Committee, in accordance with the *Ontario Building Code Act*, for the purpose of hearing appeals against an order issued by the Property Standards Officer.

### **F.2.2 TREE CUTTING BY-LAW**

Council may enact a Tree Cutting By-law in accordance with the *Municipal Act*, and such By-law may include the following:

- a) the area or areas of the Municipality where tree cutting control will be applied;
- b) the restrictions and regulations on the cutting of trees within the defined area(s);
- c) the requirements for obtaining a permit to cut trees within the defined area(s);
- d) the exemptions from having to obtain a permit in the tree cutting control areas; and,
- e) the administrative requirements of the By-law, including fees, forms, and fines.

### **F.2. 3 ADULT ENTERTAINMENT ESTABLISHMENTS**

The following provides specific policy guidance with respect to adult entertainment establishments:

- a) Adult entertainment parlours and body rub parlours are restricted to areas that are designated and zoned for industrial purposes.
- b) Both adult entertainment parlours and body rub parlours are required to be set back a minimum of 100 metres from a Provincial Highway, major arterial, or collector road right-of-way. Notwithstanding these setbacks, both uses are required to be set back a minimum of 300 metres from any institutional or residential zone boundary and from a residential dwelling and a school.
- c) Adult entertainment parlours are not permitted to be located on a lot in conjunction with any other use. Body rub parlours are only permitted within a multiple unit building in order to minimize the visual impact of such a use. Body rub parlours are permitted to only occupy less than 15 percent of the floor area of the multiple unit building.
- d) The establishment of adult entertainment parlours shall be permitted through an Amendment to the Zoning By-law, provided a minimum separation distance of 500 metres between parlours is maintained.

- e) Body rub parlours shall be permitted through an Amendment to the Zoning By-law, provided a minimum separation distance of 500 metres between body rub parlours is maintained.
- f) Adult video stores and adult specialty stores shall be permitted as of right in specified Commercial zones, excepting the *Settlement Area* Commercial zones, and as further detailed in the land use policies of this Plan.
- g) The Implementing Zoning By-law shall contain specific provisions regarding adult entertainment parlours, body rub parlours, adult specialty store and adult video outlets. Performance standards for each type of use are also to be contained within the By-law. The By-law will also require that such uses be separated an appropriate distance from each other.

#### **F.2.4 SITE ALTERATION BY-LAW**

Council may enact a Site Alteration By-law in accordance with the *Municipal Act*, and such by-law may include the following:

- a) the area or areas of the municipality where site alteration will be permitted;
- b) the restrictions and regulations on the site alteration within the defined area(s);
- c) the requirements for obtaining a permit for site alteration within the defined area(s);
- d) the exemptions from having to obtain a permit for site alteration; and,
- e) the administrative requirements of the By-law, including fees, forms, and fines.

### **F.3 NON-CONFORMING USES**

#### **F.3.1 INTENT OF OFFICIAL PLAN**

As a general rule, existing uses that do not conform with the policies of this Plan should gradually be phased out so that the affected land use may change to a use which is in conformity with the goals of the Official Plan and the intent of the Implementing Zoning By-law. In some instances, it may be necessary and practical to allow the extension or enlargement of non-conforming uses through the granting of a minor variance or by placing the use in an appropriate zone in the Implementing Zoning By-law. In such instances, Council shall have regard for the following principles:

- a) The feasibility of acquiring the property for holding, sale, lease or development by the Township for a more appropriate permitted use; and,
- b) The possibility of relocating the non-conforming use to another site.

### **F.3.2 ROLE OF THE COMMITTEE OF THE ADJUSTMENT**

If the property cannot be acquired or a building relocated, the Committee of Adjustment may, without an Amendment to this Plan, allow an extension or enlargement to a non-conforming use. Prior to such approval, the Committee shall consider the following:

- a) The size of the extension or enlargement in relation to the existing operation;
- b) Whether the proposed extension or enlargement is compatible with the character of the surrounding area;
- c) The characteristics of the existing use in relation to size, bulk, height, setbacks, noise, vibration, fumes, dust, smoke, odours, lighting and traffic generation and the degree to which any of these factors may be increased or decreased by the extension; and,
- d) The possibilities of reducing these nuisances through buffering, building setbacks, landscaping, Site Plan Control and other means to improve the existing situation, as well as minimize the problems from extension.

