



CITY OF KAWARTHA LAKES

OFFICIAL PLAN – 2012

Prepared by:

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Updated March 2025, Office Consolidation; please refer to the Table of Amendments for further details.

Disclaimer:

This consolidation of the Official Plan is prepared for reference purposes only. While the City of Kawartha Lakes makes every effort to ensure the accuracy of the information contained herein, the reader is advised that in situations where legal accuracy is important, the Adopting By-law itself and any amending by-laws or OLT decisions must be consulted.

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

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

This Official Plan, excepting those sections appealed to the Ontario Land Tribunal, came into effect on June 8, 2012.

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

Table of Amendments to the Official Plan

OPA No.	By-Law No.	Subject Matter – Location and/or Address	Status	Policy section
1	2012-307	Re-designate from Rural and Environmental Protection, to Waterfront and Environmental Protection – Part Lot 22, Concession 1, Township of Somerville, identified as 655 Northline Road	Approved	20.7.1
2	2013-169	Amend DP-6 to permit retail commercial, office, and residential uses – Part Lot 22, Concession 9, Township of Fenelon, West side of Lindsay Street (CKL Road 121), south of the unopened portion of West Street, and at the intersection of North Street and Veterans Way	Approved	31.4.3.10.1 to 31.4.3.10. 6
3	2019-191	Re-designate from Rural and Environmental Protection to Aggregate and Environmental Protection for a quarry and protected area – Concession 4, Part Lots 17 to 21, and Concession 5, Part Lots 19 and 20, Township of Dalton, identified as 657 Monck Road	Approved	Schedule only
4	n/a	Re-designate from Rural to Tourist Commercial – Part Lot 19, Concession 9, Township of Manvers, identified as 530 Lifford Road	Withdrawn	n/a

OPA No.	By-Law No.	Subject Matter – Location and/or Address	Status	Policy section
5	2014-107	Exception Fenelon Falls Fringe servicing policies to permit an institutional use on municipal water and private sewage disposal system until such time as municipal sanitary facilities are available – Part of Lot 24, Concession 11, former Township of Fenelon, identified as a portion of 765 County Road 121	Approved (not included in consolidation due to OLT order deleting parent Fenelon Falls Fringe)	n/a
6	n/a	Re-designate from Rural to Pits and Quarries (submitted under Victoria County Official Plan) Part Lot 10, Concession 4, Township of Laxton, identified as 2460 Monck Road	Appealed, File closed due to inactivity Oct 17, 2022	n/a
7	2014-290	Create an exception to the waterfront lot creation policies to permit the creation of a waterfront backlot and facilitate lot addition – Part of Lot 16, Concession 7, Township of Emily, identified as 233 Yankee Line	Approved	20.7.2
8	2014-235	General Amendment for conformity to the Growth Plan for the Greater Golden Horseshoe and Secondary Plans	Repealed	n/a
9	n/a	Permit backlot development in Waterfront designation – Part Lot 1, Concession 1, Township of Ops	Decision pending	n/a
10	2015-060	Site-specific exception to the Waterfront designation policies to permit a dwelling constructed with a 13.4 metre water setback – Part of Lot 10, Concession 11, 57R-2836, Parts 17 and 35, Township of Laxton, identified as 30 Boyce Trail	Approved	20.7.3

OPA No.	By-Law No.	Subject Matter – Location and/or Address	Status	Policy section
11	n/a	Aggregate Secondary Plan	In process	n/a
12	n/a	Permit creation of a lot in Rural designation – Part Lot 21, Concession 8, Township of Manvers, identified as 1297 Highway 7A	Withdrawn	n/a
13	2017-141	General Amendment for conformity to the Growth Plan for the Greater Golden Horseshoe	Approved by the Ontario Land Tribunal with modifications	various
14	2017-143	Bobcaygeon Secondary Plan	Approved by the Ontario Land Tribunal with modifications	31.3
15	2015-133	Fenelon Falls Secondary Plan	Approved – Appeal to the Ontario Land Tribunal withdrawn	31.4
16	2017-142	Lindsay Secondary Plan	Approved by the Ontario Land Tribunal with modifications	31.2
17	2015-240	Omeme Secondary Plan	Approved by the Ontario Land Tribunal with modifications	31.5
18	2015-134	Woodville Secondary Plan	Rescinded	n/a

OPA No.	By-Law No.	Subject Matter – Location and/or Address	Status	Policy section
19	2015-218	Permit the creation of a residential lot and retain a lot with reduced minimum lot area –, Part Lot 21, Concession 1, 57R-7292, Parts 1 and 2, Township of Mariposa, identified as 103 Elm Tree Road.	Approved	19.4.1
20	2016-048	Amend land use policies to reduce the minimum lot area for lands within the Prime Agricultural area to provide for a lot addition for existing permitted uses –Part North Half of Lot 1, Concession 10, 57R-9042, Parts 2 and 3, Township of Mariposa, identified as 18619 Simcoe Street	Approved	15.4.1
21	2016-117	Re-designate from Rural designation to Tourist Commercial and Environmental Protection designations – Part of Lots 4 and 5, Concession 2, Township of Emily	Approved	26.5. a)
22	2016-217	Re-designate from Rural to Waterfront and amend land use policies to include a Special Policy to remove a portion of the subject land from applicable requirements of Section 20, to facilitate lot addition – Part Lot 31, Concession 11, 57R-2031, Part 5, Township of Fenelon, west of Northline Road and south of Fells Bay Road, identified as 21 Fells Bay Road	Approved	20.7.4
23	2017-230	Create a special policy that reduces the minimum lot frontage requirements for lot creation –Part of Lots 6 and 7, Concession 2, Township of Ops, identified as Vacant Land on Elm Tree Road	Approved	20.7.6

OPA No.	By-Law No.	Subject Matter – Location and/or Address	Status	Policy section
24	2022-111	Amend the rural designation policies to add a special provision to Section 16 to permit additional uses on a portion of the land – Part Lot 21, Concession 13, Township of Manvers, identified as 344 Old Mill Road	Approved	16.4.6
25	2017-135	Re-designate from Rural designation to Waterfront designation with a Special Policy to facilitate a future consent for a lot addition – Part Lot 25, Concession 8, Township of Fenelon, identified as 65 Potts Shore Road	Approved	20.7.5
26	2017-098	To revise the Official Plan with enhanced policies in Section 10, and to revise archeological study requirements to better conserve heritage spaces – all lands in the City of Kawartha Lakes	Approved	10.2, 10.3, 10.5; 10.6, Definitions
27	2017-139	Amend the Prime Agricultural land use designation to include a Special Policy that facilitates the creation of a rural residential lot – Part Lot 5, Concession 9, being Part 2, Plan 57R-1197, Township of Mariposa, identified as 77 CKL Road 46	Approved	15.4.2
28	2017-137	Amend the Rural land use designation to include a Special Policy to permit an indoor car storage facility – Part Lot 6, Concession 5, Township of Fenelon, identified as 3922 Highway 35	Approved	16.4.1

OPA No.	By-Law No.	Subject Matter – Location and/or Address	Status	Policy section
29	n/a	Re-designate lands from Highway Commercial and Tourist Commercial to Highway Commercial and Tourist Commercial – Part Lot 16 and 17, Concession 6, Township of Ops, identified as 2387 Highway 7 & 332 Lindsay Street South	Resolved through OPA 16, as modified by the Ontario Land Tribunal	n/a
30	2018-118	Add a Special Provision to the Prime Agricultural designation to permit on-farm diversified uses and agri-tourism uses – Part of Lot 13, Concession 7, Township of Manvers, on the south side of Highway 7A and just west of the Village of Bethany	Approved	15.4.3
31	2018-208	Amend the Prime Agricultural designation to include a Special Policy that facilitates the severance of a rural residential lot – Part of Lot 17, Concession 3, Township of Mariposa, identified as 422 Ranch Road.	Approved	15.4.4
32	2020-045	Amend the Urban Settlement – Fenelon Falls Fringe Area designation to include a Special Policy to permit a higher density residential development. An Environmental Protection designation is also added to provide protection for the 15-metre shoreline buffer – Part of Lot 23, Concession 9, Parts 1 to 3, 57R-8353 parts 1 and 2, 57R-2352, Lots 53 and 54, Part Third Street (Closed), Plan 190, Township of Fenelon, identified as 19 and 67 West Street North	Approved (EP exception included at 17.8.2. Fenelon Fringe exception not included in consolidation due to OLT order deleting parent Fenelon Falls Fringe)	17.8.2

OPA No.	By-Law No.	Subject Matter – Location and/or Address	Status	Policy section
33	2019-179	Create a Special Policy that would permit a self-storage facility use within the Highway Commercial designation, in conjunction with other permitted Highway Commercial uses – Part Lot 22, Concession 7, Parts 1 to 3, 57R-10704, Township of Ops, identified as 396 Highway 36	Approved	21.3.3
34	2020-008	Re-designate the Rural and Environmental Protection designations to a Rural Special Provision designation and Environmental Protection Special Provision designation, to permit camping, recreational vehicle sites, and camping cabins as a standalone uses on the site – Part of Lot 16, Concession 5, Township of Ops, east side of Angeline Street South, identified as 354 Angeline Street South	Approved	16.4.2 17.8.1
35	2020-123	Address the requirements of the Clean Water Act, conform with relevant Source Protection Plans, and establish new land use policies for source water protection – affects multiple properties across the City of Kawartha Lakes, more particularly described as lands within the former Town of Lindsay, Villages of Bobcaygeon, Fenelon Falls, and Omemee; and Townships of Eldon, Emily, Fenelon, Laxton, Digby, Longford, Manvers, Mariposa, Ops, Somerville, and Verulam.	Approved	3.1.4, 3.2.j), 3.4-3.4.21

OPA No.	By-Law No.	Subject Matter – Location and/or Address	Status	Policy section
36	2020-042	Add a Special Provision to facilitate a severance of a residential lot in the Rural designation – Part of Lot 5, Concession 4, Township of Verulam, at the corner of County Road 36 and Cedar Glen Road, identified as 2152 County Road 36	Approved	16.4.4
37	2020-030	Amend the Rural designation to include a Special Policy to facilitate a future consent to create a rural lot – Part Lots 11 and 12, Concession 7, Township of Emily, identified as 88 & 94 Centreline Road	Approved	16.4.3
38	2020-065	Re-designate from the Industrial designation to the Highway Commercial designation – Part of Lot 16, Concession 4, Parts 1 and 2, 57R-7429, Township of Ops, identified as 2133 Little Britain Road	Approved	Schedule only
39	2020-155	Address the requirements of the Planning Act, conform with the Provincial Policies, and establish new land use policies for Additional Residential Units – affects all eligible properties that allow single-detached, semi-detached, or townhouse dwellings and accessory buildings or structures across the City of Kawartha Lakes	Approved	5.7
40	2020-103	Permit the severance of the Prime Agricultural land – Part of Lot 22, Concession 2, Township of Ops, identified as 1590 Elm Tree Road	Approved	15.4.7

OPA No.	By-Law No.	Subject Matter – Location and/or Address	Status	Policy section
41	n/a	Permit a trailer sales and storage use – Part lot 19, Concession 3, Township of Emily, identified as 689 Cottingham Road	Denied, appealed, amendment refused (June 1, 2023)	n/a
42	2021-203	Amend the Prime Agricultural designation to include a Special Policy to permit an on-farm diversified use that is secondary to the primary agricultural use on a portion of the property – Part of Lot 19, Concession 1, Township of Ops, identified as 1407 Elm Tree Road	Approved	15.4.5
43	2022-045	Amend the Prime Agricultural designation to include a Special Policy that permits an institutional use on a portion of the property – Part of Lots 18 and 20, Concession 11, Township of Ops, identified as 1082 Lilac Road	Approved	15.4.6
44	2022-028	Amend the Rural and Waterfront designations to include Special Policies that permit the consent of the subject land – Lot 13, Concession 7, Parts 3 and 4, 57R-5883, Township of Emily, identified as 614 Shamrock Road	Approved	16.4.5 20.7.7
45	n/a	Permit automotive recycling and repair and used car sales – Part Lot 19, Concession 14, Township of Manvers, identified as 682 Mount Horeb Road	Denied	n/a
46	n/a	To amend the permitted uses within DP-3 – Blocks 111, 113 & 114, Pt Block 107, 108 & 112, 57R8284 & 57R8288, identified as 27 Stub Road	Appealed (non-decision), Approved by OLT	31.15

OPA No.	By-Law No.	Subject Matter – Location and/or Address	Status	Policy section
47	2022-144	Amend the land use designation to the Waterfront designation, and create a Special Policy that reduces the minimum lot frontage and area requirements for lot creation – Part of Lot 24, Front Range, Township of Somerville, identified as 103 Driftwood Village Drive	Approved	20.7.8
48	2022-204	Amend the Rural designation to include Special Policies to facilitate the creation of two new lots – Part lot 16, Concession 1, Township of Verulam, identified as 96 County Road 30	Approved	16.4.7
49	2022-160	Amend the Rural designation to include Special Policies to facilitate the creation of one new lot – Part lot 16, Concession 3, Township of Verulam, identified as 273 County Road 30	Approved	16.4.8
50	2023-105	Re-designate lands to permit a mixed-use subdivision – Part lot 25, Concession 4, Township of Ops, identified as 460 Thunderbridge Road	Approved (not included in consolidation as by-law amended Lindsay Official Plan)	n/a
51	TBD	To permit a residential subdivision with seven lots – Part Lot 24, Concession 5, Township of Emily, identified as 8 Mitchel Drive	In process	TBD
52	2024-087	Permit docks – Part Lot 1, Concession 19, Township of Harvey, Part Lot 2 Concession 10, Township of Verulam, Plan 57M759 Block 19, identified as Peller Court	Approved	31.17.6

OPA No.	By-Law No.	Subject Matter – Location and/or Address	Status	Policy section
53	TBD	Re-designated from Rural to Urban Settlement Part lots 21, 22, 23, Concession 11, Township of Fenelon, identified as 808 County Road 121	In process	TBD
54	n/a	Re-designation to permit a residential plan of subdivision – Part of Park Lot B East of Brock Street and South of George Street Part of Park Lot L North of Mary Street and East of Brock Street Registered Plan 8P, identified as 203-213 Hwy 36	No longer required (proposal conforms to Lindsay Secondary Plan)	n/a
55	2024-148	Permit creation of three new lots – Part Lot a, Concessions 1 and 2, identified as 9 Farmingdale Lane	Approved	16.4.9
56	2024-166	Permit lot line adjustment and recognize existing lots – Part Lot 17, Concession 2, Township of Somerville, identified as 1691 CKL Road 121	Approved	16.4.10
57	2025-021	Permit self-storage – 57R-6073 Part 1; 57R-7996 Part 1; Part of Lot 14 Concession 7, Geographic Township of Fenelon, identified as 4544 Highway 35	Approved	21.3.4
58	2025-043	Permit creation of a new residential lot – 57R91199 Part 1; Part of lot 31, Concession 13, Dalton Township, identified as 2475 Housey's Rapids Road	Approved	20.7.9

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CITY OF KAWARTHA LAKES OFFICIAL PLAN

PART A – CONCEPTUAL PLAN FRAMEWORK

1. OVERVIEW

1.1. HISTORICAL PERSPECTIVE

- 1.1.1. The City of Kawartha Lakes was created on January 1, 2001 by an amalgamation of municipalities formerly within Victoria County. Except for two amalgamations the year before the City of Kawartha Lakes was created, the County of Victoria was composed of the Town of Lindsay, the villages of Bobcaygeon, Fenelon Falls, Omemee, Sturgeon Point and Woodville and the Townships of Bexley, Carden, Dalton, Eldon, Emily, Fenelon, Manvers, Mariposa, Ops, Somerville and Verulam and the United Townships of Laxton, Digby and Longford.
- 1.1.2. The settlement of the area commenced when the government of Upper Canada first offered land for sale in 1821. The County of Victoria was created as a municipality in 1863. Lindsay had been incorporated as a town just prior to this in 1857. The County remained geographically the same until 1974 when the Regional Municipality of Durham was created and Manvers Township was added to the County of Victoria.

1.2. GEOGRAPHIC SETTING

- 1.2.1. The City is composed of some significant physiographic areas. The southern portion of Manvers Township contains part of the Oak Ridges Moraine. The central portion of the City, primarily in the Townships of Mariposa, Ops, Emily, Manvers, Eldon, Fenelon and Verulam is predominantly agricultural land on a till plain. Throughout this area are found esker and kame deposits that are being mined for aggregates or have aggregate potential. There are also organic deposits such as peat.
- 1.2.2. A lake system known as the Trent- Severn Waterway traverses the City. The system extends from the Bay of Quinte to Lake Simcoe. It was begun in 1833 with a lock constructed in Bobcaygeon and was completed in 1920 through to Georgian Bay. It is a major recreational waterway in Ontario and the City benefits from its presence.
- 1.2.3. The Townships north of the Trent Canal lake system generally have shallow soils over bedrock and are primarily used for ranching or forestry. A significant limestone feature known as the Carden Plain is centred on Carden Township and has significant aggregate potential, as well as exhibiting alvar habitat. The

Precambrian shield covers the northern part of the city in Dalton, Digby and Longford Townships.

1.3. POPULATION

- 1.3.1. The Census population of the City of Kawartha Lakes in 2001 was 69,179 and as per census 2006, it was 74,561. Growth over the past 30 years has resulted in the population doubling. The period from the 1996 to 2001 Census was the slowest growth rate experienced over the past three decades. Residential construction and occupancy rates during this period are not consistent with this trend. The population growth between 2001 and 2006 was 7.8% while Ontario was at 6.6% growth as a province. The City must plan on the basis of the Provincial Growth Plan projections which currently target 100,000 residents by 2031.
- 1.3.2. About 65% of the residents live in rural areas, with 35% living in the urban area. There are a significant number of seasonal residents in the City within the waterfront areas and recreational trailer parks.

1.4. ORGANIZATION OF THE OFFICIAL PLAN

The Official Plan consists of seven parts as follows:

Part A: Conceptual Plan Framework

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

Part B: Strategic Directions

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

Part C: Land Use Policies

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

Part D: Infrastructure and Services Policies

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

Part E: Interpretation and Definitions

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

Part F: Subordinate Plans and Special Policy Areas

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

PART G: Implementation

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

Official Plan Schedules

A Land Use

B Natural Heritage Features

C Wellhead Protection Zones

D Waste Management Facilities

E Development Plans

F Secondary Plans Land Use

G Secondary Plans Environmental Constraints

H Secondary Plans Transportation

I Special Policy Lake Plan Area – SP – 1

J Bedrock Resource Constraint Overlay

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

2. BASIS

2.1. ENVIRONMENT

- 2.1.1. The City is blessed with a number of natural features that are considered irreplaceable assets. These include the lakes and rivers, the Trent-Severn Waterway, the Oak Ridges Moraine and many natural features. These features should be protected and enhanced with strong policies to ensure the ongoing quality of life and economic prosperity.
- 2.1.2. The Community Vision process from 2002 determined that an Environment First Principle, which recognizes that the environment is the base upon which all

planning activities take place and that it must be considered in all planning decisions. Also avoiding development and land use patterns, which may cause adverse environmental or public health & safety effects.

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

2.2. ECONOMY

- 2.2.1. The City of Kawartha Lakes supports a diverse economic base. Generally, manufacturing and agriculture comprise two of the largest sectors in the local economy by gross sales. Tourism, retail and commercial uses continue as steady and healthy contributors to the economy. The City must plan on the basis of the Provincial Growth Plan projections which currently target 27,000 new jobs by 2031.
- 2.2.2. The City recognizes the importance of farming activities within the City and will continue to support and protect the continuation and growth of the agricultural industry. One way of doing this will be to prohibit the creation of new vacant residential lots in prime agricultural areas.
- 2.2.3. Famous for its natural beauty, cultural features, and location on the Trent-Severn Waterway, the City of Kawartha Lakes is naturally one of the most popular cottage and tourist destinations in Ontario. The Trent-Severn Waterway consists of a 386-kilometre system of rivers, lakes and canals with six locks located in the City.
- 2.2.4. The tourism industry represents a significant component of the City's economy. In Kawartha Lakes, there is potential for increased growth in this sector, particularly in the following areas: eco-nature tourism, education and learning vacations, sustainable development, resource conservation and healthy lifestyle activities. Increasing the number of recreational opportunities should also be explored as a method of increasing tourism.
- 2.2.5. The industrial base of the City is diverse and includes a growing number of niche market manufacturers.
- 2.2.6. Access to serviced industrial lands is available throughout the City. The Lindsay Industrial Park offers serviced industrial lots ranging from 0.4ha to 402.43ha. In addition to municipally owned industrial land, many private and publicly owned industrial building sites exist, including an industrial subdivision in Pontypool located within minutes of Highways 115 and 35.

2.3. HOUSING

- 2.3.1. The predominant form of housing within the City is single detached dwellings. Within the urban centres, multiple residential developments in the form of apartments and townhouses are available. There is a need for additional housing for lower income families, seniors and those with special needs. Housing will be encouraged in existing settlement areas. However, care needs to be given with respect to location, density, servicing and impact on surrounding land uses.
- 2.3.2. The City will encourage the provision of a broad mix and range of housing to meet the needs of present and future households in the area. The City also encourages the provision of housing types, densities and tenures that are affordable to moderate and lower income households. The City encourages residential intensification in the built up area and establishing cost effective development standards for new residential development and redevelopment.

2.4. STRATEGIC PLANNING EXERCISE (COMMUNITY VISION)

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

2.5. COMMUNITY VISION 2002-2012 SUMMARY

- 2.5.1. The Vision for the City of Kawartha Lakes recognizes the City as a community of vibrant communities. The Vision emphasizes the City's dedication to good government, responsible planning and growth management. Attention will be given to special population groups, including seniors, youth and persons with special needs. As a green community, value will be placed on conservation of the area's natural environment. Economic prosperity will be realized, with well-established sectors such as tourism and agriculture growing further as important contributors to the local economy.
- 2.5.2. The City will provide leadership, support and coordination for implementation of the Community Vision over the life of the Vision to 2012.

2.6. HEALTH AND SUSTAINABILITY

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

directions in the Official Plan that encourage sustainable community development and active and healthy living for residents, businesses and visitors to enjoy.

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

PART B – STRATEGIC DIRECTIONS

3. ENVIRONMENT

3.1. GOALS:

- 3.1.1. To enhance and protect the quality of the natural environment within the City.
- 3.1.2. To support water conservation, energy conservation, air quality protection through programs and land use patterns that encourage energy efficiency and conservation.
- 3.1.3. To protect and where possible, enhance the ground and surface water resources throughout the City.
- 3.1.4. To protect existing and future sources of municipal drinking water in accordance with the applicable source protection plans and implemented through the applicable zoning by-laws.

3.2. OBJECTIVES:

- a) Utilize an “Environment First Principle” which recognizes that the environment is the base upon which all land use activities take place and that it should be considered in all land use planning decisions.
- b) Recognize and protect the natural heritage features and resources and provide for updating of the natural heritage features inventory throughout the City.
- c) Recognize that the conservation of the natural environment within the Natural Heritage System, is a priority of the City.
- d) Maintain a high level of bio-diversity by protecting natural heritage areas and the connections between them.
- e) Encourage development in areas that are not environmentally sensitive.
- f) Recognize that wetlands are extremely important habitats and perform a myriad of essential ecological, hydrological, and social functions. These include the provision of habitat for a wide range of plants and animals; groundwater discharge; flood attenuation through the storage and control of water; stabilization of shorelines and reduction in damage caused by erosion; water quality improvement; and recreational and tourism opportunities such as hunting, fishing, boating and bird watching.
- g) To recognize the importance of forest resources and manage, enhance and improve the forest resources throughout the City.

- h) Development should also provide as pleasing an environment as possible to all residents of the City through proper management of man-made and natural environmental features.
- i) Work co-operatively with Conservation Authorities, Provincial Ministries, Trent-Severn Waterway and other agencies in protecting the natural environment.
- j) Identify vulnerable areas in accordance with section 3.4.1., and prohibit or mitigate activities within vulnerable areas that pose drinking water threats.

3.3. WATER RESOURCES

- 3.3.1. Development and site alteration that maintains the hydrological functions and minimizes direct alteration to groundwater flows shall be encouraged. Any development and site alteration must demonstrate that the existing hydrologic function of surface and ground water features and any relationship to natural heritage features and areas will be maintained or enhanced.
- 3.3.2. Extraction of water beyond personal use is considered a commercial operation and requires commercial/industrial land use zoning (except wetland restoration projects and agricultural operations). Applicants for a Permit to Take Water under the Ontario Water Resources Act shall be accompanied by a Water Budget verifying that there will not be an adverse effect on water systems and natural heritage features prior to consideration of the requested zoning. Where a Permit to Take Water is not required, as a condition of approval, Council may require the proponent to enter into a monitoring and financial agreement to ensure that neighbouring drinking water supplies are not affected by the taking of water.
- 3.3.3. The City will encourage property owners to properly abandon wells that are no longer in use in keeping with the Ministry of Environment regulations.
- 3.3.4. Prior to the development of land on individual services for multiple residential development and significant water users, a hydrogeological study will be required to ensure that there is sufficient quality and quantity of potable water to service the development and the land is suitable for the disposal of sewage without impacting on the groundwater supply and causing cross contamination with the water source. For the purpose of the Plan, the residential development occurring in DP8 (Longford Reserve) is not considered multiple residential developments.
- 3.3.5. Individual lake plans and lake stewardship programs are encouraged and will be utilized as a method to identify important local values, environmental features and individual lake characteristics. The plans shall be developed in consultation with appropriate stakeholders.
- 3.3.6. Communal water systems should not be allowed to distribute raw untreated surface water.

- 3.3.7. Council shall adopt a Site Alteration by-law in conformity with the Lake Simcoe Plan.
- 3.3.8. The City supports reducing stormwater runoff volume and pollutant loadings from major development and existing settlement areas by:
- a) encouraging implementation of a hierarchy of source, lot-level, conveyance and end-of-pipe controls;
 - b) encouraging the implementation of innovative stormwater management measures;
 - c) allowing for flexibility in development standards to incorporate alternative community design and stormwater techniques, such as those related to site plan design, lot grading, ditches and curbing, road widths, road and driveway surfaces, and the use of open space as temporary detention ponds;
 - d) supporting implementation of programs to identify areas where source control or elimination of cross connections may be necessary to reduce pathogens or contaminants; and
 - e) supporting implementation of source control programs, which are targeted to existing areas that lack adequate stormwater controls.
- 3.3.9. Where applicable, an application for major development shall be accompanied by a stormwater management plan that demonstrates:
- a) consistency with completed stormwater management master plans;
 - b) consistency with completed subwatershed evaluations and water budgets;
 - c) an integrated treatment train to minimize stormwater management flows and reliance on end-of-pipe controls through measures including source controls, lot-level controls and conveyance techniques, such as grass swales;
 - d) through an evaluation of anticipated changes in the water balance
 - e) between pre-development and post-development, how such changes shall be minimized; and
 - f) through an evaluation of anticipated changes in phosphorus loadings between pre-development and post-development, how the loadings shall be minimized.
- 3.3.10. Stormwater management works that are established to serve new major development in the Lake Simcoe watershed shall not be permitted unless the works have been designed to satisfy the Enhanced Protection level specified in Chapter 3 of the MOE's "Stormwater Management Planning and Design Manual 2003", as amended from time to time.
- 3.3.11. Every owner and operator of a new stormwater management works in the Lake Simcoe watershed shall be required to inspect and maintain the works on a

periodic basis and be required to monitor the operation of works, including monitoring the quality of the effluent from the works, on a periodic basis.

3.3.12. The following measures are to be incorporated into subdivision agreements and site plan agreements where appropriate:

- keep the removal of vegetation, grading and soil compaction to the minimum necessary to carry out development activity;
- removal of vegetation shall not occur more than 30 days prior to grading or construction;
- put in place structures to control and convey runoff;
- minimize sediment that is eroded offsite during construction;
- seed exposed soils once construction is complete and seasonal conditions permit; and
- ensure erosion and sediment controls are implemented effectively.

3.3.13. An application to establish or expand a major recreational use shall be accompanied by a recreation water use plan that demonstrates:

- water use for maintenance or snow-making or both are kept to a minimum;
- grassed, watered and manicured areas are limited to sports fields surfaces, golf fairways, tees and greens, and landscaped areas around buildings and structures;
- grass mixtures that require minimal watering and upkeep will be used for sports fields and golf fairways where applicable;
- crossings of intermittent and permanent streams are kept to a minimum;
- water-conserving technologies (such as low-flow toilets and shower heads) are used in clubhouses and restaurants where applicable;
- water-conserving technologies (such as timed irrigation systems designed to reduce evaporation losses, and recycling of water from under greens) are used in the irrigation and watering of sports field surfaces, golf fairways, tees and greens, and landscaped areas around buildings and structures, where applicable;
- other water conservation technologies (such as rainwater harvesting or reuse of stormwater) will be used to reduce water use;
- stormwater treatment facilities are used to capture and treat runoff from areas with impervious surfaces;

- and the measures described in Section 3.3.12.

- 3.3.14. No structures, including boathouses, shall be permitted in lakes or in any permanent or intermittent streams, within the Lake Simcoe Watershed, if the structure impedes the natural flow of water along the shoreline or in the stream, if the structure is intended to be used as a dwelling, or if the structure or its construction harmfully alters fish habitat. This policy does not prohibit drainage works such as those permitted under the Drainage Act, those required for infrastructure or those structures required for the purposes of stewardship, conservation, restoration or remediation undertakings.
- 3.3.15. The alteration of the shore of lakes or any permanent or intermittent streams, within the lake Simcoe Watershed, for the purpose of establishing or altering drainage works such as those works under the Drainage Act, infrastructure or for stabilization, erosion control or protection purposes shall only be permitted if it is demonstrated that natural shoreline treatments (e.g., planting of natural vegetation, bioengineering) that maintain the natural contour of the shoreline will be used where practical, and a vegetative riparian area will be established to the extent feasible. In relation to such works, lands used for agricultural purposes do not require the establishment of a vegetative riparian area if the land is, and will continue to be, used for agricultural purposes.
- 3.3.16. Where a proposal for development or site alteration is permitted within 30 metres of a lake or a permanent or intermittent stream or wetland in the Lake Simcoe watershed, in accordance with Section 3.5.38 of this Plan, the proposal for development or site alteration shall comply with the following where applicable:
- maintain, and where possible, increase or improve fish habitat in the lake, stream or wetland, and any adjacent riparian areas;
 - to the extent possible, enhance the ecological features and functions associated with the lake, stream or wetland;
 - minimize erosion, sedimentation, and the introduction of excessive nutrients or other pollutants and utilize planning, design, and construction practices that maintain and improve water quality; and
 - integrate landscaping and habitat restoration into the design of the proposal to enhance the ability of native plants and animals to use the area as both wildlife habitat and a movement corridor.
- 3.3.17. Within the lake Simcoe Protection Plan area, development proposals outside of settlement areas that requires an increase in the existing rated capacity of a sewage treatment plant or the establishment of a new sewage treatment plant, an

environmental assessment of the undertaking shall be completed or approved prior to giving any approvals under the Planning Act or the Condominium Act.

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

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

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

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

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

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

3.3.21. Lake Trout Lakes

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

Big Trout Lake – Longford Township – at capacity

Crotchet Lake– Longford Township

Rainy Lake – Longford Township

Big Trout Lake is considered to be “at capacity” until water quality sampling is undertaken to determine its status in terms of sustaining a lake trout population. South Anson Lake

is an “at capacity” lake trout lake. This means that generally, the creation of new lots, through the consent process or by plan of subdivision will not be permitted within 300 metres of an “at capacity” lake trout lake, except on existing lots of record and under strict conditions where a proponent can demonstrate that there will be no impacts on lake water quality. This requires consultation with the Ministry of the Environment and the Ministry of Natural Resources. The following conditions must be met:

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

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

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

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

- 3.3.24. It is the responsibility of the property owners, including proponents of development proposals, to ensure that they are aware of the current classification of a lake at all times and in particular prior to submitting a planning application involving shore lands on lakes.
- 3.3.25. The Ministry of the Environment and the City have information on the current classification of a lake and it is recommended that either or both the Ministry and the City be consulted prior to any actions being taken which may be affected by the classification of a lake.

3.4. SOURCE WATER PROTECTION:

- 3.4.1. Vulnerable areas are identified on Schedule "C" Wellhead Protection Areas and Intake Protection Zones, and drinking water systems within the City include:

Wellhead Protection Areas (WHPAs)

- Birch Point Estates (Pigeon Lake), geographic Township of Emily
- Canadiana Shores (Lake Scugog), geographic Township of Mariposa
- Janetville, geographic Township of Manvers
- King's Bay (Lake Scugog), geographic Township of Mariposa
- Manorview, geographic Township of Manvers
- Mariposa Estates, geographic Township of Mariposa
- Pinewood, geographic Township of Manvers
- Pleasant Point (Lake Scugog), geographic Township of Mariposa
- Sonya, geographic Township of Mariposa
- Victoria Glen / Omemee, geographic Village of Omemee and geographic Township of Emily
- Victoria Place (Pigeon Lake), geographic Township of Verulam
- Western Trent (Canal Lake), geographic Township of Eldon
- Woodfield, geographic Township of Manvers
- Woods of Manilla, geographic Township of Mariposa

- Woodville, geographic Township of Mariposa

Two additional wells are located outside of the City, but their influence areas extend into the City:

- Cannington / Arena, geographic Township Mariposa
- Lansdowne / Fraserville, geographic Township of Emily

Intake Protection Zones (IPZs)

- Bobcaygeon (Sturgeon Lake), geographic Village of Bobcaygeon and geographic Township of Verulam
- Fenelon Falls (Cameron Lake), geographic Village of Fenelon Falls and former Township of Fenelon
- Kinmount (Burnt River), geographic Township of Somerville
- Lindsay (Scugog River), geographic Town of Lindsay and geographic Township of Ops
- Norland (Gull River), geographic Townships of Laxton and Somerville
- Southview Estates (Sturgeon Lake), geographic Township of Fenelon

3.4.2. The following land use activities shall be prohibited in vulnerable areas where they are considered under the Clean Water Act a future significant drinking water threat unless stated otherwise in the applicable Source Protection Plan and with consideration of section 3.4.3:

- Waste disposal sites within the meaning of Part V of the Environmental Protection Act (including untreated septage, waste disposal, mine tailings, but excluding storage of wastes described in the Act, or the definition of hazardous waste (O.Reg 347) and storage of hazardous or liquid industrial waste)
- On-site sewage systems in excess of 10,000 L as required by the South Georgian Bay Lake Simcoe Source Protection Plan
- The application, storage or management of agricultural source material
- The application, handling or storage of non-agricultural source material
- The application, handling or storage of commercial fertilizer
- The application, handling or storage of pesticide
- The handling or storage of road salt
- The storage of snow

- i) The handling or storage of fuel
 - j) The handling or storage of a dense non-aqueous phase liquid (DNAPLs)
 - k) The handling or storage of an organic solvent
 - l) The use of land as livestock grazing or pasturing land, an outdoor confinement area or a farm-animal yard
- 3.4.3. Generally, the land use activities listed in Section 3.4.2 are not intended to prohibit typical household uses or practises.
- 3.4.4. For all applicable terms, see Section 30 Definitions. Refer to the applicable Source Protection Plans for all terms not defined in this Plan.
- 3.4.5. Despite the list of prohibited activities in Section 3.4.2, a Risk Management Official may issue a written decision enabling the City to determine that a site-specific land use activity is permitted in accordance with Section 59 of the Clean Water Act based on location, amount and extent of the threat.
- 3.4.6. New land uses, including the creation of lots and new or expanding land use activities, shall not be permitted within vulnerable areas unless it can be demonstrated through appropriate studies, as determined by the approval authority, that they do not pose a significant drinking water threat.
- 3.4.7. A complete Planning Act application proposing development within identified vulnerable areas shall include a Notice issued by a Risk Management Official under Section 59(2) of the Clean Water Act, 2006, as amended.

Sewage Systems and Facilities

- 3.4.8. The applicable Source Protection Plans require new development to be serviced by a municipal sewage collection system where feasible, with consideration of financial and technical constraints, within 18 metres of the lot.
- 3.4.9. Where connection to a municipal sewage collection system is not feasible, new development will be serviced by a sewage system constructed in accordance with Part 8 of the Ontario Building Code to ensure that the activity is not a significant drinking water threat.
- 3.4.10. New sewage systems as defined in the Ontario Building Code shall not be located within a vulnerable area identified on Schedule "C", unless such system complies with requirements established by the approval authority for such system.
- 3.4.11. Wastewater collection facilities that collect or transmit sewage containing human waste that would be a future significant drinking water threat and require the approval of the Ministry of Environment, Conservation and Parks are not permitted

unless the facility complies with construction standards that will ensure the activity is not a significant drinking water threat.

Waste Disposal

- 3.4.12. Future waste disposal sites within the meaning of Part V of the Environmental Protection Act that require Ministerial approval are prohibited where they would be a significant drinking water threat, except a PCB waste destruction unit where that unit will be used for the sole purpose of the on-site destruction of PCB waste that originated on that site

Transport Pathways

- 3.4.13. All activities that will result in the creation of a new transport pathway are prohibited in areas identified on Schedule "C" as IPZ-1's and WHPA-A's in accordance with the City's Transport Pathway By-law 2016-237, or its successor.

- 3.4.14. The City shall give the appropriate Source Protection Authority and the Source Protection Committee notice of a proposal for a new transport pathway or modification of an existing transport pathway through a development application or any other application that relates to the vulnerable area for the municipal drinking water source.

When informing the Source Protection Authority and the Source Protection Committee about a proposed new or modified transport pathway, notice must include:

- a) A description of the proposal;
- b) The contact information of the person responsible for the proposal; and
- c) A description of the approvals the person requires to engage in the proposed activity.

Road Salt

- 3.4.15. The application of road salt is a significant drinking water threat within Lindsay and Bobcaygeon, as shown on Schedules "C-2" and "C-10".
- 3.4.16. During review of development applications, consideration shall be given to the City's design standards and alternative surfacing materials that minimize the amount of new impervious land surfaces constructed in vulnerable areas for vehicular traffic and parking, and pedestrian paths.
- 3.4.17. Grading, maintenance activities and drainage designs that reduce ponding and direct any run-off outside the vulnerable areas shall be encouraged.

Stormwater Management Facilities

- 3.4.18. New stormwater management facilities shall be designed to reduce the risk of contaminating drinking water, and where possible direct the discharge of stormwater outside of vulnerable areas. A Functional Servicing Report may be required as part of a complete Planning Act application that demonstrates no threats will be located in vulnerable areas in association with new stormwater management facilities.
- 3.4.19. Stormwater management facilities are encouraged to locate outside vulnerable areas identified on Schedule "C".

Stewardship

- 3.4.20. The City may consider the use of alternative protection measures within the most vulnerable areas, which may include land acquisition, land management and/or entering into conservation easements, agreements and development of stakeholder partnership programs to minimize or eliminate significant drinking water threats.
- 3.4.21. The City shall encourage the use of haulage routes for transportation of chemicals and volatile materials that avoid WHPAs and areas of high aquifer vulnerability within the Oak Ridges Moraine Policy Area as identified on Schedule 8 within Schedule "G" Oak Ridges Moraine Plan Amendment to this Plan.
- 3.4.22. Best management practices are encouraged for all development proposals in vulnerable areas. Development proponents are encouraged to contact the Kawartha Region Conservation Authority to determine appropriate best management practices prior to making an application.

Monitoring

- 3.4.23. The City shall report annually by February 1 of each year to the Source Protection Authority on the implementation progress of the applicable Source Protection Plans.

3.5. NATURAL HERITAGE SYSTEM

- 3.5.1. The Official Plan incorporates broad general principles protecting and enhancing natural heritage areas and features. These principles include themes of biodiversity and connectivity. Development will be restricted in sensitive areas and assessed for impacts on adjacent lands, in accordance with this Plan.
- 3.5.2. The Natural Heritage System is comprised of the following natural heritage features: wetlands, fish habitat, significant woodlands, significant valleylands,

habitat of threatened and endangered species, significant wildlife, and areas of natural and scientific interests. The general locations of most natural heritage features are identified on Schedule B. The location and extent of the features may be further confirmed through studies. Schedule B does not identify all natural heritage areas and features. Some natural heritage features and areas will be determined by the Conservation Authority, the Ministry of Natural Resources, local studies and through the review of development applications.

Wetlands

- 3.5.3. The Ministry of Natural Resources has identified the Provincially Significant Wetlands (PSW). The City also has numerous Locally Significant Wetlands (LSW) which are based on Ecological Land Classification (ELC) and unevaluated wetlands. All three classifications of wetlands are identified on Schedule B.
- 3.5.4. Development and site alteration shall not be permitted in PSW. Any development or site alteration proposed on or adjacent to a LSW shall not occur unless it has been demonstrated that there will be no negative impact on the features or functions of the wetland or alternatively it has been demonstrated that there will be a net environmental gain to the satisfaction of the City.
- 3.5.5. Environmental Impact Study (EIS) shall be prepared by a qualified person for development within 120 m. of a PSW and within 30 m. of a LSW. The EIS must assess the impacts the development could have on the wetland. If the EIS can demonstrate that the wetland can be protected, and there will be no negative impacts on the natural features or their ecological functions, and it proves that an alternate width would be appropriate, a buffer from PSW and LSW of less than 120 metres and 30 metres respectively may be permitted.
- 3.5.6. Within a PSW or LSW, peat extraction will not be permitted.
- 3.5.7. If a proposal for development is made within 120 metres of an unevaluated wetland as shown on Schedule B to this Plan, that Council believes may have characteristics or contain components typical of a significant wetland, Council may require the evaluation of the wetland and/or an Environmental Impact Study to demonstrate that there shall be no negative impacts on the natural features or ecological functions of the wetland. For smaller scale developments, Council may consider a scoped EIS to reduce the burden on the developer. The nature of the scoping may differ from location to location given the varying characteristics of the unevaluated wetlands. Development proponents shall consult with the City to determine the appropriate level of study required on a case by case basis.

Fish Habitat

- 3.5.8. The City's fisheries and fish habitat will be protected, enhanced and restored from any harmful alteration, disruption and/or destruction. Increased setbacks from critical spawning areas and warm and cold-water streams will be secured.
- 3.5.9. For development and site alteration proposals adjacent to a lake, river or watercourse where the land is within 120 metres of the water's edge, a review of available information from the Conservation Authority, MNR, TSW and DFO shall be undertaken to determine if the water in the area is a known fish habitat.
- 3.5.10. If it is found to be fish habitat, an Environmental Impact Study shall be required in accordance with the policies of this Plan for development and site alteration applications within 120 metres of the fish habitat. If fish habitat is present and may be altered, disrupted or destroyed, the applicable agency (TSW, DFO or CA) shall be consulted to determine if there could be Harmful Alteration, Disruption or Destruction (HADD) of the fish habitat. If it is not a HADD then the project can proceed subject to the applicant obtaining all necessary permits and approvals.
- 3.5.11. If it is a HADD and DFO determines the HADD is not acceptable, then the development cannot proceed as presented and must be altered so as not to impact on the fish habitat.
- 3.5.12. If it is a HADD and DFO determines that development can be modified or altered to mitigate the impact, then it can proceed subject to any applicable conditions being obtained from DFO and all required permits and approvals be obtained.

Significant Woodlands

The City has four distinct woodland areas:

- Oak Ridges Moraine in the southern part of the City and is within the Oak Ridges Moraine Conservation Plan as defined by provincial legislation;
 - The Carden Plain, which lies primarily north of the Trent Severn Waterway
 - The Canadian Shield in the northern most part of the City; and
 - The area between the Carden Plain and the ORM consisting of predominately agricultural and rural lands.
- 3.5.13. The City shall promote Best Management Practices to ensure that woodlands are maintained in a sustainable manner. The City shall encourage development to be located such that it will have minimum impact on woodlands.

- 3.5.14. Within the Carden Plain the total woodland covers 39% of the area and based on the Ontario Nature Guidelines, a significant woodland is a wooded area that is 25 hectares or larger.
- 3.5.15. In the agricultural and rural area, the total woodland coverage represents 25% of the area and based on the Ontario Nature Guidelines, a significant woodland is 15 hectares or larger.
- 3.5.16. The significant woodlands as described above are generally identified on Schedule B as part of the Natural Heritage System.
- 3.5.17. Development and site alteration in or within 120 metres of a significant woodland area may be permitted if it is demonstrated that there will be no negative impacts on the natural features or on the ecological functions for which the area is identified.
- 3.5.18. The City in consultation with MNR and the CA shall assess and identify significant woodlands and develop appropriate policies for stewardship and protection.
- 3.5.19. Development and site alteration that is inconsistent with good forestry practices will not be permitted in the woodlands areas. Sustainable forestry practices to foster regeneration of native species should be undertaken.
- 3.5.20. The Forest Management Plan for City owned forests should be followed to manage the forests in order to protect the environment, use them for recreational trails and for the protection of wildlife habitat. Forest management practices on the Canadian Shield portion of the City are encouraged to retain large blocks of contiguous forest cover.
- 3.5.21. The City will consider developing a tree cutting by-law in order to protect woodlands from destruction.

Significant Valleylands

- 3.5.22. Although the City of Kawartha Lakes does not have an abundance of significant valleylands outside of the Oak Ridges Moraine, the City will commit to an assessment of the existence of these areas in consultation with the Ministry of Natural Resources and the Conservation Authority. Within the ORM, they are addressed with appropriate policies in the ORM portion of this Plan. In the interim, significant valleylands will be identified through the development approval process in consultation with the Conservation Authority and Ministry of Natural Resources.
- 3.5.23. Where these areas are identified, development and site alteration may be permitted within or adjacent to (within 120 metres) these areas if it is demonstrated

by way of an EIS, that there will be no negative impacts on the natural features or on the ecological functions within the area identified.

Habitat of Threatened Species and Endangered Species

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

Significant Wildlife Habitat

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

- 3.5.30. Development and site alteration may only be permitted in areas identified as Significant Wildlife Habitat if it has been determined through an EIS that there will be no negative impacts on the natural features or on the ecological functions for which the area is identified. Development may only be permitted in the adjacent area, being within 120 metres if it has been determined through an EIS that there will be no negative impacts on the features or on the ecological functions for which the area is identified.
- 3.5.31. Additional significant wildlife habitat may be identified as additional information becomes available or upon site inspection. If additional habitat has been identified an EIS will be required prior to development within or adjacent to the significant wildlife habitat.
- 3.5.32. Alvars are naturally open areas of thin or no soils over essentially flat limestone, dolostone or marble rock, supporting a sparse vegetation cover of mostly shrubs and herbs. The Carden Plain is an alvar found within the City and is shown on Schedule B to this Official Plan. Development or site alteration is not permitted within or adjacent to (within 120 metres) of an alvar unless it has been demonstrated by the completion of an EIS that the alvar is not significant wildlife habitat, or that there will be no negative impact on the features or functions of the significant wildlife habitat if the EIS has determined it to be significant wildlife habitat.

Areas of Natural and Scientific Interest

- 3.5.33. Areas of Natural and Scientific Interest (ANSIs) are important because they represent the best examples of the vegetation – landform features of the area based on five criteria being: representation, diversity, ecological functions, site condition and special features. For this reason, they should be identified and protected.
- 3.5.34. Life and Earth Science ANSIs shall be protected equally. Development and site alteration may be permitted in ANSI's and areas adjacent to them within 50 m., for Earth Science ANSI's and 120m for Life Science ANSI's, if it can be demonstrated that there will be no negative impacts on the features or functions for which the area is identified.

Lake Simcoe Watershed

- 3.5.35. Notwithstanding any policy to the contrary, the following policies apply within the Lake Simcoe Watershed.
- 3.5.35.1. Natural heritage features are defined as wetlands, significant woodlands, significant valleylands, and permanent and intermittent streams and lakes. Development and site

alteration is not permitted within natural heritage features and within a related vegetation protection zone, except in relation to the following:

- a) Forest, fish, and wildlife management;
- b) Stewardship, conservation, restoration and remediation undertakings;
- c) Existing uses;
- d) Flood or erosion control projects but only if the projects have been demonstrated to be necessary in the public interest after all alternatives have been considered;
- e) Retrofits of existing stormwater management works (i.e., improving the provision of stormwater services to existing development in the watershed where no feasible alternative exists) but not new stormwater management works;
- f) New mineral aggregate operations and wayside pits and quarries pursuant to policies in Section 23;
- g) Infrastructure, but only if the need for the project has been demonstrated through an Environmental Assessment of other similar environmental approval and there is no reasonable alternative; and
- h) Low-intensity recreational uses that require very little terrain or vegetation modification and few, if any, buildings or structures, including but not limited to the following:
 - i. non-motorized trail use,
 - ii. natural heritage appreciation;
 - iii. unserviced camping on public and institutional land, and
 - iv. accessory uses to existing buildings or structures.

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

- a) All existing uses lawfully used for such purposes on the day before the Lake Simcoe Protection Plan comes into force are permitted;
- b) The construction of a building on an existing lot of record is permitted, provided it was zoned for such as of the date the Lake Simcoe Protection Plan came into effect, or where an application for an amendment to a zoning by-law is required as a condition of a severance granted prior to the date of the Plan came into effect;
- c) The development permitted in (b), expansion to existing buildings or structures, accessory structures or uses, and conversions of legally existing uses which bring the use more into conformity with the Plan are permitted subject to a demonstration that the use does not expand into a natural heritage feature and any minimum vegetation protection zone associated with a feature, unless there is no alternative in which case any expansion shall be limited in scope and kept within close geographical proximity to the existing structure.

d) The expansion to existing agricultural buildings and structures, residential dwellings and accessory uses to both, may be considered within a natural heritage feature and any minimum protection zone associated with these features if it is demonstrated that:

- i. There is no alternative to the expansion or alteration and the expansion or alteration is directed away from the feature and vegetation protection zone to the maximum extent possible, and
- ii. The impact of the expansion or alteration on the feature and its functions is minimized to the maximum extent possible.

e) expansion, maintenance or replacement of existing infrastructure is permitted.

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

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

- a) demonstrate that the development or site alteration applied for will have no adverse effects on the key natural heritage feature, key hydrologic feature, Lake Simcoe and its associated vegetation protection zone, or on the related ecological functions;
- b) identify planning, design and construction practices that will maintain and, where feasible, improve or restore the health, diversity and size of the key natural heritage feature or key hydrologic feature and its connectivity with other key natural heritage features or key hydrologic features as well as connectivity and linkages to natural heritage systems identified in Provincial Plans or by municipalities, the Conservation Authority or MNR;
- c) demonstrate how connectivity within and between key natural heritage features and key hydrologic features will be maintained and where possible, improved or restored before, during and after construction to allow for the effective dispersal and movement of plants and animals;
- d) determine if the minimum vegetation protection zone is sufficient to protect the ecological functions of the feature and the area being evaluated, in particular where this feature or area is adjacent to a coldwater stream, headwaters, freshwater estuaries, steep slope or is acting as or has been identified as a wildlife corridor to ensure that the area will continue to effectively act and function as a wildlife corridor;
- e) determine if the minimum vegetation protection zone is sufficient to protect areas adjacent to existing features that would be appropriate for restoration or renaturalization to enhance the ecological functioning of that feature, such as lands that provide for rounding out or filling of gaps in significant woodlands; and

- f) if the minimum vegetation protection zone is not sufficient to protect the function of the feature or protect opportunities for feature enhancement, specify the dimensions of the required vegetation protection zone.
- 3.5.35.4. A proposal for new development or site alteration within 120 metres of a natural heritage feature shall provide for the establishment and maintenance of natural self-sustaining vegetation to the extent and width of the associated vegetation protection zone required.
- 3.5.35.5. Where, through an application for development or site alteration, a buffer or vegetation protection zone is required to be established as a result of the application of the policies in this Plan, the buffer or vegetation protection zone shall be composed of and maintained as natural self-sustaining vegetation.
- 3.5.35.6. If the natural self-sustaining vegetation is removed from a natural heritage feature or from any related vegetation protection zone, as a result of any development or site alteration, the natural self-sustaining vegetation shall be re-established to the extent feasible following completion of that activity.
- 3.5.35.7. An application for development or site alteration shall, where applicable:
- a) increase or improve fish habitat in streams, lakes and wetlands, and any adjacent riparian areas;
 - b) include landscaping and habitat restoration that increase the ability of native plants and animals to use valleylands or riparian areas as wildlife habitat and movement corridors;
 - c) seek to avoid, minimize and/or mitigate impacts associated with the quality and quantity of urban run-off into receiving streams, lakes and wetlands; and
 - d) establish or increase the extent and width of a vegetation protection zone adjacent to Lake Simcoe to a minimum of 30 metres where feasible.
- 3.5.35.8. No new mineral aggregate operations, wayside mineral aggregate operations or quarry, or any ancillary or accessory use thereto shall be permitted in the following natural heritage features:
- a) significant wetlands;
 - b) significant habitat of endangered species and threatened species; and
 - c) significant woodlands unless the woodland is occupied by young plantation or early successional habitat (as defined by the MNR).
- 3.5.35.9. An application for a pit or quarry or a new wayside pit or quarry may only be permitted in a natural heritage feature or its related vegetation protection zone, other than a feature listed in policy 3.5.35.8, where the application demonstrates the following:
- a) the health, diversity and size of these natural heritage features will be maintained or restored and, to the extent possible, improved to promote a net gain of ecological health; and

- b) any permitted extraction of mineral aggregates that occurs in a feature will be completed, and the area will be rehabilitated, as early as possible in the life of the operation.

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

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

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

Environmental Impact Studies

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

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

- confirm the boundaries of the natural feature and adjacent lands to be protected and define the limits of all hazards including erosion, flooding and slope instability hazards where not already determined;
- carry out a detailed inventory, at the appropriate time of year, of the natural feature including the verification of constituent vegetation communities and their respective floral and faunal compositions, physical site characteristics, and identification of its ecological functions and attributes, including habitats of any threatened or endangered species, and species and communities of concern to the Conservation Authority and MNR having regard to habitat, type, diversity, size and configuration, the degree of connection to other environmental resources;
- assess the degree of sensitivity of the environmental conditions, including an evaluation of such conditions in relation to the proposed development;
- assess the potential cumulative impacts of the proposed development on the natural area's ecological functions and attributes.
- define the need for, and nature of any mitigating measures required to protect the feature and ecosystem from the impacts of the proposed development; and
- include a tree inventory, assessment, management and preservation plan prepared by a qualified practitioner which outlines specific methods of tree preservation, mitigation and, if necessary, compensation.

- 3.5.38. The City in consultation with the Conservation Authority and MNR, and Parks Canada Trent Severn Waterway as appropriate, shall identify the appropriate scope and study area for each required EIS.
- 3.5.39. The City in consultation with the Conservation Authority and MNR and Parks Canada Trent Severn Waterway as appropriate, may alter the requirements for an EIS where appropriate studies and fieldwork have been prepared and accepted by the City in connection with a previous development application or a previous development approval for the subject lands, or where site conditions warrant. In such cases, the City may impose a buffer area requirement.

3.6. AIR QUALITY

- 3.6.1. In the planning and development of the City, consideration shall be given, to improving air quality.
- 3.6.2. Council supports incremental reduction of overall greenhouse gas emissions and other air pollutants generated by the City's own corporate activities and functions.
- 3.6.3. Council shall recognize the potential implications of climate change and will investigate potential mitigation and adaptation measures.
- 3.6.4. City Council shall promote energy efficient development and infrastructure.

3.7. POTENTIALLY CONTAMINATED SITES

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

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

3.8. SEPARATION AND BUFFERING OF USES

Aggregate and Aggregate Resource policies are addressed in Section 23 and 24 of the Official Plan and are exempt from this section of the Official Plan.

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

Impact	Evaluation Criteria	Score
Noise	Sound not audible at property line	5
	Sound occasionally audible at property line	10
	Sound frequently audible at property line	15
Dust	Infrequent and not intense dust at property line	5
	Frequent and occasionally intense dust at property line	10
	Persistent and/or intense dust at property line	15
Odour	Infrequent and not intense odour at property line	5
	Frequent and occasionally intense odour at property line	10
	Persistent and/or intense odour at property line	15
Vibration	No ground born vibration	5
	Vibration but not felt off property	10
	Vibration frequently felt off property	15

Impact	Evaluation Criteria	Score
Storage	No outside storage permitted	5
	Limited outside storage permitted	10
	Outside storage of raw and finished products	15
	Bulk storage of hazardous materials	50
Process	Wholly enclosed within a building	5
	Combined outside/open and enclosed operations	10
	Majority of operations outside or open	15
Operational Intensity	Daytime operations only	5
	Shift operations but in enclosed building	10
	Continuous open operations	15
Traffic	Infrequent traffic or heavy trucks	5
	Frequent traffic or heavy trucks confined to week day, day time operations	10
	Frequent traffic or heavy trucks not confined to week day, day time operations	15

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

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

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

Light Use	20 metres from the site boundary

Medium Use 70 metres from the site boundary

Heavy Use 300 metres from the site boundary

3.8.4. These minimum separation distances shall not apply to:

- vacant lands currently zoned for industrial or sensitive land uses and which will not be further subdivided or rezoned to permit a more intensive use or are not subject to a draft approved plan of subdivision (however, Guideline D-6: Compatibility between industrial facilities and sensitive Land Use must be followed);
- a residence located on the same lot as a home industry;
- minor expansions or reconstruction of permitted uses, buildings or structures; and
- development that is supported by a study that recommends alternative separation distance acceptable to the City.

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

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

3.8.6. Notwithstanding the Hamlet or Urban Settlement designation, development which represents infilling, redevelopment and/or a transition to a mixed use area, may be considered with lesser separation distances provided that:

- the proposal conforms with the Official Plan policies;
- there is site specific zoning to limit the permitted uses to the proposed industrial category or separation distances are based on the smallest setback permitted in the industrial zone; and
- the proponent provides an impact assessment report, carried out by a qualified professional, assessing the potential for off-site impacts and mitigation measures.

Use of these exceptions for infilling, redevelopment or a mixed-use area shall be at Council's discretion.

3.8.7. For the purposes of this policy, infilling means development on a vacant lot or underdeveloped lot within a built up area but not redevelopment or reuse.

Redevelopment refers to a planned, phased change in the type of land use that requires redesignation of the land. A transitional mixed-use area is an area of redevelopment where the type of land use is changing to allow for different types of uses in an area.

- 3.8.8. For any proposal to establish a sensitive land use designation or zoning or to further subdivide land within the potential influence area of an existing Light, Medium or Heavy Use, the separation distances specified by this Policy shall apply unless a detailed evaluation which identifies the potential for impacts from noise, vibration, odour, dust or other emissions related to these operations and/or associated traffic has been completed to the satisfaction of the City. Such evaluation shall be carried out at the proponent's expense by qualified persons and include recommendations relative to proposed separation distances and any mitigative measures necessary to support the separation distances recommended by the impact evaluation.
- 3.8.9. Any proposal to establish a Light, Medium or Heavy Use or to further subdivide such lands, where sensitive land uses would be located within the potential influence area of the proposed land use change, shall be subject to the separation distances specified in this Policy, unless a detailed evaluation is carried out to justify a reduced separation distance. Similarly, there may be situations, such as where federal or provincial guidelines may apply, where in the opinion of the City a greater separation is required than the minimum according to the Plan. In such cases, the City may require a detailed evaluation to assess the adequacy of the minimum separation distance.
- 3.8.10. The potential influence area for each category of Light, Medium or Heavy Use is as follows:
- Light Use 70 metres from the site boundary
 - Medium Use 300 metres from the site boundary
 - Heavy Use 500 metres from the site boundary
- 3.8.11. The distances indicating the potential influence area specified in this Policy shall be considered absolute minimums for each use category. It is recognized, however, that mitigative measures may result in a change in the industrial use category permitting the use of a reduced separation distance. Where an impact evaluation has been completed, the recommendations of such evaluation shall be implemented by the municipality, through use of development agreements, site plan approvals and zoning.
- 3.8.12. Residential uses accessory to an industrial use shall be discouraged.

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

3.9. NOISE STUDIES

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

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

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

3.10. MINE HAZARDS/FORMER MINERAL MINING OPERATION

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

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

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

3.11. WATER SETBACK AND ACCESSORY USES

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

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

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

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

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

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

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

3.12. FLOOD PLAINS

3.12.1. The parts of the City that are subject to flooding, as defined by the Conservation Authorities, are noted on Schedules "B-1" to "B-8" and "G-1" to "G-5" as "Flood Plain".

3.12.2. Flood plains may be included within Environmental Protection designation areas described under Section 17. Flood plain lands and adjacent lands are subject to the Fill, Construction and Alteration to Waterways Regulation of the Conservation Authority having jurisdiction in the area subject to flooding.

- 3.12.3. Flood plains are regarded as hazard lands. Development and site alteration may be permitted in hazard lands provided that it is demonstrated that development can be carried out to the satisfaction of the Conservation Authority having jurisdiction in the area subject to flooding.
- 3.12.4. The following uses will not be permitted in the flood plain:
- a) an institutional use including hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares and schools;
 - b) an essential emergency service such as that provided by fire, police and ambulance stations and electrical substations; or
 - c) uses associated with the disposal, manufacture, treatment or storage of hazardous substances.
- 3.12.5. Any development, redevelopment, or intensification of lands located within a floodplain that are presently developed or zoned for development shall be carried out to the satisfaction of the City and the Conservation Authority having jurisdiction in the area subject to flooding.
- 3.12.6. The City, in conjunction with the Conservation Authority having jurisdiction, may establish a two zone approach to accommodate development within a floodplain provided that the necessary studies have been completed and approved by the Conservation Authority. Where a Conservation Authority has approved a two zone approach consisting of a floodway and a flood fringe, development shall be carried out to the satisfaction of the City and the Conservation Authority.

3.13. MINE HAZARDS/ FORMER MINERAL MINING OPERATION

- 3.13.1. Known mine hazards / former mining operations have been identified on Schedule "A". The Abandoned Mines Information System (AMIS) of MNM has two sites within the Plan area;
- File 06937-Lot 1, Conc.11, in Laxton Township; and
 - File 06753- Lot 2, Conc.5, in Somerville Township.
- 3.13.2. For any development proposed on or within 1000 meters of these sites, a geotechnical study shall be prepared by a qualified professional, to the satisfaction of MNM and Council, to confirm that the site is suitable for the proposed use.

4. GROWTH MANAGEMENT

4.1. GENERAL PRINCIPLES

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

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

- n) directing new seasonal residential development to vacant lots in existing waterfront developments, where possible, and directing new seasonal residential multi-lot developments to designated waterfront areas or in designated hamlet or urban settlement areas.

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

4.1.1. Population and Employment Projections

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

4.1.2. Settlement Area Boundary Expansion

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

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

- i) the land will be serviced by both municipal water and wastewater systems.

4.1.3. Notwithstanding policy 4.1.2, the City may adjust settlement area boundaries outside of a municipal comprehensive review, in accordance with Section 2.2.8.4 of the 2019 Growth Plan.

4.1.4. Planned Designated Greenfield Area Density

At the time of the next municipal comprehensive review, the City shall apply community-specific densities to the designated greenfield areas of Lindsay, Bobcaygeon, Fenelon Falls, and Omemee to ensure that the overall greenfield density target for the City is achieved.

5. HOUSING GOAL

5.1. GOAL

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

5.2. OBJECTIVES

- Encourage the provision of a wide range of residential types and tenures to ensure access to housing for all segments of the population. This includes housing for families, persons with disabilities, long-term care facilities and other housing options, which encourage independent living.
- Promote residential growth in areas that can provide full municipal services and minimize potential conflicts with other land uses.
- Ensure that residential development occurs at density levels that are appropriate based on integration with the existing community, adequacy of services, roads, parks and recreation and education facilities.
- Seek out and participate in Provincial, Federal and public-private partnership programs that serve the housing needs of the residents of the City.
- Promote innovation and excellence in housing design and architecture, site planning, and urban design to foster vibrant neighbourhoods which encourage walking and cycling.
- Promote high quality, well linked public open spaces in residential areas.
- Provide for the rehabilitation and renewal of the existing housing stock in a manner which maintains the community structure and which places special emphasis on the preservation of historically significant houses and residential areas.

- Provide opportunities for residential development in rural settlement areas and require non-farm residential development to locate in these areas.

5.3. POLICIES

- 5.3.1. Council, in co-operation with all levels of government, will encourage the provision and rehabilitation of housing to meet the needs of residents. Particular attention will be given to senior citizens and low-income families that are unable to find adequate housing through the private market. Council will attempt to ensure that City residents receive the maximum possible benefit offered by Provincial and Federal Housing Assistance Programs.
- 5.3.2. Council will review the need for accommodation for the aged and low-income persons and maintain contact with other agencies to help fulfil this need.
- 5.3.3. Council, wherever possible, will encourage homes for the aged, higher density, affordable rental accommodation and senior citizen accommodation to be located in close proximity to retail uses, personal services, community facilities and available public transportation.
- 5.3.4. In order to ensure that an adequate supply of land is available to meet the housing objectives of this Plan, Council will review the housing market from time to time to determine if the mix of housing types and prices is consistent with the changing needs of City residents.
- 5.3.5. A housing strategy will be developed in consultation with the Minister of Municipal Affairs and Housing and other appropriate stakeholders. The housing strategy will set out a plan, including policies to meet the needs of all residents, including the need for affordable housing – both home ownership and rental housing. A minimum affordable housing target will be established and implemented through the Official Plan. The housing strategy will include the planning and development of a range of housing types and densities to support the achievement of the intensification target and density targets. In the interim of a housing strategy being in place, Council shall strive for 25% of all new development to be affordable to low and moderate income households.
- 5.3.6. The predominant form of housing in the City will continue to be single detached dwellings where municipal or communal water or sanitary sewer services are unavailable.
- 5.3.7. Higher density, multiple residential dwellings will be encouraged where full municipal or communal services are available.
- 5.3.8. Increasing the supply of affordable housing in fully serviced settlement areas through housing intensification is permitted without amendment to this Plan

provided there is capacity in the water and sanitary sewer facilities; the housing stock has the physical potential for intensification, the character of immediately surrounding areas is maintained; and there is adequate parking available.

- 5.3.9. The assembly and development of land by the City, non-profit organizations or partnerships with the private sector will be encouraged to address the housing needs identified by the Municipal Housing Statement.

5.4. GARDEN SUITES

- 5.4.1. Where a residential use is a permitted use within a land use designation, a Garden Suite may be permitted subject to the following provisions:

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

5.5. GROUP HOMES

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

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

5.6. ROOMING OR BOARDING HOUSES

- 5.6.1. Rooming or boarding houses may be permitted in settlement areas and should be directed to areas of higher density and multiple residential development immediately adjacent to a core commercial area or with access to public transportation.
- 5.6.2. They may be permitted by site specific zoning amendment or as-of-right in a specific zone and must be serviced by full municipal or communal water and sanitary sewers.
- 5.6.3. Respite care shall not be provided in any rooming or boarding houses.

5.7. ADDITIONAL RESIDENTIAL UNITS

- 5.7.1. This Plan will support flexible zoning provisions to permit a broad range of housing forms, including additional residential units.
- 5.7.2. An additional residential unit is permitted as of right, in addition to the primary residential unit, in single detached, semi-detached or townhouse dwellings as well as in accessory buildings or structures on lots associated with these dwelling types, provided they are in accordance with this policy and the applicable zoning by-law provisions.

The following criteria shall guide development of additional residential units.

- a) A maximum of two additional residential units are permitted, where one additional residential unit is in the same building as the primary dwelling unit and one additional residential unit is in an accessory building or structure.
- b) A lot containing a garden suite, in accordance with the policies in Section 5.4. Garden Suites, may also have an additional residential unit.
- c) Lots outside of designated settlement areas shall have a minimum lot area of 0.4 hectares to be eligible for an additional residential unit. This requirement may be reduced where it is demonstrated through a hydrogeological and site servicing study that the lot can be adequately serviced.
- d) Additional residential units shall only be permitted on lots having adequate sewage and water supply. Additional residential units being developed on private services are encouraged to utilize the existing private sewage disposal systems and wells.

- e) The floor area of the additional residential unit shall be equal to or smaller in size compared to the gross floor area, excluding attached garage area, of the primary residential unit without any substantial modification to the building's bulk or massing.
- f) The Zoning By-law shall contain appropriate performance standards for the creation of an additional residential unit, including lot area and frontage, yard setbacks, coverage, height, and landscaping to reflect the character of the neighbourhood. Additional residential units are not subject to density control requirements as defined in the applicable Zoning By-law.
- g) On-site parking is provided in accordance with the Zoning By-law.
- h) Additional residential units shall only be permitted on lots having frontage and access to a year-round municipally maintained road.
- i) Additional residential units shall not be permitted within buildings or structures that are located within the Environmental Protection designation, floodplain areas, water setback or other hazardous lands.
- j) Where applicable, additional residential units located in accessory buildings or structures shall comply with the Minimum Distance Separation formulae.
- k) An additional residential unit within an accessory building or structure shall not be severed from the lot accommodating the primary residential unit.
- l) Additional residential units shall comply with the provisions of the Ontario Building Code, Fire Code, Zoning By-law and all other relevant municipal and provincial standards.
- m) All additional residential units shall be registered in accordance with the City's Additional Residential Unit Registration By-law.
- n) Notwithstanding Section 5.7.2, within the Oak Ridges Moraine Conservation Plan area a maximum of one additional residential unit shall only be permitted within a single dwelling provided the single dwelling is located within the Settlement, Rural Settlement or Countryside land use designations; additional residential units are not permitted within the Natural Core Area or Natural Linkage Area designations.

5.7.3. Innovative building design is encouraged to facilitate subsequent opportunities to create additional residential units.

6. ECONOMIC DEVELOPMENT

6.1. GOALS:

- 6.1.1. To promote the growth and enhance the industrial base of the City in an environmentally, social and economically responsible manner.
- 6.1.2. To promote and enhance the commercial activities within the City to serve the needs of the residents and vacationing public.
- 6.1.3. To promote and enhance the tourism opportunities within the City.

6.2. OBJECTIVES

Industry

- a) Guide the City towards maximizing employment opportunities by striving to obtain a wide industrial base while ensuring that a high level of environmental and servicing standards are maintained.
- b) Create a planning and community development environment that promotes a competitive, flexible and adaptable economy to encourage investment and a broad range of employment opportunities.
- c) Promote and support the economic well being of existing industrial development.
- d) Work in conjunction with higher education facilities to encourage incubator industries and economic spin-off activities.
- e) Provide and maintain an inventory of serviced industrial land with a variety of lot sizes and access to major transportation corridors.
- f) Provide the opportunity for compatible commercial and office uses to locate in selected industrial areas.

Commerce

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

Tourism

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

Agriculture

- a) Recognize and promote the agricultural sector and its sustainability for future generations to continue farming;
- b) Support a healthy and productive agricultural industry as an important element to the City's heritage, identity and its economic base;
- c) Prevent infiltration of conflicting uses that will restrict or hinder its expansion or flexibility on the agricultural community;
- d) Raise awareness of the quality of the agriculture and agri-business sector in the City;
- e) Recognize that sustainable agriculture allows for flexibility of production, strong, financially viable farms that adapt to market fluctuations and other factors that may change over time;
- f) Promote educational programs that provide training for agricultural leadership expertise and innovation;
- g) Promote the provision of skilled jobs and agricultural career opportunities in the industry as opportunities for younger farmers and new agri-business operators;
- h) Identify and explore the development of new markets, crops, agricultural products, value-added processing and value-chain partnerships, locally, regionally and internationally;

- i) Protect the right-to-farm without overly onerous restrictions; and
- j) Protect long-term food security for Canadians with an emphasis on locally produced food.

7. COMMUNITY FACILITIES

7.1. GOAL:

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

7.2. OBJECTIVES:

- a) Foster a vibrant City that takes pride in its heritage, culture and resources, embraces all members of the community and celebrates its strengths.
- b) Provide open space, recreational, educational and cultural facilities for City residents, either through the City's own efforts or through the efforts of other public/private agencies.
- c) Provide an adequate level of police, fire protection and ambulance services to all City residents and businesses.
- d) Encourage the continued growth and development of early childhood and higher educational facilities in the City.
- e) Support and accommodate quality and cost effective community health care and delivery systems.
- f) Ensure coordination where community services are provided by organizations, which are distinct from the City or other levels of government.
- g) Encourage community facilities to locate in settlement areas to ensure the location of community services are convenient and physically accessible for all City residents and enhance appropriate access to recreational assets such as lakes, rivers and the Trent-Severn Waterway.
- h) Provide a four-season system of parks, recreation and open space facilities and linkages easily accessible to residents. Link open space and park areas to achieve an integrated park/open space system for both pedestrian and bicycle activities. Establish reasonable standards for the provision of parks and open space for City residents.
- i) Encourage and promote the development of linear multi-purpose trail systems to connect with the Trans Canada Trail and inter-municipal trail systems.
- j) When considering secondary plans and development applications, the City shall pursue the connection of trails among local communities and beyond City boundaries.
- k) Support and encourage the development of art and cultural facilities in the City.

8. OPEN SPACE, PARKS AND CROWN LANDS

8.1. GOAL:

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

8.2. OBJECTIVES:

- a) Provide for a continuous system of open space and hierarchy of parks throughout the City. The hierarchy will include City Parks, Community Parks, Neighbourhood Parks and Greenbelt lands.
- b) Provide for sufficient lands to meet the recreational needs of the population.
- c) Existing trail systems will be recognized with provisions to expand and improve as a linear park system throughout the City. The trail system will be based on input from residents and will be developed to accommodate various uses such as pedestrians, cyclists, wheelchairs, horseback riding and motorized uses such as trail bikes, ATV's and snowmobiles. The types of permitted uses on the various segments of the trail will depend on the location and how the trail is developed based on public input received.
- d) Municipal trailer parks to serve the vacationing public shall be recognized and designed to accommodate both short stays and day usage.
- e) Provincial parks and crown land will be identified. Since a municipality has very limited control when the lands are provincially owned, these lands will be identified for public awareness. If the province decides to patent or dispose of these lands, policies will be incorporated to guide future development or by requiring an amendment to the official plan. Natural heritage features within this area will be recognized within this Plan.
- f) The land within former Longford Township is entirely held in private ownership. The existing development will be recognized, with potential for new residential and private recreational development at a density consistent with the existing form of development recognizing the natural heritage features.

9. COMMUNITY IMPROVEMENT

9.1. GOAL:

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

9.2. OBJECTIVES

- a) Encourage community improvements, which encompass both public and private sector opportunities for the maintenance, improvement, rehabilitation and redevelopment of community structure.

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

9.3. POLICIES

- 9.3.1. Community Improvement Plans are for the purpose of upgrading, redeveloping and rehabilitating the physical environment of older neighbourhoods, recreational areas, commercial centres and industrial areas.
- 9.3.2. Community Improvement Project Areas may be identified by Council and enacted by way of a Community Improvement Project Area by-law.
- 9.3.3. The implementing and project specific Community Improvement Project Area by-laws may be passed by the Council pursuant to the provisions of this Plan and in accordance with the provisions of section 28 of the Planning Act.
- 9.3.4. Any further amendments to this Plan and the preparation of any implementing Community Improvement Project Area by-laws will be based on the following criteria:
 - a) Evidence exists of a need to improve municipal services such as roads, sidewalks, street lighting, parking, sewers, water supply, parks and recreation, community facilities, the waterfront areas or streetscaping. Improvements may apply to some or all of the listed services.
 - b) The clean-up and redevelopment of brownfield properties (if applicable) will be facilitated.
 - c) The phasing of improvements corresponds to the timing of improvements by the City and/or senior governments and is within the financial capability of the local municipality.
 - d) A significant number of buildings in an area show signs of deterioration and need of repair. Buildings in an area would benefit from improvements in energy efficiency.
 - e) Improvement to the visual appearance or aesthetics is required.
 - f) Improvements will have a significant impact on strengthening the economic base of the community.
- 9.3.5. Where a Community Improvement Plan is in effect, Council may make grants or loans to registered owners, assessed owners and tenants of land and buildings within the Community Improvement Project Area, to pay for the whole or any part of the cost of rehabilitating such lands and buildings.

- 9.3.6. In the development of Community Improvement Plans, the municipality will involve the residents of the affected areas in the identification of service level deficiencies and the evaluation of priorities.
- 9.3.7. Council will encourage the continuation and formation of Business Improvement Areas to enhance and maintain the viability of the commercial areas.
- 9.3.8. The municipality will enforce Property Standards By laws to maintain and rehabilitate existing buildings and structures.
- 9.3.9. The municipality will participate in senior government programs that provide financial assistance to implement Community Improvement Plans.

10. CULTURE AND HERITAGE

10.1. GOAL

Encourage the conservation and enhancement of cultural heritage resources.

10.2. OBJECTIVES

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

10.3. ARCHAEOLOGICAL CONSERVATION

- a) Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.
- b) Any archaeological assessment report prepared on an area located within Kawartha Lakes must be filed with the City at the time the report is filed with the Provincial Government.
- c) It is the policy of the City to keep confidential the existence and location of archaeological sites to protect against vandalism, disturbance, and the inappropriate removal of resources.
- d) The City will consider the development of an Archaeological Management Plan.
- e) The City shall consider the interests of Aboriginal communities in conserving archaeological resources.

10.4. MUNICIPAL HERITAGE COMMITTEE:

The Ontario Heritage Act provides for the creation of a Municipal Heritage Committee. Within the City of Kawartha Lakes, it is known as Heritage Victoria (formerly the City of Kawartha Lakes Local Architectural Conservation Advisory Committee). Heritage Victoria advises and assists Council on matters concerning conservation and designation of buildings of historic or architectural value. This may include the designation of individual properties as well as the designation of a group of properties as a Heritage Conservation District. In addition, the committee will undertake a public education initiative and establish criteria to manage an inventory database of the City's current and candidate heritage resources. The name of the municipal heritage committee may be changed without amendment to this Plan.

10.5. HERITAGE POLICIES:

- a) Cultural heritage resources of significant cultural heritage value or interest shall be identified, protected, and conserved.
- b) Through the review of development applications, the City shall require archaeological assessment by an archaeologist licensed by the Province where identified archaeological resources exist or where the potential for such resources exist.
- c) The City may require that a heritage impact assessment be prepared by a qualified person to the satisfaction of the City for any development or site alteration that has the potential to impact a cultural heritage resource.
- d) Any archaeological assessment report prepared on an area located within the City must be filed with the City at the time the report is filed with the Provincial Government.
- e) The City shall use the tools available to it under the *Municipal Act*, the *Planning Act*, the *Environmental Assessment Act*, and the *Ontario Heritage Act* to conserve cultural heritage resources.
- f) Cultural heritage resources shall be maintained in situ and in a manner that prevents deterioration and conserves the identified cultural heritage values or interest and/or identified heritage attributes of the cultural heritage resource.
- g) The City shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.
- h) The provisions of the *Funeral, Burial and Cremation Services Act* and its regulations shall be applied when marked and unmarked cemeteries or burial places are encountered during development, assessment or any excavation activity.
- i) The City shall maintain a Register of Heritage Properties as per the requirements of the *Ontario Heritage Act*.

- j) The City shall seek the advice of the Province regarding heritage conservation matters when appropriate.
- k) The municipality shall create and maintain a municipal heritage committee to advise on matters of cultural heritage.
- l) The City shall not permit the demolition, destruction or alteration or reuse of cultural heritage resources that results in the loss of identified cultural heritage values or interest and/or identified heritage attributes. If there is no other option, prior to the demolition or alteration of a cultural heritage resource, documentation shall be required of the property to the satisfaction of the City, and any appropriate advisory committee.
- m) The City shall lead the community in the management of its cultural heritage resources by providing good examples of proper heritage stewardship in the care and management of the municipally owned heritage properties.
- n) Heritage easements shall be used as a means of protecting significant cultural heritage resources, where appropriate.
- o) The City shall consider the interests of Aboriginal communities in conserving cultural heritage resources, including archaeological resources, as well as for the protection of human remains through the development approvals process and related master planning exercises.
- p) The City shall consider the development of an Archaeological Management Plan.

10.6. HERITAGE CONSERVATION DISTRICTS

10.6.1. Designation of Heritage Conservation Districts

A heritage conservation district is the most common type of cultural heritage landscape. Designation under Part V of the Ontario Heritage Act enables the protection of a heritage district while at the same time allowing for compatible new development in consultation with Heritage Victoria. Council may, by by-law, designate any area within the City, as a heritage conservation district.

10.6.2. Heritage Conservation District Study

Prior to designating an area as a heritage conservation district under Part V of the Ontario Heritage Act, the City must undertake a heritage conservation district study to determine the physical extent and appropriateness of the proposed district. The study process will include consultation with the public and Heritage Victoria. Candidate areas to be analyzed include, but are not limited to the following areas:

- Fenelon Falls (Oak Street)
- Fenelon Falls (Downtown)

- Lindsay (Downtown)
- Bobcaygeon (Downtown)
- Omemee (Main Street Area)
- Woodville (Main Street Area)
- Kinmount (Main Street Area)
- Sturgeon Point

10.6.3. Heritage Conservation District Plan

Pursuant to the Ontario Heritage Act, the City will adopt a heritage conservation district plan for each district that it designated. Such district plans are to be update from time to time.

10.6.4. Proposed Development

This analysis will be consistent with the requirements of Part V of the Ontario Heritage Act. Where it is determined that an area is eligible for designation as a heritage conservation district, and the process moves on to the Plan and Guidelines phase, any Plan and Guidelines document prepared must be consistent with the requirements of Part V of the Ontario Heritage Act.”

11. HOME BASED BUSINESSES

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

11.1 A home occupation must comply with the following provisions:

- a) it must be wholly contained within the dwelling unit;
- b) adequate parking on the lot for the use must be provided;
- c) the dwelling and lot must maintain a residential character and appearance;
- d) the uses must be compatible with the residential function of the on-site dwelling;
- e) it shall not occupy more than 25 percent of the floor area of the dwelling; and

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

11.2 A home industry must comply with the following provisions:

- a) it must be located in an accessory building that is detached from the on-site dwelling;
- b) adequate parking on the lot for the use must be provided;
- c) the dwelling and front and side yards of the lot must maintain a residential character with no outside storage of goods or materials;
- d) the use shall not be obnoxious and adjacent residential uses shall not be affected by noise, vibration, dust or odour from the use;
- e) the building shall not have a floor area greater than 80 sq. m. nor occupy more than 10 percent of the lot area (whichever is lesser); and
- f) if the use is food related, the proposed use should comply with the Health Unit's requirements with respect to the potability of the water and the protection of food from contamination with respect to the handling and storage.

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

12. RESERVED

13. PETROLEUM RESOURCES

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

14. WAYSIDE PITS AND QUARRIES

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

PART C – LAND USE DESIGNATIONS

15. PRIME AGRICULTURAL DESIGNATION

15.1. GOALS

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

15.2. OBJECTIVES

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

15.3. POLICIES

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

- agricultural uses
- agriculture-related uses
- single detached dwellings accessory to the other permitted uses

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

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

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

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

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

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

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

- 15.3.6. A residential lot for a retiring farmer or for infilling shall not be permitted and retiring farmers are encouraged to reside in a nearby hamlet or urban area.
- 15.3.7. A severance for a minor lot line adjustment may be permitted provided it does not create a separate building lot that would otherwise require an amendment to this Plan.
- 15.3.8. Existing commercial or industrial uses may be zoned to recognize the existing use or a similar use provided that the use:
- a) will have no adverse effects upon surrounding uses;
 - b) will comply with the Minimum Distance Separation criteria; and
 - c) any expansion will be minor in size.
- 15.3.9. A garden suite is permitted subject to the provisions of this Plan. In addition, the garden suite shall be a temporary use for farm help or for a retiring farmer. It should be located in close proximity to the existing farm residence and not in a location that would be disruptive to the farming operation or in a location conducive to its possible future severance. It should utilize the existing farm residence driveway if possible.
- 15.3.10. All farm and non-farm development will comply with the minimum distance separation formulae established by the Province in order to minimize odour conflicts between livestock facilities and development, as amendment from time to time.
- 15.3.11. In Prime Agricultural designated areas and on prime agricultural land, extraction of mineral aggregates may be permitted as an interim use provided that rehabilitation of the site will be carried out whereby substantially the same area and same average soil quality for agriculture are restored. On these prime agricultural lands, complete agricultural rehabilitation is not required if:
- there is substantial quantity of mineral aggregate below the water table warranting extraction, or the depth of planned extraction in a quarry makes restoration of pre extraction agricultural capability unfeasible;
 - other alternatives have been considered by the applicant and found unsuitable;
 - Agricultural rehabilitation in remaining areas will be maximised.
- 15.3.12. With the exception of an application for a new aggregate operation, in evaluating an amendment to this Plan to change the designation from Prime Agricultural to another designation, the municipality shall be satisfied that there is a demonstrated need for the proposed use for which the amendment is sought, and that it cannot

be reasonably located on lands outside the Prime Agricultural designation or on the lands within the Prime Agricultural designation with a lower agricultural capability. In the case of expanding the Urban Settlement designation upon lands designated as Prime Agricultural then it must be demonstrated that the municipality does not have sufficient lands already designated Urban Settlement to accommodate projected growth.

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

15.4. SPECIAL PROVISIONS:

- 15.4.1. Notwithstanding Section 15.3.3 b) of this Plan, for the lands described as Part of North Half of Lot 1, Concession 10, geographic Township of Mariposa, a boundary adjustment may be permitted to provide for the addition of agricultural land to an existing permitted abattoir use provided that no new lot is created and uses permitted thereon are limited to agricultural activities and uses permitted in the Zoning By-law.
- 15.4.2. Notwithstanding the Prime Agricultural policies of Section 15 of this Plan to the contrary, on land described as Part of Lot 5, Concession 9, being Part 2, Plan 57R-1197, geographic Township of Mariposa, a consent shall be permitted to create a rural residential lot to allow these lands to be used for rural residential purposes.
- 15.4.3. On land designated Prime Agricultural and described as Part of Lot 13, Concession 7, geographic Township of Manvers, now City of Kawartha Lakes and identified as 804 Highway 7A, on-farm diversified uses and agri-tourism uses are permitted.

Without limiting the uses permitted, they generally include:

Social events such as farm based educational programs, workshops on farming operations, gallery space, displays of farm equipment in a museum setting, dances, musical and artistic performances, weddings, private parties, charitable fund raisers, farm to table dinners, corporate functions, and accommodation in a limited number of un-serviced pioneer cabins and a bed and breakfast in the existing dwelling on the property as of the date of adoption of the By-law. All permitted uses are permitted to obtain liquor licenses.

Specific provisions and development standards related to the uses shall be outlined in the implementing Zoning By-law.

- 15.4.4. Notwithstanding the Prime Agricultural policies of Section 15 of this Plan to the contrary, on a portion of land described as Part of Lot 17, Concession 3, geographic Township of Mariposa, a consent shall be permitted to create a rural

residential lot on lands addressed as 422 Ranch Road containing an existing single detached dwelling, to be used for rural residential purposes.

- 15.4.5. Notwithstanding the Prime Agricultural policies of Section 15 to the contrary, in addition to permitted uses of Section 15.3.1, a portion of the lands legally described as Part of Lot 19, Concession 1, geographic Township of Ops, identified as 1407 Elm Tree Road shall further be permitted to have an on-farm diversified use as a secondary use to the prime agricultural use, consisting of offices for health practitioners and a yoga studio within an existing outbuilding.
- 15.4.6. Notwithstanding the Prime Agricultural policies of Section 15 to the contrary, in addition to permitted uses of Section 15.3.1, a portion of the lands legally described as Part of Lots 18 to 20, Concession 11, geographic Township of Ops, identified as 1082 Lilac Road shall further be permitted to have a meeting house for a place of worship and gathering.
- 15.4.7. Prime Agricultural lands at Part of Lot 2, Concession 22 in the Former Township of Ops may be severed resulting in a retained parcel of approximately 5.9 hectares and a severed parcel of approximately 4.1 hectares. The severed lot is to be used in accordance with Prime Agricultural policies as outlined in the City of Kawartha Lakes Official Plan..

16. RURAL DESIGNATION

16.1. GOALS

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

16.2. OBJECTIVES

- a) Protect agricultural lands from non-farm activities and ensure that non-agricultural uses and development is encouraged to locate within designated settlement areas.
- b) To protect and strengthen the agricultural community while permitting uses that would support the agricultural community and would not conflict with them.
- c) Support farming operations as an important component of the economy, a source of employment and a way of life for many rural residents.
- d) Recognize farming as a vital participant in the protection of the environment and encourage sustainable farming practices.

- e) Encourage agriculture-related businesses on farms to strengthen the viability of the agricultural industry sector and minimize severances for non-agricultural activities.
- f) Support the advancement of agricultural production and management.
- g) Provide for the wise use and management of resources and resource based recreational activities.

16.3. POLICIES

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

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

- abattoirs
- forestry management
- sawmills
- hunt camps

- 16.3.1. The permitted uses in the Prime Agricultural designation are permitted and apply in this designation.
- 16.3.2. The Minimum Distance Separation Formulae will be used to ensure appropriate buffering to protect existing agricultural operations.
- 16.3.3. Permitted agriculture-related, commercial and industrial uses, wherever possible, shall be consolidated into groups rather than spread out along roadways and should be located where the uses can provide adequate off-street parking and loading facilities and will not adversely affect traffic movement.
- 16.3.4. Golf Courses will be permitted subject to the following:
- a) have frontage onto an Arterial Road or Provincial Highway;
 - b) obtain an entrance permit for the proposed use;
 - c) have no adverse effects upon surrounding uses;
 - d) be compatible with and will not hinder agricultural operations; and
 - e) appropriate studies, acceptable to the City, demonstrating that it will not adversely impact natural significant features and has a minimal impact on watercourses, groundwater resources, agriculture or other environmentally sensitive features;
- 16.3.5. The City recognizes as generally desirable the consolidation of farms wherever possible. Dwellings that become surplus as a result of a consolidation of abutting farm parcels may be severed provided that:
- a) the residential lot does not exceed 1 hectare in area and is not less than 4,000 sq.m. in area;
 - b) the residential lot meets the Minimum Distance Separation Formula;
 - c) the dwelling is not required for farm employees; and
 - d) any adjoining agricultural parcels owned by the applicant are merged into a single lot.
- 16.3.6. Dwellings that become surplus as a result of a consolidation of non-abutting farm parcels may be severed provided the criteria of 16.3.6 a), b) and c) above are met and that the retained agricultural land be zoned to prohibit any residential use.

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

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

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

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

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

16.4. SPECIAL PROVISIONS

16.4.1. Notwithstanding the Rural policies of Section 16 of this Plan to the contrary, on land described as Part of Lot 6, Concession 5, geographic Township of Fenelon, and municipally known as 3922 Highway 35, a commercial indoor vehicle storage facility use is also permitted. Specific provisions and development standards related to use shall be outlined in the implementing zoning by-law including specifying and limiting the type and scale of the specific use by limiting the amount of floor area while ensuring that all parking and storage is located within an enclosed building.

16.4.2. On land designated Rural on 354 Angeline Street South and described as Part of Lot 16, Concession 5, geographic Township of Ops, now City of Kawartha Lakes, a Business/Professional Office and a Fairground with ancillary facilities including exhibition, entertainment, stand alone camping areas and a tourist camp shall be permitted uses.

16.4.3. Notwithstanding the Rural policies of Section 16 of this Plan to the contrary, on a portion of the subject land (addressed as 94 Centreline Road) described as Part of Lot 11, Concession 7, geographic Township of Emily, a severance by consent under Section 53 of the Planning Act may be granted for an existing second detached dwelling that is considered surplus to the property known municipally as 88 Centreline Road.

16.4.4. Notwithstanding any other provisions of this Plan, land designated Rural and described as Part Lot 5, Concession 4, former Township of Verulam, and known as 2152 City Road 36 may be severed to create a residential lot with an existing single detached dwelling that has a maximum lot area of 1.8 ha.

- 16.4.5. Notwithstanding Section 16.3.8, for those lands designated “Rural” in part of Lot 13, Concession 7, geographic Township of Emily, the minimum lot size shall be 13.5 hectares.
- 16.4.6. Notwithstanding the Rural policies of Section 16 to the contrary, in addition to permitted uses of Section 16.3, lands legally described as Part Lot 21, Concession 13, geographic Township of Manvers, identified as 344 Old Mill Road shall further be permitted to have retreat-based uses, a religious educational centre with boarding rooms and dining facilities and place of worship (temple) on a portion of the lands. Specific provisions related to the educational centre and temple, including the size of buildings and number of rooms, shall be outlined in the implementing zoning by-law.
- 16.4.7. Notwithstanding Sections 16.3.5 through 16.3.9 of this Plan, on Part of Lot 16, Concession 1, Geographic Township of Verulam, on lands designated as Rural, a maximum of two (2) rural residential lots may be established. The retained lands shall not be reduced below 38.7 hectares.
- 16.4.8. Notwithstanding the Rural policies of Section 16 of this plan, on a portion of the subject land (addressed as 273 County Road 30) described as part of Concession 3, Lot 16, geographic Township of Verulam, a consent under Section 53 of the Planning Act may be granted for lot creation for residential uses other than a dwelling deemed surplus to a farming operation or a farm retirement lot for a bona fide farmer.
- 16.4.9. . Notwithstanding any policies to the contrary, on lands located in Part Lot A, Concession 1 and 2, Part of Lot 1, WB Range, formerly in the geographic Township of Bexley, now the City of Kawartha Lakes, and identified as Rural on Schedule “A-7” , up to 3 new residential lots may be created on the subject lands within the ‘Rural’ designation, subject to the applicable policies of the Official Plan and provided that a Karst Assessment is completed at the time of the consent application.
 - i. Prior to commencement of on-site works, the applicant shall demonstrate, to the satisfaction of the City, that the recommended mitigation measures detailed in the Environmental Impact Study, prepared by Oakridge Environmental Ltd., dated February 2019, and the Environmental Impact Study Addendum prepared by Oakridge Environmental Ltd., dated September 2022 have been implemented.
- 16.4.10. Notwithstanding Section 16 of this Plan, lands designated ‘Rural’ on Part of Lot 17, Concession 2, Township of Somerville in the City of Kawartha Lakes, identified as 1062 3rd Concession, geographic Township of Somerville in the City of Kawartha Lakes, which are the subject of this Amendment, may be developed subject to a

consent approval to permit a lot line adjustment with the retained lot to have a lot area of not less than 22.78 hectares.