### **F.3.3 ROLE OF THE IMPLEMENTING ZONING BY-LAW**

Existing uses which do not conform with the policies of this Official Plan may be zoned in the Implementing Zoning By-law in accordance with their present use, provided that:

- a) the zoning will not permit any change of use or performance standard that may negatively impact adjoining uses;
- b) the uses do not constitute a danger to surrounding land uses, humans or animals by virtue of their hazardous nature; and
- c) the uses do not interfere with the appropriate development of the surrounding lands.



## **F.4 NON-COMPLYING BUILDINGS, STRUCTURES OR LOTS**

A non-complying building, structure or lot does not comply with the regulations and performance standards of the Implementing Zoning By-law.

A non-complying building or structure may be enlarged, repaired or renovated provided that the enlargement, repair or renovation:

- a) does not further increase a situation of non-compliance;
- b) complies with all other applicable provisions of this Plan and the Implementing Zoning By-law;
- c) does not increase the amount of floor area in a required yard or setback area; and,
- d) will not pose a threat to public health or safety.

The Implementing Zoning By-law shall contain specific provisions regarding the enlargement, repair or renovation of non-complying structures in *Shoreline Areas*. Performance standards for the enlargement, repair or renovation of non-complying structures in *Shoreline Areas* shall be contained within the By-law and may contain standards respecting maximum width of the addition, maximum size of the dwelling or structure, maximum height, and other relevant standards.

A non-complying lot in existence prior to the effective date of the Implementing Zoning By-law that does not meet the lot area and/or lot frontage requirements contained within the Implementing Zoning By-law, may be used and buildings thereon may be erected, enlarged, repaired or renovated provided the use conforms with the applicable policies of this Plan and the Implementing Zoning By-law, and the buildings or structures comply with all of the other provisions of the Implementing Zoning By-law.

Notwithstanding the policies of Section C.3.1.3.11 f) vii), where a lot does not have sufficient frontage or area for a boathouse. The boathouse may be permitted by minor variance. The Committee of Adjustment may grant a variance to permit a boathouse or boatport on a lot having lesser frontage or area than required where the application meets the intent of the following guidelines:

- a) The proposed size, height and location of the structure will be kept to a minimum so as not to dominate the shoreline.
- b) The proposed structure is limited to 1 storey in height and is set back from the side lot lines in order to minimize impacts on adjacent lands.

- c) The proposed location should maximize the amount of shoreline that will be left as a natural vegetation buffer.
- d) The proposed location should not require major landscape changes through either filling or blasting;
- e) The size of the boathouse should be compatible with the existing shoreline structures on the lake and in the immediate area;
- f) The structure shall have no impact on navigation;
- g) The structure shall maintain the general intent of the other policies of section C.3.1.3.11 of this Plan;
- h) The Committee may request a Site Evaluation Report in accordance with Section C.3.1.3.3 where the lands contain or are adjacent to Type 1 Fish Habitat, shoreline wetlands, or other natural heritage features;
- i) The approval shall be subject to site plan control.

## **F.5 AMENDMENTS TO THE PLAN**

It is the intent of this Plan to serve as the basis for managing change in the Township for the next 20 years. As a result, this Plan identifies enough land for residential, commercial and industrial uses to last until the year 2025.

It is the intent of the Township that this Plan should only be amended when the policies of this Plan have been found not to address issues or alternatively, issues have been raised with respect to site-specific proposals that must be addressed in a comprehensive manner. However, where Amendments are contemplated by this Plan, they shall be considered by Council.

Council may eliminate notice to the public and a public meeting for a minor Official Plan Amendment that does the following:

- a) Changes the numbers of sections or the order of sections in the Plan, but does not add or delete sections;
- b) Consolidates previously approved Official Plan Amendments in a new document without altering any approved policies or maps;
- c) Corrects grammatical or typographical errors in the Plan that do not affect the intent or affect the policies or maps;
- d) Rewords policies or re-illustrates mapping to clarify the intent and purpose of the Plan or make it easier to understand without affecting the intent or purpose of the policies or maps; and,

- e) Translates measurements to different units of measure or changes reference to legislation where the legislation has changed.