17. ENVIRONMENTAL PROTECTION DESIGNATION

17.1. GOAL:

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

17.2. OBJECTIVE:

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

17.3. POLICIES

- 17.3.1. Permitted uses within this designation should maintain the unique natural characteristics of such lands and should not contribute to problems of erosion, flooding, pollution or the deterioration of the environment. The following uses may be permitted within the Environmental Protection designation:
- a) Agricultural, excluding buildings or structures
 - b) Buildings or structures for erosion or flood control
 - c) Conservation, excluding buildings or structures
 - d) Forestry, excluding buildings or structures
 - e) Nursery and market gardening, excluding buildings or structures
 - f) Recreation or park purposes, excluding buildings or structures
 - g) Wildlife management areas, excluding buildings or structures
- 17.3.2. The creation of lots within the Environmental Protection designation will not be permitted for the purpose of development.
- 17.3.3. If a lot is to be created that is partially designated as Environmental Protection, sufficient lot area based on the abutting land use designation outside of the Environmental Protection designation must be maintained for the proposed use.

- 17.3.4. In some instances, the boundary of the Environmental Protection designation may be found not to reflect the true limit of the land subject to flooding or having a natural hazard. To determine this, an evaluation shall be undertaken by the landowner to demonstrate that the land is not subject to flooding or other physical hazard. The evaluation shall be reviewed and approved by the City and the Conservation Authority. The City will consult with the Conservation Authority or other expertise in the review of the evaluation. If it is found through the evaluation that the boundary is in error and the land is not subject to flooding or other physical hazard, then an alternate use permitted in the abutting land use designation may be considered and the land appropriately zoned. This provision applies where the designation boundary is found to be in error and the proposed use is minor and it is determined by the City that an amendment to the Plan is not required.
- 17.3.5. Where detailed flood plain or wetland mapping exists or becomes available, the boundaries of the Environmental Protection designation may be interpreted as corresponding to the limits of the flood plain or wetland. For areas within the City that are not covered under the jurisdiction of a conservation authority, the need for detailed floodplain or wetland mapping will be determined through the development application review process.
- 17.3.6. Where regulations are in effect, no placing or removal of fill of any kind, whether originating on the site or elsewhere shall be permitted within this designation unless such is approved by the City, Conservation Authority or MNR.

17.4. PUBLIC ACCESS

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

17.5. PARKLAND DEDICATION

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

17.6. EXISTING BUILDINGS OR STRUCTURES

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

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

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

17.7. SPECIAL POLICY AREA

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

17.8. SPECIAL PROVISIONS:

- 17.8.1. On land designated Environmental Protection on 354 Angeline Street South and described as part of Lot 16, Concession 5, geographic Township of Ops, now City of Kawartha Lakes, passive recreational uses including limited structures such as footbridges, dock and boardwalks shall be permitted uses.
- 17.8.2. On land designated Environmental Protection on the subject land known municipally as 19 and 67 West Street North and described as Part of Lot 23, Concession 9, Parts 1 to 3, Plan 57R-8353, Parts 1 and 2, Plan 57R-2352, Lots 53-54, Part Third Street (Closed), Plan 190, geographic Township of Fenelon, City of Kawartha Lakes, in addition to a natural native vegetated buffer to be implemented with a planting plan, recreational uses and associated structures, including the existing boat house, one (1) shoreline access trail, and an associated water access is permitted. Specific provisions related to above are to be outlined in the implementing zoning by-law.

18. URBAN SETTLEMENT DESIGNATION

18.1. VISION, STRATEGIC DIRECTIONS AND GOALS:

18.1.1. Vision

The City of Kawartha Lakes contains four (4) Urban Settlement Areas consisting of Lindsay, Bobcaygeon, Fenelon Falls, and Omemee.

The development of the City of Kawartha Lakes' four urban settlement areas shall be based on the following Vision and Strategic Directions developed based on the input from community consultation activities.

Growth in these four urban settlement areas shall be based on the following vision:

“Over 20 years, the Kawartha Lakes settlement areas will grow as healthy communities, Provide new employment and educational opportunities to its residents, preserve the natural environment and cultural heritage, develop affordable and adequate housing for the changing population, and provide healthy, active recreational opportunities for local residents and tourists”

18.1.2. Strategic Direction

The following strategic directions were identified for all of the settlement areas:

- a) To encourage economic development
- b) To improve infrastructure
- c) To preserve natural environment and improve the water quality
- d) To promote recreational activities
- e) To provide adequate housing (barrier-free) for persons with disabilities
- f) To promote healthy/active communities
- g) To preserve the small town feel and unique identities

18.1.3. Goals

- To manage growth through efficient land use and development that supports strong, liveable and healthy communities, protects the environment and public health and safety and facilitates economic growth.
- To apply land use designations that permit an appropriate range of uses and to incorporate the Secondary Plan policies for the Urban Settlement Areas of Lindsay, Fenelon Falls, Bobcaygeon, and Omemee.

To provide general growth management policies that are applicable to all Urban Settlements.

18.2. OBJECTIVES

- a) Encourage smart growth that is fiscally responsible, financially sustainable, respects the uniqueness of each community and protects the natural environment.
- b) Ensure that growth is consistent with environment first principles and that development integrates with the natural features.
- c) Direct the majority of growth to existing communities consistent with historic trends and the ability of the communities to sustain further growth.
- d) Ensure that appropriate economic development is a fundamental component of future growth in the City.
- e) Minimize potential conflicts between residential and sensitive land uses and commercial and industrial uses.
- f) Promote opportunities for intensification and redevelopment including brownfield sites and the availability of suitable existing or planned infrastructure and public services required to accommodate projected needs.
- g) To incorporate the policies of the secondary plans for Lindsay, Fenelon Falls, Bobcaygeon, and Omemee.
- h) Provide a sustainable framework for accommodating growth within the settlement areas.
- i) Integrate intensification with the local character of the settlement areas historic downtowns and main streets and established neighbourhoods.
- j) Provide opportunities for active transportation supportive, mixed use, compact development.
- k) Provide opportunities for employment lands development.
- l) Make efficient use of infrastructure.

18.3. POLICIES:

- 18.3.1. The predominant uses of land in the areas so designated shall be residential, recreational, institutional, industrial, cultural and commercial uses, according to the land use designations included in the Secondary Plans for the Urban Settlement Areas of Lindsay, Fenelon Falls, Bobcaygeon, and Omemee.
- 18.3.2. The boundaries of the Urban Settlements are as defined on Schedules A-3 and A-5 of this Official Plan.

- 18.3.3. On an interim basis, until such time as the Secondary Plans for Bobcaygeon and Omemee have been approved, the policies and the maps of the County of Victoria Official Plan shall continue to apply.

18.4. GROWTH MANAGEMENT

18.4.1. Permanent Population Projections

Permanent population projections for the Urban Settlement Areas are as follows:

Settlement Area	Population Base 2016*	Population Base (2031)	Population Base (2051)**
Lindsay	20,713	31,002	TBD
Bobcaygeon	3,525	4,625	TBD
Fenelon Falls	2,464	3,640	TBD
Omemee	1,271	2,143	TBD
*Data is sourced from the 2016 Census.			
**Note: The population base by settlement area is to be determined through the next municipal comprehensive review.			

18.4.2. Growth Management Strategy

In addition to the policies in Section 4, the growth related objectives within the settlement areas are:

- To protect stable neighbourhoods by directing more dense development to the downtowns, mainstreets, main intersections and strategically located intensification areas within the settlement areas' built-up Area;
- To encourage the redevelopment of brownfield areas;
- To build compact, mixed-use, transit supportive, pedestrian friendly areas within the built-up area and Greenfield Areas.

- 18.4.3. The City recognizes that it has a surplus of designated greenfield land to support future residential and non-residential development. In accordance with policy 4.1.3, the City may adjust settlement boundaries outside of a municipal comprehensive review. Except as provided for in policy 4.1.3, the City shall only designate additional greenfield land if justified through a comprehensive Official Plan review, which includes updates to the growth management, transportation, and municipal servicing strategies.

18.4.4. The City recognizes that the Growth Management Strategy (May 2011) did not include a comprehensive review of the commercial hierarchy and until such time that a full commercial lands study is undertaken, the City will generally require an Official Plan Amendment to designate new commercial lands that would permit approximately 3,000 square metres or greater of gross floor area, subject to a retail market study completed to the satisfaction of the City.

18.4.5. The City shall coordinate forecasted growth and planned infrastructure upgrades.

18.5. HOUSING

18.5.1. The future housing growth for the settlement areas is provided below. The Secondary Plans' land use designations and policies are based on serving this anticipated housing growth.

Settlement Area	Total Units (2016)*	Projected Total Units (2031)	Total Units (2051)**
Lindsay	9,085	13,657	TBD
Bobcaygeon	1,715	2,037	TBD
Fenelon Falls	1,130	1,604	TBD
Omeme	520	944	TBD
*Data is sourced from 2016 Census.			
**Note: The 2051 housing units by settlement area is to be determined through the next municipal comprehensive review.			

18.5.2. In accordance with the Growth Management Strategy (May, 2011), this plan seeks the following overall mix of housing types across all of the urban settlement areas to achieve a target density of 40 units and jobs per hectare: 75% of new units will be detached/semi-detached (low density), 19% will be townhouse units, row houses, walk-up apartment and similar housing forms (mid density) and 6% will be apartment units (high density).

18.5.3. Provide housing opportunities that offer a range of dwelling types, densities, tenure, accessibility options and cost to meet the diverse needs of people from various social, cultural and economic backgrounds, including persons with disabilities.

- 18.5.4. The City shall encourage innovative and appropriate housing proposals that exhibit unique design and adaptability characteristics, and may represent non-traditional additions to the existing housing stock.
- 18.5.5. This Plan will support zoning provisions that are flexible enough to permit an appropriate range of housing forms, including secondary suites.
- 18.5.6. Additional dwelling units are permitted as of right, in addition to the principal dwelling unit, of single-detached, semi-detached, and row houses dwellings through a Zoning By-Law or minor variance application. The following criteria shall be considered when evaluating proposals for the creation of additional dwelling units:
- i. Shall be secondary to the main/primary dwelling unit;
 - ii. One apartment unit per dwelling;
 - iii. The floor area of the additional dwelling unit is equal to, or less than, the gross floor area of the principal unit without any modification to the building's bulk or massing;
 - iv. One (1) additional on-site parking space is provided exclusively for the additional dwelling unit;
 - v. The additional dwelling unit is not located in an attached garage;
 - vi. There is sufficient capacity of municipal sanitary sewer and water supply;
 - vii. Compliance with the provisions of the Ontario Building Code, Fire Code, City's Zoning By-Law and all other relevant municipal and provincial standards;
 - viii. Registration of the additional dwelling unit in accordance with the City's Secondary Suites Registration By-law; and
 - ix. A lot may not have both an additional dwelling unit and a garden suite.
- 18.5.7. Building design is encouraged to facilitate subsequent conversion to provide additional housing units, such as secondary suites.

Affordable Housing

- 18.5.8. The City recognizes the definition of "affordable" as stated in the Provincial Policy Statement (2020). The City's affordable housing initiatives are designed to provide a full range of housing by type, tenure and affordability, within all urban residential neighbourhoods, with a focus to produce housing for low income residents of the City.

- 18.5.9. The City shall support the development of specialized housing that meets the needs of persons requiring specialized care.
- 18.5.10. The City shall support the endeavours of non-profit groups to develop non-profit and co-operative housing projects.
- 18.5.11. The City shall encourage the private sector to incorporate rent-geared-to-income dwelling units into multiple dwelling unit housing.
- 18.5.12. An affordable housing component contributing to an overall affordable housing City-wide target in Section 5.3.5 will be necessary for any new development where 50 or more dwelling units are proposed.
- 18.5.13. It is expected that the affordable housing component could be achieved through the provision of townhouses, stacked townhouses, apartments, and/or secondary suites.
- 18.5.14. A portion of the affordable housing units should be accessible for people with disabilities.
- 18.5.15. The City shall ensure that the zoning by-law enables affordable housing as contemplated in policies 18.5.12.1 and 18.5.12.2
- 18.5.16. The location and development of assisted housing units shall have regard for the proximity of transit routes, schools, recreation facilities, open space and commercial areas and the availability of municipal services.
- 18.5.17. The City shall discourage the conversion of rental housing stock to freehold, if such a conversion results in a reduction of the amount of rental housing available to an unacceptable level.
- 18.5.18. The City will consider innovative financial arrangements to encourage and support the development and maintenance of non-profit and affordable housing, such as:
 - a) height and density incentives;
 - b) Community Improvement Plans;
 - c) grants in lieu of development charges; and
 - d) reduced municipal fees and charges.

18.6. INTENSIFICATION AREAS

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

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

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

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

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

18.6.4. While intensification is encouraged within a settlement area's existing built boundary, the strategic location for intensification projects should generally be within the downtowns (while not undermining the heritage value of the downtown), on main streets, and on brownfield sites and other large sites, to maximize potential for intensification within the settlement areas, as these areas are considered to be the most appropriate locations for intensification. Furthermore, it is expected that the majority of the intensification will occur in Lindsay. Refer to Schedules F1 to F4, which identify the settlement areas' built boundaries.

- 18.6.5. Intensification corridors are generally located along arterial roads, and along main streets within the settlement areas' built-up area as delineated in the Secondary Plans. Intensification corridors will be planned to:
- a) achieve increased residential and employment densities;
 - b) Support and ensure the viability of existing and planned transit service levels where applicable; and
 - c) achieve a mix of residential, office, institutional, and/or commercial development wherever appropriate.
- 18.6.6. The City's strategy for achieving its intensification target includes the following:
- a) Providing land use compatibility policies including those within Sections 3.8 Separation and Buffering of Uses and 3.9 Noise Studies in this Plan to ensure that intensification occurs in an appropriate manner;
 - b) Providing policies in accordance with Sections 18.5.11 and 18.5.12 in this Plan which allow for appropriate infilling throughout the Built-Up Area;
 - c) Providing policies in accordance with Sections 5.7.5, 5.7.6 and 5.7.7 in this Plan which allow for the creation of secondary suites;
 - d) Providing financial incentives for reinvestment in strategic locations through Community Improvement Plans (Downtown Community Improvement Plan and Brownfield Community Improvement Plan);
 - e) Making strategic investments in public realm and infrastructure within the downtown and other intensification areas; and
 - f) Identifying intensification sites and intensification corridors as further described in the Secondary Plans.
- 18.6.7. It is recognized that the Ministers of the Crown and the City will use infrastructure investment and other implementation tools and mechanisms to facilitate intensification.
- 18.6.8. The City will maintain and monitor an inventory of intensification sites. Efforts will be focused on encouraging development of these sites. The City will develop a monitoring program to track its intensification rate on an annual basis.
- 18.6.9. Amendments to the Zoning By-law will be considered to facilitate development on intensification sites. The preparation of a set of Urban Design Guidelines to ensure that development is attractive and consistent with the surrounding neighbourhood and overall vision of this Plan is encouraged.
- 18.6.10. Intensification will be phased in over time to ensure a balance of redevelopment and Greenfield development in the settlement areas. The City will work with the

Province to ensure that an adequate amount of services are in place within its intensification areas to support growth.

- 18.6.11. New development in existing neighbourhoods (redevelopment, intensification or infill) shall complement the character defined by the existing built form and landscaping prevalent in that neighbourhood. The City will maintain and improve existing neighbourhoods through tools such as By-laws (e.g., property standards, tree cutting), civic beautification, heritage conservation initiatives, and urban design guidelines.
- 18.6.12. Intensification or infill in residential areas may require a different lot pattern and configuration, but should address the following principles:
- a) Land use and neighbourhood character compatibility;
 - b) Pedestrian connectivity and accessibility;
 - c) Parking requirements;
 - d) Appropriate on-site vehicular circulation;
 - e) Potential for transit ridership in communities where transit is provided;
 - f) Natural (including natural hazards) and built heritage conservation / protection, and where appropriate, enhancement;
 - g) Available servicing capacity of municipal infrastructure; and
 - h) Residential intensification targets identified in this Plan.

18.7. DESIGNATED GREENFIELD AREAS

- 18.7.1. New development taking place in designated Greenfield areas will be planned designated, zoned and designed in a manner that:
- contributes to creating compact complete communities;
 - creates street configurations, densities, and an urban form that support walking, cycling, and the early integration and sustained viability of transit services;
 - provides a diverse mix of lands uses, including residential and employment uses, to support vibrant neighbourhoods;
 - creates high quality public open spaces with site design and urban design standards that support opportunities for transit, walking and cycling; and
 - allows for the efficient use of land, infrastructure and public service facilities.

- 18.7.2. New development areas or Greenfield areas will be planned to achieve a minimum density target that is not less than 40 residents and jobs combined per hectare and phased in a manner to assist with achieving the intensification target for new residential units being constructed in the built up area. The City will closely monitor its Greenfield developments to ensure that the City's overall Greenfield target will be achieved.
- 18.7.3. The density target will be measured over the entire designated Greenfield areas within the City, excluding the following features where the features are both identified in any applicable official plan, secondary plan or provincial plan, and where the applicable provincial plan or policy statement prohibits development in the features: wetlands, coastal wetlands, woodlands, valley lands, areas of natural and scientific interest, habitat of endangered species and threatened species, wildlife habitat, and fish habitat. The area of the features will be defined in accordance with the applicable provincial plan or policy statement that prohibits development in the features.
- 18.7.4. Refer to Sections 18.7.8, 18.7.9, and 18.13.1 to 18.13.8 of this Plan for policies related to the design of new neighbourhoods.
- 18.7.5. The City will maintain and monitor an inventory of its Greenfield lands. The City will develop a monitoring program to track the density of development and the achievement of housing mix targets within Greenfield Areas.
- 18.7.6. Amendments to the Zoning By-law will be considered to facilitate development on Greenfields.
- 18.7.7. Greenfield development will be phased in over time to ensure that a balance of both intensification and Greenfield development is achieved. To ensure this balance, the City will:
 - a) Ensure that infrastructure phasing is aligned to reflect this balanced approach to development;
 - b) Develop a phasing strategy for its Greenfield Areas; and
 - c) Ensure that Greenfield development occurs in an orderly and logical fashion.
- 18.7.8. New neighbourhoods will be planned to support the municipality's density target of a combined 40 residents and jobs per gross hectare on designated Greenfield lands. New neighbourhoods shall have clearly defined character with built form and landscaping which meets, or exceeds, the standards established by other development in the City. New neighbourhoods should be visually interesting by discouraging repetitive built form and incorporating a variety of building materials, landscaping, open space and environmental and natural and built heritage

features. New neighbourhoods will be encouraged to incorporate energy efficiency initiatives such as energy efficient materials, low maintenance landscaping treatments, infrastructure innovations (including but not limited to LED street lights), consideration of building orientation for passive solar gains, and a transportation network which promotes active and healthy living and reduces dependency on the automobile. The City will encourage place-making and more specific design requirements for new neighbourhoods through tools such as concept plans, urban design guidelines and accessibility design guidelines.

- 18.7.9. New neighbourhoods shall be connected to the rest of the City by public streets and public trails. New streets and blocks should be consistent with, and extend from, the existing street pattern.

18.8. BROWNFIELD REDEVELOPMENT

- 18.8.1. The City actively supports brownfield redevelopment. The City supports the reuse and redevelopment of its brownfield areas.
- 18.8.2. Brownfield redevelopment is supported by the City's Green Hub Community Improvement Plan, which includes a Brownfield Tax Assistance Program.
- 18.8.3. The City will provide municipal leadership and work with developers and entrepreneurs to find new opportunities and partnerships in addressing the redevelopment of brownfields.
- 18.8.4. Brownfield redevelopment should receive special attention to achieve high standards of pollution abatement and sustainable building design.
- 18.8.5. In order to ensure that there will be no adverse effects from any proposed development, prior to development occurring on known or potentially contaminated sites, environmental site assessments and remediation of contaminated lands are required by this Plan prior to any activity or development occurring on a site that is known or suspected to be contaminated. Any measures needed to remediate or mitigate the contamination will be identified and implemented.
- 18.8.6. Where there is evidence that suggests a site may be contaminated, Council shall require a Phase I Environmental Site Assessment (ESA). Where a Phase I ESA reveals that a site is or may be contaminated, a Phase II ESA will be required in accordance with Part XV.I of the Environmental Protection Act and Ontario Regulation 153/04 or their successors.
- 18.8.7. The City will monitor and maintain an inventory of brownfield sites. Efforts will be focused on revitalizing priority sites listed in the inventory.

18.9. ECONOMIC DEVELOPMENT

- 18.9.1. Council shall develop an Economic Development Strategy to promote employment growth and provide local job opportunities within the settlement areas.
- 18.9.2. The City shall enhance and protect the settlement areas long term fiscal position through increased non-residential tax assessment.
- 18.9.3. Council shall ensure employment areas are serviced to attract new businesses and to support the Employment Lands policies in this Plan. Refer to the applicable policies for employment lands in Section 18.10.
- 18.9.4. Residential and employment development shall be linked to ensure a balanced community and to maintain or enhance the live-work ratio in each settlement area.
- 18.9.5. The tourism industry will be expanded and promoted within the settlement and rural areas for recreation, eco-tourism, agri-tourism and other attractions. To ensure this the City will:
 - a) Encourage the provision of land and infrastructure for continued sustainable development of tourist facilities.
 - b) Promote the location of high quality tourist facilities and accommodations in the settlement areas.
 - c) Work with the Provincial and Federal Governments for the protection and enhancement of the Trent-Severn Waterway and other waterways. These important cultural and recreational features will be protected, ensuring that water quality needs are balanced against the demand for recreational use and tourism.
 - d) Work with the Provincial and Federal Governments and the Conservation Authorities while planning for lands adjacent to the Trent-Severn Waterway and other waterways.
 - e) Maintain, protect and enhance the tourism assets in the settlement areas, including the recreational areas along the lakes, rivers and the Trent-Severn Waterway, and downtown and main street areas. Develop an inventory of tourist attractions within the settlement areas and determine the areas of improvement.
 - f) Pursue opportunities to improve the waterfronts and shorelines within the settlement areas by providing more boating amenities, docks, public washrooms and/or comfort stations as a way to keep boaters in town to take advantage of local business and entertainment.
 - g) Promote eco-tourism through the enhancement and development of trail systems and other recreational opportunities along the shorelines through partnerships with the Conservation Authorities, Parks Canada and other relevant organizations.

- h) Promote the downtowns of Lindsay, Fenelon Falls, Bobcaygeon, and Omemee as a cultural heritage and recreational destination, including the Trent-Severn Waterway locks, the lakes and rivers system and the trail systems, where these features are present.
- i) Protect and improve the amenities, cultural heritage and facilities in downtowns, main streets and recreational areas as these will continue to be important for attracting and retaining residents and visitors.
- j) Promote the City's agri-tourism by permitting this use within the settlement areas subject to an amendment to the Zoning By-law. Other uses permitted shall include value-added uses that deal with the commercialization of agricultural products.
- k) Promote the settlement areas as destinations for agri-tourism and culinary tourism by providing land use planning support, direction and development.

18.9.6. The City will ensure that there is an appropriate distribution of commercial areas provided throughout the settlement areas and that future growth occurs in an orderly manner. In order to ensure proper commercial development the City will:

- a) Ensure that the land use policies reflect an appropriate range of commercial uses.
- b) Recognize both residents and visitors' needs when planning for retail and commercial uses within the downtown areas, main street areas, mixed-use corridors and other commercial areas.
- c) Ensure that commercial uses are provided in accordance with the retail hierarchy and planned function established by the Secondary Plans for each settlement area.
- d) Ensure that there is a sufficient supply of commercial land to meet projected market demand for commercial goods and services within the settlement areas.
- e) Promote existing designations and vacant land development by ensuring that these areas are built-out before any major expansion to existing designated areas occurs in order to make an efficient use of designated lands and reduce vacancy rates.
- f) Promote opportunities for intensification and redevelopment on commercially designated lands located within the built up area of the City.
- g) Ensure that all new commercial and retail development is designed in a manner, which is accessible to all and accommodates the needs of pedestrians, cyclists and all other modes of applicable transport.
- h) Ensure that new commercial developments are planned to minimize the potential negative impacts on adjacent land uses and transportation infrastructure.
- i) Ensure that new commercial areas or expansions are warranted and will not adversely impact the planned function of existing commercial areas.

18.9.7. The City recognizes the important economic and social contribution of agricultural and farm related businesses and activities. To ensure that agricultural and farm

related businesses and activities have a contribution to the settlement areas' economic prosperity and food security, the City will:

- a) Implement the recommendations of the Agricultural Action Plan and Food Action Plan.
- b) Consider the development of land uses within the settlement areas that support the City's agriculture sector as long as they do not create land use conflicts.
- c) Encourage the provision of land and infrastructure for continued sustainable development of agri-businesses, agri-tourism opportunities and farmers markets.
- d) Encourage local food production and distribution systems within the settlement areas.
- e) Support the communities' food security through the promotion of urban agriculture, including allowing the establishment of community gardens, farmer markets and agri-businesses, where feasible.
- f) Allow the location of community gardens in all Land Use Designations within the settlement areas, except lands designated for environmental protection.
- g) Promote the City's "Kawartha Choice Farm Fresh" program by allowing the location of "pick your own" operations and farm gate markets, provided that these operations do not conflict with the policies in this plan.

18.10. EMPLOYMENT LANDS

- 18.10.1. Employment areas are concentrations of uses that generate employment. These would include industrial and commercial uses.
- 18.10.2. They will primarily be in conjunction with settlement areas where servicing and accessibility are available.
- 18.10.3. Council shall endeavour to ensure a favourable climate for economic development by:
 - encouraging the expansion and diversification of industrial and commercial development within settlement areas in order to maximize employment opportunities;
 - encouraging the beautification, improvement and/or redevelopment of urban centres;
 - encouraging the development of Lindsay as a cultural, multi functional centre;
 - limiting the type and intensity of any proposed development if in the opinion of the Council, the development would cause undue financial or other hardships to the municipality;
 - giving priority to road improvements and servicing which improve the potential for industrial development;

- ensuring an appropriate supply and distribution of employment areas provided throughout the settlement areas and that future development occurs in an orderly manner;
 - ensuring that the land use policies reflect an appropriate range of uses for its employment areas; and
 - working, in partnership with all levels of government and the private sector to ensure that viable employment lands are provided and protected in the settlement areas which create job opportunities and economic diversity.
- 18.10.4. Council will encourage businesses to occupy available space in existing developments and encourage the appropriate development of Greenfield sites.
- 18.10.5. The City will promote opportunities for intensification and redevelopment in employment areas located within the built-up area of the settlement areas. The City will give priority to viable brownfield redevelopment opportunities when prioritizing resources to support infill and intensification programs.
- 18.10.6. The City will consider the geographic location and transportation connections when planning new employment areas.
- 18.10.7. The City will attempt to minimize adverse impacts associated with industrial uses by ensuring that issues related to impacts of air, noise, vibration and odour are addressed in a manner which is consistent with City and Provincial standards, and in accordance with Sections 3.8 Separation and Buffering of Uses and 3.9 Noise Studies in this Plan. Any proposed use which has the potential for negative impacts (including, but not limited to, noise, vibration, dust/debris, and odour) will be required to demonstrate, through a special study, how the appropriate federal or provincial guidelines will be met and maintained while the use is in existence. Environmental Compliance Approvals may be required as a condition of Site Plan Approval. The City may require special studies to address negative impacts for which Ministry of Environment guidelines do not exist (e.g., light emissions). These studies shall demonstrate how the negative impacts will be mitigated.
- 18.10.8. The City's urban design guidelines should provide direction on increasing the attractiveness of employment areas.
- 18.10.9. Land use compatibility and buffering to adjacent lands shall be considered when developing employment areas. All development within the employment areas shall be planned on a comprehensive basis, avoid where possible impacts on natural features, and effectively integrate with adjacent development and future development.

- 18.10.10. The use of sustainable building design when developing employment areas, including the efficient use of energy, water, land and other non-renewable resources, shall be encouraged.
- 18.10.11. Council will monitor on an annual basis the growth in employment opportunities in relation to residential growth. Such monitoring shall serve to establish an appropriate rate of growth for residential development. The conversion of cottages to year round retirement homes may have a significant effect on population growth. It is not intended that the retirement population should be directly entered into the calculation for employment opportunities.
- 18.10.12. Council shall develop a strategy and program to purchase land for industrial purposes in order to facilitate implementation of this Plan.
- 18.10.13. The conversion of lands within the Employment Areas to non-employment uses shall only occur through a municipally initiated comprehensive review of this plan. Notwithstanding, the conversion of Employment Areas that are downtown areas or regeneration areas shall be subject to Policy 1.3.2 of the Provincial Policy Statement. The municipal comprehensive review has to demonstrate that:
 - a) There is a need for the conversion of some employment lands to other uses and the conversion is compatible with surrounding land uses;
 - b) The municipality will meet the employment targets allocated to the City pursuant to this Plan;
 - c) The conversion will not adversely affect the overall viability of the City's Employment Areas and the achievement of the intensification target, density targets and other policies of this Plan;
 - d) There is existing, or planned, infrastructure in place to accommodate the proposed use;
 - e) The lands are not required, over the long term, for employment purposes for which they are designated; and
 - f) Cross jurisdictional issues have been considered (e.g., supply of employment lands in the broader regional market area.
- 18.10.14. Major retail uses are considered to be non-employment uses, are not permitted in employment areas, and shall be placed in appropriate commercial designations.
- 18.10.15. Industrial traffic should be directed away from, and not through, residential areas. Generally, the number of access points from employment areas to arterial and collector roads should be limited to minimize potential disruptions to traffic flow.

18.11. DOWNTOWN/MAINSTREET DEVELOPMENT

- 18.11.1. The downtowns and main streets are where commercial retail, office, and service uses are focused in a pedestrian-oriented environment. As mixed use areas, these areas function as the cultural, community and administrative centres of the settlement areas and the entire City of Kawartha Lakes. The city will support investments in the downtowns and main streets so that they continue to be attractive and viable hubs for residents, destinations for visitors, and function as vibrant, mixed-use neighbourhoods linked to the recreation opportunities in, and around, the settlements.
- 18.11.2. The City will encourage the improvement and revitalization of the downtowns and main streets by:
- a) Developing revitalization strategies and/or Community Improvement Plans for existing downtowns and main street areas with a funding strategy to finance capital programs; and
 - b) Ensuring the improvement and revitalization of the downtowns and main street areas by allowing a wide range of commercial, institutional, residential, cultural, social, live/work, entertainment and recreational uses within these areas.
- 18.11.3. Development or redevelopment, including intensification in downtowns and main street areas shall complement and enhance the historical and/or architectural character of these areas. Refer to the applicable urban design policies for the downtowns and main streets in Section 18.13 and in the Secondary Plans for Lindsay, Bobcaygeon, Fenelon Falls, and Omemee.
- 18.11.4. The City shall promote and enhance the downtowns and main streets for local commerce.

18.12. SUSTAINABLE DEVELOPMENT

- 18.12.1. The City will encourage sustainable development to create resilient settlement areas. All development shall be planned on a comprehensive basis, avoid where possible negative impacts on natural features, and effectively integrate with adjacent development and future development.
- 18.12.2. To promote sustainability, resilience, and achieve the development of complete and healthy communities within the settlement areas, it is the policy of this plan to:
- a) Promote a compact urban form, higher densities in the downtown/mainstreet areas and the development of an energy-efficient mix of land uses in all new developments to provide liveable, healthy communities;

- b) Promote the development of mixed housing to meet the demand for safe, affordable, accessible and flexible housing for all income levels and needs;
- c) Enhance infrastructure and maximize opportunities for active transportation and the use of energy efficient modes of travel and reduce energy consumption for motor vehicles within the settlement areas;
- d) Maximize opportunities for active non-motorized recreation and physical activity to create a safe, healthy and active community;
- e) Promote cost-effective energy conservation, energy distribution and alternative energy supply sources and other approaches that result in significantly lower levels of per-capita energy use and associated greenhouse gas emissions;
- f) Encourage efficient street layout, site planning design and construction techniques that minimize space heating and cooling energy consumption and provide for passive solar gains;
- g) Promote a reduction in energy consumption in all sectors by encouraging the upgrading/retrofitting of existing buildings and facilities;
- h) Promote and encourage the use of recognized and accredited third-party verified green building certification programs for all new development and municipal buildings, including but not limited to LEED®, Greenhouse®, and Energy Star®. The City may adopt a by-law that all new residential developments that require Site Plan or Subdivision Approval adhere to energy guidelines and/or a green building certification programs;
- i) Encourage the adequate and equitable access to community services and institutions and the establishment of social services in locations that are readily accessible by public transportation, downtowns and main streets;
- j) Ensure the provision of health services including health promotion and health care opportunities throughout the settlement areas;
- k) Promote and implement programs which maintain and improve the quality of surface water and groundwater, and promote conservation of water resources;
- l) Support retention of remaining natural shoreline through setback provisions;
- m) Encourage the use of Low Impact Development techniques and best management practices such as bioswales, porous pavements, vegetated medians and buffers and bio-retention, to reduce drainage runoff and retain water on-site;
- n) Encourage the use of Crime Prevention Through Environmental Design (CPTED) measures in the planning and design of new sites, public facilities and neighbourhoods;
- o) Promote long-term food security and sustainability through compact development which supports the maintenance of the agricultural land base, encouraging urban

- agriculture, and promoting agri-business and agri-tourism synergies with the settlement areas (e.g., farmers markets);
- p) Encourage community or urban agriculture (e.g., community gardens, rooftop gardens, greenhouse gardens, and boxed gardens) in all appropriate zoning categories and on appropriate sites and particularly on vacant or underutilized lands, or institutions and community facilities. Community gardens will not be allowed where the cultivation of produce might have a negative impact on existing natural features, might pose a risk to human health, or where could create land use compatibility conflicts;
 - q) Encourage the use of rooftop areas of multi-storey residential buildings as green amenity space for building tenants or owners;
 - r) Protect and enhance the natural environment and the waterfront areas within and surrounding the settlement areas. The City will work with Kawartha's Naturally Connected Partnerships to develop an integrated planning model for an identified and protected natural heritage system;
 - s) Support the location of new businesses and expansion of current businesses that are compatible with the settlement areas visions and strategic directions and that will provide opportunities for growth, employment diversity and prosperity;
 - t) Enhance the opportunities for tourism development and support the recommendations of the City of Kawartha Lakes Premier-Ranked Tourist Destinations Project; and
 - u) Enhance and protect the cultural and built heritage resources and implement the recommendations of the Cultural Master Plan and Heritage Master Plan.
- 18.12.3. In the interest of providing assistance to the development industry in terms of addressing the sustainable development policies of the Plan, the City will explore possible incentive programs designed to encourage sustainable community design and development. Such incentives may include priority consideration for development approvals and funding support through available government programs.

Source Water Protection

- 18.12.4. To maintain the quality and quantity of source water, the City of Kawartha Lakes will implement the policies and requirements of the Trent Source Protection Plan as it relates to Well Head Protection Areas and Intake Protection Zones in the settlement areas.

18.13. URBAN AND PUBLIC REALM DESIGN

The following policies are intended to guide urban design and public realm design within the settlement areas.

Community Design

- 18.13.1. It is the policy of this Plan to consider urban and community design as an integral component of new development and redevelopment in the settlement areas. The preparation of a set of Urban Design Guidelines for sub-areas within settlement areas to ensure that new development and redevelopment are attractive and consistent with the Policies of this Plan is encouraged, but shall not be required prior to advancement of individual development applications.
- 18.13.2. It is the policy of this Plan to encourage that the design of new development and redevelopment is compatible with the surrounding neighbourhood. Compatible housing forms and appropriate transitions shall be developed at the edge of existing residential communities, heritage buildings, historic downtowns and abutting the environmental constraint areas.
- 18.13.3. It is the policy of this Plan to ensure that new development and redevelopment considers the range of elements that contribute to an aesthetically pleasing and architecturally appropriate character in the settlement areas. Development proposals should, as appropriate:
 - a) Incorporate building design that harmonizes with existing development by drawing upon architectural cues such as exterior materials, window and door placement, signage, entranceway design, roof pitch, and exterior architectural trimwork;
 - b) Incorporate visual interest through varying building forms and styles along streets and within individual subdivisions;
 - c) Design the street network on the basis of a modified grid pattern, wherever feasible, to provide for ease of movement within the community, encourage walkability, and reduce vehicle trips;
 - d) Avoid the use of cul-de-sacs when designing new internal local road networks, except in instances where environmental features, topography, or previous development patterns prevent through-streets; and
 - e) Follow the principles of Crime Prevention Through Environmental Design (CPTED), including, but not limited to, site safety and security, natural surveillance, enhanced lighting, visibility from the street, well-located and clearly marked building entries, and accessibility for emergency services.
- 18.13.4. New development and redevelopment shall preserve and enhance views to the waterfront areas and downtowns and main streets by ensuring that sight lines along public corridors are not interrupted. Both public and private development should enhance views by means of built form, landscape design, pedestrian

amenity, and public access. This policy shall not be construed to include views of these areas from private property.

- 18.13.5. New development and redevelopment shall integrate natural and/or naturalized landscapes throughout the community as part of the open space system, when appropriate. The use of natural and/or naturalized landscapes for passive recreation and active transportation shall be encouraged.
- 18.13.6. The design of new development and pedestrian areas, the siting of buildings, and the landscaping should, whenever possible, have regard to proper wind orientation that reduces energy consumption and provides a comfortable level for pedestrians.
- 18.13.7. New development and redevelopment shall incorporate features such as trees and shelters that provide shade to protect people from sun exposure and reduce the heat island effects generated by paved parking lots.

Gateways and Entries

- 18.13.8. Gateway and landmark features, streetscape improvements, landscaping and significant building forms shall be encouraged at the entranceways into the downtowns and main streets, and should be allocated to major intersections where appropriate. Urban design treatments for gateway and landmark features should include:
 - a) Landscaping that incorporates various plants, shrubs, and/or trees into boulevards and ground signage;
 - b) Consistent signage and wayfinding treatments through the use of decorative signage, banner poles, bollards, and unique lighting; and
 - c) Identifiable paving patterns or symbols for middle of intersections using patterned concrete or unit paving.
- 18.13.9. Bridges should be enhanced to play a significant role in identifying the relationship with the downtowns/mainstreets and natural heritage corridors. Enhancements can be achieved by:
 - a) Improving pedestrian and cycling circulation to the bridges;
 - b) Ensuring that more translucent materials are used for the bridge barriers;
 - c) By creating architecturally significant bridge abutments; and
 - d) Incorporation of public art on or on approach to bridge structures.
- 18.13.10. Design of key gateways to the settlement areas shall recognize this function through landscaping and building architecture that emphasizes their corner condition and prominent views.

- 18.13.11. Community institutions and significant natural features should be utilized as landmarks. The street network and views should be developed to facilitate their evaluation as cultural, social and recreational focal areas.
- 18.13.12. Streetscape elements and features, including built features, signage, special paving, lighting and banners, are encouraged to extend beyond gateway and landmark locations to enhance their individual character.
- 18.13.13. The inclusion of public art in urban squares, parks and pedestrian spaces at gateways is encouraged as a method of reinforcing the focal nature of these spaces.

Built Form

- 18.13.14. Development outside of downtowns and main streets shall be consistent with the Community Design policies of this Plan and/or give consideration to area-specific urban design guidelines when available.
- 18.13.15. New buildings in downtowns and mainstreets should be designed to take into account:
 - a) Close to zero front setback except where existing narrow sidewalks warrant greater setbacks (while providing variation along the street edge);
 - b) Parking lots located in the rear;
 - c) Addressing the public sidewalk with main entrances and glazing facing the public realm to reinforce the streetscape;
 - d) Directing pedestrian connections from building entrances to public sidewalks and key amenities; and
 - e) Building heights sensitive to existing development.
- 18.13.16. The development of ground-related street retail within mixed use buildings shall be encouraged to promote active streetscapes. Where other uses, such as office or institutional, occur at grade within downtowns and main streets, their design should convey activity at the street level through glazed entrances and windows to public functions and private spaces, where appropriate.
- 18.13.17. Commercial, institutional and employment buildings located with prominent visibility from major arterial roads and main intersections should be designed to establish a distinct, attractive, prestigious image, characterized by good quality architectural design. The character, scale and appearance should complement the adjacent urban form.
- 18.13.18. Lighting of buildings located within downtowns and main streets should be designed as an integral component of the overall site design. It shall provide safe

illumination for pedestrians and motorists and may be used strategically to provide a distinct building identity. Illumination of site features should be designed together. Lighting should be designed to reduce light pollution and reflect “dark sky” design principles.

- 18.13.19. The range of signage shall be coordinated to create an attractive and uncluttered site image.
- 18.13.20. Outdoor storage of goods, if permitted, shall be located to the rear and sides of buildings and screened with walls or architectural screens that coordinate with building architecture. Such screening may be supplemented with landscaping.
- 18.13.21. Commercial, institutional and employment building design shall incorporate appropriate accessibility measures in accordance with the Accessibility for Ontarians with Disabilities Act, the City’s Accessibility Plans and Policies, and the Ontario Building Code.

Public Realm and Streetscape

The following policies apply to the urban design of public streetscape elements and buildings in the settlement areas.

- 18.13.22. Streetscapes shall be designed to promote safety and ease of use of multiple means of transportation, including vehicular, pedestrian, bicycle and transit, when available
- 18.13.23. Streetscape design should integrate and coordinate a variety of elements to create visually attractive public spaces and a sense of place. These include appropriate right-of-way width to accommodate landscaping, street trees, decorative paving, street lighting, street furniture, signage, and special corner treatments.
- 18.13.24. The City shall encourage, where feasible, the improvement of streetscapes within the downtowns and main streets through the use of landscaping including trees, wide sidewalks, bicycle lanes, bicycle parking, special signage, lighting, seating, street furniture, public art, and special paving, and opportunities for seasonal displays and/or seating, which promote a positive sense of place and create a safe and attractive pedestrian environment.
- 18.13.25. Streetscapes at major intersections should be developed with special community features, tree planting and paving to identify these areas as focal locations.
- 18.13.26. Street tree planting shall be included in the design of all streetscapes to contribute to a high quality of landscaping and promote pedestrian comfort through shading opportunities. Tree planting should be continuous and the species, placement and frequency of street trees should be appropriate for the type of street.

- 18.13.27. Sidewalks shall be located to provide uninterrupted and safe pedestrian movement to commercial areas, transit stops and all community amenities, and shall have regard for the space between the building and the roadway in non-residential areas.
- 18.13.28. Design and selection of street lighting, signage and streetscape furniture should be coordinated and should support the character of the local community. Street lighting should follow the “dark sky” design principles, directing sufficient light downward and minimizing light pollution and glare.
- 18.13.29. Streetscape design shall incorporate appropriate accessibility measures in accordance with the Accessibility for Ontarians with Disabilities Act and the City’s Accessibility Plans and Policies.

18.14. CULTURAL HERITAGE

- 18.14.1. The City shall encourage the preservation and awareness of the rich built heritage and cultural heritage resources and landscapes of the City’s downtowns and main streets.
- 18.14.2. The City shall maintain an inventory of buildings of architectural and/or historic interest for the purposes of designating, by By-law, selected properties for preservation and protection from alteration pursuant to the Ontario Heritage Act. The City will identify and map cultural resources as outlined in the 2010 Cultural Resource Mapping Guide.
- 18.14.3. Heritage features or events shall be appropriately designated using relevant provincial legislation including the Ontario Heritage Act, the Planning Act, the Municipal Act and other applicable statutory legislation in order to preserve and enhance the City’s heritage resources.
- 18.14.4. Individual properties and areas of unique cultural, architectural and historical significance may be recognized through designation pursuant to the Ontario Heritage Act.
- 18.14.5. Special studies may be undertaken for districts having heritage potential. Should an area represent a group of significant sites, buildings or structures, or period of the City’s history, a Heritage Conservation District may be established pursuant to the Ontario Heritage Act. All new development within a Heritage Conservation District will be required to maintain the character of the area. Heritage Victoria and landowners will be consulted prior to the establishment of a Heritage Conservation District.
- 18.14.6. The City shall prevent the demolition, destruction, inappropriate alteration, or inappropriate use of designated heritage properties.

- 18.14.7. Alterations may be made to properties designated by By-law as having historical significance provided that the alterations do not affect the reasons for the designation, are in keeping with the policies of this Plan, and meet the requirements of the Zoning By-law, other City By-laws and applicable municipal and provincial policies and codes.
- 18.14.8. Council shall endeavour to obtain funds for the conservation and restoration of buildings through all available sources with the assistance of applicable agencies such as the Ontario Heritage Foundation.
- 18.14.9. Designated properties shall be retained as part of any new development or redevelopment to ensure that the heritage value of the building and/or lands is not compromised.
- 18.14.10. Consideration shall be given to the effects of public works and development on buildings, sites, infrastructure and areas of historical, architectural, scenic or archaeological importance prior to the approval of public works and proposals for development.
- 18.14.11. When extending of streets and other necessary road improvements, including realignment and widening, consideration shall be given to the impact of such extensions or improvements on heritage resources, especially the character of streetscapes.
- 18.14.12. The City will support initiatives which enhance, expand and support existing and new arts and cultural activities in the settlement areas.
- 18.14.13. The City encourages and supports the display of art in public places as a means of enhancing the public realm, enriching the visual experience of residents and visitors and promoting the City's culture.
- 18.14.14. The redevelopment of heritage buildings shall address the need to improve the accessibility and mobility to these buildings.
- 18.14.15. A Heritage Impact Assessment shall be required when reviewing applications for development on or adjacent to a property with a heritage designation or located within a Heritage District. The Heritage Impact Assessment shall be prepared in accordance with Section 36.3 of this Plan.
- 18.14.16. The inclusion of mitigative measures and/or alternative development approaches shall be required for development applications, when the development or site alteration is on or adjacent to a heritage property.

18.15. PARKS AND OPEN SPACES AND TRAIL SYSTEMS

- 18.15.1. The City will pursue opportunities to improve pedestrian, transit and cycling linkages between the downtowns, main streets and its surrounding neighbourhoods and destinations such as parks and open spaces, retail and institutions and community facilities as well as with adjacent municipalities.
- 18.15.2. The City, wherever possible, shall develop a well-maintained open space system which links important destinations, such as the downtowns, main streets, activity centres, residential neighbourhoods, workplaces, waterfront areas, and local parks using trails, natural areas, bicycle paths and sidewalks.
- 18.15.3. The general location of new parks in the settlement areas are denoted with the symbol “NP” on Schedules F-1, F-2, F-3, and F-4. A park may be situated anywhere within the extent of the underlying land use designation denoted with the symbol “NP,” and the City will determine the type of park and its final location prior to draft plan approval.
- 18.15.4. The following policies shall apply to the provision of new open spaces and facilities throughout the settlement areas:
 - a) Parks and trails shall be integrated into the overall design of an area to ensure an optimal location for the citizens being served;
 - b) The final grading and landscaping of new parks to be undertaken by a developer shall be sent out in the draft plan of subdivision conditions and secured through a subdivision agreement;
 - c) Landscaping of local parks, where appropriate, should use native plantings and species;
 - d) Efforts shall be made to alleviate any negative impacts from traffic and light pollution to adjacent lands;
 - e) The design of parking areas shall take into consideration the users of the open space or recreational facilities and minimize conflicts between vehicular and pedestrian traffic;
 - f) The design of parks, open spaces, trails and linkages shall have regard for the provision of shelters and shaded areas to protect people from sun exposure;
 - g) At least one side of a new park shall have frontage on a public street;
 - h) Open spaces and facilities shall be designed to be accessible;
 - i) New open spaces will be coordinated with school sites, wherever feasible, to facilitate joint use of recreational amenities;

- j) In neighbourhoods where there is a deficiency of open space, the creation of open space from underutilized or brownfield sites may be considered on a site-by-site basis;
- k) The design of parks, open spaces and recreational facilities will consider the provision of affordable and quality recreation programs for all residents and visitors regardless of age, financial means and physical ability;
- l) The design and programming of open spaces and recreational facilities will consider and implement techniques to optimize the safety and security of all users; and
- m) Guidelines for the design of open spaces and recreational facilities which address elements of Crime Prevention Through Environmental Design (CPTED) may be prepared in consultation with the public, stakeholder groups, and the area's police forces.

18.15.5. Until such time that these requirements are updated by a Parks Master Plan, the City intends to achieve an overall ratio of 4 hectares of park space per 1,000 persons of population. The planning of new parks and/or rectifying deficiencies in the provision of parks will be in accordance with the following general standards:

Hierarchy	General Size / Minimum Standard	Parks Planning Policy
Parkettes/Tot Lots	Varies depending on neighbourhood	An adequate supply of Parkettes and Tot Lots within neighbourhoods shall be provided where appropriate.
Neighbourhood Parks	1.8 to 4.0 ha / 1.0 ha per 1,000 population	Neighbourhood Parks should be designed to accommodate the recreational needs of local residents. Where there is a majority of young families and/or older persons in an area, facilities should be tailored more specifically to the particular needs of these groups. Generally, Neighbourhood Parks should be located on tableland. Any lands acquired for Neighbourhood Parks that are not tableland should be in addition to the recommended standard. Neighbourhood Parks should be centrally located within safe and convenient walking distance of the majority of neighbourhood residents (optimum service radius is 800 metres or a 10 minute walking distance). The park should be designed for visibility and safety and should be co-ordinated with public or separate elementary school sites where possible. Neighbourhood Parks should be of sufficient size to accommodate a variety of recreational facilities. These may include, but are not limited to junior sports fields (softball, soccer), outdoor rinks, multi-purpose courts, playground equipment, paved areas for informal games

Hierarchy	General Size / Minimum Standard	Parks Planning Policy
		and shaded areas for passive recreation. Neighbourhood Parks will be maintained using environmentally sound maintenance practices and will be as biologically productive as possible.

Hierarchy	General Size / Minimum Standard	Parks Planning Policy
Community Parks	6.0 to 10.0 ha / 1.0 ha per 1,000 population	Community Parks should accommodate the social, cultural, education and physical activities of particular interest to several neighbourhoods with emphasis on facilities for organized sports. Smaller areas should be set aside for passive recreation. Community Parks should be in a highly visible location, which is reasonably central to the service population and directly accessible by automobile and bicycle (optimum service radius is 1.6 km or a 20 minute walking distance). Frontage on a collector or arterial road is desirable with facilities provided for off-street parking. The location of Community Parks should be co-ordinated with secondary school sites where possible. The parks should be developed as focal points for organized and non-organized team sports, athletic activities and casual recreation, which may include regulation-size softball and baseball diamonds, soccer fields with night lighting and spectator facilities, major playgrounds, tennis courts, and visitor service centres. Community Parks will be developed with diverse vegetation stands which will contribute to visual and ecological conditions. These types of parks will be managed employing environmentally sound maintenance practices such as naturalization of the landscape, in order to be a biologically productive resource in the City.
City Parks and Waterfront Parks	Variable depending on the site / landscape conditions	City Parks and Waterfront Parks located along the settlement areas' waterfronts should be managed for the enjoyment of a diverse population including individuals, family groups and community organizations. Opportunities for both active and passive recreation, social and cultural activities, and the conservation, preservation and enhancement of natural environment areas, historic sites and wildlife habitats should be encouraged. Waterfront Parks located adjacent to lakes and rivers should be developed to capitalize on the unique natural setting. These parks will be managed to be biologically productive resources that significantly contribute to the environmental quality of the City. Environmental management will be an important maintenance priority for these areas. Areas should be defined considering the bio-physical resources of the site.

- 18.15.6. It is Council's intention to create a trail system within the settlement areas, where possible, consisting of:
 - a) Abandoned rail lines in public ownership;
 - b) Existing parkland;
 - c) Linkages in subdivision design;
 - d) Co-operative effort with private land owners; and
 - e) Land acquisition.
- 18.15.7. Throughout the City and particularly the settlement areas there are a number of parcels of land that were formerly utilized as railroad transportation corridors. These linear parcels may be linked together as a park and/or continuous recreational trail system. Those lands deemed by the City to be significant to the trail system shall be retained in public ownership for the purpose of implementing a trail system. The City shall also investigate the feasibility of acquiring portions of the railway corridors currently held in private ownership.
- 18.15.8. Where a trail linkage in an open space system crosses an arterial or collector road, a marked pedestrian/bicycle crossing, grade-separated crossing, or other crossing safeguard shall be provided.
- 18.15.9. Parkland dedication shall be in accordance with Section 34.13 of this Plan. As a condition of draft plan approval, the proponent shall be required to provide a park facilities design satisfactory to the City for any park within the plan of subdivision. In order to ensure that the size, configuration and orientation of the park can be programmed in an efficient manner, it may be necessary to prepare a park facilities design prior to draft plan approval. The park facilities design shall preserve naturalized and biologically productive areas within parks, to the greatest extent possible. Where park land is not required, the proponent shall provide an appropriate cash-in-lieu of parkland dedication
- 18.15.10. Parkland dedication may also be required in accordance with Section 34.13 of this Plan as a condition of provisional consent, or development or redevelopment of land in accordance with Section 42 of the Planning Act. This may require the dedication either in the form of parkland or cash-in-lieu of parkland as appropriate.
- 18.15.11. The City will ensure that, where feasible, appropriate native vegetation which provides for a variety of micro climates, animal habitat and corridors, and which reduces the urban heat island effect will be a component of the development of parks and open space networks.

18.16. TRANSPORTATION AND PARKING

Active Transportation

- 18.16.1. The City will encourage the development of active transportation, namely transit-supportive communities, where feasible, pedestrian friendly urban environments, expansion and improvement of the existing trail and cycling network and provide for a range of transportation choices for all ages.
- 18.16.2. The City may develop and adopt design standards for roads taking into account varying active transportation infrastructure needs in rural/urban areas (e.g., sidewalk access, rural cycling routes, bike lanes, trails).
- 18.16.3. The City shall implement, in a staged program, the development of a continuous and safe system of non-motorized multi-use trails to support active transportation and active recreation. The City shall establish safe walking, cycling and water routes within settlement areas on routes to schools, parks, playgrounds, fairgrounds, downtowns/main streets, and safe corridors connecting the settlement areas and trails within the City.
- 18.16.4. Transportation facilities, including the construction of new roads and reconstruction of roads, shall include safe, convenient and attractive pedestrian systems such as sidewalks, corner ramps, pedestrian signals and appropriate lighting. A continuous sidewalk/walkway system providing accessible, safe, convenient and enjoyable walking for all users shall be developed and maintained.
- 18.16.5. The development of pedestrian-scale streets and streetscapes that encourage walking because they are safe, comfortable and attractive will be supported through measures such as providing sidewalks, sheltered transit stops where feasible, street furniture, canopies on buildings, landscaping, locating retail and personal service uses at street level, and supporting building design which provides shelter and other amenities.
- 18.16.6. The City will require that new subdivisions provide sidewalks and walkways as deemed appropriate. Pedestrian crossing signals will be required at all signalized intersections.
- 18.16.7. The City will develop a signage strategy for active transportation and implement clear and consistent signage for walking and cycling routes and non-motorized multi-use trails.

Parking and Loading Areas

- 18.16.8. Parking areas shall be designed as functional areas and shall reduce their environmental and visual impact.
- 18.16.9. Low Impact Development measures, such as pervious paving, bioswales, and landscaping islands with trees, should be incorporated to minimize stormwater runoff and reduce heat island effect.
- 18.16.10. Long stretches of on-street parking on local roads should be broken up with landscaped “bump-outs” sufficiently sized to support appropriate landscaping.
- 18.16.11. The design of parking and landscaping should have regard for the City’s urban design guidelines, which considers the following:
 - a) Parking location on site.
 - b) Screening between parking areas and adjacent residential properties.
 - c) Landscape buffers at the perimeter of the property line adjacent to sensitive land uses.
 - d) Landscaped islands where appropriate.
 - e) Location of pedestrian sidewalks.
- 18.16.12. In new Employment, Commercial, Institutional and mixed use developments as well as apartment buildings, parking areas should generally be located to the side or at the rear of buildings wherever possible, and shall be sited and/or designed in such a way as to minimize impact of such parking on abutting sensitive land uses. Where parking areas abut a street, they should be screened with landscaping. Limited parking between the street edge and building may be provided. Parking may also be addressed through on-street parking in appropriate locations. Parking and landscaping for commercial, mixed-use, and residential development should be designed in accordance with the design criteria of Section 18.16.9.
- 18.16.13. Service and loading areas should be located away from street frontages to minimize views from adjacent streets. Location to the rear or sides of buildings is preferable wherever possible except in instances where the abutting property contains a sensitive land use, in which case the siting of the servicing and loading areas will be at a location on the property which minimizes the impact of such service and loading area. Where service areas are visible to the street or abutting sensitive land uses, they may require screening with walls and landscaping.

Accessibility

- 18.16.14. The City shall strive to improve the mobility of all persons to make conditions safe for walking, persons using mobility devices, including wheel chairs and scooters, and people utilizing accessible conventional transit, specialized transit and accessible taxis.

18.17. LARGE FORMAT RETAIL USE AND SHOPPING CENTRES

- 18.17.1. An amendment to this Plan or a Secondary Plan will be required for the development of a new shopping centre, large format retail use or major extension of either one.
- 18.17.2. Shopping centres and large format retail use will be directed to areas covered by a Secondary Plan and shall be on full municipal services.
- 18.17.3. When considering applications to establish a shopping centre or large format retail use in excess of 3,000 square metres of gross floor area, the following shall be submitted and approved by the City:
- Retail Market Analysis Study;
 - Traffic Impact Study and the proponents should be responsible for any highway or municipal road improvements identified in the traffic impact studies for such development;
 - A Functional Servicing Study;
 - Plan showing the buildings, parking, access and landscaped area and surrounding land uses.
- 18.17.4. As part of an application for site plan approval, the following may be required:
- Urban design plan, respecting the policies of Section 18.13 of this Plan;
 - Landscape master plan;
 - Comprehensive development plan when dealing with a development comprised of two or more buildings or phases.
- 18.17.5. The above will also apply to a major enlargement of an existing large format retail use or shopping centre. A major enlargement means an increase of 3,000 square metres or more of gross floor area.
- 18.17.6. In evaluating applications to permit these uses, the following criteria shall be assessed:
- An evaluation of the Retail Market Study to demonstrate the need for the proposal and the anticipated impact on existing commercial uses within the retail trade area;
 - Availability of access to an arterial or collector road or Provincial highway with appropriate capacity to handle traffic generated by the proposed uses;

- Traffic impacts on adjacent land uses;
- Adequacy of proposed accesses and the impact of the proposed use on the operation of the municipal and Provincial road networks, where appropriate and applicable;
- Degree of compatibility and potential impacts of the proposed use on adjacent lands; and
- The adequacy of municipal sanitary sewer, water and stormwater management facilities.

19. HAMLET SETTLEMENT DESIGNATION

19.1. GOALS:

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

19.2. OBJECTIVES:

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

19.3. POLICIES

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

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

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

- 19.3.2. The future development of hamlets will take place primarily in the form of Registered Plans of Subdivision, adjacent and where possible contiguous to existing development and shall be in keeping with the existing character of the area. Residential development will be encouraged in depth rather than in strips along highways and arterial roads.
- 19.3.3. The Hamlet Settlement designation shall not be extended beyond what is shown in this Plan, unless the land will be serviced by both municipal water and sewage collection systems and it has been justified through a comprehensive review as outlined in Section 4.1.2 of this Plan.
- 19.3.4. Provision shall be made to leave access routes from the existing roads to allow future development to take place behind existing built up areas. Generally access for new streets should be spaced at approximately 180 metre intervals.
- 19.3.5. Subject to allowing for access for future development in depth, consents may be permitted when the lot fronts onto an existing road.
- 19.3.6. New commercial or industrial development should be planned as an extension of the existing area or as an infilling in the existing commercial and industrial areas and it should not be allowed to infiltrate unnecessarily into residential areas.
- 19.3.7. Care shall be taken to ensure that the commercial and industrial uses permitted in the hamlets are not obnoxious or incompatible with the residential function of the hamlets. The degree to which these uses will be separated and the nature of the buffer planting or screening will depend on the uses involved.
- 19.3.8. Commercial uses, wherever possible, should be grouped with existing retail establishments to form a commercial core. Provision will be made for adequate

setbacks from property lines, landscaping, buffering or screening, off street parking and loading facilities and control of outdoor storage.

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

19.4. SPECIAL PROVISIONS

- 19.4.1. On land designated Hamlet Settlement Area, identified as 103 Elm Tree Road and described as Part of Lot 21, Concession 1, 57R-7292, Parts 1 & 2, geographic Township of Mariposa, Section 19.3.13 shall not apply and a consent is permitted

to convey a residential lot with a minimum lot area of 2,200 square metres, and to retain a residential lot with a minimum lot area of 2,470 square metres.

20. WATERFRONT DESIGNATION

20.1. GOAL:

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

20.2. OBJECTIVES:

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

20.3. POLICIES

- 20.3.1. Waterfront designations will be predominately for seasonal and permanent residential uses.
- 20.3.2. The following uses will be permitted within the Waterfront Designation subject to the Growth Management policies in Section 4.1:
- vacation single detached dwelling
 - single detached dwelling
 - marina
 - municipal park
 - tourist resort
 - tourist camp or commercial trailer park
 - accessory uses to the above uses

- 20.3.3. A Waterfront designation generally includes lands fronting and functionally relating to lakes and significant rivers such as the Scugog, Gull, and part of Burnt River. Naturalized and/or vegetative shorelines shall be retained and restored. Lot sizes and development design will respond directly to the natural shoreline character and shall not significantly alter shoreline character nor disturb significant shoreline ecosystem.
- 20.3.4. Where the upland meets the open water with no wetland between them, the Waterfront designation will apply if the development functionally relates to and utilizes the recreational features of the lake or river. The exception to this is if there are environmental reasons or if the land is subject to flooding or other hazards that it should not be designated for development.
- 20.3.5. The Waterfront designation will not accommodate a significant portion of the projected population growth within the City.
- 20.3.6. New development will be developed on individual services at a low density. Single unit residential lots are the preferred form of development. Limited new multi lots and units for residential development may be permitted in the Waterfront designation in keeping with the scale of the resource. Such development shall be compatible with the surrounding character and not result in adverse environmental impacts.
- 20.3.7. Within the Waterfront designation, natural form and function shall dominate. Naturalized and/or naturally vegetative shorelines shall be retained and restored wherever possible.
- 20.3.8. In order to protect the lake and river ecosystem, where there is a wetland between the open water and the upland, the Waterfront designation will not apply. The exception to this is if the land has already been divided and/or developed prior to the adoption of this Plan. In order to protect the lake and river ecosystem, where development is proposed adjacent to a wetland which abuts the high watermark, an environmental impact study will be required.
- 20.3.9. Cluster residential development will be encouraged and will consist of a group of single detached dwellings each located on individual lots, setback a minimum of 30 metres from the shoreline with the shoreline being maintained as communal open space and does not significantly alter shoreline character nor disturb significant shoreline ecosystems.
- 20.3.10. Density limits will be developed to establish acceptable social and aesthetic qualities. Provisions such as building and structure height limits will be implemented so as not to exceed the height of the tree canopy or to break the skyline horizon. Therefore, building heights should be measured from the

lakeside, maintain a low profile and blend with natural surroundings. Provisions to address lot coverage will ensure proportionality; examples include relating lot coverage to the buildable area adjacent to the shoreline.

- 20.3.11. Preservation of social values including heritage sites, landscapes, aesthetics, recreational opportunities and public access to the waterfront will be supported. Shoreline character shall be retained by encouraging non-intrusive use of the waterfront. Guidelines for the use of lighting, as an example, will emphasize subdued, energy efficient light sources. Individual lake plans and lake stewardship programs will be encouraged as a method to identify important local values, features and individual lake character. In addition, these programs can be used to monitor water quality, carrying capacity and general lake management.
- 20.3.12. Lakes are a valuable resource and more public access points should be considered. Attention should be given to maintaining and improving the environmental integrity of the waterfront.

20.4. LOT CREATION

- 20.4.1. The creation of lots within the Waterfront Designation will be limited to the following:
- 20.4.2. With the exception of island lots, the minimum lot area for lots abutting the water of a lake or river will be 4,000 sq.m. with a minimum lot frontage of 60 metres. Notwithstanding, infilling residential lots will be permitted provided the lots are not less than 3,000 sq. m. in area with a minimum lot frontage of 30 m. Shoreline frontage shall be consistent with the established character of the adjacent shoreline;
- On islands, the minimum lot area will be 8,000 sq.m. with a minimum lot frontage of 90 metres provided there is a suitable building envelop that is not within 30 m. from the high water mark;
 - Backlot development, generally defined as a second tier of development adjacent to the first tier of Waterfront lots, will generally be discouraged. In some locations, backlot will be permitted if it is a rounding out of development based on existing lots or where there is limited non-agricultural land between the existing waterfront development and an arterial road. Frontage on assumed public roads will be required and lot sizes will be required at a larger size than permitted for waterfront lots;
 - Each back lot must have a minimum lot frontage of 200 metres and a minimum lot area of 2 hectares. These lot requirements apply to all lots that are not

abutting water on a lake or river. The lots shall be wholly within 300 metres of the waters edge.

- Any new residential developments will be permitted to access the Provincial highway only at public roads entrances that meet the minimum spacing requirements of the Ministry of Transportation.

20.5. DENSITY AND MASSING

- 20.5.1. All buildings and structures shall maintain a low profile and blend with natural surroundings. They are not to exceed the height of the tree canopy or exceed the skyline horizon.
- 20.5.2. To maintain the appropriate balance between natural and built form, the extent of shoreline activity areas (including docks, boathouses, pump houses and other structures) shall be based on the following:
- a) 25% of the shoreline frontage or up to 23 m., whichever is the lesser for residential lot;
 - b) 25% of the shoreline frontage of an open space block or up to 30 m. whichever is lesser for residential development;
 - c) 33% of the shoreline frontage for resort and tourist commercial lots; and
 - d) 50% of shoreline frontage for marinas.
- 20.5.3. Development will retain as much natural shoreline vegetation as possible to minimize visual impact.
- 20.5.4. Tree cover and vegetation shall be retained to uphold the environmental integrity of the waterfront.
- 20.5.5. Natural landscape features such as watercourses, significant heights of land, rock faces or cliffs, waterfalls, rapids, beaches, vistas, panoramas, landmarks, and the like, shall be conserved. Development shall be located and designed to protect these characteristic features. Built form shall not dominate the landscape.

20.6. SPECIAL POLICIES FOR STURGEON POINT

- 20.6.1. These policies are for the former Village of Sturgeon Point. Up until the amalgamation of the City of Kawartha Lakes, the Village of Sturgeon Point, created in 1899, held the unique status of the smallest incorporated Village in Ontario. Sturgeon Point therefore remains an important cultural feature of the City. The following will apply within the former boundaries of the Village:
- a) the character and integrity of the former village shall be retained and enhanced.

- b) the existing social, environmental and aesthetic qualities of the community will be recognized.
- c) existing infrastructure including street pattern and lighting shall be maintained, except where changes are required for public safety purposes.
- d) narrow streets and low wattage/modest exterior public lighting shall be retained and maintenance will be conducted accordingly.
- e) new residential development will be permitted with a set back of minimum of 30 metres from the high water mark with non-disturbance of the soils and vegetation, but only where its location is compatible with existing development.
- f) the Zoning By-Law shall reflect the existence of small residential lots and provide for their continued use.
- g) the predominant land-uses shall remain residential, rural, recreational, open space and community facility. No new commercial or marina development shall be permitted.
- h) home-occupations shall be permitted, provided the occupation is secondary to the residential use and does not create a public nuisance with respect to traffic, noise, external building character, or storage of materials.
- i) the erection of buildings or structures for the purpose of public utility such as water, sewer, gas, electricity, communications, shall be permitted subject to building design or screening to ensure compatibility with adjacent land use.
- j) development requiring application under the Planning Act shall have regard to the existing character of the former village.
- k) the historic significance of the Village is noted and designation of historically significant structures and landscapes is encouraged. A secondary plan shall be prepared in circumstances where development would have a substantial impact on the surrounding area.

20.7. SPECIAL PROVISIONS:

- 20.7.1. On land designated Waterfront at the property municipally known as 655 Northline Road and legally described as Part Lot 22, Concession 1, geographic Township of Somerville, Section 20.4.2 shall not apply in so far as to permit the creation of two residential lots to front a private right-of-way with less than 200 metres of frontage and said lots to be partially located outside the 300 metre regulated area as identified in the Plan.
- 20.7.2. On land designated Waterfront at the property municipally identified as 233 Yankee Line and legally described as Part of Lot 16, Concession 7, geographic Township of Emily, Section 20.4.2 shall not apply in so far as to permit the creation

of a backlot that is greater than 300 metres from the water's edge with a minimum lot frontage of 30 metres and a minimum lot area of 4,200 sq. m.

- 20.7.3. On land designated Waterfront at the property municipally identified as 30 Boyce Trail and legally described as Part of Lot 10, Concession 11, 57R-2836, Parts 17 and 35, geographic Township of Laxton, Section 3.11.2 shall not apply in so far as to permit a water setback of 13.4 metres.
- 20.7.4. Notwithstanding Section 20 of this Plan, on Part of Lot 31, Concession 11, RP 57R-2031, Part 5, geographic Township of Fenelon, lands designated as Waterfront may, by special policy, be added by consent under Section 53 of the Planning Act to the property known municipally as 6 Pike Street. Uses that are accessory to the primary use on the property known municipally as 6 Pike Street may be permitted in accordance with the provisions of the implementing zoning by-law. A residential dwelling unit will not be permitted on the subject lands of the proposed consent.
- 20.7.5. Notwithstanding Section 20 of this Plan, on Part of Lot 25, Concession 8, geographic Township of Fenelon, lands designated as Waterfront may be added by consent under Section 53 of the Planning Act to the property known municipally as 65 Potts Shore Road. Uses that are accessory to the primary use on the property known municipally as 65 Potts Shore Road may be permitted in accordance with the provisions of the implementing zoning by-law. A residential dwelling unit will not be permitted on the subject lands of the proposed consent.
- 20.7.6. Notwithstanding Sections 20.4.2, 20.5.2, and 34.7 of this Plan, on Part of Lots 6 and 7, Concession 2, geographic Township of Ops, on lands designated as Waterfront, an eight (8) lot plan of subdivision, with a minimum lot frontage of 30 metres for each lot, may be established. No structures, including boathouses, shall be permitted within 30 m. of the high water mark. The lots in the plan of subdivision are subject to site plan control.
- 20.7.7. Notwithstanding Section 20.4.2, for those lands designated "Waterfront" in part of Lot 13, Concession 7, geographic Township of Emily, the minimum lot frontage shall be 88 metres and the minimum lot area shall be 0.9 hectares.
- 20.7.8. Notwithstanding Sections 20.4.2 and 34.5 of this Plan, on Part of Lot 24, Front Range, Geographic Township of Somerville, on lands designated as Waterfront, the creation of one (1) residential lot, with a minimum lot area of 0.4 hectares, may be established. The severed and retained lots will not require frontage on an assumed public road, and will be zoned as Limited Service Residential Exception.
- 20.7.9. Notwithstanding the provisions of Section 20.4.2, the southwesterly part of the property known municipally as 2475 Housey's Rapids Road (Dalton), shall have a

minimum lot area of 4,000 square metres and a minimum lot frontage of 31.35 metres.

21. HIGHWAY COMMERCIAL DESIGNATION

21.1. PURPOSE

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

21.2. POLICIES

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

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

- retail establishments that require large areas for outdoor storage or display of goods and that carry basically one line of goods such as: motor vehicle sales and service; recreational vehicle sales and service; marine craft sale and service; all terrain vehicles; snowmobiles and campers; major appliance and or furniture sales; and a building supply outlet
- 21.2.2. Within the Highway Commercial designation on Schedule “A”, Council will encourage that the land be serviced by municipal communal services provided it is cost effective and efficient use of services. Partial services will not be encouraged and will only be considered in accordance with the Provincial Policy Statement. New Highway Commercial proposed to be designated on Schedule “A” will only be permitted if it abuts existing Highway Commercial development.
- 21.2.3. If it is not practical to have communal services, the proponent shall prepare a hydrogeological report that shall identify the method of servicing. Sufficient lot area shall be provided for the use and the provision of individual services.
- 21.2.4. Retail Commercial establishments shall not exceed a total gross floor area of 2000 sq.m. for an individual establishment or a grouping of permitted uses on a single lot.

21.3. SPECIAL PROVISIONS:

- 21.3.1. Land designated Special Purpose Commercial in part of Lot 22, Concession 9, of the geographic Township of Fenelon and in part of Lot 13, Concession 10 in the geographic township of Verulam, shall be restricted to the uses outlined above but shall not include a motel or restaurant or any use that would consume large quantities of water and as such, the uses should be dry.
- 21.3.2. Land designated Highway Commercial on 368 and 388 Angeline Street South, and described as Part of Lot 16, Conc.5, Parts 3 & 4 (3.3 ha), Plan 57R509, geographic Township of Ops, additional policies and requirements as per amendment no. 44, By-law 2007-144 adopted by the City Council shall apply.
- 21.3.3. On land designated Highway Commercial on Part of Lot 22, Concession 7, Parts 1-3, 57R-10704, in the geographic Township of Ops, a self-storage establishment is a permitted use in addition to the uses listed in Section 21.2.1
- 21.3.4. On land designated Highway Commercial on 4544 Highway 35, and described as 57R-6073 Part 1; 57R-7996 Part 1; Part of Lot 14 Concession 7, Geographic Township of Fenelon, a self-storage establishment is permitted in addition to the uses permitted in Section 21.2.1.

22. INDUSTRIAL DESIGNATION

22.1. PURPOSE

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

22.2. POLICIES

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

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

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

- a) be located on or near main transportation routes;
- b) be directed to lower potential agricultural land whenever possible;
- c) not compromise future development of aggregate resources;

- d) be directed away from residential areas and areas with high potential for recreational and/or tourist development;
- e) not detract from the surrounding natural environment;
- f) not result in truck traffic which would adversely affect sensitive land uses;
- g) be separated from sensitive land uses; and
- h) no industrial use shall be permitted which, from its nature of operation or materials used therein, is declared obnoxious under the provisions of any Statutes or Regulations.

22.3. Servicing

- 22.3.1. Within the Industrial designation, Council will encourage that the land be serviced by municipal communal services, provided it is cost effective and efficient use of services. Partial services will not be encouraged & will only be permitted where they are necessary to address failed individual on-site sewage and water services and considered in accordance with the Provincial Policy Statement. Industrial development will only be permitted within a settlement area if it is infilling or rounds out existing development on partial services.
- 22.3.2. If it is not practical to have communal services, the proponent shall prepare a hydrogeological report that shall identify the method of servicing. Sufficient lot area shall be provided for the use and the provision of individual services.
- 22.3.3. Industrial uses on private services should be restricted to ones that are dry and low water users.

22.4. Parking

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

22.5. Special Provisions

- 22.5.1. Land designated Industrial in part of Lots 20 and 21, Concession 6, geographic Township of Fenelon, shall be limited to dry industries. Prior to the subdivision, rezoning or the development of the lands, an Environmental Evaluation, a hydro geological study, and an engineering report shall be submitted to and approved by the City.
- 22.5.2. Land designated Industrial in Lots 23-25, Concession 3, geographic township of Ops, should be developed as a business park that includes industrial, commercial and office that are compatible and supportive of the airport.

23. AGGREGATE DESIGNATION

23.1. GOAL:

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

23.2. OBJECTIVES:

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

23.3. POLICIES

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

- pits and/or quarries licensed pursuant to the Aggregate Resources Act

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

23.3.2. Provided all applicable policies of this Plan are met, the establishment or expansion of a licensed extraction operation may be permitted as follows:

- a. within the area identified on Schedule A as Aggregate or Aggregate Resource, a new licensed extraction operation or expansion of a licensed extraction operation shall be permitted subject to the requirements of the Aggregate Resources Act, R.S.O. 1990 as amended, and if required, an amendment to the zoning by-law; or
- b. outside the area identified on Schedule A as Aggregate or Aggregate Resource, where it is demonstrated through an Official Plan Amendment that the said resource is not constrained and is of sufficient quantity and quality to warrant extraction as demonstrated to the satisfaction of the Province, and the City, subject to the requirements of the Aggregate Resources Act, R.S.O. 1990, as amended, and if required, an amendment to the local zoning by-law which may be processed concurrently with the Official Plan Amendment.

23.3.3. Where a new pit or quarry is proposed or an expansion is applied for, appropriate studies will be required to ensure that the impact is acceptable. The nature of the

studies will depend on the location and uses in the surrounding area. The City may require a peer review of the studies to determine if the findings are acceptable.

23.3.4. The City will:

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

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

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

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

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

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

- 23.3.10. Haul routes to serve the aggregate industry will be identified to link pits and quarries to Provincial Highways while protecting sensitive areas and avoiding settlement areas. A study has been carried out for finalizing and recommending a “Haul route Network”. Council will consider amendments to this plan to implement the study.
- 23.3.11. Previously licensed and rehabilitated pits and quarries will require an Official Plan Amendment to appropriately re-designate the lands for future use. This may occur as part of the five year reviews.

23.4. LOCATION OF NEW EXTRACTION OPERATIONS

- 23.4.1. Extraction operations will be encouraged to situate in locations appropriately separated from existing and/or planned sensitive land uses.
- 23.4.2. Where appropriate, extraction operations will be encouraged to locate to be contiguous with, or in close proximity to existing operations if such co-location does not generate cumulative adverse environmental or social impacts.

23.5. APPLICATION SUBMISSION REQUIREMENTS

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

The City may request additional technical studies based on the results of the monitoring reports. Special attention will be given to studies related to quarry blasting, noise and vibration due to blasting and drilling and mitigative measures to reduce the impact on surrounding uses.

- 23.5.5. The City may require environmental studies to assess the impact if development occurs within proximity of a quarry operation. This influence area applies to new sensitive land uses encroaching upon an existing quarry operation or to new quarries encroaching on sensitive land uses.

23.6. AGGREGATE ADVISORY COMMITTEE

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

23.7. ROAD IMPROVEMENTS

- 23.7.1. Road improvements may be a condition of the municipal planning approvals.
- 23.7.2. Where necessary, all required studies to support the road improvements will be undertaken and all required road improvements will be implemented prior to the commencement of the extractive operation.

24. SAND AND GRAVEL RESOURCE DESIGNATION

24.1. GOAL:

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

24.2. OBJECTIVE:

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

24.3. POLICIES:

Schedule A to this Plan designates areas of known high potential sand and gravel resources (both deposits of primary and secondary significance as mapped in the Aggregate Resources Inventory) that are not constrained by settlement areas and natural heritage features as Sand and Gravel Resource areas. Deposits of tertiary significance or deposits that are shown to be of high

potential as a result of testing and agreed to in consultation between the Ministry of Natural Resources and the City will also be shown on Schedule A of this Plan as this information becomes available.

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

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

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

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

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

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

- 24.3.4. Minor adjustments to the boundaries of areas of known high potential sand and gravel resources, based on more detailed site evaluation, may be permitted without amendment to the Official Plan. These minor adjustments may include extensions into the identified “Area of Influence” for a constraint feature, subject to the conclusions of an appropriate study.
- 24.3.5. Where detailed mapping of Provincially Significant Natural Heritage features/areas become available, the corresponding boundaries of the areas of known high potential sand and gravel resources will be adjusted to exclude these areas from the identified provincially significant Natural Heritage feature/area.
- 24.3.6. Areas of known high potential sand and gravel resources are based on the Ontario Aggregate Resources Inventory and generally exclude Natural Heritage features, Settlement areas, Rural Clusters (groupings of 6 or more residential uses) and Draft approved/registered, but not yet developed plans of subdivision.
- 24.3.7. Within lands identified on Schedule A as Sand and Gravel Resource, a parcel may be severed by consent into a separate lot if the retained and severed parcels satisfy the abutting Official Plan and Zoning By-law requirements and does not generate any land use compatibility constraints for a potential aggregate operation or licensed aggregate operation.
- 24.3.8. Within lands identified on Schedule A as Sand and Gravel Resource, certain parcels of land may not have aggregate potential. In such cases, an alternative use consistent with the surrounding uses and in conformity with the abutting designation may be considered if Council is satisfied that the proposed use will not impede sand and gravel extraction either on the property to be used or on other holdings in the vicinity. A study by a qualified professional must be completed to the satisfaction of the Council to demonstrate that the parcel of land has no commercial potential for the extraction of sand and gravel. The study must provide information on the quality and quantity of subsurface material to a sufficient depth to assess the feasibility of a commercial mining operation on the site and any other information that the Ministry of Natural Resources or Council deems necessary. The Ministry must confirm in writing that they concur with the findings of the study that there is no commercial sand and gravel potential on the land.
- 24.3.9. Within lands identified on Schedule A as Sand and Gravel Resource, certain parcels of land may not have aggregate potential. In such cases, an alternative use consistent with the surrounding uses and subject to an Official Plan Amendment may be considered if Council is satisfied that the proposed use will not impede sand and gravel extraction either on the property to be used or on other holdings in the vicinity. A study by a qualified professional must be completed to the satisfaction of the Council to demonstrate that the parcel of land has no commercial potential for the extraction of sand and gravel. The study must provide

information on the quality and quantity of subsurface material to a sufficient depth to assess the feasibility of a commercial mining operation on the site and any other information that the Ministry of Natural Resources or Council deems necessary. The City is responsible for approving such studies and may consult with the Ministry of Natural Resources for technical input regarding such studies that analyzes the commercial sand and gravel potential on the land.

25. BEDROCK RESOURCE DESIGNATION

25.1. GOAL:

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

25.2. OBJECTIVE:

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

25.3. POLICIES:

- 25.3.1. Schedule J to this Plan identifies areas of known high potential bedrock aggregate resources (both deposits of primary and secondary significance as mapped in the Aggregate Resources Inventory) that are not constrained by settlement areas and natural heritage features as Bedrock Resource areas. These areas are mapped on Schedule J as a constraint overlay. Deposits of tertiary significance or deposits that are shown to be of high potential as a result of testing and agreed to in consultation between the Ministry of Natural Resources and the City will also be shown on the Schedules of this Plan as this information becomes available.
- 25.3.2. The permitted uses in areas of known high potential bedrock resources shall be agriculture, forestry and open space passive recreational uses. The Bedrock Resource Designation is also intended to act as a buffer between existing Aggregate Designations and adjacent uses. It is the intent of this Official Plan that bedrock resources be protected by directing permanent development away from these areas.
- 25.3.3. It is recognized that the areas designated as Bedrock Resource Constraint Overlay are extensive and in all probability will not be required during the planning period. Given the importance of the non-renewable aggregate resource and ever increasing demands for crushed stone, the large designations are justified.

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

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

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

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

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

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

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

Item	Constraint Feature	Area of Influence

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

25.3.8. Within lands identified on Schedule J as Bedrock Resource Constraint Overlay, a parcel may be severed by consent into a separate lot if the retained and severed parcels satisfy the underlying Official Plan and Zoning By-law requirements and does not generate any land use compatibility constraints for a potential aggregate operation or licensed aggregate operation.

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

26. TOURIST COMMERCIAL DESIGNATION

26.1. GOALS:

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

26.2. OBJECTIVES:

- To provide for various forms of high quality recreational based developments intended for the travelling public that supports the tourism industry;
- To ensure that such development is compatible with surrounding uses and maintain the rural character;

- To establish development that has tourist commercial character in settlement areas except where it is necessary for a tourist commercial development related to resource-based recreational activities to be located outside of a settlement area.

26.3. POLICIES:

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

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

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

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

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

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

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

- 26.3.6. Prior to an amendment to this Plan, a master plan of the Tourist Commercial proposal shall be prepared. The master plan should include information related to the physical characteristics of the site, the impact of the proposal on existing and anticipated municipal costs and service levels, and a detailed site plan showing the location and extent of proposed uses such as open space, recreational units and commercial. The master plan will form part of the background material for the Amendment. Detailed aspects of the master plan may be controlled through the Site Plan Control provisions of the Planning Act.
- 26.3.7. The conversion of Tourist Commercial developments to residential is prohibited.
- 26.3.8. The resource-based recreational component of Tourist Commercial developments will be constructed in the first phase of the development.
- 26.3.9. The scale of Tourist Commercial developments shall not overwhelm the scale and size of the resource. The maximum number of units that can be considered in a Tourist Commercial development shall be based generally on one unit per hectare devoted to the natural recreational feature and on an assessment of the sites environmental constraints and capability, impact on surrounding community, financial and economic impact and ability of the development to provide the required financial guarantees.
- 26.3.10. Tourist Commercial developments shall have access by public road.
- 26.3.11. Notwithstanding Policy 26.3.2 , an expansion of existing tourist facilities in the shoreline areas may be permitted by way of an amendment to the zoning by-law where the expansion is not in conflict with surrounding land uses.

26.4. SERVICING

- 26.4.1. Tourist Commercial development may be developed on privately owned and operated communal wastewater treatment system and/or privately owned and operated communal water systems. The city shall prescribe necessary conditions for the provision and maintenance of services and may require to abide by a servicing agreement to ensure:
- Appropriate operating and maintenance standards;
 - Definition of defaults and required remediation;
 - Financial guarantees that no public funds will be required in the case of a malfunction;
 - Easements, rights of entry and inspection; and
 - Monitoring system.

26.5. SPECIAL PROVISIONS

- a) On land designated Tourist Commercial and described as Part of Lots 4 and 5, Concession 2, geographic Township of Emily, now City of Kawartha Lakes, a Country Inn facility is permitted.

COUNTRY INN shall mean a commercial public lodging establishment providing guest accommodation with onsite owner, managerial, and/or staff housing contained within the buildings and/or cottages in a rural setting providing additional services as are incidental to the use, such as a restaurant, bar, banquet, conference, meeting and/or reception rooms, spa and recreational facilities. Country Inns may also be used for social events or gatherings (such as weddings), and are permitted to obtain liquor licenses. Country Inns may include accessory structures that will be used for recreation, events, and ceremonies, such as tents, pavilions, and gazebos

27. OPEN SPACE DESIGNATION

27.1. GOAL:

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

27.2. OBJECTIVE:

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

27.3. POLICIES

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

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

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

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

- 27.3.4. The area has a high recreational potential and offers excellent backcountry camping, hiking, hunting, fishing, canoe routes, snowmobile trails and wildlife viewing opportunities. The majority of the open space area is covered under the Queen Elizabeth II Wildlands Provincial Park.
- 27.3.5. It is recognized that the City has limited control with respect to Crown Land. The policies of the Official Plan and Zoning by-law are not binding on Crown Land activities; use of Crown Lands and waters will be determined by the Province consistent with the established planning policies of the Municipality. The City will endeavour to take an active part in the development of the Master Plan for the development of the such lands to ensure that what is proposed is in keeping with this Plan.
- 27.3.6. If any Crown Land is patented or disposed of by the Province, the City will zone Crown Land for existing uses until a development proposal is submitted to the City for consideration. Prior to rezoning, an amendment to the official plan will be required to recognize the proposed uses. In considering a proposed amendment to the official plan and zoning by-law, it should be demonstrated that:
- a) the ecological integrity of the area will be preserved so as to protect and enhance the natural composition and abundance of native species, biological communities and ecological processes in the area; and
 - b) the opportunity for recreational activities that are compatible with the natural heritage values and semi-wilderness character of the area will be maintained.

PART D – INFRASTRUCTURE AND SERVICES POLICIES

28. INFRASTRUCTURE AND SERVICE POLICIES

28.1. GOAL:

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

28.2. OBJECTIVES:

- Maintain and enhance the level of services consistent with the social integrity, economic costs, demand and growth projections while ensuring environmental integrity.
- Encourage intensification by locating urban development where servicing costs are minimized and use is maximized. Avoid premature service and utility extensions and locate development where municipal services exist or where they can be logically and economically extended.
- Provide and improve hard services such as sidewalks, curbs, gutters, roads, sewers, water mains and street lighting to applicable standards that are appropriate to the location.
- Use all reasonable and cost effective opportunities to encourage innovative and efficient use of services.
- Identify and give priority to servicing improvements and the reduction of deficiencies which, if improved, assist in stimulating economic development and create long-term employment opportunities.
- Protect and enhance existing communication and transmission corridors and networks, and encourage the development and maintenance of modern telecommunications infrastructure to serve businesses and residents.
- Develop a transportation system strategy which will emphasize safety, convenience and efficiency and which will address the multiple forms of transportation found in the City including roads, waterways, trails, pedestrian routes, public transit and the airport.

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

28.3. POLICIES

Water and Sewage Facilities

- 28.3.1. Where communal water services are required for residential development, Council will determine if they will allow the establishment of a communal well that is subject to the Safe Drinking Water Act. & current legislation.
- 28.3.2. Written consent in the form of a Responsibility Agreement with the municipality is required for non-municipal communal wells that serve six or more private residences. The Municipality will require financial assurances as a part of the Responsibility Agreement and a detailed hydrogeological study that has been peer reviewed by the City to ensure that the water supply has sufficient quantity and quality of water and that the soils are suitable for the proposed sewage disposal systems and that cross contamination will not take place.

- 28.3.3. Large subsurface sewage disposal systems with a design capacity of greater than 10,000 litres per day and new sewage works require approval under the Ontario Water Resources Act.
- 28.3.4. The City operates a number of small systems. Small systems are generally not cost efficient to operate, maintain and monitor. Until the City has completed a City wide servicing master plan, no new water or sewage systems will be assumed. The serving plan will incorporate recommendations that Council can use to develop policies for assuming new water or sewage systems.
- 28.3.5. Municipal water wells, water storage facilities, water supply and water pollution control plants and water and sewage pumping stations may be allowed in any designation.
- 28.3.6. No new on-site wastewater system will be permitted within 100m of a lake or permanent stream within the Lake Simcoe Watershed except under the provisions of the Lake Simcoe Protection Plan.
- 28.3.7. No new non-municipal sewage treatment plant shall be established in the lake Simcoe Watershed unless it conforms to the Lake Simcoe Protection Plan.
- 28.3.8. It is anticipated for the Ministry of Environment to release guidelines with regard to sufficient treatment capacity for hauled sewage from private communal sewage services and individual on-site sewage services. Once these guidelines are released it shall be the intent of the County to consider amendments to the Official Plan to be consistent with the Sewage and Water policies of the Provincial Policy Statement.

28.4. SERVICING FOR NEW DEVELOPMENT

- 28.4.1. All new development with six or more residential dwellings or lots shall be on full municipal systems. The exception is within the Hamlet and Waterfront designations, provided the designation boundaries are not being expanded. Within the Hamlet and Waterfront designations, the development shall be based on the level of services that are provided within the hamlet or waterfront area. The area covered by DP8 (Longford reserve) is exempted from this policy.
- 28.4.2. An industrial or commercial use will be considered to be dry if the on site sewage-disposal facilities are primarily for the use of employees and no industrial liquid wastes, or washing, cooling or processing water is discharged into the subsurface sewage disposal systems. Development of the land by consent, plan of subdivision or condominium shall not be approved until such time as a hydrogeological report has been submitted which demonstrates to the satisfaction of the City the capacity of the site to support private, individual water supply and sewage disposal systems. Zoning of the subject land may be placed in a Holding

category to prohibit development until the required hydrogeology report has been approved by the City.

- 28.4.3. A development that is seasonal may have a communal system if it is held under single ownership and the units or vacation dwellings have a limitation on the length that a person may reside within the development.
- 28.4.4. Individual services are permitted for lots created by consent within the Prime Agricultural, Rural, and Waterfront Designations.

28.5. WATER AND WASTEWATER MANAGEMENT SYSTEMS

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

28.6. TRANSPORTATION

- 28.6.1. The City of Kawartha Lakes will provide for the establishment of priority routes for goods movement, where feasible, to facilitate the movement of goods into and out of areas of significant employment, industrial and commercial activity and to provide alternate routes connecting to the provincial network.
- 28.6.2. Land uses will be planned in the vicinity of, transportation facilities such as inter-modal facilities, rail yards, airports, dockyards, and major highway interchanges that are compatible with, and supportive of, the primary goods movement function of these facilities.
- 28.6.3. Local roads provide access to lots and serve low volumes of traffic and are generally 20 metres in width.
- 28.6.4. Arterial Roads provide for medium volumes of traffic. In the rural areas, a right of way of 26 metres will be required for higher volume traffic areas.
- 28.6.5. There are a number of local roads that are maintained seasonally. The City will not encourage new development on these roads unless the new development contributes to upgrades to the road to bring it up to a year round municipal standard.

- 28.6.6. There are a number of private roads throughout the City. The City will require these to be upgraded prior to being assumed by the City. The roads right of ways should have a minimum width of 20 metres. Alternatively, the road could be part of a condominium whereby the abutting property owners would be responsible for the capital cost to upgrade the road and maintaining it.
- 28.6.7. Where lots do not have direct access onto a maintained year round municipal road or provincial highway, the City will not permit development to take place. This provision will be incorporated into the zoning by-law. The exceptions to this provision, are when:
- the lot is zoned Limited Service;
 - the lot is within a plan of subdivision where the road is to be assumed by the municipality as provided for in a subdivision agreement;
 - the land owner has entered into an agreement or licence with the City for maintenance and/or construction of the road; or
 - access will be over a road that is part of a condominium where the owner of the lot or unit is a member of the condominium.
 - The area is within DP8 (Longford Area) except if application for consent, subdivision or condominium is made.
- 28.6.8. Pedestrian and bicycle networks will be integrated into transportation planning, where feasible, to:
- provide safe, comfortable travel for pedestrians and bicyclists within existing communities and new development; and
 - provide linkages between intensification areas, adjacent neighbourhoods, including dedicated lane space for bicyclists on major street network where feasible.
 - Promote and support travel demand management initiatives to reduce the dependence on the single occupant vehicle (healthy community policy).