In all other instances, notification to the residents of the Township of public meetings held by Council shall be given in accordance with the procedures of *The Planning Act* and this Plan.

## **F.6 PUBLIC NOTICE AND PUBLIC CONSULTATION**

### **F.6.1 ADMINISTRATIVE CHANGES**

Council may eliminate notice to the public and a public meeting for a minor Official Plan Amendment or Zoning By-law Amendment that does the following:

- a) Changes the numbers of sections or the order of sections in the Plan or By-law, but does not add or delete sections;
- b) Consolidates previously approved Official Plan or By-law Amendments in a new document without altering any approved policies or maps;
- c) Corrects grammatical or typographical errors in the Plan or By-law which do not affect the intent or affect the policies or maps;
- d) Rewords policies or re-illustrates mapping to clarify the intent and purpose of the Plan or make it easier to understand without affecting the intent or purpose of the policies or maps; and,
- e) Translates measurements to different units of measure or changes reference to legislation or changes to legislation where the legislation has changed.

In all other instances, notification to the residents of the Township of public meetings held by Council shall be given in accordance with the procedures of the *Planning Act*.

### **F.6.2 ALTERNATIVE NOTICE PROCEDURES**

In order to ensure that the public is given the greatest opportunity to participate in the local planning approval process and in order to ensure the Council is provided sufficient time to make informed decisions, the following alternative procedures are hereby established:

- a) All Official Plan, Zoning By-law, Subdivision or Consent applications for new waterfront commercial or industrial uses that requires a statutory public meeting shall be circulated to property owners within 400 metres of the subject lands and to the affected cottage owners or Lake Association;

- b) Wherever possible, within the timeframes set out in the Planning Act, public meetings for purposes for new waterfront commercial and industrial development shall be held between Victoria Day and Thanksgiving during the summer season to accommodate seasonal residents; and,
- c) A Notice of public meeting may establish a timeline for the submission of written comments a minimum of one week (7 days) prior to the formal public meeting. Notices as required by the Planning Act shall therefore be increased by seven (7) days to accommodate this timeline for submission of written comments. Verbal submissions and comments shall still be accepted at the formal public meeting.

### **F.6.3 OPEN HOUSES**

In addition to the public meeting requirements of the Planning Act, significant *Planning Act* applications may be subject to additional Open House meetings at the discretion of Council. These meetings are important given the large seasonal population in the Township as they provide additional opportunities for public comment.

### **F.7 PRECONSULTATION REQUIREMENTS**

Council may pass a By-law that requires applicants to preconsult with the Township prior to submission of a Planning Act Application.

The consultation should identify the necessary materials and supporting information, including supporting studies, to be provided with an application to enable an appropriate review of the application. The submission of the information identified though preconsultation would be a component of the information required for a complete application.

### **F.8 COMPLETE APPLICATION REQUIREMENTS**

Council and/or its delegate shall not declare any application made under the *Planning Act* to be complete until Council is provided with information, studies or drawings specified in the *Planning Act* or this Plan that are necessary to inform the public and make a decision on the application. Potential supporting studies are listed in Section B.14 of this Plan. Until an application is submitted that addresses preconsultation and complete application requirements as specified by this Plan and the *Planning Act*, Council and/or its delegate shall deem such applications to be incomplete.

The following list is a guide to the minimum information that is to be provided as part of a complete application submission.

- a) Prescribed application fee;
- b) Completed application form together with requisite authorizations, and cost acknowledgement agreement if necessary;
- c) Prescribed information and material as required by Planning Act Regulations;
- d) Covering letter, which outlines the nature of the application and details of the pre-consultation meeting (if applicable);
- e) Concept plans and/or drawings;
- f) Identification of the new parcels that are to be created as part of a consent application;
- g) Copy of the property deed; and,
- h) Any studies as identified as necessary through pre-consultation

The determination of a Complete Application does not infer support of the application by the Township or that an application will be approved by Council. Notice of a Complete Application simply recognizes that the required information has been provided by the applicant.