28.7. PROVINCIAL HIGHWAYS

- 28.7.1. Highways 7, 7A, 35 and 115 provide a major means of access through the City linking it to other parts of the province. An extensive planning study is nearing completion for potentially providing a four lane divided Highway from the intersection on 35/115 to Highway 7 just south of Lindsay.

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

- 28.7.3. All development proposals located adjacent to or within the permit control area of the MTO must obtain MTO approval prior to any construction being undertaken. Depending on the scope of the project, a site plan, Traffic Impact Study and Stormwater Management Report may be required for MTO review. Depending on the specifics of the site, additional information or studies may be required by the MTO.

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

- 28.7.5. All provincial highways located within the City of Kawartha Lakes fall under the jurisdiction of the Ministry of Transportation. The provincial highway system will continue to preserve the long-term safety and operating viability of the Provincial highway system to ensure the most effective movement of people, and goods and at the same time protect the investment in existing and future transportation infrastructure. Access to any development shall be, as far as possible, via a local road system to preserve the operating viability of the Provincial Highway System. If direct access onto a Provincial Highway is necessary, entrance permits shall be obtained from the Province. The issuance of permits for entranceways to a Provincial Highway is solely within the discretion of the Province.

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

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

28.8. AIRPORT

- 28.8.1. Development near the Lindsay airport shall be consistent with Section 1.6.9.2 of the PPS, as amended.

- 28.8.2. An Airport Master Plan was completed in 2002. The purpose of this Plan was to provide guidelines for the orderly long-term development of the Airport's lands, operation and facilities. Guidelines of this Plan included satisfying present and future aviation demand in a financially responsible manner, while considering environmental and socio- economic issues.
- 28.8.3. The City's objective for the Airport is to provide the residents and businesses of Kawartha Lakes with access to convenient and cost effective air transport services in a socially and fiscally responsible manner; while being progressive in its efforts to promote, develop and upgrade the Airport's lands and facilities.

28.9. RAIL LINES

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

28.10. TELECOMMUNICATION AND UTILITY INFRASTRUCTURE

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

PART E- INTERPRETATION AND DEFINITIONS

29. INTERPRETATION AND DEFINITIONS

29.1. INTERPRETATION

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

- 29.1.9. Where there is a conflict between one or more policies in the City of Kawartha Lakes Official Plan and a secondary plan, development plan, area-specific, or site-specific policy, then the policy in such secondary plan, development plan, area-specific, or site-specific policy shall prevail.

30. DEFINITIONS

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

Accessory Wind Turbines:

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

Additional Residential Unit:

means a residential dwelling unit that is self-contained, subordinate to and located within the same building or on the same lot as the primary residential unit. The additional residential unit shall include the following areas that are separate from the primary residential unit: a separate entrance, kitchen facilities, washroom facilities, and living space.

Adjacent Lands:

means those land adjoining a property on the Heritage Register or lands that are directly across from and near to a property on the Heritage Register and separated by land used as a private or public road, highway, street, lane, trail, right-of-way, walkway, greenspace, park and/or easement, or an intersection of any of these; whose location has the potential to have an impact on a property on the heritage register; or as otherwise defined in a Heritage Conservation District Plan adopted by by-law.

Adverse Effects:

means one or more of:

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

VII. loss of enjoyment of normal use of property; and

VIII. interference with normal conduct of business.

Affordable means:

a) in the case of ownership housing, the least expensive of:

- housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low and moderate income household;
- or housing for which the purchase price is at least 10 % below the average purchase price of a resale unit in the regional market area.

b) in the case of rental housing, the least expensive of:

- a unit for which the rent does not exceed 30 percent of gross annual household income for low and moderate income households; or
- a unit for which the rent is at or below the average market rent of a unit in the regional market area.

Agricultural-related Uses:

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

Agricultural Use:

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

Agri-business Uses:

means agriculture related uses that require proximity to agricultural operations such as abattoirs, livestock marketing or sales yard, a seed cleaning plant, an agricultural produce warehouse or similar agri-business uses providing inputs, service storage or processing outputs from the farm operation.

Agro-forestry:

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

Agri-tourism:

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

Alteration:

is any change to a property on the Heritage Register in any manner including its restoration, renovation, repair or disturbance, or a change, demolition or removal of an adjacent property that may impact the heritage attributes of a property, district or designated feature on the Heritage Register.

Anaerobic Digestion:

A process used to decompose organic matter by bacteria in an oxygen-limited environment.

Areas of Natural and Scientific Interest (ANSI):

mean areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study, or education.

Bed and Breakfast:

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

Brownfield Sites:

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

Built-up Area:

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

Built Boundary:

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

Cabin:

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

Community Improvement:

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

Community Improvement Plan:

means a plan for the community improvement of a community improvement project area.

Community Improvement Project Area:

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

Compact Urban Form:

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

Complete Communities:

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

Conservation Authority:

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

Day Care Facility:

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

Development:

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

Dense Non-Aqueous Phase Liquid:

Chemicals that are both denser than water and do not dissolve readily in water. Because of these traits, DNAPLs tend to sink below the water table and only stop when they reach impenetrable bedrock, making them difficult to locate and cleanup. Commonly used DNAPLS include, but are not limited to, paint strippers, varnishes, aerosols, and pharmaceuticals.

Density Targets:

Means targets for designated Greenfield areas as outlined in section 18.7 and defined in the Growth Plan for the Greater Golden Horseshoe, 2006.

Designated Greenfield Area:

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

Drinking Water Threat:

An activity or condition that adversely affects or has the potential to adversely affect the quality or quantity of any water that is or may be used as a source of drinking water, and includes an activity or condition that is prescribed by the regulations as a drinking water threat. Refer to the Clean Water Act for the prescribed drinking water threats.

Ecological Function:

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

Employment Area:

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

Endangered Species:

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

Environment:

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

Environmental Evaluation and Environmental Impact Study

are terms used within this Plan and are interchangeable and mean the same thing.

Environmental Protection:

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

Environmentally Sensitive Areas:

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

Fish Habitat:

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

Flood Fringe:

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

Flood Plain:

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

Flooding Hazards:

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

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

Floodway:

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

Health Unit:

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

Home Industry:

means a use that is wholly enclosed within a building that is not partly used as a dwelling. The use is compatible with the other permitted uses on the lot. It is to be for a small-scale dry, light industrial use that is secondary to and compatible with a domestic household and is carried out

primarily by members of the household residing in the dwelling. Examples of such uses would be a carpentry shop, machine shop, welding shop, repair shop for appliances and vehicles, electrical, plumbing and building contractor shops.

Home Occupation:

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

Hydrogeology:

the study of ground water.

Hydrology:

the study of surface water.

Industry:

Light Use:

means a place of business, the principal use of which is for a small scale, self-contained plant, facility or building that produces and or stores a product within a wholly enclosed building. Such uses will, generally, unless mitigative measures are provided, be limited to daytime operation, will have infrequent movement of products and/or heavy trucks and will have no outside storage.

Medium Use:

means a place of business, the principal use of which is for processing and manufacturing with outdoor, unenclosed storage of products, wastes or materials. Such uses may have shift operations with frequent movement of products and/or heavy trucks during daytime operations."

Heavy Use:

means a place of business for large scale manufacturing or processing characterized by large physical size, outside storage of raw materials or products, large production volumes and continuous movement of products, materials, equipment and employees throughout daily shift operations.

Infilling:

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

Infrastructure:

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

Institutional Uses:

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

Intake Protection Zone:

The vulnerable area delineated around surface water intakes for municipal drinking water systems and is comprised of subzones:

- IPZ-1: The area immediately adjacent to the intake and is considered the most vulnerable area due to its proximity to the intake. IPZ-1 is the area within a 1,000m radius when centered on the intake, and where IPZ-1 extends onto or touches land, land within a 120m setback of the high water mark.
- IPZ-2: A secondary protection area that is located upstream of the IPZ-1 and represents the extent to which a contaminant could travel to the municipal intake within 2 hours of its release into the environment (due to a spill or leak).

Intensification:

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

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

(Provincial Policy Statement, 2005)

Intensification Areas:

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

Intensification Waterfront Designation:

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

Large Format Retail Use:

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

Mineral Aggregate:

means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the Aggregate Resources Act suitable for construction, industrial, manufacturing and maintenance purposes but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the Mining Act.

Minimum Distance Separation Formulae (MDS):

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

Municipal Comprehensive Review:

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

Municipal Drinking Water System:

A drinking water system or part of a drinking water system,

- a. That is owned by a municipality or by a municipal service board established under the Municipal Act, 2001;
- b. That is owned by a corporation established under Sections 9, 10, and 11 of the Municipal Act, 2001 in accordance with Section 203 of the Act;
- c. From which a municipality obtains or will obtain water under the terms of a contract between the municipality and the owner of the system; or,
- d. That is in a prescribed class.

Natural Heritage Areas and Features:

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

Natural Heritage System:

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

Negative Impacts:

means:

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

Net Hectares:

The total developable portion of a property or site. Net hectares does not include lands within the Natural Heritage System, parkland, roads and infrastructure.

New multi lots and units for residential development:

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

One Hundred Year Flood:

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

Open Water:

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

Portable Asphalt Plant:

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

Primary Residential Unit:

means a single detached, semi-detached or townhouse dwelling for the purpose of the definition of Additional Residential Unit.

Prime Agricultural Area:

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

Prime Agricultural Land:

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

Recreational Vehicle Park:

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

Rehabilitation:

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

Retiring Farmer:

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

Risk Management Official:

The person appointed under Part IV of the Clean Water Act, 2006 and the person who is responsible for making decisions about risk management plans and risk assessments and must meet the prescribed criteria in the regulations under the Clean Water Act, 2006.

Secondary uses:

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

Sensitive Land Use or Sensitive Use:

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

Settlement Area:

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

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

Sewage and Water Systems:

Full municipal sewage and water services:

means a piped water that is connected to a centralized water supply system and a sewage collection system that is connected to a centralized wastewater treatment facility.

Public communal services:

mean sewage works and sewage systems, and water works that provide for the distribution, collection or treatment of sewage or water but which are:

- not connected to full municipal sewage and water services;
- for the common use of more than five residential units/lots; and
- owned, operated and managed by either:
 - the municipality; or
 - another public body; or
 - a condominium corporation or single owner which has entered into a Responsibility Agreement with the municipality or public body, pursuant to of the Planning Act, providing for municipal/public body assumption of the communal services in the event of default by the owner.

Shopping Centre:

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

Shoreline:

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

In a natural state:

the land is composed of two zones. The first is referred to as ‘riparian’ zone that is the land closest to the shore that generally has a thick layer of low foliage that assists in controlling erosion, filters impurities out of surface runoff, and may be subject to flooding. The higher, drier ground is called the ‘upland’ zone that is typically forested with the kinds of trees that take advantage of soils with good drainage.

Significant:

means features or areas that are ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or natural heritage system.

Significant Drinking Water Threat:

An activity which poses or has the potential to pose a significant risk to the source of a municipal drinking water system.

Significant Drinking Water Threat, Existing:

A significant drinking water threat where:

- a. An activity that has been engaged in prior to the date that the Source Protection Plan takes effect and continues to occur;
- b. An agricultural activity that has been engaged in at sometime within the 10-year period prior to the date that the Source Protection Plan takes effect;
- c. An activity that is related to a development proposal where an application was made under the Planning Act, Condominium Act, or Building Code Act on a day before the Source Protection Plan takes effect; or,
- d. An activity that is related to an application made for the issuance or amendment of a prescribed instrument, as defined by the applicable Source Protection Plan, on a day before the Source Protection Plan takes effect.

Significant Drinking Water Threat, Expansion:

An increase in the scale of an activity that is considered a significant drinking water threat already taking place on a property. The increase in scale may include, but is not limited to:

- a. Increasing the area of land where an activity is taking place;
- b. Increasing the amount of effluent or discharge from an activity;
- c. Increasing the quantity of chemical or pathogen-containing material handled or stored; or,
- d. Increasing the quantity of chemical or pathogen containing material applied.

Significant Drinking Water Threat, Future:

An activity that is considered a significant drinking water threat that is proposed or intended to commence after the date the applicable Source Protection Plan takes effect and is not an existing activity.

Significant Groundwater Recharge Areas:

Areas that are characterized by porous soils and that help maintain the water level in an aquifer.

Site Alteration:

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

Source Material, Agricultural:

A variety of materials that may be sources of nutrients or pathogens, such as:

- Manure produced by farm animals, including bedding materials
- Runoff from farm-animal yards and manure storages
- Wash water that has not been mixed with human body waste
- Organic materials produced by intermediate operations that process the above materials (e.g., mushroom compost)
- Anaerobic digestion output that does not include sewage biosolids or human body waste
- Regulated compost that is derived from compost containing dead farm animals

Source Material, Non-Agricultural:

A variety of materials that may be sources of nutrients or pathogens and are intended to be applied to land as nutrients, but are not necessarily produced on a farm, such as:

- Pulp and paper biosolids
- Sewage biosolids
- Anaerobic digestion output where less than 50% of the total material is on-farm anaerobic digestion materials
- Any other material that is not from an agricultural source (i.e., materials from dairy product or animal food manufacturing)

Threatened Species:

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

Tourist Resort:

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

Transport pathway:

A condition of land resulting from human activity that increases the vulnerability of a raw water supply of a drinking water system contained in the Trent Source Protection Plan. Transport pathways may include, but are not limited to, the following:

- For groundwater systems: wells or boreholes, unused or abandoned wells, pits and quarries, mines, construction activities involving deep excavations (such as building foundations, basements, parking garages), underground storm sewer, and sanitary sewer and water distribution system infrastructure
- For surface water systems: storm drainage infrastructure (e.g. storm sewer lines, culverts, ditches), and tile drains

Vacation Dwelling:

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

Vulnerable Area:

Wellhead Protection Areas and Intake Protection Zones around municipal drinking water sources where activities may be a significant drinking water threat now or in the future.

Waste Disposal Facility:

Means a sanitary land fill site or a sewage treatment facility.

Waste Disposal Site:

Within the meaning of Part V of the Environmental Protection Act includes:

- a) any land upon, into, in or through which, or building or structure in which, waste is deposited, disposed of, handled, stored, transferred, treated or processed, and
- b) any operation carried out or machinery or equipment used in connection with the depositing, disposal, handling, storage, transfer, treatment or processing referred to in clause a).

Waste Management System:

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

Wellhead Protection Area:

The vulnerable area delineated around groundwater wells. The delineation helps to identify the length of time it would take most contaminants to travel from the location of a spill or leak to the associated well.

- WHPA-A: The area within a 100m radius from a wellhead, considered the most vulnerable area for groundwater intakes
- WHPA-B: The area within which the time to travel to the well (within the aquifer) is up to and including 2 years
- WHPA-C: The area within which the time to travel to the well (within the aquifer) is up to and including 5 years
- WHPA-D: The area within which the time to travel to the well (within the aquifer) is up to and including 25 years
- WHPA-E: A well that is influenced by surface water and is referred to as groundwater under direct influence of surface water

Wetland:

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

Wildlife Habitat:

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

Woodlands:

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

PART F – SUBORDINATE PLANS AND SPECIAL POLICY AREAS

31. SUBORDINATE PLANS AND SPECIAL POLICY AREAS

31.1. SECONDARY PLANS

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

The Secondary Plan shall have regard to the following criteria:

- the physical suitability of the land for development based on the policy guidelines of Policy 4 of this Plan;
- the impact that development may have on surrounding areas;
- the adequacy of and impact on services and facilities;
- the potential effect of development on the financial position of the municipality;
- the convenience, accessibility and safety of the site for vehicular and pedestrian traffic;
- the adequacy of the road system which will provide access to the development;
- in shoreline areas, the capacity of the waterbody to sustain further development and a justification for any development based on the number, extent, and location of similar situations on the entire lake or river and how the development ranks against them based on policies contained in this Plan;
- consideration shall be given to the adequacy of the soil and groundwater to sustain the development without having an adverse impact on the surrounding areas or uses;
- the protection of natural heritage features and their biodiversity and connectivity;
- where land is designated as Environmental Protection or is considered to be subject to flooding, the potential impact of the flooding shall be determined

along with the methods by which these impacts may be overcome in a manner consistent with accepted engineering techniques and resource management practices; and

- for those secondary plans areas abutting or in close proximity to a provincial highway, the MTO requires comprehensive traffic impact studies be undertaken at the preliminary stages of development or in the preparation of the secondary plan in order to properly identify and assess long term implications to the provincial highway system.

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

31.2. LINDSAY SECONDARY PLAN

31.2.1. Vision, Goals, and Strategic Directions

The Vision, Goals, and Strategic Directions of the Lindsay Secondary Plan are as follows:

31.2.1.1. Vision

The Secondary Plan for Lindsay is based upon, and future development should be guided by, the following vision developed based on the input from community consultation activities in Lindsay:

"Over 20 years Lindsay will expand its employment base, preserve existing heritage buildings and the natural environment as part of its own unique identity, increase educational and tourism opportunities, and develop affordable and accessible residential areas."

31.2.1.2. Goals

The following goals were identified for Lindsay:

- a) To outline a vision for Lindsay's long-range physical development that reflects the aspirations of the community while managing the effects of such development on the social, economic, and environmental well-being of Lindsay;
- b) To provide strategies and specific implementing actions that will allow the vision to be accomplished;
- c) To provide a basis for City staff when reviewing specific development proposals and ensure that development projects are in harmony with this Plan's policies;

- d) To provide guidance for the City, other public agencies, and property owners to coordinate and design projects that will enhance the character of the community; and
- e) To provide land use designations to guide the growth of the Lindsay settlement area.

31.2.1.3. Strategic Directions

Strategic directions give specific purpose to the policies of this Plan. The following strategic directions were identified for Lindsay:

- a) Attract people and new businesses;
- b) Make the development application process easier;
- c) Encourage planning that fits with the built and natural environment;
- d) Maintain the integrity of the business core; and
- e) Maintain equality throughout Lindsay.

31.2.2. General Policies

Growth in Lindsay and this Secondary Plan is based on:

- a) A 2006 population of 19,631 and a forecasted 2031 population of 31,002;
- b) 7,744 residential dwelling units in 2006 and a forecasted 13,657 residential dwelling units in 2031; and
- c) A greenfield mix of 71% low density, 9% medium density, and 20% high density residential development.

31.2.2.1. Housing

31.2.2.1.1. The priority areas for intensification development in Lindsay are as follows:

- a) The downtown;
- b) Infill sites and brownfield sites within the built-up area;
- c) Sites located along Provincial highways, arterial roads, collector roads, and intensification corridors within the built-up area; and
- d) Sites within the built-up area where there is sufficient municipal servicing capacity to accommodate development.

31.2.2.1.2. Intensification development shall be in accordance with section 18.6 of the Official Plan and section 2.2.3.7 of the Growth Plan.

31.2.2.1.3. The City will encourage intensification development in areas that are or will be serviced by transit, readily serviced by public service facilities and nearby amenities, and developed to support pedestrian activity.

31.2.2.1.4. The next Municipal Comprehensive Review shall identify intensification corridors and potential intensification sites in accordance with section 18.6.6 (f).

31.2.2.1.5 The servicing of intensification development shall be in accordance with policy 34.8.3(iv).

31.2.2.1.6. The development of affordable housing will be in accordance with the relevant policies of Sections 5 and 18 of the Official Plan.

31.2.2.1.7. Secondary suites will be permitted within single, semi-detached, and townhouse dwelling units where residential dwellings are permitted as a use, as appropriate.

31.2.2.2. Economic Development

31.2.2.2.1. The City will support the creation of a pro-active economic development strategy for Lindsay and will work with senior levels of government, stakeholders and residents to implement the Green Hub Community Improvement Plan.

31.2.2.2.2. The City will work with stakeholders and local residents to define a community improvement area for Lindsay's downtown and to develop a Downtown Community Improvement Plan in accordance with Section 9 of this Plan.

31.2.2.2.3. The City will work with stakeholders to define a community improvement area for Lindsay's main streets and to develop a Main Streets Community Improvement Plan in accordance with Section I of this Plan. The Main Streets Community Improvement Plan could be combined with the Downtown Community Improvement Plan reference in Section 31.2.2.2.2 above.

31.2.2.2.4. The City will work with GO Transit to expand transit services to downtown Lindsay.

31.2.2.3. Parks, Open Spaces and Trail Systems

31.2.2.3.1. The City shall implement a program to improve the connectivity of Lindsay's downtown with its waterfront parks and open space network and to offer more amenities along the Scugog River parks.

31.2.2.3.2. The City will develop a strategy to construct a bike or multi-use connection between downtown Lindsay and Sir Sanford Fleming College and the Lindsay Recreation Complex.

31.2.2.3.3. The City will develop a strategy to create a safe walking and cycling route to the Lindsay Fairgrounds.

31.2.2.3.4. The City will work on the design and implementation of pedestrian and cycling connections to the Scugog River shoreline, the Victoria Park Armoury, Adelaide Street Park, and Kent Street. To help advance the active transportation opportunities in Lindsay, the connections which presently exist should be leveraged to provide improved conditions along these routes. Improved connections could occur in three (3) ways:

1. Building of strong pedestrian and dedicated cycling lanes on the current street network;
2. Ensuring that existing active transportation linkages are physically completed and well maintained to allow for year round use; and
3. Introduce a midblock active transportation network behind Kent Street (through the northern block) that would provide a unique opportunity to allow for cycling access parallel to Kent Street. This midblock link would tie to supporting amenities such as bike parking and public washrooms.

31.2.2.3.5. The City will work with Parks Canada to implement improvements to the Trent-Severn Waterway amenities to serve visitors and residents. In Lindsay, priority improvements will include the provision of new docks with close proximity to the downtown and a public washroom and/or "comfort station".

31.2.2.3.6. The City will encourage the implementation of the recommendations of the Trails Master Plan for Lindsay, in particular to upgrade and improve the continuation of the Victoria Rail Trail Corridor and the improvements to the trails along the Scugog River parks in Lindsay.

31.2.2.4. Downtown Development

31.2.2.4.1. The Downtown's architectural stock and built-form is relatively consistent along Kent Street and provides a strong street wall, which helps to reinforce a downtown feel. The heights of the buildings are also relatively consistent. Identifiable buildings include the Victoria Park Armoury, Lindsay Town Hall & Civic Facilities, and the Academy Theatre. These buildings work to establish cultural heritage and civic importance. All three buildings also offer strong architectural presence on the street and all efforts should be made to secure viewsheds and sightlines to these structures.

31.2.2.4.2. New downtown development and infill building should be designed to take into account the policies in Sections 18.11 and 18.13.

31.2.2.5. Urban Design

31.2.2.5.1. The City will work on the enhancement of Lindsay's entries in order for travelers to acknowledge their arrival, navigate, and provide sense of place. Five perimeter gateways are identified:

1. Southern approach – Highway 7 and Lindsay Street South (highly visual on approach);
2. Western approach – Kent Street and Highway 7 (highly visual on approach);

3. Eastern Gateway – Queen Street and CKL Road 36 (modest signage to demarcate intersection and direction into the downtown);
4. Northern Kiosk – existing within the park, attempts need to be made to provide clear wayfinding, trails, access and awareness of the kiosk; and
5. Memorial Park – an existing park with train cars as an identifiable marker: an information kiosk can be placed to providing tourist information on approach to the downtown.

31.2.2.5.2. The City will develop a strategy to implement highly visual gateway treatments, which can include signage, vertical elements, public art and architectural pieces, while invoking cultural significance. Modest signage should be at a human scale and be made up of wayfinding treatments at the corners of the intersection. Both the northern kiosk and the Memorial Park information centres should be enhanced and designed to reinforce sense of place while also providing information on how to navigate through the community.

31.2.2.5.3. The City will work on the location of Downtown gateways and entry demarcation on major intersections. Urban design treatments in accordance with Section 18.13.8 should be further enhanced with the use of a crest or other identifiable symbol that is strongly associated with Lindsay's history.

31.2.2.5.4. The City will work on bridge improvements and on developing an urban design strategy in order to help the Lindsay Street and Wellington Street Bridges become landmarks on entry into the downtown and providing an awareness of the Scugog River, in accordance with Section 18.13.9.

31.2.2.5.5. The City will work on streetscape improvements along the primary streets of the downtown, which are Kent Street and Lindsay Street. Improvements may include street tree planting, landscaping, improvements to sidewalks, use of decorative paving, street furniture, street lighting and signage, as required.

31.2.2.5.6. The City will study the need for streetscape improvements to secondary downtown streets which function as expansion zones for downtown streetscape treatment. The secondary streets network helps to define the future growth of the downtown and include:

- a) Kent Street (between Adelaide Street and Sussex Street)
- b) Russell Street
- c) Peel Street
- d) William Street
- e) Cambridge Street
- f) Victoria Avenue

31.2.2.6. Environment and Natural Heritage

31.2.2.6.1. Schedule "G-1" conceptually illustrates Environmental Constraint Areas and Environmentally Sensitive Features that influence the ultimate form and structure of the settlement area of Lindsay. The lands identified on Schedule "G-1" display known physical hazards and/or Environmentally Sensitive Features. If development occurs without regard to these constraints, loss of life, property damage or degradation of the environment may occur. Delineation of these constraints has been derived, in a conceptual manner, from mapping provided by Kawartha Conservation. While these constraints must be given due consideration in the development and redevelopment of land within the areas identified on Schedule "G-1", development proposals may be considered where appropriate studies have demonstrated that development or redevelopment could take place without negatively affecting the risk of loss of life, property damage or the degradation of the environment. The delineation of these constraints may be refined through the preparation of an Environmental Impact Study (EIS), as required by Sections 3.5.37 to 3.5.40 of this Plan, and without amendment to this plan.

31.2.2.6.2. The City will protect, conserve, and promote Natural Heritage in accordance with the 2014 Provincial Policy Statement and Section 3.5 of the Official Plan. Approval from the Ministry of Natural Resources and Forestry will be required to modify evaluated wetland boundaries.

Environmental Constraint Areas

31.2.2.6.3. Schedule "G-1" conceptually delineates as Environmental Constraint Areas those lands that are susceptible to flooding or erosion, have steep slopes or soil instability, may contain Provincially Significant Wetlands or other natural heritage features, are located within 120 m of a lake or river having fish (identified as "EIS Study Area – 120m Buffer" in Schedule G-1), and/or contain Environmentally Sensitive Features. Development of the lands in accordance with the designation on Schedule "F-1" may be permitted provided that the development does not result in an increased risk of loss of life, property damage or the degradation of the environment. An EIS prepared in accordance with Sections 3.5.36 to 3.5.39 of this Plan shall be required for all development proposals on or abutting lands identified as Environmental Constraint Area.

31.2.2.6.4. Where Environmental Constraint Areas are identified through an EIS, flood plain analysis or other appropriate study on lands subject to site plan control, the site plan shall implement the findings of the study. The site plan shall correctly and precisely delineate those lands impacted by the constraints and identify how the proposed development and/or redevelopment will ensure no negative affect on the risk of loss of life and property damage and no degradation of the environment.

31.2.2.6.5. The City will work with the Kawartha Conservation in the delineation and updating of areas susceptible to flooding and erosion. The City shall incorporate the results of any new flood plain mapping into the Secondary Plan, when available from Kawartha Conservation.

31.2.2.6.6. The City recognizes that portions of existing development may be located within a flooding hazard identified through Policy Area #1 and that existing development may continue (in accordance with Section 17.6 of this Plan). An existing building or structure located in a flooding hazard may be enlarged, expanded or altered subject to:

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

The construction or rehabilitation of a boathouse may be permitted provided it is designed in accordance with the floodproofing requirements of Kawartha Conservation.

31.2.2.6.7. Lands within Policy Area #2 are subject to the Ops No. 1 Drain and Jennings Creek Watershed Flood Hazard Management Policy as approved by Kawartha Conservation in 2014. Development of these lands may be permitted in accordance with the policy.

Environmentally Sensitive Features

31.2.2.6.8. Schedule "G-1" delineates as Environmentally Sensitive Features those areas that are recognized by this Plan as comprising the Natural Heritage System (i.e., wetlands, fish habitat including significant spawning areas, and significant woodlands). The following policies shall apply to the developments on lands adjacent to Environmental Sensitive Features:

- a) In accordance with the provisions and policies of this Plan, development may be permitted on lands adjacent to the Environmentally Sensitive Features to the extent that the type or magnitude of development is compatible with the environmental conditions or that suitable measures have been undertaken to mitigate any resulting negative impact. The uses permitted shall be in accordance with Schedule "F-1". Development and site alteration is not permitted within a Provincially Significant Wetland.
- b) In considering the approval of a development application By-law adjacent to the area delineated as Environmentally Sensitive Features on Schedule "F-1" of this Plan, Council, in conjunction with Kawartha Conservation and Parks Canada (Trent-Severn Waterway), shall give consideration to the need for an analysis of the impact of development on the Environmentally Sensitive Area. An EIS in accordance with Sections 3.5.37 to 3.5.40 of this Plan shall be required for all development proposals on or abutting areas identified as Environmentally Sensitive Features.
- c) Lands adjacent to Environmentally Sensitive Features, identified in this Plan, shall be developed and managed in a manner to protect and complement the nature of the

adjacent sensitive area. Regard shall be had for the location, extent and nature of the environmentally sensitive area, the scale of the proposed development, the potential impact on the Environmentally Sensitive Features and the proposed mitigating measures including the adequacy of spatial setbacks and buffers. Council shall consult with Kawartha Conservation and Parks Canada (Trent-Severn Waterway) in relation to the appropriateness of the proposed mitigating measures.

- d) Where, due to the environmentally sensitive nature of the area, an analysis of the impact of development is considered necessary, no change may be made to the natural environment until such time as the Developer undertakes an assessment of the area in accordance with the requirements of paragraph (b) hereof. Such a report shall be prepared to the satisfaction of Council, Kawartha Conservation, the Ministry of Natural Resources and Forestry and Parks Canada (Trent-Severn Waterway).
- e) Where an Environmental Assessment of a proposal is conducted in accordance with the provisions of The Environmental Assessment Act, that assessment shall be considered as having fulfilled the requirements of paragraph (b) of this Section.
- f) Where Federal Lands are involved and the Federal Environmental Assessment and Review Process is required, that assessment shall be considered as having fulfilled the requirements of paragraph (b) of this Section.

Protection of Shorelines

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

31.2.2.6.10. The alteration of shorelines for the purpose of establishing or altering drainage works such as those works under the Drainage Act, infrastructure or for stabilization, erosion control or protection purposes shall only be permitted if it is demonstrated that natural shoreline treatments (e.g. planting of natural vegetation, bioengineering) that maintain the natural contour of the shoreline will be used where practical, and a vegetative riparian area will be established to the extent feasible.

31.2.2.6.11. Where a proposal for development or site alteration is permitted within 30 metres of a shoreline, in accordance with Section 3.5.38 of the Official Plan, the proposal for development or site alteration shall comply with the following where applicable:

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

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

Trent-Severn Waterway

31.2.2.6.12. Along the Trent-Severn Waterway, any in-water and shoreline works, including but not limited to docks, boathouses, boat ramps, and shoreline alterations require an approved work permit from Parks Canada before any work can commence. Work must also adhere to Parks Canada's Policies for In-Water and Shoreline Works and Related Activities.

Waste Disposal Assessment Areas

31.2.2.6.13. The identification, management and clean-up of former waste and contaminated sites are important to achieve the Goals, Principles, and Objectives of this Plan. An EIS in accordance with Section 36.10 of this Plan shall be required for all development proposals on or abutting areas identified as Waste Disposal Assessment Area.

The City shall be satisfied that appropriate measures have been taken to:

- a) Ensure that the active and closed waste disposal facilities are carefully managed and rehabilitated;
- b) Ensure the uses adjacent to waste disposal areas do not jeopardize public health or the environment; and
- c) Ensure the potentially contaminated sites are assessed and remediated as required, prior to any development or redevelopment.

31.2.2.6.14. In areas identified as a Waste Disposal Assessment Area as shown on Schedule "F-1", uses may be permitted in accordance with the land use designation, upon the Municipality consulting with the Ministry of Environment and Climate Change and/or other appropriate jurisdiction, and subject to the following policies:

- a) Written approval has been received from the Ministry of Environment and Climate Change, and/or other appropriate jurisdiction, that the development complies with the provisions of the Environmental Protection Act;
- b) The studies required by the Ministry of Environment and Climate Change shall be carried out to the satisfaction of the City and shall demonstrate that development is compatible and can proceed without unmitigated negative impact;

- c) The City shall require the construction and phasing of all development to coincide with the control of any problems identified by the engineering studies;
- d) The studies of gas, leachate and hydrogeology, shall be carried out by a qualified engineer; and
- e) The City is satisfied with the required studies with respect to any matter regarding structural stability, safety and integrity of any and all structures.

31.2.2.6.15. Given the potential impacts in areas subject to the Waste Disposal Assessment Area policies, only land uses compatible with waste disposal sites and the associated engineered controls will be permitted.

31.2.2.6.16. Lands within the Waste Disposal Assessment Area shall be placed in a zoning category that does not permit habitable buildings or structures as an interim or permanent use. When such areas are deemed suitable for development, a rezoning to an appropriate category may be undertaken, subject to the applicable policies of Section 35.

31.2.2.6.17. A parking lot, paved or otherwise, may be constructed within a Waste Disposal Assessment Area to serve an adjacent recreation facility or to act as a trail head location for a trail system. For the purpose of this Section, a municipal parking lot is deemed not to be a structure.

31.2.2.6.18. Park amenities, but not buildings, may be constructed on a Waste Disposal Assessment Area after the City, in conjunction with the Ministry of Environment and Climate Change is satisfied that the soils do not pose a safety hazard to those using the park facilities.

31.2.2.7. Transportation and Public Transit

31.2.2.7.1. A safe, convenient, efficient and accessible transportation system shall be developed by the City.

31.2.2.7.2. The City should explore new or expanded coach, air, commuter rail and/or shuttle services to serve the needs of community members and the travelling public.

31.2.2.7.3. A transportation system strategy will be developed, which will emphasize safety, convenience and efficiency and which will address the multiple forms of transportation found in Lindsay including roads, waterways, trails, pedestrian routes, public transit, and the airport.

31.2.2.7.4. The City will work on the expansion of transportation opportunities for the populations, particularly focusing on meeting the needs of the aging population. The strategy should also focus on improving and expanding on a cycling network and expanding its parking supply to meet projected demands.

31.2.2.7.5. The City will work on implementing a parking strategy which will provide additional parking spaces in the downtown area, as estimated by the City of Kawartha Lakes Transportation Master Plan (February 2012).

31.2.2.7.6. The City shall promote the use of public transit, wherever possible, in order to promote overall energy conservation, environmental protection, and public mobility.

31.2.2.7.7. The City shall facilitate the provision of local transit services within a reasonable walking distance of all urban land uses, wherever feasible. Accordingly, new greenfield plans of subdivision shall strive to locate approximately 80% of the proposed new residential units within 400 metres (as measured along a pedestrian route) of existing or planned collector or arterial roads that are capable of serving as routes for public transit.

31.2.2.7.8. In the planning of transit service, the City shall consider the location of the following types of uses and the appropriateness of transit linkages between these uses:

- a) Concentrations of housing, employment and retail;
- b) Concentrations of schools and other developments which may generate high volumes of transit users;
- c) Terminals for regional transportation systems;
- d) Major medical, social service, or institutions and community service facilities; and
- e) Parks, multi-use trails, theatres, museums, and other arts, culture, and recreation facilities.

31.2.2.7.9. The City will work with the Province for the provision of GO Transit service to Downtown Lindsay.

31.2.2.7.10. The City shall encourage the use of public transit by:

- a) Encouraging and promoting intensification in areas serviced by public transit, as well as in, and around, the transit hub;
- b) Identifying locations for public transit facilities and stops;
- c) Integrating pedestrian linkages, trails, and intersections of major roadways with transit stops;
- d) Providing for universal access so that users with varying needs have the fullest access possible to the transit system; and
- e) Supporting an on-going investment in transit vehicles which provide transit user safety and comfort, and takes advantage of new technology.

31.2.2.7.11. New major development or redevelopment will incorporate transit, pedestrian and cycling systems aimed at reducing the reliance on the automobile and encourage active transportation.

31.2.2.7.12. Roadway design proposals shall consider and incorporate transit service needs and requirements.

31.2.2.7.13. Schedule "H-1" identifies the existing road pattern and future arterial and collector road network for Lindsay. The following road classification applies in Lindsay:

- i. Local roads provide access to lots and serve low volumes of traffic and shall have a minimum right of way width of 20 metres.
- ii. Collector roads provide for medium volumes of traffic and shall have a minimum right of way width of 26 metres.
- iii. Arterial roads provide for medium to high volumes of traffic and shall have a minimum right-of-way width of 26 metres.

31.2.2.7.14. The potential future road crossings of the Scugog River as shown on Schedule "H-1" shall be determined through a Class Environmental Assessment and in accordance with the Transportation Master Plan (February 2012).

31.2.2.8. Infrastructure and Services

31.2.2.8.1. Infrastructure and services, such as sewers, water and storm water systems, shall be provided, maintained and upgraded as necessary to accommodate the needs of future development and redevelopment in Lindsay.

31.2.2.8.2. In addition to the policies in Section 28 – Infrastructure and Service Policies, development within the Lindsay settlement area shall be on full municipal services in accordance to the policies of the City.

31.2.2.8.3. Before a subdivision, condominium, consent or rezoning is approved, it must be demonstrated that there is sufficient municipal servicing to serve the proposed use. All new development within this settlement area must be on full municipal services.

31.2.2.8.4. To ensure that acceptable levels of service are maintained, it is expected that the infrastructure and services provided for new developments and redevelopments in Lindsay will be sized, located and designed to comply with the Council adopted engineering standards, guidelines and criteria.

31.2.2.8.5. The planning and design of stormwater infrastructure, and the evaluation of development with respect to its management of stormwater, will be in accordance with the relevant policies of Section 3.3 of the Official Plan.

31.2.2.9. Culture and Cultural Heritage

31.2.2.9.1. The City shall protect, conserve, and promote culture and cultural heritage in accordance with the 2014 Provincial Policy Statement and Section 10 of the Official Plan.

31.2.2.10. Land Use Compatibility

31.2.2.10.1. The development of any industrial use shall be in accordance with Section 3.8 of the Official Plan.

31.2.2.10.2. All development will comply with the minimum distance separation formulae established by the Province in order to minimize odour conflicts between livestock facilities and development, as amended from time to time.

31.2.2.11. Financial Arrangements

- a) In order to ensure that property owners within the area shown on Schedule "F-1" as subject to Section 31.2.2.11 contribute towards Highway 35 improvements (the cost of which is not paid for through city-wide or area-specific development charges), the City may require the landowner to enter into a cost sharing agreement or any other financial arrangement with the Ministry of Transportation Ontario.

31.2.2.12. Ministerial Zoning Order

31.2.2.12.1 On the lands subject to Ministerial Zoning Orders identified on Schedule "F-1" pursuant to Section 47 of the Planning Act, if there is a conflict between the permitted land uses of the Lindsay Secondary Plan and the Ministerial Zoning Order then the provisions of the Ministerial Zoning Order shall prevail. Development on the lands subject to a Ministerial Zoning Order shall occur within the terms of an agreement between the City and the landowner, as appropriate.

31.2.3. Land Use Policies

31.2.3.1. Residential

31.2.3.1.1. Permitted Uses

The permitted uses in the Residential designation shall be a variety of residential dwelling types. Parks in accordance with Section 18.15 of this Plan, shall be permitted. Group homes or similar housing facilities shall be permitted and developed in accordance with the medium density residential use policies under Section 31.2.3.1.2.2 of this Plan. Neighbourhood commercial uses may also be permitted, in accordance with policies 31.2.3.3 of this Plan. A home occupation may be permitted accessory to the principal residential use and occurring entirely within the dwelling unit. The location of the Residential designation is shown on Schedule "F-1".

31.2.3.1.2. Residential Densities

The Residential designation contains policies for three densities of residential development as well as mixed density development which shall be implemented through the zoning by-law. The appropriate density shall be based on the availability of services, compatibility with surrounding uses and locational factors, as set out below.

31.2.3.1.2.1. Low Density Residential Uses

Within the Residential designation, the implementing zoning by-law will delineate individual parcels for Low Density Residential uses. Low density residential uses shall include single

detached dwellings, semi-detached dwellings, duplex dwellings and similar low-profile residential buildings not exceeding 2.5 storeys in height, and two (2) dwelling units per property.

Neighbourhood commercial uses may also be permitted, in accordance with the policies of Section 31.2.3.3. of this Plan and subject to a rezoning.

Low density residential uses shall be development from a minimum density of 15 dwelling units per net hectare of land to a maximum density of 30 dwelling units per net hectare of land.

To foster attractive streetscapes, garages should not project more than 1 metre beyond the front face of the dwelling or a covered front porch. Low Density Residential uses will be encouraged to have a variety of facades and use a variety of building materials.

31.2.3.1.2.2. Medium Density Residential Uses

Within the Residential designation, the implementing zoning by-law will delineate individual parcels for Medium Density Residential uses. Medium density residential uses shall include triplex dwellings, fourplex dwellings, row or block townhouse dwellings, stacked townhouse, converted dwellings containing more than two dwelling units, and mid-rise apartment housing not exceeding four storeys in height. Except in apartment units, home-based businesses may be permitted accessory to the principal residential use and occurring entirely within dwelling unit. Neighbourhood commercial uses may also be permitted, in accordance with the policies of Section 31.2.3.1.3. of this Plan.

Medium density residential uses shall be developed between a minimum density greater than 25 units per net hectare to a maximum density of 60 dwelling units per net hectare.

Medium Density Residential uses will generally be located along, or close to, arterial or collector roads, where possible and appropriate.

To foster attractive streetscapes, attached garages should not project more than 1 metre beyond the front face of the dwelling or a covered front porch.

New medium density residential uses shall meet the following criteria:

- a) The height and massing of the buildings at the edge of the proposed medium density residential zone shall have regard to the height and massing of the buildings in any adjacent low density residential zone;
- b) Medium density residential lots shall accommodate low-rise dwellings which do not cause significant issues with casting of shadows and obstructions of views for adjacent lots;
- c) For apartments, and/or block townhouse dwellings, on-site recreational amenities may be required;

- d) Buildings should incorporate landscaping in all yards;
- e) Parking shall be provided in accordance with Policies 18.16.8, 18.16.10 and 18.16.11. Parking for freehold townhouse development shall be permitted in the front yard; and
- f) Apartments and/or block townhouses shall be designed to provide for collection and storage of recyclable and wastes on site.

31.2.3.1.2.3. High Density Residential Uses

Within the Residential designation, the implementing zoning by-law will delineate individual parcels for High Density Residential uses. High density residential uses shall include medium-rise and high-rise residential apartment buildings and other residential buildings in excess of four storeys in height. In addition, a small commercial facility with a maximum gross floor area of 200 sq.m. may be located on the ground floor of a high density residential building to serve the residents of the building.

High density residential uses shall be developed at a minimum density of 61 dwelling units per net hectare of land and a maximum density of 125 dwelling units per net hectare of land.

High Density Residential lots may accommodate medium-rise and high-rise apartments where the issues of casting of shadows, obstruction of views, and privacy for adjacent lots need to be managed and potential negative impacts minimized. Generally, High Density Residential buildings should be between 5 and 8 stories.

High Density Residential uses shall provide a transition in height and density adjacent to any low density residential zone.

High Density Residential uses will generally be located close to, or along arterial roads, along existing or planned transit corridors, or on brownfield sites.

High Density Residential will be encouraged to have a covered entrance which is aligned with the street and main building entrance. Buildings should incorporate a built form, architectural articulation, exterior materials, and window design which prevent large continuous “slab” walls.

Parking shall be provided in accordance with Policies 18.16.8, 18.16.10 and 18.16.11.

The medium density development criteria in Section 31.2.3.1.2.2 shall also apply to high density residential developments as applicable.

31.2.3.1.2.4. Mixed Density Residential Uses

Developments may contain a mix of low density, medium density and high density built forms. When considering this form of development, the proponent and the City shall have regard to the

density limits and development policies set out for the highest density residential use in the proposed development.

31.2.3.1.3. Neighbourhood Commercial Uses

31.2.3.1.3.1. Small convenience retail facilities to serve the daily shopping needs of the residents of a neighbourhood, otherwise referred to as Neighbourhood Commercial Uses, shall be permitted within the Residential land use designation.

31.2.3.1.3.2. The following policies shall apply to Neighbourhood Commercial Uses:

- a) No more than one commercial unit shall be permitted on any site, and the gross floor area of the commercial use shall not exceed 300 square metres;
- b) Building height shall be limited to one storey unless residential apartments are located on the upper floor(s), in which case the maximum building height will be subject to the appropriate residential density provisions;
- c) Service and loading areas shall be provided in accordance with Policy 18.16.12;
- d) Landscaping, fencing, berming and other screening shall be provided adjacent to residential land uses;
- e) Parking shall be provided in accordance with Policies 18.16.8, 18.16.10 and 18.16.11;
- f) Cash-in-lieu of required parking shall not be accepted by the City unless the neighbourhood commercial use is incorporated into a residential apartment building;
- g) Driveway access shall be approved by the City as necessary and appropriate; and
- h) Standalone neighbourhood commercial sites shall be located at or in proximity to the intersection of arterial or collector roads and shall not be located mid-block within a residential area.

31.2.3.1.4. Live Work Opportunities

31.2.3.1.4.1. Medium density and high density residential units designed for live/work may be permitted subject to Site Plan Approval and provision of sufficient parking. Live/work development is encouraged to locate on collector and arterial roads and/or in an area planned for intensification.

31.2.3.1.5. Mixed-Use Residential

31.2.3.1.5.1. The predominant use of land in the Mixed-Use Residential designation shall be a mix of low profile commercial and residential uses in the same building or in separate buildings. The location of the Mixed-Use Residential designation is shown on Schedule 'F-1'.

Single detached dwellings may be converted to multiple dwelling units or to commercial buildings provided the external design of the building does not change.

Commercial uses such as offices, eating establishments, service and convenience retail and similar types of uses are permitted. The residential character of the buildings should be retained.

For the purposes of this Section, service retail shall be defined as those retail establishments that cater to the personal needs of individuals.

Multiple commercial buildings on the same property shall not be permitted. Public garages and automobile service stations shall not be permitted.

31.2.3.1.5.2. When considering Mixed-Use Residential, the proponent and the City shall have regard to the density limits and development policies set out for the highest density residential use in the proposed development.

31.2.3.1.5.3. Residential-Commercial development shall generally not be permitted where the required off-street parking, including areas for vehicle turning cannot be provided on the site. Cash-in-lieu for a portion of the required parking may be considered by the City, if alternative parking opportunities exist within reasonable walking distance of the site.

31.2.3.1.5.4. Land within this designation shall be subject to site plan control, in accordance with the provisions of the Planning Act and Section 34.7 of this Plan. Development within this designation shall provide for the retention of the residential structures, and the sensitive treatment of commercial buildings adjacent to residential properties. Parking shall be provided in accordance with Policies 18.16.8, 18.16.10 and 18.16.11. The maximum height of any new commercial building shall be compatible with the adjoining residential uses.

31.2.3.1.5.5. On the lands municipally known as 24 Mill Street, convenience retail uses shall not be permitted notwithstanding any other provisions of the Official Plan or this Secondary Plan.

31.2.3.1.6. Heritage Conservation District

31.2.3.1.6.1. Special studies shall be undertaken to determine the cultural heritage value or interest of the sites, buildings or structures as part of a potential Heritage Conservation District. Should this area represent a group of significant sites, buildings or structures, or period of the City's history, a Heritage Conservation District may be established pursuant to the Ontario Heritage Act. All new development within a Heritage Conservation District will be required to maintain the character of the area and be developed in accordance with the City's design guidelines.

31.2.3.1.6.2. The study referenced in Section 31.2.3.1.6.1 will address the following:

- a) guidelines for the renovation of vacant commercial buildings to allow for a mixed use development comprising upper floor residential units above street level commercial;
- b) exterior cladding materials for buildings;
- c) hard and soft landscaping of sites, including how mature trees will be preserved, to maintain the character of the neighbourhood; and
- d) materials for signs, and methods of sign construction, to maintain the character of the neighbourhood.

31.2.3.1.6.3. A Community Improvement Plan may be undertaken for a Heritage Conservation District, in accordance with Section 9 of this Plan, with a view to enhancing and improving the Heritage Conservation District as a significant and unique area of cultural heritage value or interest.

31.2.3.2 Commercial

31.2.3.2.1. Commercial Structure

31.2.3.2.1.1. Four commercial land use designations and associated policies generally apply to the commercial areas of Lindsay. These commercial land use designations are as follows:

- a) Central Business District;
- b) General Commercial;
- c) Highway Commercial; and
- d) Local Commercial.

These land use designations are augmented by neighbourhood commercial policies within the Residential designation.

31.2.3.2.2. Central Business District

31.2.3.2.2.1. The Central Business District is Lindsay's preeminent mixed use node and is intended to serve a variety of complementary functions. The permitted uses in the Central Business District land use designation shall be a full range of retail and commercial uses. In addition, residential uses are permitted on the upper storeys of a commercial building or in free standing residential buildings. The Central Business District also permits institutional uses, cultural and entertainment uses, professional services, businesses and offices, financial institutions, hospitality uses, transit and transportation uses, and parks and open spaces. Individual properties and buildings may contain more than one of the above-noted uses. Drive-through facilities as well as auto related uses such as auto body shops, auto repair shops are not permitted within this designation. The limits of the Central Business District area shown on Schedule "F-1".

31.2.3.2.2.2. Central Business District development should generally contain buildings which are medium (3 to 4 stories) and high-rise (5 to 8 stories) in height. High-rise buildings should be located away from low density residential neighbourhoods adjacent to the Central Business District.

31.2.3.2.2.3. The preferred form of development within the Central Business District is retail and office uses at grade with residential uses locating on upper floors of buildings and/or behind the front portion of buildings, where appropriate.

31.2.3.2.2.4. The following policies shall apply to the Central Business District designation:

- a) Traditional downtown areas shall be revitalized and preserved to reinforce the character of the downtown;
- b) Development shall be in accordance with policies in Sections 18.11 Downtown Development and 18.13 Urban and Public Realm Design;
- c) Transit facilities should be easily accessible to pedestrians;
- d) The surrounding areas should relate to and be efficiently connected with the Central Business Districts through the integration of bicycle and pedestrian trail systems;
- e) All utilities shall be provided underground, where feasible; and
- f) Adequate off-street parking and loading spaces or cash-in-lieu of parking as provided for in Section 18.16.9, shall be provided. Requirements may be satisfied through off-street communal parking, and municipally or privately owned parking areas located in the Central Business District. The City encourages underground parking for mid and high rise developments within the Central Business District. Parking should be located in the rear or centre of the urban blocks with little visibility to downtown streets. In the case where a parking lot does have street frontage, then a landscape setback should be used to help mitigate the transition between the lot and public realm. Limited on-street parking will be provided in appropriate areas.

31.2.3.2.2.5. A Community Improvement Plan shall be undertaken for the Central Business District (Downtown Area), in accordance with Section 9 of this Plan, with a view to enhancing and improving the Area as a significant and unique mixed commercial, residential, cultural, social, and entertainment area.

31.2.3.2.2.6. Development or redevelopment, including intensification in designated Central Business District shall preserve, complement and enhance the cultural heritage and/or architectural character of these areas. Among the specific requirements are the following:

- a) the sensitive location, limited extent and effective buffering of parking facilities so as not to detract from historic streetscapes and adjacent buildings and uses;

- b) the consistency of setbacks and continuity of character, in order to maintain and restore pedestrian-oriented streetscapes and the encouragement of pedestrian activity by providing linkages between the downtown and adjacent areas of residential or other development; and

- c) compliance with the heritage policies of Sections 10 and 18.14 of this Plan.

31.2.3.2.2.7. In Central Business District areas sidewalks should be wide enough to allow for pedestrian passage, retail displays, street furniture, landscaping, patios and outdoor dining.

31.2.3.2.2.8. The City may utilize Tax Incentives to promote private sector improvements to existing buildings and revitalize existing Central Business District areas.

31.2.3.2.2.9. The City may establish Business Improvement Areas in the Central Business District areas to help promote and support local businesses in these areas.

31.2.3.2.2.10. The City shall encourage coordination, by local business persons or owners, of such things as signs, building facades, lighting, street furniture, landscaping and general maintenance.

31.2.3.2.2.11. No open storage shall be permitted within the Central Business District.

31.2.3.2.2.12. The City encourages the upgrading, rehabilitation and redevelopment of buildings and/or facades in the Central Business District as set out in the City's urban design guidelines, which may be in place from, time-to-time.

31.2.3.2.2.13. Buildings and structures of cultural heritage value or interest shall be conserved and incorporated, where appropriate, into any development or redevelopment project. The preservation of areas of cultural heritage value or interest shall also be encouraged.

31.2.3.2.2.14. While predominantly designated Central Business District, the Downtown Area is mixed-use in nature and is also the primary social, cultural and economic node in Lindsay. The Downtown Area is comprised of Victorian architecture and other built forms typically found in a traditional downtown.

31.2.3.2.3. General Commercial

31.2.3.2.3.1. Areas identified as General Commercial in Schedule "F-1" represent service commercial areas, retail stores, and shopping centres outside of the Downtown area. The permitted uses in the General Commercial land use designation shall include a wide range of retail establishments and commercial uses such as convenience retail, retail stores, food stores, offices, personal and professional services, service commercial, automobile service stations, vehicles sales and service, public garages, motels, hotels, eating establishments, home furnishing establishments, financial institutions, building supply centres, and other similar uses.

31.2.3.2.3.2. Large Format Retail use and shopping centres shall be permitted subject to the policies of this section and 18.17 and generally be directed to locations characterized by high visibility and accessibility.

31.2.3.2.3.3. Commercial uses which primarily serve vehicular traffic, the travelling public and which rely heavily upon such traffic for their economic existence should be directed to highways or arterial roads. These uses include automobile service station, public garages, motel, hotel, auction barn, places of assembly, recreational uses and retail establishments that carry basically one line of goods of a non-perishable nature that requires a large area for storage and delivery being uses such as carpet, flooring, furniture, and major appliance stores and motor vehicle and marine sales and service.

31.2.3.2.3.4. The following policies apply to new development or redevelopment in the General Commercial Designation:

- a) Commercial uses will be encouraged to consolidate in nodes and be developed in accordance with good urban design principles. This Plan encourages the consolidation of smaller commercial properties to facilitate larger scale development;
- b) Commercial areas shall be compatible with surrounding uses and shall be adequately buffered from adjacent residential and other sensitive land uses. Buffers shall include grassed areas and appropriate planting of trees and shrubs, fencing, and/or the provision of other suitable screening materials;
- c) Building entrances and display windows should be oriented to street frontages, and a minimum of one major building entrance should front directly onto the main street frontage, when applicable;
- d) Driveway access shall be approved by the City in conjunction with the Ministry of Transportation as considered to be necessary and appropriate;
- e) Buildings should be built to a minimum setback at intersections to help frame the streets;
- f) The building identity at corner locations will be reinforced by taller building elements such as towers, entrance structures or roof elements (i.e., skylights and dormers);
- g) Commercial garbage facilities shall be contained in fully enclosed storage area contiguous with the building;
- h) Parking, loading and service areas should be designed as per policies 18.16.8, 18.16.10, 18.16.11, and 18.16.12 of this Plan; and
- i) The General Commercial designation shall only locate on Provincial highways, arterial or collector roads.

31.2.3.2.3.5. The establishment of any new General Commercial designation shall be subject to Sections 18.4.4 and 18.17, as appropriate.

31.2.3.2.3.6 If vacant lands are already designated General Commercial, then Section 18.17.1 does not apply and an amendment to this Plan is not required. Nevertheless, if a zoning by-law amendment is required to establish a new use greater than 3,000 square metres or a major

expansion of an existing use greater than 3,000 square metres within an existing General Commercial designation, then Sections 18.17.2 to 18.17.5 shall continue to apply to such an application.

31.2.3.2.3.7 The City may require a Traffic Impact Assessment as part of a complete application for a zoning by-law amendment or site plan approval in the General Commercial designation.

31.2.3.2.4. Highway Commercial

31.2.3.2.4.1. Areas identified as Highway Commercial in Schedule "F-1" represent existing and future service commercial areas and a limited range of retail stores outside of the Central Business District, but within the settlement area. The permitted uses in the Highway Commercial land use designation shall include commercial uses such as convenience-type retail, automobile service stations, vehicle sales and service, public garages, motels, hotels, eating establishments, establishments such as furniture, appliance, carpet, flooring, home electronics and/or garden centres, automated teller/banking machines, building supply centres, and other similar uses.

31.2.3.2.4.2. The following policies apply to lands designated Highway Commercial:

- a) Highway Commercial uses will be encouraged to consolidate in nodes and be developed in accordance with good urban design principles. It is the intent of this Plan to provide for the consolidation of Highway Commercial uses and to avoid the extension of such uses into adjacent non-commercial areas;
- b) Highway Commercial areas shall be compatible with surrounding uses and shall be adequately buffered from adjacent residential and other sensitive land uses. Buffers shall include grassed areas and appropriate planting of trees and shrubs, and/or the provision of other suitable screening materials;
- c) Building entrances and display windows should be oriented to street frontages, and a minimum of one major building entrance should front directly onto the main street frontage, when applicable;
- d) Driveway access shall be approved by the City in conjunction with the Ministry of Transportation as considered to be necessary and appropriate. Consolidated accesses between properties shall be required where necessary;
- e) Buildings should be built to a minimum setback at intersections to help frame the streets;
- f) The building identity at corner locations will be reinforced by taller building elements such as towers, entrance structures or roof elements (i.e., skylights and dormers);
- g) Commercial garbage receptacles shall be adequately screened or in an enclosed storage area contiguous with the building;
- h) Parking, loading areas and service areas should be designed as per policies 18.16.8, 18.16.10, 18.16.11, and 18.16.12 of this Plan; and

- i) Highway Commercial designations shall only locate on highways, arterial or collector roads.

31.2.3.2.4.3. The City may require a traffic impact assessment as part of a complete application for a zoning by-law amendment or site plan approval in the Highway Commercial designation.

31.2.3.2.5. Local Commercial

31.2.3.2.5.1. The predominant use of land within the Local Commercial land use designation shall be convenience-type retail and commercial uses to serve the daily needs of the surrounding neighbourhood. Such uses shall include an office, convenience retail store with or without an associated gas bar, automated teller/banking machine, dry cleaning depot, laundromat, automobile service station, eating establishment, a personal service shop, and other similar uses.

31.2.3.2.5.2. Residential apartments shall be permitted in the Local Commercial land use designation, provided that such uses are located on the upper floor(s) of buildings containing Local Commercial uses. Notwithstanding this, residential apartments shall not be permitted on the upper floor(s) of an automobile service station.

31.2.3.2.5.3. Financial institutions shall not be permitted in the Local Commercial designation.

31.2.3.2.5.4. The following policies shall apply to lands designated Local Commercial:

- a) Local Commercial uses shall be encouraged to locate in groups and preferably where access to arterial and/or collector roads is available;
- b) No more than one commercial structure or building shall be permitted on any site, and the gross floor area of the commercial structure or building shall not exceed 1,500 square metres;
- c) The maximum gross floor area of any one commercial unit shall not exceed 500 square metres;
- d) Building height shall be limited to one storey unless residential apartments are located on the upper floor(s), in which case the maximum building height shall be no more than 2.5 storeys;
- e) Parking shall be provided in accordance with Policies 18.16.8, 18.16.10 and 18.16.11;
- f) All required parking shall be provided on site, cash-in-lieu of required parking shall not be accepted;
- g) Service and loading areas shall be provided in accordance with Policy 18.16.12;
- h) Local Commercial uses shall be sited in such a manner to minimize the adverse effects on adjoining residential areas;

- i) Adequate buffer planting shall be provided between any Local Commercial use and any adjacent residential area and such buffer planting may include provisions for grass strips and appropriate planting of trees and shrubs with provision for earthen berms or screen fencing as may be necessary; and
- j) Local Commercial designations shall be subject to site plan control.

31.2.3.2.6. Special Provisions

- a) On land designated Local Commercial, having a frontage of 52.9 metres on the east side of Angeline Street South, south of Mary Street West and a total area of approximately 0.63 hectares, legally described as Part of Lot 12, Registered Plan 61, known as 134 Angeline Street South in the former Town of Lindsay, the list of permitted uses shall include an oxygen and medical equipment supply establishment, including warehousing as an accessory use in addition to the uses otherwise permitted in the "Local Commercial" designation. Notwithstanding any other policies to the contrary, two commercial buildings shall be permitted on the lands. Notwithstanding any other policies to the contrary, a maximum suite size of 750 square metres shall be permitted for the purposes of an oxygen and medical equipment supply establishment on the lands.
- b) On land designated Local Commercial, known as 98 William Street South, and described as being Part of Lot 5, North of Durham Street West, former Town of Lindsay, and comprised of approximately 0.07 ha. (0.17 ac.) in area, a single detached residential use with a commercial parking lot in the rear yard shall be considered permitted uses in addition to those normally permitted in the "Local Commercial" designation.

31.2.3.2.7 Design Policy Areas

31.2.3.2.7.1. Design Policy Area – Kent Street West Area

- a) The Kent Street West Area is comprised of those lands focused on Kent Street West that are west of Angeline Street North, as well as non-residential development on the west side of Angeline Street North between Colborne Street West and Kent Street West. It is recognized that, given traffic volume, accessibility and exposure on Kent Street West and Angeline Street North, expansive retail commercial establishments tend to locate in this area. The area is comprised of shopping plazas, service commercial, eating establishments, offices, community uses and automotive service uses. Development in the Kent Street West Area is encouraged to have a modern (rather than traditional) design expression.

31.2.3.2.7.2. Design Policy Area – Mixed Use Corridor Areas

- a) The Mixed Use Corridor Areas are located along Kent Street West, between the Downtown Area and the Kent Street West Area; along Lindsay Street South, between the Downtown Area and Mary Street; and along Queen Street, between the Downtown Area and CKL Road 36.
- b) The Mixed Use Corridor Areas are those corridors along major roads that are generally considered to be older residential areas in transition to mixed commercial and residential use areas. It is the intention that the residential character of the built form in these corridors will be maintained. Low profile commercial and residential buildings in the same areas exist and may be maintained, subject to the policies of this plan. Medium-density residential built forms are envisioned in these corridors over time.

31.2.3.2.7.3. Design Policy Area – Central Waterfront District

- a) A Central Waterfront District area has been identified on Schedule "F-1" to encourage a waterfront-oriented development in the downtown.
- b) The permitted land uses will be those of the underlying designation as specified in Schedule "F-1" (i.e., Central Business District, Residential or Parks and Open Spaces).
- c) The Central Waterfront District is envisioned to include a range of activities and experiences for residents and visitors of all ages, cultures, and genders.
- d) Development shall ensure that public access to the waterfront along the Scugog River corridor, including the Trent-Severn Waterway National Historic Site, is maintained so that all City's citizens and visitors have the opportunity to enjoy the waterfront area.
- e) The City shall ensure that vistas and public access to the waterfront along the Scugog River corridor, including the Trent-Severn Waterway National Historic Site, are preserved.
- f) The City will encourage the implementation of the recommendations of the Trails Master Plan, including the Continuation of efforts to establish / develop the Scugog River Greenway and trail in Lindsay.
- g) The City will encourage the development of mixed-uses that include businesses and services with a nautical and waterfront theme on the Central Business District designation within the Central Waterfront District.
- h) The City shall encourage the development of a pedestrian friendly environment with connections with the Scugog River parks and the downtown.
- i) The City shall encourage the improvement of streetscapes within the downtown and the Scugog River through the use of landscaping including trees, sidewalks, bicycle lanes, bicycle parking, special signage, lighting, seating, street furniture, public art, and special

paving, as required and applicable and according to the policies in Section 18.13 Urban and Public Realm as appropriate.

- j) Planning and development or redevelopment of lands within the Central Waterfront District should:
 - a. Provide distinctive and memorable places;
 - b. Protect and enhance views and vistas;
 - c. Optimize the relationship between facilities, open space and water;
 - d. Be consistent and compatible with the design of the overall downtown;
 - e. Where possible, reflect Lindsay's culture and history through attractive design.
- k) Any proponent for development, redevelopment or site alteration on lands within the Central Waterfront District shall have regard for the cultural heritage of the Scugog River corridor, including the Trent-Severn Waterway National Historic Site, and the rich built and cultural heritage of Downtown Lindsay and will be required to maintain the character of the area. A Heritage Impact Assessment may be required in accordance with Section 18.14.15 and Section 36.3 of this Plan.
- l) Development and site alteration adjacent to the Scugog River corridor, including the Trent-Severn Waterway National Historic Site, shall be consistent with the policies in Section 31.2.2.6 and all other applicable policies of this Plan and in accordance with the Kawartha Conservation and Parks Canada (Trent-Severn Waterway) regulations and plans.
- m) Development shall take advantage of views and frontage along the Scugog River, with public connections to the open space system, residents and visitors amenities and other public uses. Development front or flanking a public open space along the river shall be encouraged to provide a façade with windows facing the public open space.

31.2.3.2.7.4. Applicable Design Policies

- a) The Design Policy Areas shall be developed according to the design policies in Section 31.2.3.2.3.4, as applicable.

31.2.3.3. Employment

31.2.3.3.1. Within the Employment designation, the permitted uses shall include a wide range of employment and office uses, including manufacturing and fabricating, assembling, processing, servicing and repairing, warehousing and storage, shipping and receiving, offices as an accessory or secondary use, commercial activities as an accessory use, eating establishments serving the employment area, accessory uses such as parking garages or a residence for a caretaker.

31.2.3.3.2. In addition to the uses permitted above, Council shall permit the following uses without an amendment to this Plan:

- a) Parks and Open Space uses;
- b) Institutions and Community Facilities uses, provided they are adequately buffered from uses that produce potential nuisances, such as noise, odour, dust, vibration or heavy traffic, as defined by the Ministry of Environment or other relevant agency; and
- c) Ancillary commercial uses that serve the needs of the employment area, provided that:
 - i. the commercial uses are developed in conjunction with a permitted use of the Employment designation on the same site;
 - ii. the gross floor area of the commercial uses do not exceed 15% of the total gross floor area that is developed on the site; and
 - iii. the type of commercial uses and their sizes are appropriate.

31.2.3.3.3. Local roads with an employment designation should not connect to an adjacent residential area to avoid the movement of trucks past residential lots.

31.2.3.3.4. The following policies apply to lands designated Employment:

- a) Adequate landscaping and buffering shall be provided between the Employment designation and sensitive land uses, as established by the Ministry of Environment and Climate Change or other relevant agency.
- b) Adequate off-street parking, service areas and loading facilities are required and will be designed for maximum safety. Parking, loading areas and service areas should be designed as per policies 18.16.8, 18.16.10, 18.16.11, and 18.16.12 of this Plan.
- c) For employment uses located on roads with sidewalks and/or cycling connections, pedestrian access should be accommodated in a manner that is distinguishable from the access provided to motorized vehicles, and is safe and convenient.
- d) Buffering is required between employment area uses and residential uses, including but not limited to, increased setbacks, a high degree of landscaping, screening, and fencing;
- e) Accessory office uses should generally be oriented to the front of the building and incorporate substantial glazing while recognizing that some office space may be required to be located throughout the employment building.
- f) No outside storage of goods or materials shall be permitted in any yard adjacent to along Provincial highways, arterial roads, or residential areas.

- g) Abutting public streets, variations in articulation of the building envelope are encouraged.
- h) The orientation of the buildings to maximize frontage along public streets is encouraged.
- i) In Employment designations which face Residential areas on the opposite side of the street, the building façade should be architecturally treated in order to achieve a compatible streetscape.

31.2.3.3.5. Employment uses located along Provincial highways and arterial roads are expected to accommodate a wide range of Prestige type uses requiring high visibility. High quality design will be essential in these areas and some restrictions on uses will be applied to ensure attractive streetscapes.

31.2.3.3.6. New employment development will be required to demonstrate compliance with the Ministry of Environment's Land Use Compatibility (D6) Guidelines.

31.2.3.3.7. Employment uses shall not include uses that may be obnoxious or noxious to the surrounding area.

31.2.3.3.8. The Comprehensive Zoning By-law shall establish development standards, permitted uses, and other measures required to support the Employment policies. The City may also establish design guidelines to provide further guidance on the character of the development in the Employment designation.

31.2.3.3.9. The conversion of lands within the Employment designation to non-employment uses is subject to policy 18.10.13 of this Plan.

31.2.3.3.10. Policy Area #3 (Special Study)

31.2.3.3.10.1 The lands designated as Policy Area #3 (Special Study) on Schedule "F-1" were previously identified by the City of Kawartha Lakes as being potentially suitable for residential development. The lands shall continue to remain subject to the Employment policies in Section 31.2.3.3 of this Plan but may be considered for redesignation subject to compliance with all applicable municipal and provincial policy requirements.

31.2.3.3.11. Special Provisions

- a) On land designated Employment known municipally as 51 Mary Street West, being Parts 1, 2, 3, and 4 of Reference Plan 57R-4805, notwithstanding the policies of Section 31.2.3.3.1, Commercial uses shall be permitted in a plaza format within a single structure.
- b) On land designated Employment, known as 50 Mount Hope Street, and described as Part of Lot 10, Plan 377, Geographic Town of Lindsay, now in the City of Kawartha Lakes, and comprised of approximately 0.35ha (0.87 ac.) in area, the sales and service of motor vehicles shall be considered permitted uses in addition to those uses normally permitted in the "Employment" designation.

- c) On land designated Employment, known as 50 Mary Street West, and described as Lots 1 to 28, Part of Lot 30, Lots 32, 59, Part of Lot 60, 61 to 63 Registered Plan 137, Town of Lindsay, now in the City of Kawartha Lakes, and comprised of approximately 2.7 ha. (6.7 ac.) with a frontage of approximately 108 m (354 ft.) along Mary St. W., the retail sale of gently used clothing (thrift shop) shall be considered a permitted use in addition to those uses normally permitted in the "Employment" designation.

31.2.3.3.12. Service Employment

31.2.3.3.12.1. The area identified as Service Employment in Schedule "F-1" is a mostly built-out area south of Kent Street that has developed with a range of employment, retail, and office uses. The permitted uses in the Service Employment land use designation shall include uses such as convenience-type retail, vehicle service, auto parts supply, eating establishments, light industrial uses including manufacturing and process, distribution, wholesaling and warehousing, min-storage, personal services, offices, service and repair, broadcasting studios, auctioneers, bus or taxi depots, and other similar uses.

31.2.3.3.12.2. The following policies apply to lands designated Service Employment:

- a) Development shall be compatible with surrounding uses and shall be adequately buffered from adjacent residential and other sensitive land uses. Buffers shall include grassed areas and appropriate planting of trees and shrubs, fencing, and/or the provision of other suitable screening materials;
- b) Driveway access shall be approved by the City as considered to be necessary and appropriate;
- c) Garbage facilities shall be contained in a fully enclosed storage area contiguous with the building; and
- d) Parking, loading and service areas should be designed as per policies 18.16.8, 18.16.10, 18.16.11, and 18.16.12 of this Plan.

31.2.3.4. Institutions and Community Facilities

31.2.3.4.1. Institutions and Community Facilities uses are intended to serve the immediate neighbourhood, a collection of neighbourhoods or the entire City, and provide social or cultural services such as education, health care, social housing, and religious worship for residents. Lindsay, as the largest community in the City of Kawartha Lakes, serves as a social, institutional, community and educational centre.

31.2.3.4.2. Within the Institutions and Community Facilities land use designation, the predominant use of land shall be for public and institutional uses that benefit the residents of the Lindsay settlement area and the City of Kawartha Lakes. These uses shall include major institutional uses as defined by Section 31.2.3.4.6 of this Plan, government offices, places of worship, nursing homes and assisted living, daycare centres, social housing, medical clinics, recreational, cultural and educational facilities, cemeteries, fairs or exhibition grounds, other

public uses or community facilities, and uses accessory thereto. Government buildings deemed to be redundant may continue to be used for office purposes without an amendment to this Plan.

In addition to the uses permitted above, ancillary residential and commercial uses may be permitted in areas designated Institutions and Community Facilities provided that:

- a) The ancillary use is clearly incidental and secondary to, and complementary with the main use; and
- b) The development satisfies the appropriate policies relating to the use.

31.2.3.4.3. The following policies shall apply to the Institutions and Community Facilities designation:

- a) Adequate measures shall be taken to ensure that the permitted uses have no adverse effects on adjacent land uses. Adequate buffer planting shall be provided between any Institutions and Community Facilities use and any adjacent residential area where land use conflicts might be expected, and such buffer planting may include provisions for grass strips and appropriate planting of trees and shrubs, berms or fence screening.
- b) Institutions and Community Facilities shall be planned to reflect the level of service for which they are intended to provide.
- c) Institutions and Community Facilities shall be encouraged to have building massing, exterior building materials, and landscaping which help them integrate with the neighbourhood. The City encourages specific design elements which highlight the civic nature of institutional uses.
- d) Institutions and Community Facilities are encouraged to develop on sites served by existing or planned transit routes.
- e) Adequate off-street parking areas shall be provided and access to parking areas shall be limited and designed to provide maximum safety for pedestrian and vehicular traffic. Parking areas shall be located to the side or rear of the building and screened from view.
- f) The design of new Institutions and Community Facilities shall be pedestrian friendly, barrier-free and accessible.
- g) The City will encourage Institution and Community Facilities to act as community hubs offering a variety of public services, where possible. The location of these facilities should be in areas serviced by public transit, existing infrastructure, and easily accessible by active transportation methods.

31.2.3.4.4. Elementary schools should be planned in coordination with growth of the community and located adjacent to public parks and open spaces, where possible. Generally, the school should be centrally located in regard to the area being served. The location should be

selected and designed in consultation with the School Board. The location should also be selected and designed to minimize traffic conflicts with pedestrians. Sidewalks are considered to be an integral design aspect and will be required to link all school sites to adjacent neighbourhoods; bicycle lanes and bicycle parking will be incorporated wherever feasible.

Where Elementary or Secondary School Sites are designated within the area shown on Schedule “F-1” as subject to Section 31.2.3.4.4, and where the school boards have indicated that they have no interest in acquiring the sites, then the lands shall be permitted as Residential in accordance with Section 31.2.3.1 without the need for an Official Plan Amendment.

31.2.3.4.5. Places of worship should be located on arterial or collector roads within walking distance of transit stops. Places of worship should provide on-site parking located at the rear or side of the building and adequately and safely accommodate vehicular and pedestrian traffic entering on site.

31.2.3.4.6. Major institutional uses are defined as those institutional uses where the property is intensely built and attracts high traffic volumes. Major institutional uses shall include colleges, universities and other post-secondary educational facilities, secondary schools and large-scale health care facilities. Major Institutional uses shall be located where:

- a) There is direct access to an arterial or collector road; and
- b) Public transportation services can be provided to the property.

31.2.3.4.7. Council shall encourage the development of campus master plans for post-secondary educational facilities and large scale health facilities which direct the future expansion of the institution to appropriate areas on the campus and facilitate its integration with the surrounding community.

31.2.3.4.8. The following guidelines shall be considered when evaluating the proposed design of major institutional developments:

- a) The proposal should demonstrate how the general policies outlined in Section 7 of the Official Plan will be achieved;
- b) The scale of the development must consider surrounding uses result in a gradual transition in terms of the profile, height, scale, and placement of buildings, where applicable and appropriate;
- c) Vehicular access shall be located so that traffic related to the major institutional use will be discouraged from using local roads;
- d) The site is designed shall be connected to municipal sidewalks to create a pedestrian-friendly, barrier-free and accessible development for all persons within the community, including the elderly and those persons with physical disabilities;
- e) On-site transit stops and bicycle parking shall be incorporated in the design, where feasible;

- f) Parking areas shall be screened from adjacent land uses and large parking areas shall incorporate internal landscaping islands; and
- g) Appropriate landscaping and buffer areas shall be provided to enhance the physical separation between the use and adjacent sensitive uses, where applicable and appropriate.

31.2.3.4.9. Emergency service facilities, including fire, police and ambulance stations shall be located along Provincial highways, arterial roads, and collector roads. The siting of new facilities shall also consider the potential impacts on adjacent users.

31.2.3.4.10. Institutional buildings may accommodate medium and high-rise structures where the issues of shadow casting, obstruction of views, and privacy for adjacent lots are managed and potential negative impacts minimized. Generally, medium density buildings should be between 3 and 4 stories and high density buildings should be between 5 and 8 stories. Where medium and high density institutional uses are proposed, the proposed development should address the following issues:

- a) Land use and neighbourhood character compatibility;
- b) Lot pattern and configuration;
- c) Accessibility;
- d) Parking requirements;
- e) Potential for additional traffic and traffic manoeuvrability;
- f) Potential for transit ridership;
- g) Natural (including natural hazards) and cultural heritage conservation / protection; and
- h) Available capacity of municipal infrastructure.

31.2.3.4.11. Special Provisions

- a) On land designated Institutions and Community Facilities described as Block 112 on Draft Plan of Subdivision 16T-01504 (McLaughlin Road) being Part of Lot 19, Concession IV, Blocks 32 to 37 on Plan 57M-745 and Blocks 14 to 17 on Plan 57M-738, formerly in the Town of Lindsay, now in the City of Kawartha Lakes, Sensitive Land Uses as defined in Section 30 of this Plan shall not be permitted.

Adequate buffering shall be provided between the above noted subject lands and adjacent industrial lands (B/L 2002-120 Amendment No. 6).

- b) 30 Peel Street: On land designated Institution and Community Facilities, described as Town Plan, Part Lot 9, North of Peel Street, former Town of Lindsay, now in the City of

Kawartha Lakes and identified as 30 Peel Street, despite the policies of Section 31.2.3.4.1 or any other provision of this Official Plan, accessory retail use and other service uses, operated in conjunction with other main uses, by a non-profit, charitable or religious group, may be established and operated (B/L 2005-155 Amendment No. 18).

31.2.3.5. Parks and Open Space

31.2.3.5.1. The Parks and Open Space designation includes lands used for active and passive leisure activities. Open spaces are intended to contribute to the environment through the provision of green space and vegetation.

The predominant use of land shall be primarily for the preservation and conservation of land and/or environment, as well as for the provision of outdoor recreational and educational opportunities, and should be managed in such a fashion as to complement adjacent land uses and protect such uses from any physical hazards. Permitted uses include indoor and outdoor active and passive recreational uses including parks, trails, golf courses, arenas, curling rinks, sports fields and other similar uses as well as open space areas. Compatible uses, such as public and/or private utilities, environmental conservation, and community gardens may also be allowed.

31.2.3.5.2. The development of parks shall be subject to Sections 8, 18.15 and 34.13 of this Plan. The following policies shall apply to the Parks and Open Space designation:

- a) Community gardens, parks, and recreation operations on lands designated Parks and Open Space should maintain the unique natural characteristics of such lands, where possible and appropriate.
- b) Lands designated Parks and Open Space shall not contribute to problems of erosion, flooding, pollution or the deterioration of the environment.
- c) Buildings and structures shall be permitted in parks provided that they are related and accessory to the main permitted use. Structures such as those required for flood consideration, municipal services and/or utilities shall be permitted in areas designated Parks and Open Space, provided engineering studies acceptable to the City and Conservation Authority indicate that any hazard, natural or otherwise, can be overcome, or if the Conservation Authority determines that the isolated parcel of land is not hazardous. Where major physical alterations are necessary to overcome the hazards, an amendment to this Plan will be required. Where detailed investigation shows that an area is non-hazardous, and provided that the Conservation Authority confirms this in writing, then an alternative use consistent with the surrounding uses may be considered through a Zoning By-law Amendment.
- d) Where Parks and Open Space lands are under private ownership, it shall not be construed that these lands shall be free and open to the general public, nor that they shall be acquired by the City or any other public agency.

31.2.3.5.3. The City will conduct programs to improve park facilities and provide public parks to meet the needs of the community, as well as augmenting the present park deficiencies. Park needs shall be considered in conjunction with future recommendations and/or improvements to the Scugog River and the lands adjacent to it.

31.2.3.5.4. The Scugog River parks should be developed and managed to provide opportunities for both active and passive recreation, social and cultural activities, and the conservation and preservation of natural environment areas, historic sites and wildlife habitats should be encouraged. Parks located adjacent to the Scugog River should be developed to capitalize on the unique waterfront setting. Facilities for residents and visitors should be provided. Development may include boat docking and launching, seating and boardwalks, playgrounds, informal sports fields, picnic shelters, interpretative features and passive recreation areas.

31.2.3.5.5. The City will work on the creation of a continuous waterfront multi-use trail system and improve access to the shoreline, parks and open spaces and to help advance active transportation opportunities in the community. The trails should be maintained for year round use. Strategic links along existing roads shall be established to provide connections to the shoreline and Scugog River parks.

31.2.3.5.6. The City will work with Parks Canada on strengthening the role of the Trent-Severn Waterway for recreational and cultural purposes. Improvements to the Trent-Severn Waterway parks could include the provision of more links to the parks along the shoreline, construction of public washrooms or comfort stations and parking facilities, and, the provision of more docking amenities for boaters, particularly in close proximity to downtown.

New Park

31.2.3.5.7. The general location of a new park in Lindsay is denoted with the symbol "NP" on Schedule F-1. A park may be situated anywhere within the extent of the underlying land use designation denoted with the symbol "NP," and the City will determine the type, configuration, and boundaries of the new park and its final location prior to draft plan approval.

31.2.3.5.8. Special Provisions

- a) On land designated Parks and Open Space, described as Block 110 on Draft Plan of Subdivision 16T-01504 and Parts 1, 2, 3, and 4, Plan 57R-8381, (west side of McLaughlin Road), Sensitive Land Uses as defined in Section 30 of this Official Plan shall not be permitted.
- b) Adequate buffering shall be provided between the above noted subject lands and adjacent industrial lands (B/L2002-120 Amendment No. 06).

31.2.3.6. Environmental Protection

31.2.3.6.1. Permitted uses within this designation should maintain the unique natural characteristics of such lands and should not contribute to problems of erosion, flooding, pollution or the deterioration of the environment, and will be guided by the policies of Section 31.2.2.6.3 to

31.2.2.6.2 of this Plan. The following uses may be permitted within the Environmental Protection designation:

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

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

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

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

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

31.2.3.6.7. Where regulations are in effect, no placing or removal of fill of any kind, whether originating on the site or elsewhere shall be permitted within this designation unless such is approved by the City, Kawartha Conservation or Ministry of Natural Resources and Forestry.

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

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

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

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

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

31.2.3.7. Airport Lands

31.2.3.7.1. The lands identified Airport Lands in Schedule "F-1" are recognized as the City's major airport facility which includes both airport uses and complementary service uses which support the primary function of the Airport. These lands are intended to be developed on full municipal services.

31.2.3.7.2. Development adjacent to the Lindsay Airport shall be in accordance to Section 28.8. of this Plan.

31.2.3.7.3. To protect the Lindsay Airport from incompatible development, new residential development and other sensitive land uses in proximity to the Airport, shall not be permitted above 30 NEF/NEP (Noise Exposure Forecast/Noise Exposure Projections), as established on maps produced by a qualified consultant to the satisfaction of the City of Kawartha Lakes.

31.2.3.7.4. Development in the vicinity of the Lindsay Airport must demonstrate that new buildings and structures do not interfere with the airport's flight paths.

31.2.3.8. Mixed-Use Gateway

31.2.3.8.1. The Mixed-Use Gateway designation as shown on Schedule “F-1” is located at a main point of entry to Lindsay and it shall be developed in accordance with the policies of this Section and other relevant policies of this Plan.

31.2.3.8.2. The area should be developed in accordance with the applicable Urban and Public Realm Design policies in Section 18.13 of this Plan.

31.2.3.8.3. The following policies shall apply to the Mixed-Use Gateway designation:

- a) Residential and non-residential land uses in the Mixed-Use Gateway designation shall be subject to the applicable policies in Section 31.2.3.1, 31.2.3.2.4, and 31.2.3.5 of this Plan as if the proposed land use was so designated.;
- b) Buildings should have a consistent setback to promote pedestrian scale. A generally continuous building line is recommended to establish a unified streetscape.
- c) In order to support the attractiveness of this gateway location, a substantial amount of landscaping shall be provided along the Highway 7 frontage, in particular at the northeast corner of Lindsay Street and Highway 7.

31.3. BOBCAYGEON SECONDARY PLAN

31.3.1. VISION, GOALS, AND STRATEGIC DIRECTIONS

The Vision, Goals, and Strategic Directions of the Bobcaygeon Secondary Plan are as follows:

31.3.1.1. Vision

The Secondary Plan for Bobcaygeon is based upon, and future development should be guided by, the following vision developed based on the input from community consultation activities in Bobcaygeon:

“Over 20 years Bobcaygeon will continue to develop and grow as a healthy settlement area, maintain its unique identity and village feel, preserve its natural heritage, maintain small local independent businesses and will remain the ‘Hub of the Kawarthas’.

31.3.1.2. Goals

The following goals were identified for Bobcaygeon:

- a) To outline a vision for Bobcaygeon’s long-range physical development that reflects the aspirations of the community and ensures the social, economic, and environmental well-being of Bobcaygeon;

- b) To provide strategies and specific implementing actions that will allow the vision to be accomplished;
- c) To provide a basis for City staff when reviewing specific development proposals and ensure that public projects are in harmony with this Plan's policies;
- d) To provide guidance for the City, other public agencies, and property owners to coordinate and design projects that will enhance the character of the community;
- e) To provide land use designations for the Bobcaygeon settlement area; and,
- f) To engage the public on issues related to development in Bobcaygeon.

31.3.1.3. Strategic Directions

Strategic directions give specific purpose to the policies of this Plan. The following strategic directions were identified for Bobcaygeon:

- a) Improve the planning framework with stronger definitions to guide growth;
- b) Improve the land use planning framework and create a more defined Secondary Plan to guide the development of the community;
- c) Improve the water quality; and,
- d) Promote a healthy/active community.

31.3.2. GENERAL POLICIES

Growth in Bobcaygeon and this Secondary Plan is based on:

- a) a 2016 permanent population of 3,525 persons and a forecasted 2031 permanent population of 4,625 persons;
- b) 1,715 residential dwelling units in 2016 and a forecasted 2,037 residential dwelling units in 2031; and,
- c) a greenfield mix of 85% low density and 15% medium density residential development.

31.3.2.1. Housing

31.3.2.1.1. The priority areas for intensification development in Bobcaygeon shall generally follow the recommendations of the City's Growth Management Strategy (May 2011) and are as follows:

- a) Infill sites and brownfield sites within the downtown area;
- b) Sites located along CKL Roads, major arterial, collectors, and within the built-up area; and,

- c) Sites where there is sufficient servicing capacity to accommodate the proposed development.

31.3.2.1.2. Intensification development shall be in accordance with section 18.4 of the Official Plan and section 2.2.3.7 of the Growth Plan.

31.3.2.1.3. The City will encourage intensification development along nodes and corridors and in areas that are or will be readily serviced by public service facilities and nearby amenities, and developed to support pedestrian activity.

31.3.2.1.4. The development of affordable housing will be in accordance with the relevant policies of Section 5 and 18 of the Official Plan.

31.3.2.1.5. Secondary suites will be permitted within single, semi-detached, and townhouse dwellings where residential dwellings are permitted as a use, as appropriate.

31.3.2.2. Economic Development

31.3.2.2.1. The City will support the creation of a pro-active economic development strategy for Bobcaygeon and will work with stakeholders and local residents to define a community improvement area for Bobcaygeon's downtown and to develop a Downtown Community Improvement Plan in accordance with Section 9 of the Official Plan.

31.3.2.3. Parks and Open Spaces and Trail Systems

31.3.2.3.1. The City shall implement a program to improve the connectivity and access points of Bobcaygeon's waterfront parks and open space network and to enhance existing parks and open spaces. This strategy shall also include the provision of a pedestrian and cycling network, including adequate bicycle racks, with an emphasis on connecting the parks and open spaces by the waterfront to the downtown core.

31.3.2.3.2. The City shall develop and implement a strategy to improve and expand the trail network along the waterfront and to maintain it for year round use. The trail shall be multi-use and improve access to the shoreline, parks and open spaces, and help to advance active transportation opportunities in the community. Strategic links along existing roads shall be established to provide connections to the shoreline and waterfront parks. Sidewalk improvements and cycling lanes shall be added to local streets where applicable and/or appropriate.

31.3.2.3.3. The City shall develop and implement a strategy to improve Riverview Park, Tommy Anderson Park, and Henderson Park. Improvements could include enhancements to the parking lots, boardwalks, public restrooms, additional supporting facilities, and improvements to the beach area. Public access to the water should also be maintained through the maintenance of existing docks and enhanced with the addition of more dock locations on the north shore of the lakes.

31.3.2.3.4. The City shall work with Parks Canada to implement improvements to the Trent-Severn Waterway amenities to serve visitors and residents. In Bobcaygeon, priority improvements include the provision of new docks with close proximity to the downtown, public washrooms and/or "comfort stations" and parking facilities.

31.3.2.4. Downtown - Central Business District

31.3.2.4.1. Bobcaygeon has a large historic downtown for its population size, with many of the businesses catering to the tourist and seasonal resident market. The central business district consists of two distinct areas: one located north of Big Bob Channel and one located south of Big Bob Channel. The downtown and waterfront recreational areas are very active with tourists and boaters in the summer months.

31.3.2.4.2. New development and infill development in the downtown area should be designed to take into account the following policies and appropriate policies contained in Section 18 of the City of Kawartha Lakes Official Plan:

31.3.2.4.2.1. The downtown is where specialized commercial retail, office, and service uses are focused. As a mixed use area, it functions as the cultural and activity centre of Bobcaygeon and the surrounding rural area. The city will support investments in the downtown so that it continues to be an attractive destination for residents and visitors, and function as a vibrant, mixed-use neighbourhood linked to the recreation opportunities in, and around, Bobcaygeon.

31.3.2.4.2.2. The City will encourage the improvement and revitalization of the downtown by:

- a) developing revitalization strategies and/or Community Improvement Plans for the downtown area with a funding strategy to finance capital programs.
- b) ensuring the improvement and revitalization of the downtown areas by allowing a wide range of commercial, institutional, residential, cultural, social, live/work, entertainment and recreational uses.

31.3.2.4.2.3. Development or redevelopment, including intensification in the downtown area shall preserve, complement and enhance the cultural heritage and/or architectural character of these areas.

31.3.2.4.2.4. The City shall promote and enhance the downtown for local commerce.

31.3.2.4.2.5. New development and redevelopment shall preserve and enhance views to the waterfront areas and downtown by ensuring that sight lines are not interrupted. Both public and private development should enhance views by means of built form, landscape design, pedestrian amenity, and public access.

Gateways and Entries

31.3.2.4.2.6. Gateway and landmark features, streetscape improvements, landscaping and significant building forms shall be encouraged at the entranceways into the downtown, and should be allocated to major intersections where appropriate. Urban design treatments for gateway and landmark features should include:

- a) landscaping – using various plants, shrubs, and/or trees incorporated into boulevards and ground signage.
- b) consistent signage and way finding treatments – decorative signage and banner poles, use of bollards and unique lighting.
- c) identifiable paving pattern or symbol for middle of intersection – using designed concrete or unit paving.

31.3.2.4.2.7. Bridges should be enhanced to play a significant role in identifying the relationship with the downtown and natural heritage corridors. Enhancements can be achieved by:

- a) Improving pedestrian and cycling circulation to the bridges;
- b) Ensuring that more translucent materials are used for the bridge barriers;
- c) By creating architecturally significant bridge abutments; and,
- d) Incorporation of public art on or on approach to bridge structures.

Built Form

31.3.2.4.2.8. New downtown development and infill buildings should be designed to take into account the policies in Section 18.11 and 18.13.

31.3.2.4.2.9. The development of ground-related street retail within mixed use buildings shall be encouraged to promote active streetscapes. Where other uses (such as office or institutional) occur at grade within the downtown, their design should convey activity at the street level through glazed entrances and windows to public functions and private spaces, where appropriate.

31.3.2.4.2.10. Commercial, institutional and employment buildings located with prominent visibility from major arterial roads and main intersections should be designed to establish a distinct, attractive, prestigious image, characterized by good quality architectural design. The character, scale and appearance should complement the adjacent urban form.

31.3.2.4.2.11. Lighting of commercial, institutional and employment buildings located within the downtown shall be designed as an integral component of the overall site design. It should provide safe illumination for pedestrians and motorists and be used strategically to provide a distinct site identity. Illumination of streetscapes adjacent to buildings, parking lots, building accents and signage should be designed together, to create focus and emphasis on site features. Lighting should be designed to reduce light pollution and reflect “dark sky” design principles.

31.3.2.4.2.12. The range of signage shall be coordinated, to create an attractive and uncluttered site image.

31.3.2.4.2.13. Outdoor storage of goods, if permitted, shall be located to the rear and sides of buildings and screened with walls or architectural screens that coordinate with building architecture. Such screening may be supplemented with landscaping.

31.3.2.4.2.14. Commercial, institutional and employment building design shall incorporate appropriate accessibility measures in accordance with the Accessibility for Ontarians with Disabilities Act, the City's Accessibility Plans and Policies, and the Ontario Building Code.

Public Realm and Streetscape

31.3.2.4.2.15. Streetscapes shall be designed to promote safety and ease of use of multiple means of transportation, including vehicular, pedestrian, bicycle and transit, when available.