Council may by By-law delegate the authority to declare planning applications complete to the Chief Administrative Officer or the Director of Planning.

As part of the complete application process, the Township will identify potential lands to which parkland dedication may apply.

## **F.9 INTERPRETATION**

All development applications, municipal actions and land use decisions shall be guided by the Township's Official Plan

References to "we" or "our" in terms of a regulatory requirement refer to the Township or other applicable approval authority in accordance with the Planning Act.

Where conflicts arise between policies in the Township Official Plan, the policy that gives the greatest protection to the ecological health of the Township prevails.

The location of roads shown on the relevant Schedule, shall be considered as approximate only. Amendments to this Plan, therefore, will not be required in order to make minor adjustments or deviations to the location of roads provided that the general intent of this Plan is maintained.

It is not intended that this Plan be amended unless substantial evidence can be presented which will justify such an amendment is based on good planning. In determining whether or not an amendment to the Plan is appropriate, regard shall be had to the Vision, the objectives and goals, implementation and interpretation policies, general policies, as well as the policies, study requirements and evaluation criteria within the respective land use designations.

Wherever a use is permitted under a land use classification, it is intended that accessory uses, buildings or structures normally incidental, accessory or essential to the primary permitted use may also be permitted subject to any applicable policies regarding those uses.

Appendices in this Official Plan are for the purpose of providing background information or explanation and are not statutory components of the Official Plan. Appendices may show future planning considerations beyond the 20 year planning horizon for the purposes of informing longer term infrastructure and community decisions.

Use of “shall” and “will” in this Plan denote matters and actions that are mandatory, where appropriate and feasible. Use of “should” in this Plan denotes a matter or action that is desired but not mandatory.

It is the intent of this Plan to prioritize existing and future infrastructure and public service facilities within settlement areas in order to support intensification and the achievement of complete communities.

#### **F.9.1 BOUNDARIES**

- a) The boundaries between land uses designated on the Schedules to this Plan are approximate except where they meet with roads, railway lines, rivers, pipeline routes, transmission lines, lot lines or other clearly defined physical features and in these cases are not open to flexible interpretation. Where the general intent of the document is maintained, minor adjustments to boundaries will not require Amendment to this Plan.
- b) It is recognized that the boundaries of the *Environmental Protection Area* designation may be imprecise and subject to change. The Township shall determine the extent of the environmental areas on a site-by-site basis when considering development proposals, in consultation with the appropriate agencies. Any minor refinement to the *Environmental Protection Area* designation shall not require an Amendment to this Plan.

- c) Where a lot is within more than one designation on the Schedules to this Plan, each portion of the lot shall be used in accordance with the applicable policies of that designation.

## **F.9.2 DEFINITIONS**

For the purposes of interpretation this Plan, the definitions in the *Planning Act*, R.S.O. 1990, the Provincial Policy Statement 2005, and other applicable legislation shall apply. In all other instances terms shall be defined in accordance with common usage and if necessary, reference to the **Canadian Oxford Dictionary, 2nd Edition**.

## **F.10 OFFICIAL PLAN REVIEW PROCESS**

The assumptions, objectives and policies of this Plan shall be reviewed at least once every five years at a meeting of Council, which shall be advertised in accordance with the *Planning Act*, as amended.

The five-year review shall consist of an assessment of:

- a) the effectiveness of the Plan in protecting water quality, natural and cultural heritage resources, natural resources and habitat and the general environment within the Township;
- b) the continuing relevance of the vision that forms the basis of all policies found in this Plan;
- c) the degree to which the objectives of this Plan have been met;
- d) the amount and location of lands available for urban development;
- e) whether the Township has realized a desirable balance of commercial and industrial assessment in relation to residential assessment;
- f) the Township's role within the District and its relationship with other municipalities;
- g) development trends in the District and their effect on development in the Township; and,
- h) the nature of any Province-wide planning initiatives and their implications on the Township of Seguin.
- i) regard to provincial interests under Section 2 of the *Planning Act*, as amended from time to time, and, consistency with the Provincial Policy Statement, 2005, as amended or revised from time to time.