31.3.2.4.2.16. Streetscape design shall integrate and coordinate a variety of elements to create visually attractive public spaces and a sense of place. These include appropriate right - of - way width to accommodate landscaping, street trees, decorative paving, lighting, street furniture, signage, double - loaded streets and special corner treatments.

31.3.2.4.2.17. The City shall encourage the improvement of streetscapes within the downtown through the use of landscaping including trees, wide sidewalks, bicycle lanes, bicycle parking, special signage, lighting, seating, street furniture, public art, and special paving, and opportunities for seasonal displays and/or seating, which promote a positive sense of place and create a safe and attractive pedestrian environment.

31.3.2.4.2.18. Streetscapes at major intersections should be developed with special community features, tree planting and paving to identify these areas as focal locations.

31.3.2.4.2.19. Street tree planting shall be included in the design of all streetscapes to contribute to a high quality of landscaping and promote pedestrian comfort and shading opportunities. Tree planting should be continuous and the species, placement and frequency of street trees should be appropriate for the type of street.

31.3.2.4.2.20. Sidewalks shall be located to provide uninterrupted and safe pedestrian movement to commercial areas, transit stops and all community amenities, and shall have regard for the space between the building and the roadway in non-residential areas.

31.3.2.4.2.21. Design and selection of street lighting, signage and streetscape furniture should be coordinated and should support the character of the local community. Street lighting should follow the "dark sky" design principles, directing sufficient light downward and minimizing light pollution and glare.

31.3.2.4.2.22. Streetscape design shall incorporate appropriate accessibility measures in accordance with the Accessibility for Ontarians with Disabilities Act and the City's Accessibility Plans and Policies.

31.3.2.4.2.23. The City will work with stakeholders and local residents to define a community improvement area for Bobcaygeon's downtown and to develop a Downtown

Community Improvement Plan in accordance with Section 9 of the Official Plan and to consolidate Bobcaygeon's role as a tourism destination.

31.3.2.5. Urban Design

31.3.2.5.1. It is the policy of this plan to consider urban and community design as an integral component of new development and redevelopment in Bobcaygeon. The Municipality shall prepare a set of Urban Design Guidelines for Bobcaygeon.

31.3.2.5.2. Development shall ensure that views of corridors, vistas and shoreline frontages, with public connections to the open space system, residents and visitor amenities and other public uses are maintained. Buildings located along the shorelines shall have entrances and windows facing the shoreline or facing streetscapes adjacent to open space along the shoreline.

31.3.2.5.3. The City will work on the enhancement of Bobcaygeon's entrances in order for travelers to acknowledge their arrival, navigate, and provide sense of place. Five highway gateway opportunities are identified:

- a) Southern approach – CKL Road 36
- b) South western approach – CKL Road 24 Bridge
- c) Northern approach – CKL Road 49 and Main Street
- d) Eastern approach – CKL Road 36 and East Street North
- e) Western approach – CKL Road 8 and West Street

Three areas for directional signage to downtown core are identified:

- a) CKL Road 36 and King Street
- b) CKL Road 49 and Main Street
- c) CKL Road 8 and Duke Street

31.3.2.5.4. The City will work on the location of downtown gateways and entry demarcation on major intersections. Urban design treatments in accordance with Section 18.13.8 should be further enhanced with the use of a crest or other identifiable symbol which is strongly associated with Bobcaygeon's history.

31.3.2.5.5. The City will work on the improvements to the 3 bridges which cross the river channels and CKL Road 36. Their heights and presence over the channels offer a great vantage point and can also help to orient boaters to the downtown. As bridge improvements are planned, a special effort should be made to allow for a unique architectural design for the two northern Main Street spans between the swing bridge and market square. These could be elements along the abutments or an overarching trellis. These special features will help define the bridge as a special architectural element to Bobcaygeon. The small span bridge at Lock 32 is a functioning

swing bridge and would only support abutment features as to not impede its function. Consistency between the three bridges would help to give the design strength.

31.3.2.5.6. The City will work with Parks Canada to develop a strategy to improve the buildings located north of Lock 32 on the Trent-Severn Waterway. Façade improvements can help define and identify the importance of the Waterway. New programming, such as a Trent-Severn Waterway museum, walking paths and interactive kiosks, can help to bring additional focus on the history of the Waterway.

31.3.2.5.7. The City will work on a strategy to improve the façade of important civic buildings, including the Bobcaygeon and Area Chamber of Commerce/Boyd Heritage Museum located on Canal Street East and the Bobcaygeon-Verulam Community Centre to strengthen their physical prominence in the community.

31.3.2.5.8. Streetscape improvements in Bobcaygeon have already been initiated along the main streets. The City will continue to work on streetscape improvements on neighbourhood streets, including along Bolton Street, Canal Street, Main Street and Joseph Street, which offer a downtown commercial oriented focus. Canal Street offers a great opportunity to expand the downtown commercial core. The single loaded road offers vistas into Big Bob Channel and Lock 32, which can be very advantageous for commercial viability. Improvements may include street tree planting, landscaping, improvements to sidewalks, on street parking, use of decorative paving, street furniture, street lighting and signage, as required.

31.3.2.5.9. The City will study the need for streetscape improvements to secondary downtown streets which function as expansion zones for downtown streetscape treatment. The secondary streets network helps to define the future growth of the downtown and include:

a) King Street East

The junction at Market Square

31.3.2.5.10. It is the policy of this plan to ensure that the design of new development and redevelopment is visually compatible with the surrounding neighbourhood. Compatible housing forms and appropriate transitions shall be developed at the edge of existing residential communities, buildings of cultural heritage value or interest, historic downtowns and abutting the environmental constraint areas.

31.3.2.5.11. It is the policy of this plan to ensure that new development and redevelopment considers the range of elements that contribute to an aesthetically pleasing and architecturally appropriate character in the settlement areas. Development proposals shall:

- a) Incorporate building design that harmonizes with existing development by drawing upon architectural cues such as exterior materials, window and door placement, signage, entranceway design, roof pitch, and exterior architectural trim work.
- b) Incorporate visual interest through varying building forms and styles along streets and within individual subdivisions.

- c) Design the street network on the basis of a modified grid pattern, wherever feasible, to provide for ease of movement within the community, encourage walkability, and reduce vehicle trips.
- d) Avoid the use of cul-de-sacs when designing new internal local road networks, except in instances where environmental features or previous development patterns prevent through-streets.
- e) Follow the principles of Crime Prevention Through Environmental Design (CPTED), including, but not limited to, site safety and security, natural surveillance, enhanced lighting, visibility from street, well-located and clearly marked building entries, accessibility for emergency services and limited pedestrian and vehicle interface.

31.3.2.5.12. New development and redevelopment shall integrate natural and/or naturalized landscapes throughout the community as part of the open space system, when appropriate. The use of natural and/or naturalized landscapes for passive recreation and active transportation shall be encouraged.

31.3.2.5.13. The design of new development and pedestrian areas, the siting of buildings, and the landscaping should, whenever possible, have regard to proper wind orientation that reduces energy consumption and provides a comfortable level for pedestrians.

31.3.2.5.14. New development and redevelopment shall incorporate features such as trees and shelters that provide shade to protect people from sun exposure.

31.3.2.5.15. Design of key gateways to the settlement areas shall recognize this function through landscaping and building architecture that emphasizes their corner condition and prominent views.

31.3.2.5.16. Community institutions and significant natural features should be utilized as landmarks. The street network and views should be developed to facilitate their evaluation as cultural, social and recreational focal areas.

31.3.2.5.17. Streetscape elements and features, including built features, signage, special paving, lighting and banners, are encouraged to extend beyond gateways and landmarks to enhance their individual character.

31.3.2.5.18. The inclusion of public art in urban squares, parks and pedestrian spaces at gateways is encouraged as a method of reinforcing the focal nature of these spaces.

31.3.2.5.19. Development outside of downtown shall be consistent with the Community Design policies of this plan and/or be subject to area-specific urban design guidelines.

31.3.2.6. Environment and Natural Heritage

31.3.2.6.1. Schedule “G-2” illustrates Environmental Constraint Areas and Environmentally Sensitive Features that influence the ultimate form and structure of the settlement area of Bobcaygeon. The lands identified on Schedule “G-2” display known physical hazards and/or Environmentally Sensitive Features. If development occurs without regard to these constraints, loss of life, property damage or degradation of the environment may occur. Delineation of these

constraints has been derived, in a conceptual manner, from mapping provided by Kawartha Conservation. While these constraints must be given due consideration in the development and redevelopment of land within the areas identified on Schedule “G-2”, development proposals may be considered where appropriate studies have demonstrated that development or redevelopment could take place without negatively affecting the risk of loss of life, property damage or the degradation of the environment. The delineation of these constraints may be refined through the preparation of an Environmental Impact Study (EIS), as required by Sections 3.5.37 to 3.5.40 of this Plan, a flood plain analysis, or other appropriate study.

31.3.2.6.2. The City will protect, conserve, and promote Natural Heritage in accordance with the 2020 Provincial Policy Statement and Section 3.5 of the Official Plan. Approval from the Ministry of Natural Resources and Forestry will be required to modify evaluated wetland boundaries.

Environmental Constraint Areas

31.3.2.6.3. Schedule “G-2” conceptually delineates as Environmental Constraint Areas those lands that are susceptible to flooding or erosion, have steep slopes or soil instability, may contain Provincially Significant Wetlands or other natural heritage features, are located within 120 m of a lake or river having fish (identified as “EIS Study Area – 120m Buffer” in Schedule G-2), and/or contain Environmentally Sensitive Features. Development of the lands in accordance with the designation on Schedule “G-2” may be permitted provided that the development does not result in an increased risk of loss of life, property damage or the degradation of the environment. An EIS prepared in accordance with Sections 3.5.37 to 3.5.40 of this Plan shall be required for all development proposals on or abutting lands identified as Environmental Constraint Area.

31.3.2.6.4. Where Environmental Constraint Areas are identified through an EIS, flood plain analysis or other appropriate study on lands subject to site plan control, the site plan shall implement the findings of the study. The site plan shall correctly and precisely delineate those lands impacted by the constraints and identify how the proposed development and/or redevelopment will ensure no negative affect on the risk of loss of life and property damage or degradation of the environment.

31.3.2.6.5. The City will work with Kawartha Conservation in the delineation of areas susceptible to flooding and erosion. The City shall incorporate the results of any new flood plain mapping into the Secondary Plan, when available from Kawartha Conservation.

31.3.2.6.6. The City recognizes that portions of existing development may be located within a flooding hazard identified through Policy Area #1 and Policy Area #2 and that existing development may continue under this policy in accordance with Section 17.6 of this Plan. An existing building or structure located in a flooding hazard may be enlarged, expanded or altered subject to:

- a) the determination that there will not be an unacceptable off-site impact due to the displacement of the flood water;

- b) the enlargement to the building is appropriately flood proofed;
- c) new or existing hazards are not created or aggravated;
- d) the Conservation Authority has been satisfied;
- e) the development is not a threat to public health and safety or property;
- f) vehicles and people must have a way of safely entering and exiting the area during floods; and,
- g) satisfactory water supply and subsurface sewage disposal servicing.

The construction or rehabilitation of a boathouse may be permitted provided it is designed in accordance with the floodproofing requirements of Kawartha Conservation.

Environmentally Sensitive Features

31.3.2.6.7. Schedule “G-2” delineates as Environmentally Sensitive Features those areas that are recognized by this Plan as comprising the Natural Heritage System (i.e., wetlands, fish habitat including significant spawning areas, and significant woodlands in Bobcaygeon). The following policies shall apply to the developments on lands adjacent to Environmental Sensitive Features:

- a) In accordance with the provisions and policies of this Plan, development may be permitted on lands adjacent to Environmentally Sensitive Features to the extent that the type or magnitude of development is compatible with the environmental conditions or that suitable measures have been undertaken to mitigate any resulting negative impact. The uses permitted shall be in accordance with Schedule “F-2”, the Land Use Plan. Development and site alteration is not permitted within a Provincially Significant Wetland.
- b) In considering the approval of a development application adjacent the area delineated as Environmentally Sensitive Features on Schedule “G-2” of this Plan, Council, in conjunction with Kawartha Conservation and Parks Canada (Trent-Severn Waterway), shall give consideration to the need for an analysis of the impact of development on the Environmentally Sensitive Area. An EIS in accordance with Sections 3.5.37 to 3.5.40 of this Plan shall be required for all development proposals on or abutting areas identified as Environmentally Sensitive Features.
- c) Lands adjacent to Environmentally Sensitive Features, identified in this Plan, shall be developed and managed in a manner to protect and complement the nature of the adjacent sensitive area. Regard shall be had for the location, extent and nature of the environmentally sensitive area, the scale of the proposed development, the potential impact on the Environmentally Sensitive Features and the proposed mitigating measures including the adequacy of spatial setbacks and buffers. Council shall consult with Kawartha Conservation and Parks Canada (Trent-Severn Waterway) in relation to the appropriateness of the proposed mitigating measures.
- d) Where, due to the environmentally sensitive nature of the area, an analysis of the impact of development is considered necessary, no change may be made to the natural

environment until such time as the Developer undertakes an assessment of the area in accordance with the requirements of paragraph (b) hereof. Such a report shall be prepared to the satisfaction of Council, Kawartha Conservation, the Ministry of Natural Resources and Forestry and Parks Canada (Trent-Severn Waterway).

- e) Where an Environmental Assessment of a proposal is conducted in accordance with the provisions of The Environmental Assessment Act, that assessment shall be considered as having fulfilled the requirements of paragraph (b) of this Section.
- f) Where Federal Lands are involved and the Federal Environmental Assessment and Review Process is required, that assessment shall be considered as having fulfilled the requirements of paragraph (b) of this Section.

Protection of Shorelines

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

31.3.2.6.9. The alteration of shorelines for the purpose of establishing or altering drainage works such as those works under the Drainage Act, infrastructure or for stabilization, erosion control or protection purposes shall only be permitted if it is demonstrated that natural shoreline treatments (e.g. planting of natural vegetation, bioengineering) that maintain the natural contour of the shoreline will be used where practical, and a vegetative riparian area will be established to the extent feasible.

31.3.2.6.10. Where a proposal for development or site alteration is permitted within 30 metres of a shoreline, in accordance with Section 3.5.38 of the Official Plan, the proposal for development or site alteration shall comply with the following where applicable:

- a) maintain, and where possible, increase or improve fish habitat in the lake, stream or wetland, and any adjacent riparian areas;
- b) to the extent possible, enhance the ecological features and functions associated with the lake, stream or wetland;
- c) minimize erosion, sedimentation, and the introduction of excessive nutrients or other pollutants and utilize planning, design, and construction practices that maintain and improve water quality; and
- d) integrate landscaping and habitat restoration into the design of the proposal to enhance the ability of native plants and animals to use the area as both wildlife habitat and a movement corridor.

Trent-Severn Waterway

31.3.2.6.11. Along the Trent-Severn Waterway, any in-water and shoreline works, including but not limited to docks, boathouses, boat ramps, and shoreline alterations require an approved work permit from Parks Canada before any work can commence. Work must also adhere to Parks Canada's *Policies for In-Water and Shoreline Works and Related Activities*.

Waste Disposal Assessment Areas

31.3.2.6.12. The identification, management and clean-up of former waste and contaminated sites are important to achieve the Goals, Principles, and Objectives of this Plan. An EIS in accordance with Section 36.10 of this Plan shall be required for all development proposals within the City of Kawartha Lakes abutting a Waste Disposal Assessment Area located within the abutting lands in the Municipality of Trent Lakes, County of Peterborough.

The City shall be satisfied that appropriate measures have been taken to:

- a) Ensure that the active and closed waste disposal facilities are carefully managed and rehabilitated;
- b) Ensure the uses adjacent to waste disposal areas do not jeopardize public health or the environment; and,
- c) Ensure the potentially contaminated sites are assessed and remediated as required, prior to any development or redevelopment.

31.3.2.6.13. Uses may be permitted in accordance with the land use designation on the abutting a Waste Disposal Assessment Area located within the abutting lands in the Municipality of Trent Lakes, County of Peterborough, upon the Municipality consulting with the Ministry of Environment and Climate Change and/or other appropriate jurisdiction, and subject to the following policies:

- a) Written approval has been received from the Ministry of Environment and Climate Change, and/or other appropriate jurisdiction, that the development complies with the provisions of the Environmental Protection Act;
- b) The studies required by the Ministry of Environment and Climate Change shall be carried out to the satisfaction of the City and shall demonstrate that development is compatible and can proceed without unmitigated negative impact;
- c) The City shall require the construction and phasing of all development to coincide with the control of any problems identified by the engineering studies;
- d) The studies of gas, leachate and hydrogeology, shall be carried out by a qualified engineer; and
- e) The City is satisfied with the required studies with respect to any matter regarding structural stability, safety and integrity of any and all structures.

31.3.2.6.14. Given the potential impacts in areas subject to the Waste Disposal Assessment Area policies, only land uses compatible with waste disposal sites and the associated engineered controls will be permitted.

31.3.2.6.15. Lands within the Waste Disposal Assessment Area shall be placed in a zoning category that does not permit habitable buildings or structures as an interim or permanent use. When such areas are deemed suitable for development, a rezoning to an appropriate category may be undertaken, subject to the applicable policies of Section 35.

31.3.2.6.16. A parking lot, paved or otherwise, may be constructed within a Waste Disposal Assessment Area to serve an adjacent recreation facility or to act as a trail head location for a trail system. For the purpose of this Section, a municipal parking lot is deemed not to be a structure.

31.3.2.6.17. Park amenities, but not buildings, may be constructed on a Waste Disposal Assessment Area after the City, in conjunction with the Ministry of Environment and Climate Change is satisfied that the soils do not pose a safety hazard to those using the park facilities.

31.3.2.7. Transportation

31.3.2.7.1. A safe, convenient, efficient and accessible transportation system shall be developed.

31.3.2.7.2. The City should explore a new or expanded coach, and/or shuttle services to serve the needs of community members and the travelling public.

31.3.2.7.3. A transportation system strategy will be developed, which will emphasize safety, convenience and efficiency and which will address the multiple forms of transportation found in Bobcaygeon including roads, waterways, trails, and pedestrian routes.

31.3.2.7.4. The City will work on the expansion of transportation opportunities for the population, particularly focusing on meeting the needs of the aging population. The strategy should also focus on improving and expanding on a cycling network and expanding its parking supply to meet projected demands.

31.3.2.7.5. The City will work on implementing a parking strategy which will provide additional parking spaces in the downtown area, as estimated by the City of Kawartha Lakes Transportation Master Plan (February 2012).

31.3.2.7.6. Schedule “H-2” identifies the existing road pattern and future arterial and collector road network for Bobcaygeon. The following road classification applies in Bobcaygeon:

- i. Local roads provide access to lots and serve low volumes of traffic and shall have a minimum right of way width of 20 metres.
- ii. Collector roads provide for medium volumes of traffic and shall have a minimum right of way width of 26 metres.
- iii. Arterial roads provide for medium to high volumes of traffic and shall have a minimum right-of-way width of 26 metres.

31.3.2.8. Infrastructure and Services

31.3.2.8.1. Infrastructure and services, such as sewers, water and storm water systems, shall be provided, maintained and upgraded as necessary to accommodate the needs of future development and redevelopment in Bobcaygeon. Before a subdivision, condominium, consent or rezoning is approved, it must be demonstrated that there is sufficient municipal servicing to serve the proposed use.

31.3.2.8.2. Development within the Bobcaygeon settlement area shall be on full municipal services in accordance to the policies of the City. In addition, the following Infrastructure and Phasing Policies apply:

31.3.2.8.3. Goal

To plan for growth that takes into account the availability and location of existing and planned community infrastructure so that infrastructure can be provided efficiently and effectively.

31.3.2.8.4. Objectives

- a) Maintain and enhance the level of services consistent with the social integrity, economic costs, demand and growth projections while ensuring environmental integrity.
- b) Encourage intensification by locating urban development where servicing costs are minimized and use is maximized. Avoid premature service and utility extensions and locate development where municipal services exist or where they can be logically and economically extended.
- c) Ensure that new development is serviced by full municipal sewer, water and stormwater and transportation systems with costs for such serviced provided by the development.
- d) Provide and improve hard services such as sidewalks, curbs, gutters, roads, sewers, water mains and street lighting to applicable standards that are appropriate to the location.
- e) Use all reasonable and cost effective opportunities to encourage innovative and efficient use of services.
- f) Identify and give priority to servicing improvements and the reduction of deficiencies which, if improved, assist in stimulating economic development and create long-term employment opportunities.
- g) Protect and enhance existing communication and transmission corridors and networks, and encourage the development and maintenance of modern telecommunications infrastructure to serve businesses and residents.
- h) Encourage the efficient use of energy with respect to all modes of transportation.
- i) Link places of employment, education, cultural and community activities by safe and efficient pedestrian routes. Provide a pedestrian and cycling environment for all members of the community.
- j) Encourage the protection of abandoned rail corridors for public uses.

- k) Ensure that the City continues to play a role in the provision of special needs transportation.
- l) Ensure the provision, maintenance and expansion of adequate off street parking facilities in downtown areas, and promote effective utilization of existing resources and explore opportunities to provide staging and/or parking areas for links to alternative modes of transportation.
- m) Ensure that the network of roads serving the City is co-ordinated with adjacent municipalities.
- n) Ensure the continual maintenance, improvement and development of the system of municipal roads, including arterial, collector and local roads and aggregate haul routes, in a manner which minimizes the disruption to residential neighbourhoods and results in a derived benefit for all residents of Bobcaygeon and enhances the economic function of commercial and industrial areas.

31.3.2.8.5. Phasing

31.3.2.8.5.1. The phasing of development, in accordance with the policies of each specific designation, will be based on the progressive extension and economic utilization of utilities and services.

31.3.2.8.6. The infrastructure and services provided for new developments and redevelopments in Bobcaygeon shall be sized, located and designed to the City of Kawartha Lakes engineering standards, guidelines and criteria to ensure that acceptable levels of service are maintained.

31.3.2.8.7. The planning and design of stormwater infrastructure, and the evaluation of development with respect to its management of stormwater, will be in accordance with the relevant policies of Section 3.3 of the Official Plan.

31.3.2.8.8. Although municipal servicing shall not be extended beyond the settlement area boundary, municipal water and sanitary sewer services may be extended to service a dairy facility on the property located at 3332 CKL Road 36 provided that:

- a) the municipal water and sanitary sewer services have been planned as part of a master plan in accordance with section 3.2.6.2(c) of the Growth Plan;
- b) it has been demonstrated, by the owner of the aforesaid property to the City's satisfaction, that the provisions of such servicing will not negatively affect the City's ability to achieve the minimum intensification and density targets in accordance with subsection 3.2.6.(b) of the Growth Plan;
- c) all of the costs associated with the extension of the municipal servicing extended to these lands are to be borne by the owner or developer of the aforesaid property; and
- d) no other property outside the settlement area boundary shall be entitled to connect to the extended services.

This policy does not assign water and wastewater servicing allocation to the lands.

31.3.2.9. Culture and Cultural Heritage

31.3.2.9.1. The City shall protect, conserve, and promote culture and cultural heritage in accordance with the 2020 Provincial Policy Statement and Section 10 of the Official Plan.

31.3.2.10. Land Use Compatibility

31.3.2.10.1. The development of any industrial use shall be in accordance with Section 3.8 of the Official Plan.

31.3.2.10.2. All development will comply with the minimum distance separation formulae established by the Province in order to minimize odour conflicts between livestock facilities and development, as amended from time to time.

31.3.3. LAND USE POLICIES

31.3.3.1. RESIDENTIAL

31.3.3.1.1. The predominant use of land in the Residential designation shall be a variety of dwelling types. Parkettes/tot lots may be permitted in accordance with Section 18.15 of this Plan. Senior citizens' homes, long term care homes, retirement homes, nursing homes, and assisted living facilities, group homes or similar housing facilities may be developed in accordance with the Low Density Residential, Medium Density Residential, or Mixed Density Residential policies of this Plan, as the case may be. Neighbourhood commercial uses may also be permitted, in accordance with policies 31.3.3.1.7 and 31.3.3.1.8 of this Plan. A home occupation may be permitted accessory to the principal residential use and occurring entirely within the dwelling unit. The location of the Residential designation is shown on Schedule "F-2".

31.3.3.1.2. The Residential designation contains two densities of residential development and policies for mixed density development. The appropriate density shall be based on the availability of services, compatibility with surrounding uses and locational factors, as set out below.

31.3.3.1.3. Low Density Residential Uses

31.3.3.1.3.1. Within the Residential Designation, the implementing zoning by-law will delineate individual parcels for Low-Density Residential Uses. Low density residential uses shall include single detached dwellings, semi-detached dwellings, duplex dwellings and similar low-profile residential buildings not exceeding 2.5 storeys in height, and three (3) dwelling units per property. Neighbourhood commercial uses may also be permitted, in accordance with the policies of Section 31.3.3.1.7 of this Plan.

31.3.3.1.3.2. Low density residential areas shall be developed from a minimum density of 15 dwelling units per net hectare of land to a maximum density of 30 dwelling units per net hectare of land.

31.3.3.1.3.3. To foster attractive streetscapes, garages should not project more than 1 metre beyond the front of the dwelling or a covered porch. Low Density Residential uses will be encouraged to have a variety of facades and use a variety of building materials.

31.3.3.1.4. Medium Density Residential Uses

31.3.3.1.4.1. Within the Residential Designation, the implementing zoning by-law will delineate individual parcels for Medium Density Residential uses. Medium density residential uses shall include triplex dwellings, fourplex dwellings, row or block townhouse dwellings, stacked townhouses, converted dwellings containing more than three dwelling units, and mid-rise apartment housing not exceeding four storeys in height. Home-based businesses may be permitted accessory to the principal residential use and occurring entirely within the dwelling unit. Neighbourhood commercial uses may also be permitted, in accordance with the policies of Section 31.3.3.1.7 of this Plan.

Medium density residential areas shall be developed from a minimum density of 30 units per net hectare to a maximum density of 60 dwelling units per net hectare.

31.3.3.1.4.2. Medium Density Residential uses will generally be located along, or close to, arterial or collector roads, where possible and appropriate.

31.3.3.1.4.3. To foster attractive streetscapes, attached garages should not project more than 1 metre beyond the front face of the dwelling or a covered front porch.

31.3.3.1.4.4. New medium density residential uses shall meet the following criteria:

- a) The height and massing of the buildings at the edge of the medium density residential zone shall have regard to the height and massing of the buildings in any adjacent low density residential zone ;
- b) Medium density residential lots shall accommodate low-rise dwellings which do not cause significant issues with shadow casting and obstructions of views for adjacent lots;
- c) For apartments and/or block townhouse dwellings , on-site recreational amenities may be required ;
- d) Buildings should incorporate landscaping in all yards
- e) Parking shall be provided in accordance with Policies 18.16.8, 18.16.10 and 18.16.11. Parking for freehold townhouse development shall be permitted in the front yard; and,
- f) Apartments and/or block townhouses shall be designed to provide for collection and storage of recyclable and waste containments on site.

31.3.3.1.4.5. For the lands known as 3418 Kawartha Lakes County Road 36 and the portions of 3400 Kawartha Lakes County Road 36 designated Residential, long-term care home, assisted living facility/senior citizens' home, and independent seniors apartment buildings as defined by the applicable zoning by-law are also permitted Medium Density Residential land uses.

31.3.3.1.5. Mixed Density Residential Development

31.3.3.1.5.1. Developments may contain a mix of low density and medium density built forms. When considering this form of development, the proponent and the City shall have regard to the

density limits and development policies set out for the highest density residential use in the proposed development.

31.3.3.1.6. Home Occupations

31.3.3.1.6.1. Home occupations may be permitted as long as it is accessory to the principal residential use and occurs entirely within the confines of the dwelling unit. A home occupation shall not change the appearance of the dwelling as a residence, must be compatible with the surrounding uses, and shall not create a parking problem.

31.3.3.1.7. Neighbourhood Commercial Uses

31.3.3.1.7.1. Small convenience retail facilities to serve the daily shopping needs of the residents of a neighbourhood, otherwise referred to as Neighbourhood Commercial Uses, shall be permitted within the Residential land use designation.

31.3.3.1.7.2. The following policies shall apply to Neighbourhood Commercial Uses:

- a) No more than one commercial structure or building shall be permitted on any site, and the gross floor area of the commercial use shall not exceed 300 square metres;
- b) Building height shall be limited to one storey unless residential apartments are located on the upper floor(s), in which case the maximum building height will be subject to the appropriate residential density provisions;
- c) Required loading spaces should be located at the rear of the structure;
- d) Landscaping, fencing, berming and other screening shall be provided adjacent to residential land uses;
- e) All required parking shall be provided on the site. Cash-in-lieu of required parking shall not be accepted by the City unless the neighbourhood commercial use is incorporated into a residential apartment building;
- f) Driveway access shall be approved by the City as necessary and appropriate; and,
- g) Standalone neighbourhood commercial sites shall be located at or in proximity to the intersection of arterial or collector roads and shall not be located mid-block within a residential area.

31.3.3.1.8. Live/Work Opportunities

31.3.3.1.8.1. Medium density residential units designed for live/work may be permitted subject to the provision of sufficient parking. Live/work development is encouraged to locate on collector and arterial roads and/or in an area planned for intensification.

31.3.3.2. COMMERCIAL

31.3.3.2.1. Commercial Structure

31.3.3.2.1.1 The Secondary Plan defines Commercial broadly and is intended to work with the Zoning By-law to control the specific type and built form of commercial development in the settlement areas. Four land use designations and associated policies generally apply to the commercial areas of Bobcaygeon. These commercial land use designations are as follows:

- a) Central Business District;
- b) Commercial;
- c) Highway Commercial; and,
- d) Tourism Commercial.

31.3.3.2.2. Central Business District

31.3.3.2.2.1. The Central Business District is Bobcaygeon's preeminent mixed use node and is intended to serve a variety of complementary functions. The Central Business District area should remain as compact as possible in order to serve the pedestrian most easily. New development should be planned as an extension of the existing downtown street-related business core or as an infilling process to the existing business area and should not be allowed to infiltrate into the adjoining residential areas.

31.3.3.2.2.2. The predominant use of land in the Central Business District land use designation shall be a full range of retail and commercial uses. In addition, residential uses are permitted on the upper storeys of a commercial building or in free standing residential buildings. The Central Business District is also the location for important institutional uses, niche shops and specialty retail uses, cultural and entertainment uses, professional services, businesses and offices, hospitality uses, transit and transportation uses, and parks and open spaces. Drive-through facilities and auto-related uses such as auto body shops, repair shops are not permitted within this designation. The limits of the Central Business District area are shown on Schedule "F-2".

31.3.3.2.2.3. Central Business District development should generally contain buildings which have a maximum height of 4 stories, except for buildings along the shoreline, which should have a maximum height of 2 storeys.

31.3.3.2.2.4. The preferred form of development within the Central Business District is for retail and office uses at grade with residential uses locating on upper floors of buildings and/or behind the front portion of buildings, where appropriate.

31.3.3.2.2.5. The following policies shall apply to the Central Business District designation:

- a) The traditional downtown area shall be revitalized and preserved to reinforce its character;
- b) Development shall be in accordance with policies in Sections 18.11 Downtown Development and 18.13 Urban and Public Realm Design;
- c) Any new transit facilities should be easily accessible to pedestrians;
- d) The surrounding areas should relate to and be efficiently connected with the Central Business Districts through the integration of bicycle and pedestrian trail systems;

- e) All utilities shall be provided underground, where feasible;
- f) Adequate off-street parking and loading spaces, or cash-in-lieu of parking as provided for in Section 18.16.9, shall be provided. Requirements may be satisfied through off-street communal parking, and municipally or privately owned parking areas located in the Central Business District. Parking should be located in the rear or centre of the urban blocks with little visibility to downtown streets. In the case where a parking lot does have street frontage, then a landscape set back should be used to help mitigate the transition between the lot and public realm. Limited on-street parking will be provided in appropriate areas; and,
- g) Any enlargement of an existing or establishment of a new retail use in excess of 3,000 square metres of gross leasable floor space shall require a site specific Zoning By-law Amendment. Prior to consideration of such Zoning By-law Amendment, a Retail Market Analysis Study, prepared in accordance with Section 18.7 of this Plan, shall be submitted and approved by the City. The implementing Zoning By-law to enlarge or establish such retail use, shall establish a specific zone and regulations that shall include, but not be limited to, size (maximum gross leasable floor space), location, performance standards and specific permitted uses.

31.3.3.2.2.6. A Community Improvement Plan shall be undertaken for Bobcaygeon's Central Business District (Downtown Area), in accordance with Section 9 of the Official Plan, with a view to enhancing and improving the District as a significant and unique mixed commercial, residential, cultural, social and entertainment area.

31.3.3.2.2.7. Development or redevelopment, including *intensification* in the designated Central Business District shall preserve, complement and enhance the cultural heritage and/or architectural character of these areas. Among the specific requirements are the following:

- a) the sensitive location, limited extent and effective buffering of parking facilities so as not to detract from historic streetscapes and adjacent buildings and uses;
- b) the consistency of setbacks and continuity of character, in order to maintain and restore pedestrian-oriented streetscapes and the encouragement of pedestrian activity by providing linkages between the downtowns and adjacent areas of residential or other development; and
- c) compliance with the heritage policies of Sections 10 and 18.14 of this Plan.

31.3.3.2.2.8. In the Central Business District, sidewalks should be wide enough to allow for pedestrian passage, retail displays, street furniture, and landscaping.

31.3.3.2.2.9. The City may utilize Tax Incentives to promote private sector improvements to existing buildings and revitalize existing Central Business District areas.

31.3.3.2.2.10. The City may establish Business Improvement Areas in the Central Business District to help promote and support local businesses in these areas.

31.3.3.2.2.11. The City shall encourage coordination, by local business persons or owners, of such items as signage, building facades, lighting, street furniture, landscaping and general maintenance.

31.3.3.2.2.12. No open storage shall be permitted within the Central Business District.

31.3.3.2.2.13. The City encourages the upgrading, rehabilitation and redevelopment of buildings and/or facades in the Central Business District as set out in the City's urban design, which may be in place.

31.3.3.2.2.14. Buildings and structures of cultural heritage value or interest shall be conserved and incorporated, where appropriate, into any development or redevelopment project. The preservation of areas of cultural heritage shall also be encouraged.

31.3.3.2.3. General Commercial

31.3.3.2.3.1. Areas identified as General Commercial on Schedule "F-2" represent service commercial and retail stores and existing shopping centres outside of the Downtown area. Development within those areas designated General Commercial should not undermine the viability of the Central Business District, but rather reinforce and complement the primary economic function of the Central Business District as the focal point and principal centre of commerce. The permitted uses in the General Commercial land use designation shall include a range of retail establishments and commercial uses such as convenience retail, retail stores, food stores, personal and professional services, offices, service commercial, automobile service stations, vehicles sales and service, public garages, motels, hotels, restaurant, home furnishing establishment, financial institutions, garden centres, building supply centres, and other similar uses.

31.3.3.2.3.2. The following policies apply to new developments or redevelopment in the General Commercial designation:

- a) Commercial uses will be encouraged to consolidate in nodes and be developed in accordance with good urban design principles. This Plan encourages the consolidation of properties to facilitate larger scale development.
- b) Commercial areas shall be compatible with surrounding uses and shall be adequately buffered from adjacent residential and other sensitive land uses. Buffers shall include grassed areas and appropriate planting of trees and shrubs, and / or the provision of other suitable screening materials and decorative fencing;
- c) Building entrances and display windows should be oriented to street frontages, and a minimum of one major building entrance should front directly onto the main street frontage, when applicable.
- d) Driveway access shall be approved by the City as considered to be necessary and appropriate;
- e) Buildings should be built to a minimum setback at intersections to help frame the streets;
- f) The building identity at corner locations will be reinforced by taller building elements such as towers, entrance structures or roof elements (i.e. skylights and dormers);
- g) Commercial garbage facilities shall be contained in a fully enclosed storage area contiguous with the building;

- h) Parking, loading and service areas should be designed as per policies 18.16.8, 18.16.10, 18.16.11, and 18.16.12 of this Plan; and,
- i) The General Commercial designation shall only locate on arterial or collector roads.

31.3.3.2.4. Highway Commercial

31.3.3.2.4.1. Areas identified as Highway Commercial in Schedule “F-2” represent existing and future service commercial areas and a limited range of retail stores outside of the Central Business District, but within the settlement area. The predominant use of land permitted in the Highway Commercial land use designation shall include commercial uses such as convenience-type retail, automobile service stations, vehicle sales and service, public garages, motels, hotels, eating establishments, establishments such as furniture, appliance, carpet, flooring, home electronics and/or garden centres, automated teller/banking machines, building supply centres, and other similar uses.

31.3.3.2.4.2. The following policies apply to lands designated Highway Commercial:

- a) Highway Commercial uses will be encouraged to consolidate in nodes and be developed in accordance with good urban design principles. It is the intent of this Plan to provide for the consolidation of Highway Commercial uses and to avoid the indiscriminate development and/or extension of such uses into adjacent non-commercial areas.
- b) Highway Commercial areas shall be compatible with surrounding uses and shall be adequately buffered from adjacent residential and other sensitive land uses. Buffers shall include grassed areas and appropriate planting of trees and shrubs, and / or the provision of other suitable screening materials;
- c) Building entrances and display windows should be oriented to street frontages, and a minimum of one major building entrance should front directly onto the main street frontage, when applicable.
- d) Driveway access shall be approved by the City as considered to be necessary and appropriate. Consolidated accesses between properties shall be required where necessary;
- e) Adequate off-street parking, service areas and loading spaces shall be provided. Service areas and loading spaces shall be located according to Section 18.16.10 of this Plan;
- f) Buildings should be built to a minimum setback at intersections to help frame the streets;
- g) The building identity at corner locations will be reinforced by taller building elements such as towers, entrance structures or roof elements (i.e. skylights and dormers);
- h) Commercial garbage receptacles shall be adequately screened or in an enclosed storage area contiguous with the building;

- i) Parking, loading areas and service areas should be designed as per policies 18.16.7, 18.16.9 and 18.16.10 of this Plan; and,
- j) Highway Commercial uses shall only locate on arterial or collector roads.

31.3.3.2.5. Tourism Commercial Designation

31.3.3.2.5.1. Areas identified as Tourism Commercial in Schedule “F-2” represent existing and future tourism commercial areas in the settlement area. The predominant use of land permitted in the Tourism Commercial land use designation shall include existing residential uses and commercial uses such as convenience-type retail, bed and breakfast establishments, motels, hotels, inns, spas, eating establishments, marinas, accessory residential uses, and other similar uses.

31.3.3.2.5.2. The following policies apply to lands designated Tourism Commercial:

- a) Tourism Commercial uses will be encouraged to cluster together and be developed in accordance with good urban design principles. It is the intent of this Plan to avoid the indiscriminate development and/or extension of such uses into adjacent non-commercial areas.
- b) Tourism Commercial areas shall be compatible with surrounding uses and shall be adequately buffered from adjacent residential and other sensitive land uses. Buffers shall include grassed areas and appropriate planting of trees and shrubs, and / or the provision of other suitable screening materials;
- c) Building entrances and display windows should be oriented to street frontages, and a minimum of one major building entrance should front directly onto the street frontage, when applicable.
- d) Driveway access shall be approved by the City. Consolidated accesses between properties shall be required where necessary;
- e) Adequate off-street parking, service areas and loading spaces shall be provided. Service areas and loading spaces shall be located according to Section 18.16.10 of this Plan;
- f) Except for marina uses and ancillary docking facilities, development adjacent to a shoreline shall be setback from the shoreline to provide for shoreline protection and maintenance of a continuous natural shoreline;
- g) Commercial garbage receptacles shall be adequately screened or in an enclosed storage area contiguous with the building; and,
- h) Parking, loading areas and service areas should be designed as per policies 18.16.7, 18.16.9 and 18.16.10 of this Plan.

31.3.3.3. EMPLOYMENT

31.3.3.3.1. Within the Employment designation, the permitted uses shall include a wide range of employment and office uses, including manufacturing and fabricating, assembling, processing, servicing and repairing, warehousing and storage, shipping and receiving, commercial activities as an accessory use, eating establishments serving the employment area, accessory uses such as parking garages or a dwelling unit within a building having an employment use for a caretaker.

31.3.3.3.2. No outside storage of goods or materials shall be permitted in any yard adjacent to arterial roads, or residential areas.

31.3.3.3.3. Employment uses shall locate adjacent to arterial, and collector roads.

31.3.3.3.4. Employment uses shall not be permitted to locate on local roads that necessitate the movement of trucks past residential lots. General Employment uses shall be encouraged to group together provided adequate buffering is established.

31.3.3.3.5. The following policies apply to lands designated Employment:

- a) Adequate landscaping and buffering shall be provided between the Employment designation and sensitive land uses, as established by the Ministry of Environment and Climate Change or other relevant agency.
- b) Adequate off-street parking, service areas and loading facilities are required and will be designed for maximum safety. Parking, loading areas and service should be designed as per policies 18.16.8, 18.16.10, 18.16.11, and 18.16.12 of this Plan.
- c) For employment uses located on roads with sidewalks and/or cycling connections, pedestrian access should be accommodated in a manner that is distinguishable from the access provided to motorized vehicles, and is safe and convenient.
- d) Buffering is required between employment area uses and residential uses, including but not limited to, increased setbacks, a high degree of landscaping, screening, and fencing.
- e) Accessory office uses should generally be oriented to the front of the building and incorporate substantial glazing while recognizing that some office space may be required to be located throughout the employment building.
- f) Abutting public streets, variations in articulation of the building envelope are encouraged.
- g) The orientation of buildings to maximize frontage along public streets is encouraged.
- h) In Employment designations which face Residential areas on the opposite side of the street, the building façade should be architecturally treated in order to achieve a compatible streetscape.

31.3.3.3.6. Employment uses located along arterial roads and collector roads are expected to accommodate a wide range of light industrial type uses requiring high visibility. High quality design will be essential in these areas and some restrictions on uses may be applied to ensure attractive streetscapes.

31.3.3.3.7. New employment development will be required to demonstrate compliance with the Ministry of Environment's Land Use Compatibility (D6) Guidelines.

31.3.3.3.8. Employment uses shall not include uses that may be obnoxious or noxious to the surrounding area

31.3.3.3.9. The Comprehensive Zoning By-law shall establish development standards, permitted uses, and other measures required to support the Employment policies. The City may also establish design guidelines to provide further guidance on the character of development in the Employment designation.

31.3.3.3.10. The conversion of lands within the Employment designation to non-employment uses is subject to policy 18.10.13 of this Plan.

31.3.3.4. INSTITUTIONS and COMMUNITY FACILITIES

31.3.3.4.1. Institutions and Community Facilities uses are intended to serve the immediate neighbourhood or a collection of neighbourhoods, and provide social or cultural services such as education, health care, social housing, and religious worship for residents.

31.3.3.4.2. Within the Institutions and Community Facilities land use designation, the predominant use of land shall be for public and institutional uses that benefit the residents of Bobcaygeon and surrounding areas. Permitted uses shall include institutional, government offices, places of worship, nursing homes and assisted living, daycare centres, social housing, medical clinics, recreational, cultural and educational facilities, cemeteries, fairs or exhibition grounds, other public uses or community facilities, and uses accessory thereto. Government buildings deemed to be redundant may continue to be used office purposes without an amendment to this Plan.

In addition to the uses permitted above, ancillary residential and commercial uses may be permitted in areas designated Institutions and Community Facilities without requiring an amendment to this Plan, provided that:

- a) The ancillary use is clearly incidental and secondary to, and complementary with the main use; and
- b) The development satisfies the appropriate policies relating to the use.

31.3.3.4.3. The following policies shall apply to the Institutions and Community Facilities designation:

- a) Adequate measures shall be taken to ensure that the permitted uses have no adverse effects on adjacent land uses. Adequate buffer planting shall be provided between any Institutions and Community Facilities use and any adjacent residential area where land use conflicts might be expected, and such buffer planting may include provisions for grass strips and appropriate planting of trees and shrubs, berms or fence screening.
- b) Institutions and Community Facilities shall be planned to reflect the level of service for which they are intended to provide.

- c) Institutions and Community Facilities shall be encouraged to have building massing, exterior building materials, and landscaping which will assist with integration with the neighbourhood. The City encourages specific design elements which highlight the civic nature of institutional uses.
- d) Parking shall be provided in accordance with Policies 18.16.8, 18.16.10 and 18.16.11,
- e) The design of new Institutions and Community Facilities shall be pedestrian friendly, barrier-free and accessible.
- f) The City will encourage Institution and Community Facilities to act as community hubs offering a variety of public services, where possible. The location of these facilities should be in areas serviced by existing infrastructure, and easily accessible by active transportation methods.

31.3.3.4.4. Elementary schools should be planned in coordination with growth of the community and located adjacent to public parks and open spaces, where possible. Generally, the school should be centrally located in regard to the area being served. The location should be selected and designed in consultation with the School Board to minimize traffic conflicts with pedestrians. Sidewalks are considered to be an integral design aspect and will be required to link all school sites to adjacent neighbourhoods. Bicycle lanes and bicycle parking will be incorporated wherever feasible.

31.3.3.4.5. Where possible, places of worship should be located on arterial or collector roads within walking distance of transit stops.

31.3.3.4.6. Emergency service facilities, including fire, police and ambulance stations shall be located on CKL Roads, arterial roads, or collector roads. The siting of new facilities shall also consider the potential impacts on adjacent users.

31.3.3.5. PARKS and OPEN SPACE

31.3.3.5.1. The Parks and Open Space designation includes lands used for active and passive leisure activities. In addition, open spaces are intended to contribute to the environment through the provision of green space and vegetation.

31.3.3.5.2. The predominant use of land shall be primarily for the preservation and conservation of land and/or environment, as well as for the provision of outdoor recreational and educational opportunities, and should be managed in such a fashion as to complement adjacent land uses and protect such uses from any physical hazards. Permitted uses include indoor and outdoor active and passive recreational uses including parks, trails, golf courses, arenas, curling rinks, sports fields and other similar uses as well as open space areas. Compatible uses, such as public and/or private utilities, environmental conservation, and community gardens may also be allowed.

31.3.3.5.3. The development of parks shall be subject to Sections 8 and 18.15 of the Official Plan, and 34.13 of this Plan. The following policies shall apply to the Parks and Open Space designation:

- a) Community gardens, parks, and recreation operations on lands designated Parks and Open Space should maintain the unique natural characteristics of such lands, where possible and appropriate.
- b) Lands designated Parks and Open Space shall not contribute to problems of erosion, flooding, pollution or the deterioration of the environment.
- c) Buildings and structures shall be permitted in parks provided that they are related and accessory to the main permitted use. Structures such as those required for flood consideration, municipal services and/or utilities shall be permitted in areas designated Parks and Open Space, provided engineering studies acceptable to the City and Conservation Authority indicate that any hazard, natural or otherwise, can be overcome, or if the Conservation Authority determines that the isolated parcel of land is not hazardous. Where major physical alterations are necessary to overcome the hazards, an amendment to this Plan will be required. Where detailed investigation shows that an area is non-hazardous, and provided that the Conservation Authority confirms this in writing, then an alternative use consistent with the surrounding uses may be considered through a Zoning By-law Amendment.
- d) Where Parks and Open Space lands are under private ownership, it shall not be construed that these lands shall be free and open to the general public, nor that they shall be acquired by the City or any other public agency.

31.3.3.5.4. The City will conduct programs to improve park facilities and provide public parks to meet the needs of the community, as well as augmenting the present park deficiencies. Park needs shall be considered in conjunction with future recommendations and/or improvements to the Trent-Severn Waterway and the lands adjacent to it.

New Park

31.3.3.5.5. The general location of a new park in Bobcaygeon is denoted with the symbol “NP” on Schedule F-2. A park may be situated anywhere within the extent of the underlying land use designation denoted with the symbol “NP,” and the City will determine the type of park and its final location prior to draft plan approval.

31.3.3.6. ENVIRONMENTAL PROTECTION

31.3.3.6.1. Permitted uses within this designation should maintain the unique natural characteristics of such lands and should not contribute to problems of erosion, flooding, pollution or the deterioration of the environment, and will be guided by the policies of Section 31.3.3.6.3 to 31.3.3.6.6 of this Plan. The following uses may be permitted within the Environmental Protection designation:

- h) Agricultural, excluding buildings or structures;

- i) Buildings or structures for erosion or flood control;
- j) Conservation, excluding buildings or structures;
- k) Forestry, excluding buildings or structures;
- l) Nursery and market gardening, excluding buildings or structures;
- m) Recreation or park purposes, excluding buildings or structures; and,
- n) Wildlife management areas, excluding buildings or structures.

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

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

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

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

31.3.3.6.6. Where regulations are in effect, no placing or removal of fill of any kind, whether originating on the site or elsewhere shall be permitted within this designation unless such is approved by the City, Kawartha Conservation or Ministry of Natural Resources and Forestry.

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

31.3.3.6.8. Lands designated Environmental Protection shall generally not be accepted as parkland as part of a plan of subdivision. If the City, does accept Environmental Protection lands

as part or all of the parkland dedication in a subdivision, the lands shall be conveyed in a physical condition satisfactory to the municipality. When an open watercourse is part of an area to be dedicated, sufficient land adjacent to the watercourse should be provided for maintenance and operations.

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

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

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

31.4. FENELON FALLS SECONDARY PLAN

31.4.1. VISION, GOALS, AND STRATEGIC DIRECTIONS

The Vision, Goals, and Strategic Directions of the Fenelon Falls Secondary Plan are as follows:

31.4.1.1. Vision

The Secondary Plan for Fenelon Falls is based upon, and future development should be guided by, the following vision developed based on the input from community consultation activities in Fenelon Falls:

“Over 20 years Fenelon Falls will grow as an inclusive community, preserve existing recreation areas, provide affordable housing for its residents and become a healthy and sustainable destination for people to live, work and play”.

31.4.1.2. Goals

The following goals were identified for Fenelon Falls:

- a) To outline a vision for Fenelon Falls' long-range physical development that reflects the aspirations of the community while managing the effects of such development on the social, economic, and environmental well-being of Fenelon Falls;
- b) To provide strategies and specific implementing actions that will allow the vision to be accomplished;
- c) To provide a basis for reviewing specific development proposals and ensure that public projects and development conform with this Plan's policies;
- d) To provide guidance for the City, other public agencies, and property owners to coordinate and design projects that will enhance the character of the community; and

31.4.1.3. Strategic Directions

Strategic directions give specific purpose to the policies of the Plan. The following strategic directions were identified for Fenelon Falls:

- a) Address land use in the downtown to facilitate growth;
- b) Encourage commercial development;
- c) Focus on economic development;
- d) Become a more attractive community;
- e) Allow people the chance to see and experience Fenelon Falls;
- f) Create and solidify Fenelon Falls' identity; and
- g) Encourage people to stay in Fenelon Falls.

31.4.2. GENERAL POLICIES

Growth in Fenelon Falls and this Secondary Plan is based on:

- a) A 2006 population of 2,164 persons and a forecasted 2031 population of 3,640;
- b) 866 residential dwelling units in 2006 and a forecasted 1,604 residential dwelling units in 2031; and
- c) A greenfield mix of 85% low density and 15% medium density residential development.

31.4.2.1. Housing

31.4.2.1.1. The priority areas for intensification in Fenelon Falls shall generally follow the recommendations of the City's Growth Management Strategy (May 2011) and include the following:

- Infill sites within the downtown area and along Lindsay Street;
- Sites located along CKL Roads, major arterial, collector and local roadways within the built-up area; and
- Sites where there is sufficient capacity in the municipal servicing systems to support the proposed development.

Intensification development shall be in accordance with Section 18.4 of the Official Plan and section 2.2.3.7 of the Growth Plan.

31.4.2.1.2. The development of affordable housing will be in accordance with the relevant policies of Sections 5 and 18 of the Official Plan.

31.4.2.2. Economic Development

31.4.2.2.1. The City will support the creation of a pro-active economic development strategy for Fenelon Falls to attract the location of new businesses and the growth of current businesses.

31.4.2.2.2. The City will work with stakeholders and local residents to define a community improvement area for Fenelon Fall's downtown and to develop a Downtown Community improvement Plan in accordance with Section I of this Plan.

31.4.2.3. Parks and Open Spaces and Trail Systems

31.4.2.3.1. The City shall implement a strategy to enhance the parks and open space network in Fenelon Falls with an emphasis on improving the open space adjacent to the shoreline. The strategy should focus on strengthening the role of Cameron Lake, Sturgeon Lake, Fenelon River and the Trent-Severn Waterway for recreational purposes. There are two areas of improvement which can help reinforce the strength of this open space network:

- a) Improved signage to direct residents and tourism to the parks and waterfront areas; and
- b) An operating washroom and/or comfort station for boaters in order to allow for boating visitors to stay and take advantage of the retail and entertainment within the downtown area.

31.4.2.3.2. The City will develop and implement a strategy to improve and expand the trail network along the waterfront and to maintain it for year round use. The trail shall be multi-use and improve access to the shoreline, parks, and open spaces, and help to advance active transportation opportunities in the community. Strategic links along existing roads shall be established to provide connections to the shoreline and waterfront parks.

31.4.2.3.3. The City will develop a strategy to build a strong pedestrian and cycling trail network and enhance the pedestrian and cycling network in and around the downtown area, including the potential conversion of roadways, or portions thereof, to pedestrian pathways, as this area is highly used by both the City residents and visitors.

31.4.2.3.4. The City will work with Parks Canada to implement improvements to the Trent-Severn Waterway amenities to serve visitors and residents. Priority improvements include the provision of more links to the parks along the shoreline, construction of public washrooms or “comfort stations” and parking facilities, and, the provision of more docking and enhanced launching amenities for boaters, particularly in close proximity to downtown, in conjunction with the local working Committees.

31.4.2.3.5. The City will encourage the implementation of the recommendations of the Trails Master Plan for Fenelon Falls, in particular to improve the connectivity of the trail network by separating the existing Victoria Rail Trail Corridor into two alternative routes across Fenelon Falls, one for non-motorized users and another for motorized vehicles. This may include the development of staging areas for motorized vehicles on the edge of the settlement area.

31.4.2.4. Downtown Development

31.4.2.4.1 The historic downtown area presently exists along Colborne Street, between Water Street and Bond Street, extending approximately one block, to May Street and Market Street. The City will encourage the intensification of the downtown, particularly through infill, in order to complete these urban blocks and provide supportive organized parking in the centre.

31.4.2.4.2 New downtown development and infill building should be designed to take into account the policies in Section 18.11 and 18.13 of the Official Plan.

31.4.2.5. Urban Design

31.4.2.5.1. Waterfront development shall take advantage of views and frontage along the Fenelon River and Cameron Lake, with public connections to the open space system, residents, and visitors amenities, and other public uses. Buildings located along the river shall have entrances and windows facing the shoreline or facing streetscapes adjacent to open space along the shoreline.

31.4.2.5.2. The City will work on the enhancement of Fenelon Falls’ gateways in order for visitors to acknowledge their arrival, navigate, and provide sense of place. Four perimeter gateways are identified:

- a) Southern approach – CKL Road 121 and West Street (highly visual on approach);
- b) Bridge connection – Lindsay Street and Helen Street (modest signage and abutment features demarcating entry into the downtown);
- c) Northern approach – Colborne Street and Princess Street (modest signage demarcating entry into Fenelon Falls); and
- d) Western approach – CKL Road 8 at the western community boundary.

In addition, wayfinding signage delineating Fenelon Falls will be located at the intersections of Hwy 35 and CKL Roads 8 and 121 in consultation with the Ministry of Transportation.

31.4.2.5.3. The City will develop a strategy to implement highly visual gateway treatments, which can include signage, vertical elements, public art and architectural pieces, which invoke cultural significance. Modest signage should be at a human scale and be made up of wayfinding treatments at the corners of the intersection.

31.4.2.5.4. The City will work on the location of Downtown gateways and entry demarcation on major intersections along Lindsay Street and Colborne Street. Urban design treatments in accordance with Section 18.3.8 should be further enhanced with the use of a crest or other identifiable symbol that is strongly associated with Fenelon Falls' history.

31.4.2.5.5. The City will work on bridge improvements and on developing an urban design strategy in order to improve pedestrian access across the bridge and add architectural treatments including abutment features, trellis structures and lighting. Improvements should also include signage and the use of visually permeable barrier walls to create awareness of the Fenelon Falls bridge.

31.4.2.5.6. The City will work on streetscape improvements along the primary streets of the downtown, which are Colborne Street and Lindsay Street. Improvements may include landscaping, improvements and widening of sidewalks, street tree planting, use of decorative paving, street furniture, street lighting and signage, as required. Cycling lanes should also be considered within the right of way.

31.4.2.5.7. The City will study the need for streetscape improvements to secondary downtown streets which function as expansion zones for downtown streetscape treatment. Improvement to the secondary streets may include additional street lighting and the inclusion of an active transportation network in order to reinforce their role in the community as an extension of the downtown.

31.4.2.6. Environment and Natural Heritage

31.4.2.6.1. The Fenelon Falls Land Use Schedule "G-3" illustrates Environmental Constraint Areas and Environmental Sensitive Features that influence the ultimate form and structure of the settlement area of Fenelon Falls. The lands identified on Schedule "G-3" display known physical hazards, Environmentally Sensitive Features, and/or constraints. If development occurs without regard to these constraints, loss of life, property damage or degradation of the environment may occur. Delineation of these constraints has been derived, in a conceptual manner, from mapping provided by Kawartha Conservation and the Ministry of Natural Resources and Forestry. While these constraints must be given due consideration in the development and redevelopment of land within the areas identified on Schedule "G-3", development proposals may be considered where appropriate studies have demonstrated that development or redevelopment could take place without negatively affecting the risk of loss of life, property damage or the degradation of the environment. The delineation of these constraints may be refined through the preparation of an Environmental Impact Study (EIS), as required by Sections 3.5.37 to 3.5.40 of this Plan, a flood plain analysis, or another appropriate study.

31.4.2.6.2. The City will protect, conserve, and promote Natural Heritage in accordance with the 2014 Provincial Policy Statement and Section 3.5 of the Official Plan.

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

31.4.2.6.4. The alteration of shorelines for the purpose of establishing or altering drainage works such as those works under the Drainage Act, infrastructure or for stabilization, erosion control or protection purposes shall only be permitted if it is demonstrated that natural shoreline treatments (e.g., planting of natural vegetation, bioengineering) that maintain the natural contour of the shoreline will be used where practical, and a vegetative riparian area will be established to the extent feasible.

31.4.2.6.5 Where a proposal for development or site alteration is permitted within 30 metres of a shoreline, in accordance with Section 3.5.38 of the Official Plan, the proposal for development or site alteration shall comply with the following where applicable:

- Maintain, and where possible, increase or improve fish habitat in the lake, stream or wetland, and any adjacent riparian areas;
- To the extent possible, enhance the ecological features and functions associated with the lake, stream or wetland;
- Minimize erosion, sedimentation, and the introduction of excessive nutrients or other pollutants and utilize planning, design, and construction practices that maintain and improve water quality; and
- Integrate landscaping and habitat restoration into the design of the proposal to enhance the ability of native plants and animals to use the area as both wildlife habitat and a movement corridor.

Environmental Constraint Areas

31.4.2.6.6 Schedule “G-3” delineates as Environmental Constraint Areas those lands that are susceptible to flooding or erosion, have steep slopes or soil instability, contain Provincially Significant Wetlands, and/or contain Environmentally Sensitive Features. Development of the lands in accordance with the designation on Schedule “F-3” may be permitted provided that the development does not result in an increased risk of loss of life, property damage, or the degradation of the environment. An EIS prepared in accordance with Sections 3.5.37 to 3.5.40 of this Plan shall be required for all development proposals on or abutting lands identified as Environmental Constraint Area.

31.4.2.6.7 Where Environmental Constraint Areas are identified through an EIS, flood plain analysis, or other appropriate study on lands subject to site plan control, the site plan shall implement the findings of the study. The site plan shall correctly and precisely delineate those lands impacted by the constraints and identify how the proposed development and/or

redevelopment will ensure no negative effect on the risk of loss of life and property damage and no degradation of the environment.

31.4.2.6.8. The City will work with Kawartha Conservation in the delineation of areas susceptible to flooding and erosion. The City shall incorporate the results of any new flood plain mapping into the Secondary Plan, when available from Kawartha Conservation.

31.4.2.6.9. The City recognizes that a portion of existing development may be located within the flooding hazard identified through Special Policy Area #1, Special Policy Area #2, and Special Policy Area #3 and that existing development may continue under this policy (in accordance with Section 17.6 of this Plan). An existing building or structure located in a flooding hazard may be enlarged, expanded or altered subject to:

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

The construction or rehabilitation of a boathouse may be permitted provided it is designed in accordance with the floodproofing requirements of Kawartha Conservation.

Environmentally Sensitive Features

31.4.2.6.10 Schedule “G-3” delineates as Environmentally Sensitive Features those areas that are recognized by this Plan as comprising the Natural Heritage System (i.e., wetlands, fish habitat including significant spawning areas, and significant woodlands in Fenelon Falls). A Provincial Fish Sanctuary extends from the falls downstream for a distance of approximately 1,000 metres. This sanctuary is intended to provide for a protected and high quality spawning habitat for yellow pickerel and is considered to be an Environmentally Sensitive Feature. The following policies shall apply to the developments on lands adjacent to Environmentally Sensitive Features:

- a) In accordance with the provisions and policies of this Plan, development may be permitted on lands adjacent to Environmentally Sensitive Features to the extent that the type or magnitude of development is compatible with the environmental conditions or that suitable measures have been undertaken to mitigate any resulting negative impact. The uses permitted shall be in accordance with Schedule “F-3”.

- b) In considering the approval of a development application or an application for an amendment to this Plan and/or the implementing Zoning By-law adjacent the area delineated as Environmentally Sensitive Features on Schedule “F-3” of this Plan, Council, in conjunction with Kawartha Conservation and Parks Canada (Trent-Severn Waterway), shall give consideration to the need for an analysis of the impact of development on the Environmentally Sensitive Area. An EIS in accordance with Sections 3.5.37 to 3.5.40 of this Plan shall be required for all development proposals on or abutting areas identified as Environmentally Sensitive Features.
- c) Lands adjacent to Environmentally Sensitive Features, identified in this Plan, shall be developed and managed in a manner to protect and complement the nature of the adjacent sensitive area. Regard shall be had for the location, extent and nature of the environmentally sensitive area, the scale of the proposed development, the potential impact on Environmentally Sensitive Features and the proposed mitigating measures including the adequacy of spatial setbacks and buffers. Council shall consult with Kawartha Conservation and Parks Canada (Trent-Severn Waterway) in relation to the appropriateness of the proposed mitigating measures.
- d) Where, due to the environmentally sensitive nature of the area, an analysis of the impact of development is considered necessary, no change may be made to the natural environment until such time as the Developer undertakes an assessment of the area in accordance with the requirements of paragraph (b) hereof. Such a report shall be prepared to the satisfaction of Council, Kawartha Conservation and Parks Canada (Trent-Severn Waterway).
- e) Where an Environmental Assessment of a proposal is conducted in accordance with the provisions of The Environmental Assessment Act, that assessment shall be considered as having fulfilled the requirements of paragraph (b) of this Section.
- f) Where Federal Lands are involved and the Federal Environmental Assessment and Review Process is required, that assessment shall be considered as having fulfilled the requirements of paragraph (b) of this Section.

Protection of Shorelines

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

31.4.2.6.12 The alteration of shorelines for the purpose of establishing or altering drainage works such as those works under the Drainage Act, infrastructure or for stabilization, erosion control or protection purposes shall only be permitted if it is demonstrated that natural shoreline treatments (e.g., planting of natural vegetation, bioengineering) that maintain the natural contour

of the shoreline will be used where practical, and a vegetative riparian area will be established to the extent feasible.

31.4.2.6.13 Where a proposal for development or site alteration is permitted within 30 metres of a shoreline, in accordance with Section 3.5.38 of the Official Plan, the proposal for development or site alteration shall comply with the following where applicable:

- a) Maintain, and where possible, increase or improve fish habitat in the lake, stream or wetland, and any adjacent riparian areas;
- b) To the extent possible, enhance the ecological features and functions associated with the lake, stream or wetland;
- c) Minimize erosion, sedimentation, and the introduction of excessive nutrients or other pollutants and utilize planning, design, and construction practices that maintain and improve water quality; and
- d) Integrate landscaping and habitat restoration into the design of the proposal to enhance the ability of native plants and animals to use the area as both wildlife habitat and a movement corridor.

Trent-Severn Waterway

31.4.2.6.14. Along the Trent-Severn Waterway, any in-water and shoreline works, including but not limited to docks, boathouses, boat ramps, and shoreline alterations require an approved work permit from Parks Canada before any work can commence. Work must also adhere to Parks Canada's *Policies for In-Water and Shoreline Works and Related Activities*.

31.4.2.7. Transportation

31.4.2.7.1. The City will work on the expansion of transportation opportunities for the population, particularly focusing on meeting the needs of the aging population. The strategy should also focus on improving and expanding on the existing trails and cycling network, expanding its parking supply to meet projected demands and creating a compact urban form.

31.4.2.7.2. The City will work on implementing a public parking strategy which will provide additional parking spaces in the downtown area, as estimated by the City of Kawartha Lakes Transportation Master Plan (February 2012).

31.4.2.7.3. Schedule "H-3" identifies the existing road pattern and future arterial and collector road network for Fenelon Falls. The following road classification applies in Fenelon Falls:

- a) Local roads provide access to lots and serve low volumes of traffic and shall have a minimum right of way width of 20 metres.
- b) Collector roads provide for medium volumes of traffic and shall have a minimum right of way width of 26 metres.

- c) Arterial roads provide for medium to high volumes of traffic and shall have a minimum right-of-way width of 26 metres.

31.4.2.7.4. The potential future crossing of the Fenelon River as shown on Schedule “F-3” shall be determined through a Class Environmental Assessment and in accordance with the Transportation Master Plan (February 2012).

31.4.2.8. Infrastructure and Services

31.4.2.8.1. Infrastructure and services, such as sanitary sewers, water and storm water systems, shall be provided, maintained and upgraded as necessary to accommodate the needs of future development and redevelopment in Fenelon Falls.

31.4.2.8.2. In addition to the policies in Section 28 – Infrastructure and Service Policies, development within the Fenelon Falls settlement area shall be on full municipal services in accordance with the policies of the City.

31.4.2.8.3. The infrastructure and services provided for new developments and redevelopments in Fenelon Falls shall be sized, located and designed to the City’s engineering standards, guidelines and criteria to ensure that acceptable levels of service are maintained.

31.4.2.8.4. Before a subdivision, condominium, consent, or rezoning is approved, it must be demonstrated that there is sufficient municipal servicing to serve the proposed use.

31.4.2.8.5 The planning and design of stormwater infrastructure, and the evaluation of development with respect to the management of stormwater, will be in accordance with the relevant policies of Section 3.3 of the Official Plan.

31.4.2.9. Culture and Heritage

31.4.2.9.1. The City shall protect, conserve, and promote culture and heritage in accordance with the 2014 Provincial Policy Statement and Section 10 of the Official Plan.

31.4.2.10. Land Use Compatibility

31.4.2.10.1. The development of any industrial use shall be in accordance with Section 3.8 of the Official Plan.

31.4.2.10.2. All development will comply with the minimum distance separation formulae established by the Province in order to minimize odour conflicts between livestock facilities and development, as amended from time to time.

31.4.3 LAND USE POLICIES

31.4.3.1. Residential

31.4.3.1.1. The predominant use of land in the Residential designation shall be a variety of dwelling types. The location of the Residential designation is shown on Schedule “F- 3”.

In addition to these uses, the following uses shall be permitted

- a) Parks in accordance with Section 18.15 of this Plan;
- b) Group homes or similar housing facilities shall be permitted and may be developed in accordance with the policies regulating the development of medium density residential uses as specified under Section 31.4.3.43 of this Plan;
- c) Neighbourhood commercial uses may also be permitted, in accordance with Section 31.4.3.1.11 of this Plan; and
- d) A home occupation may be permitted accessory to the principal residential use and occurring entirely within the dwelling unit.

31.4.3.1.2. Within the Residential designation there shall be two densities of residential development. In addition to the two densities, mixed density development may also occur. The appropriate density shall be based on the availability of services, compatibility with surrounding uses and locational factors, as set out below.

Low Density Residential Development

31.4.3.1.3. Low density residential uses shall include single detached dwellings, semi-detached dwellings, duplex dwellings and similar low-profile residential buildings not exceeding 2.5 storeys in height, and two (2) dwelling units per property.

31.4.3.1.4. Low density residential areas shall be developed from a minimum density of 15 dwelling units per net hectare of land to a maximum density of 25 dwelling units per net hectare of land.

31.4.3.1.5. Low density residential uses will be encouraged to have front porches or covered entrances. Attached garages on housing units should be designed so that the resulting streetscape is predominated by the front yard landscaping, front doors, and front windows of the housing units instead of garages. Low Density Residential uses will be encouraged to have a variety of facades and use a variety of building materials.

Medium Density Residential Development

31.4.3.1.6. Medium density residential uses shall include triplex dwellings, fourplex dwellings, row or block townhouse dwellings, stacked townhouse, converted dwellings containing more than two dwelling units, and mid-rise apartment housing not exceeding four storeys in height. Except in apartment units, home occupations may be permitted as long as it is accessory to the principal residential use and occurs entirely within the confines of the dwelling unit. Neighbourhood commercial uses may also be permitted.

31.4.3.1.7. The maximum density within medium density residential developments shall not exceed 60 dwelling units per net hectare.

31.4.3.1.8. Medium Density Residential uses will generally be located along, or close to, arterial or collector road, where possible and appropriate.

31.4.3.1.9. Medium Density Residential will be encouraged to have front porches or covered entrances. Attached garages on housing units should be designed so that the resulting streetscape is predominated by the front yard landscaping, front doors, and front windows of the housing units instead of garages.

31.4.3.1.10. New medium density residential developments shall meet the following criteria:

- a) The density, height and character of the development is in keeping with adjacent uses;
- b) The height and massing of the buildings at the edge of the medium density residential development shall have regard to the height and massing of the buildings in any adjacent low density residential area;
- c) Medium density residential lots shall accommodate low-rise dwellings which do not cause significant issues with casting of shadows and obstructions of views for adjacent lots;
- d) In developments incorporating walk-up apartments, block townhouse dwellings and similar medium-profile residential buildings, on-site recreational facilities or amenities such as playground equipment may be required to service the development;
- e) Buildings should incorporate landscaping in all yards which provide a buffer between the building and adjacent sensitive land uses;
- f) Parking areas should be located to minimize their negative visual impact on adjacent low density residential uses, such as in the side or rear yard, the interior of a site, and/or underground or structured parking. Where underground or above-grade structured parking is provided, an amendment to this Plan is not required for increased density, provided the proposed built form is consistent with the design policies of this Plan. Parking for freehold townhouse development may be permitted in the front yard; and
- g) The site shall be designed to provide for collection and storage of recyclable and wastes on site.

Neighbourhood Commercial Uses

31.4.3.1.11. Small convenience retail facilities to serve the daily shopping needs of the residents of a neighbourhood, otherwise referred to as Neighbourhood Commercial Uses, may be permitted within the Residential land use designation. The following policies shall apply to Neighbourhood Commercial Uses:

- a) No more than one commercial structure or building shall be permitted on any site, and the gross floor area of the commercial use shall not exceed 300 square metres;
- b) Building height shall be limited to one storey unless residential apartments are located on the upper floor(s), in which case the maximum building height will be subject to the appropriate residential density provisions;

- c) Required loading spaces shall be located at the rear of the structure;
- d) Landscaping, fencing, berming and other screening shall be provided adjacent to residential land uses;
- e) All required parking shall be provided on the site. Cash-in-lieu of required parking shall not be accepted by the City unless the neighbourhood commercial use is incorporated into a residential apartment building;
- f) Driveway access shall be approved by the City as necessary and appropriate;
- g) Standalone neighbourhood commercial sites shall be located at or in proximity to the intersection of arterial or collector roads and shall not be located mid-block within a residential area;
- h) The development shall be subject to site plan control; and
- i) The development shall be subject to a public review of the proposed site plan, comprising of official notification to landowners within 120 metres of the proposed facility.

Live/Work Opportunities

31.4.3.1.12 Medium density residential units designed for live/work may be permitted subject to Site Plan Approval and provision of sufficient parking. Live/work development is encouraged to locate on collector and arterial roads and/or in an area planned for intensification.

31.4.3.2. Mixed Use Residential

31.4.3.2.1 The predominant use of land in the Mixed-Use Residential designation shall be a mix of low profile commercial and residential uses in the same building or in separate buildings. The location of the Mixed-Use Residential designation is shown on Schedule "F-3".

31.4.3.2.2 Single detached dwellings may be converted to multiple dwelling units or to commercial buildings provided the external design of the building does not change.

31.4.3.2.3 Commercial uses such as offices, eating establishments, service and convenience retail and similar types of uses are permitted. The residential character of the buildings should be retained. For the purposes of this Section, service retail shall be defined as those retail establishments that cater to the personal needs of individuals.

31.4.3.2.4 Multiple commercial uses on the same property shall not be permitted. Public garages and automobile service stations shall not be permitted.

31.4.3.2.5 The maximum residential density shall not exceed the maximums for Low or Medium residential development, as the case may be and as if the development was being proposed as standalone residential developments.

31.4.3.2.6 Residential development shall be required to provide off-street parking on the site.

31.4.3.3. Cameron Lake Waterfront Policy Area

31.4.3.3.1. The Cameron Lake Waterfront Policy Area is intended to protect and enhance the existing mixed uses of properties adjacent to the shoreline of Cameron Lake. These lands are a key component within the Fenelon Falls Urban Settlement Area and the focal point for residents and visitors alike.

31.4.3.3.2. The Cameron Lake Waterfront Policy Area includes residential, recreation-commercial and mixed use enclaves. While the major focus of the Cameron Lake Waterfront is residential, these lands are directly linked to the Main Street Core/Downtown Community by public open space areas along the waterfront of Cameron Lake, as well as pedestrian walkways and sidewalks. The area offers opportunities for tourism-related employment and economic activity, residential intensification and public spaces which support human interaction and the cultivation of community spirit.

31.4.3.3.3. Redevelopment within the Cameron Lake Waterfront Policy Area will support and enhance the built form and function of existing neighbourhoods, linkages to the Main Street Core/Downtown Community and re-establish the importance of the Cameron Lake waterfront within the overall settlement area.

31.4.3.3.4. Built heritage and cultural landscapes shall be identified, protected and where possible enhanced.

31.4.3.3.5. New development shall be complementary to and respectful of existing buildings and features and the shoreline of Cameron Lake.

31.4.3.3.6. Streetscapes should support and encourage pedestrian traffic as well as other passive modes of transportation.

31.4.3.3.7. The use of consistent streetscape treatment (landscape materials such as trees, shrubs and ground covers, street and pedestrian lights, flags and banners, information kiosks, newspaper boxes, waste receptacles and benches) within the Cameron Lake Waterfront designation will be designed to enhance the visual cohesiveness of the waterfront community and maintain a distinct 'sense of place'.

31.4.3.3.8. Specialized commercial uses which contribute to and generate vitality and activity associated with the waterfront recreational residential focus of the community are encouraged.

31.4.3.3.9. Open space and public linkages between the Cameron Lake Waterfront Policy Area and the Main Street Core/Downtown Community, including the Victoria Rail Trail are to be maintained and enhanced.

31.4.3.3.10. Redevelopment and intensification shall be directed toward the infilling of existing vacant lots, the conversion of abandoned or under-utilized commercial or industrial buildings, and/or the second storey of commercial buildings.

31.4.3.3.11. Uses permitted within the Cameron Lake Waterfront Policy Area include those which are normally associated with waterfront-oriented residential neighbourhoods, together with limited recreation-based tourism commercial uses, such as hotels and guest houses, restaurants and retail shops catering to visitors and residents alike.

31.4.3.3.12. Commercial uses permitted within the Cameron Lake Waterfront Policy Area include specialty retail uses, personal service shops, home occupations, including bed and breakfast establishments, eating establishments, hotels, and guest houses.

31.4.3.3.13. A wide range of residential uses and types are permitted, including single detached dwellings, semidetached or duplex dwellings, multi-unit dwellings including triplexes, four-plexes, townhouses and low rise apartments, as well as bed and breakfast establishments and home occupations. Intensification within residential areas is encouraged, provided that the character of the neighbourhood is maintained.

31.4.3.4 Central Business District

31.4.3.4.1. The Central Business District is Fenelon Falls' preeminent mixed use node and is intended to serve a variety of complementary functions. The Central Business District area should remain as compact as possible in order to serve the pedestrian most easily. New development should be planned as an extension of the existing downtown street-related business core or as an infilling process to the existing business area and should not be allowed to infiltrate into the adjoining residential areas.

31.4.3.4.2. The predominant use of land in the Central Business District land use designation shall be a full range of retail and commercial uses. In addition, residential uses are permitted on the upper storeys of a commercial building or in free standing residential buildings. The Central Business District is also the location for important institutional uses, niche shops and specialty retail uses, financial institutions, cultural and entertainment uses, professional services, businesses and offices, hospitality uses, transit and transportation uses, and parks and open spaces. Drive-through facilities and auto related uses such as auto body shops and repair shops are not permitted in this designation. The limits of the Central Business District area are shown on Schedule "F-3".

31.4.3.4.3. Central Business District development should contain buildings which have a maximum height of 3 stories.

31.4.3.4.4. The preferred form of development within the Central Business District is for retail and office uses at grade with residential uses locating on upper floors of buildings and/or behind the front portion of buildings, where appropriate.

31.4.3.4.5. The following policies shall apply to the Central Business District designation:

- a) The traditional downtown area shall be revitalized and preserved to reinforce its character;
- b) Development shall be in accordance with policies in Sections 18.11 Downtown Development and 18.13 Urban and Public Realm Design; and
- c) All utilities shall be provided underground, where feasible.

Adequate off-street parking and loading spaces, or cash-in-lieu of parking as provided for in Section 18.16.9, shall be provided. Requirements may be satisfied through off-street communal parking, and municipally or privately owned parking areas located in the Central Business District. The City encourages underground parking for mid and high rise developments within the Central

Business District where possible. Parking should be located in the rear or centre of the urban blocks with little visibility to downtown streets. In the case where a parking lot does have street frontage, then a landscape set back should be used to help mitigate the transition between the lot and public realm.

31.4.3.4.6. Development or redevelopment, including intensification in designated Central Business District shall preserve, complement and enhance the historical and/or architectural character of these areas. Among the specific requirements are the following:

- a) the sensitive location, limited extent and effective buffering of parking facilities so as not to detract from historic streetscapes and adjacent buildings and uses;
- b) the consistency of street-related development for continuity of character, in order to maintain and restore pedestrian-oriented streetscapes and the encouragement of pedestrian activity by providing linkages between the downtowns and adjacent areas of residential or other development; and
- c) compliance with the heritage policies of Sections 10 and 18.14 of this Plan.

31.4.3.4.7. In the Central Business District sidewalks should be wide enough to allow for pedestrian passage, retail displays, street furniture, landscaping, patios and outdoor dining.

31.4.3.4.8. The City may utilize Tax Incentives to promote private sector improvements to existing buildings and revitalize the Central Business District.

31.4.3.4.9. The City shall encourage coordination, by local business persons or owners, of such things as signs, building facades, lighting, street furniture, landscaping and general maintenance.

31.4.3.4.10. No open storage shall be permitted within the Central Business District.

31.4.3.4.11. The City encourages the upgrading, rehabilitation and redevelopment of buildings and/or facades in the Central Business District as set out in the City's guidelines, manuals or plans which may be in place from, time-to-time.

31.4.3.4.12. Buildings and structures of historic or architectural interest shall be conserved and incorporated, where appropriate, into any development or redevelopment project. The preservation of areas of historic significance shall also be encouraged.

31.4.3.4.13. The City shall encourage the intensification of retail and personal service uses and the redevelopment of those lands in the vicinity of Water, Francis and Bond Streets, west of Colborne Street in a manner which serves to reinforce the Central Business District. The redevelopment of the lands should employ good civic design measures which increase the economic viability of the area as a whole.

31.4.3.4.14. A Community Improvement Plan shall be undertaken for Fenelon Falls' Central Business District (Downtown Area), in accordance with Section I of the Official Plan, with a view

to enhancing and improving the district as a significant and unique mixed commercial, residential, cultural, social, and entertainment area.

31.4.3.4.15. The cooperation of individual property owners within the Central Business District is encouraged to undertake building improvements that encourage the rationalization of the overall downtown area to provide increased off-street parking and loading facilities which are conveniently located and readily accessible by both pedestrian and vehicular traffic.

31.4.3.5 Commercial

31.4.3.5.1. Areas identified as Commercial in Schedule "F-3" represent existing and future service commercial areas and retail stores and existing shopping centres outside of the Downtown area, but within the settlement area. Development within those areas designated Commercial should not undermine the viability of the Central Business District, but rather reinforce and complement the primary economic function of the Central Business District as the focal point and principal centre of commerce.

31.4.3.5.2 Commercial uses which primarily serve vehicular traffic, the travelling public and which rely heavily upon such traffic for their economic existence shall be located on CKL Roads or arterial roads. These uses include automobile service station, public garages, motel, hotel, auction barn, laundromat, restaurant, places of assembly, building supply outlets, drive-through facilities, recreational uses, retail establishments that carry basically one line of goods of a non-perishable nature that requires a large area for storage and delivery being uses such as home furnishings stores, motor vehicle and marine sales and service, and existing tourism commercial establishments.

31.4.3.5.3. Retail commercial development in the form of a large format retail centre or a shopping centre with a floor space greater than 3,000 square metres may also be permitted in the Commercial designation in accordance with Section 18.7 of the Official Plan and shall require a site specific Zoning By-Law Amendment. These developments shall generally be directed to locations characterized by high visibility and accessibility.

31.4.3.5.4 Retail uses with a gross leasable floor space greater than 300 square metres may be permitted use in the Commercial designation.

31.4.3.5.5 Small scale service commercial uses, such as convenience retail stores and personal service shops, may be located within the Commercial designation provided that they are developed in conjunction with the permitted uses of this designation on the same site, and provided that the total gross leasable floor space of the small scale service commercial uses does not exceed 15% of the total gross leasable floor space that is to be developed- Service commercial establishments permitted in the Commercial designation shall have a minimum gross leasable floor space greater than 200 square metres.

31.4.3.5.6. The following policies apply to lands designated Commercial:

- a) Commercial uses will be encouraged to consolidate in nodes and be developed in accordance with good urban design principles. It is the intent of this Plan to provide for the consolidation of Commercial uses and to avoid the indiscriminate development and/or extension of such uses into adjacent non-commercial areas;

- b) Commercial areas shall be compatible with surrounding uses and shall be adequately buffered from adjacent residential and other sensitive land uses. Buffers shall include grassed areas and appropriate planting of trees and shrubs, and/or the provision of other suitable screening materials;
- c) Building entrances and display windows should be oriented to street frontages, and a minimum of one major building entrance should front directly onto the main street frontage, when applicable;
- d) Driveway access shall be approved by the City as considered to be necessary and appropriate;
- e) Adequate off-street parking, service areas and loading spaces shall be provided. Service areas and loading spaces shall be located according to Section 18.16.10 of this Plan;
- f) Buildings should be built to a minimum setback at intersections to help frame the streets;
- g) The building identity at corner locations will be reinforced by taller building elements such as towers, entrance structures or roof elements (i.e., skylights and dormers);
- h) Commercial garbage receptacles shall be adequately screened or in an enclosed storage area contiguous with the building;
- i) Parking, loading areas and service should be designed as per policies 18.16.7, 18.16.9 and 18.16.10 of this Plan; and
- j) Commercial uses shall only locate on CKL Roads, arterial roads, or collector roads.

31.4.3.5.7. New and expanding Commercial uses are subject to:

- a) Site Plan Control;
- b) The submission of a Traffic Impact Assessment as outlined in Appendix "B" to identify traffic generated by the development, methods of mitigating the traffic, and any improvements to the required road network to accommodate the development;
- c) The submission of a market study to demonstrate that the proposed commercial floor space is warranted; and
- d) The policies of Section 18.7 of the Official Plan, a site specific Official Plan Amendment, and a site-specific Zoning By-law Amendment if it is an enlargement of an existing or establishment of a new retail use in excess of 3,000 square metres.

31.4.3.5.8. Council will encourage the maintenance or improvement of the visual amenity and general attractiveness of the Commercial designated areas. Council will:

- a) Encourage the restoration, repair and rehabilitation of existing store fronts and facades to complement the scale, design and character of other commercial development in the area;
- b) Encourage the relocation of non-commercial uses which interrupt the continuity of the commercial frontage; and
- c) Regulate building setbacks to maintain continuity and, where necessary, provide additional setbacks to permit wider sidewalks, landscaped open space and street furniture.

31.4.3.5.9. It is the intent of this Plan to permit the continuation of existing tourism commercial uses, where feasible and practical, within the Commercial designation. This area applies only to lands presently zoned and developed for such purposes having regard for the importance of tourism in the context of the area's economic base, the potential for expansion and intensification of the area associated with such uses, the nature of, and compatibility with adjacent land uses and the potential sequential land uses within the context of an urban community and the intent of this Plan.

31.4.3.5.10 Tourism commercial uses shall consist of tourism establishments and resorts or other similar uses and facilities which are privately owned and operated to provide accommodation on a temporary basis, exclusive of recreational trailer parks, marinas or other similar tourism 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 recreational commercial use shall also be permitted. A single detached dwelling or residence in a portion of a non-residential building shall also be permitted for the accommodation of the owner or caretaker or other similar person and family members.

31.4.3.5.11 The following policies apply to lands which are zoned for tourism commercial uses within the Commercial designation:

- a) Regard shall be had for the layout and design of tourism 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 the setback of development from the shoreline areas. Only buildings, structures and uses requiring proximity to the water such as docks, boat houses, marina service facilities and water pumping equipment shall be located within 30 metres of the high water mark;
- c) It shall be the policy of this Plan to require a recreational amenity area for any tourism commercial use that includes accommodation. For the purposes of this policy, a recreational amenity area shall be a minimum of 10 percent of the gross floor area of the tourism commercial use and shall consist of a landscaped area for the use and enjoyment of the visitors or patrons;

- d) The development, redevelopment and/or expansion of tourism commercial uses may be serviced by private water supply and sewage treatment systems where it is neither practical nor feasible to extend municipal services. An application for development, redevelopment or expansion which either requires an amendment to this Plan or an amendment to the implementing by law shall be accompanied by a detailed hydrogeological report with respect to the adequacy of ground water supplies and the ability of the soils to sustain development on the basis of private services. All private water supply and effluent treatment systems shall be installed in accordance with the authority responsible for their approval;
- e) In considering an application for an amendment to this Plan to permit the development of a tourism commercial use, Council shall have regard for the physical suitability of the site and the adequacy of vegetative cover, the location of the proposed site relative to the land use policies and designations contained in this Plan;
- f) 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;
- g) In accordance with the requirements of Parks Canada, a waterlot license is required for the development of commercial uses on the Federal Crown Bed (Trent-Severn Waterway) of the Fenelon River and Cameron Lake; and
- h) It shall be the policy of this Plan that Tourism Commercial uses shall be zoned in a separate classification in the implementing Zoning By-law where under suitable provisions and regulations shall be prescribed to govern the development and use of such lands.

31.4.3.6 Employment

31.4.3.6.1. Within the Employment designation, the predominant use of land shall be a wide range of employment and office uses, including manufacturing and fabricating, assembling, processing, servicing and repairing, warehousing and storage, shipping and receiving, offices as an accessory or secondary use, commercial activities as an accessory use, accessory uses such as parking garages or a residence for a caretaker.

31.4.3.6.2. No outside storage of goods or materials shall be permitted in those Employment uses located adjacent to residential areas. For Employment uses located along collector roads, outside storage of goods or materials shall be limited to the interior side yard or rear of the building and screened from public view.

31.4.3.6.3 The following policies apply to lands designated Employment:

- a) High urban design, landscaping and building standards shall be required. Buildings shall be designed so that all elevations facing a street present an appropriate front elevation;

- b) To enhance building visibility and quality, built form and massing should emphasize key elements including building entrances and forecourts; in particular, variations in articulation of the building envelope are encouraged;
- c) Office uses should be oriented to the front of the building and incorporate substantial glazing;
- d) Vehicular access to lots shall be approved by the City;
- e) Buffering is required between employment area uses and residential uses, including but not limited to, increased setbacks, a high degree of landscaping, screening, and fencing;
- f) The provision of appropriate and adequate landscaping and/or other forms of buffering shall be provided to:
 - i. Enhance all parking lots, and outdoor loading, storage and service areas; and
 - ii. Provide separation between the employment use and any adjacent use, where appropriate.
- g) Service, loading and parking areas should be oriented to the interior side yard or rear of the building, away from public view;
- h) Adequate off-street parking, service areas and loading facilities are required and will be designed for maximum safety. Parking, loading areas and service should be designed as per policies 18.16.7, 18.16.8 and 18.16.10 of this Plan; and
- i) Pedestrian and cycling access shall be accommodated in a manner that is distinguishable from the access provided to motorized vehicles, and is safe and convenient.

31.4.3.6.4. New employment development will be required to demonstrate compliance with the Ministry of Environment's Land Use Compatibility (D6) Guidelines.

31.4.3.6.5 Employment uses shall:

- a) Not include uses that may be obnoxious or noxious to the surrounding area; and
- b) Have all manufacturing operations conducted entirely within an enclosed building.

31.4.3.6.6 The Comprehensive Zoning By-law shall establish development standards, permitted uses, and other measures required to support the Employment policies.

31.4.3.7. Institutions and Community Facilities

31.4.3.7.1. Institutions and Community Facilities uses are intended to serve the immediate neighbourhood or a collection of neighbourhoods, and provide social or cultural services for residents.

31.4.3.7.2. Within the Institutions and Community Facilities land use designation, the predominant use of land shall be for institutions and community facilities such as government offices, places of worship, nursing homes and assisted living, daycare centres, social housing, medical clinics, recreational, cultural and educational facilities, cemeteries, fairs or exhibition grounds, other public uses or community facilities, and uses accessory thereto.

31.4.3.7.3. Government buildings deemed to be redundant may continue to be used for office purposes without an amendment to this Plan.

31.4.3.7.4. The following policies shall apply to the Institutions and Community Facilities designation:

- a) Adequate measures shall be taken to ensure that the permitted uses have no adverse effects on adjacent land uses. Adequate buffer planting shall be provided between any Institutions and Community Facilities use and any adjacent residential area where land use conflicts might be expected, and such buffer planting may include provisions for grass strips and appropriate planting of trees and shrubs, berms or fence screening;
- b) Institutions and Community Facilities shall be planned to reflect the level of service for which they are intended to provide;
- c) Institutions and Community Facilities shall be encouraged to have building massing, exterior building materials, and landscaping which help it integrate with the neighbourhood. The City encourages specific design elements which highlight the civic nature of institutional uses;
- d) Institutions and Community Facilities are encouraged to develop on sites served by existing or planned transit routes;
- e) Adequate off-street parking areas shall be provided and access to parking areas shall be limited and designed to provide maximum safety for pedestrian and vehicular traffic. Parking areas shall be located to the side or rear of the building and screened from view; and
- f) The design of new Institutional uses and Community Facilities shall be pedestrian friendly, barrier-free and accessible.

31.4.3.7.5. Elementary schools should be planned in coordination with growth of the community and located adjacent to public parks and open spaces, where possible. Generally, the school should be centrally located in regard to the area being served. The location should be selected and designed in consultation with the School Board and designed to minimize traffic conflicts with pedestrians. Sidewalks are considered to be an integral design aspect and will be required to link all school sites to adjacent neighbourhoods; bicycle lanes and bicycle parking will be incorporated wherever feasible.

31.4.3.7.6. Where possible, places of worship should be located on arterial or collector roads within walking distance of transit stops. Places of worship should provide on-site parking located

at the rear or side of the building and adequately and safely accommodate vehicular and pedestrian traffic entering on site. Parking should be located at the side or the rear of the building.

31.4.3.7.7 Major institutional uses are defined as those institutional uses where the property is intensely built and attracts high traffic volumes and shall include secondary schools. Major Institutional uses shall be located where:

- a) There is direct access to an arterial or collector road; and
- b) Public transportation services can be provided to the property.

31.2.3.7.8 The following guidelines shall be considered when evaluating the proposed design of major institutional developments:

- a) The proposal should demonstrate how the general policies outlined in Section 7 of the Official Plan will be achieved;
- b) The scale of the development must consider surrounding uses result in a gradual transition in terms of the profile, height, scale, and placement of buildings, where applicable and appropriate;
- c) Vehicular access shall be located so that traffic related to the major institutional use will be discouraged from using local roads;
- d) The site shall be connected to municipal sidewalks to create a pedestrian-friendly, barrier-free and accessible development for all persons within the community, including the elderly and those persons with physical disabilities;
- e) On-site transit stops and bicycle parking shall be incorporated in the design, where feasible;
- f) Parking areas shall be screened from adjacent land uses and large parking areas shall incorporate internal landscaping islands; and
- g) Appropriate landscaping and buffer areas shall be provided to enhance the physical separation between the use and adjacent sensitive uses, where applicable and appropriate.

31.4.3.7.9 Emergency service facilities, including fire, police and ambulance stations are permitted in all land use designations. Where appropriate, such facilities shall be located on an arterial or collector roads. The siting of new facilities shall also consider the potential impacts on adjacent users.

31.4.3.7.10 Special Provisions

31.4.3.7.10.1 Notwithstanding Section 31.4.2.8.2 of this Plan, lands designated for an institutional use with ancillary uses that may be severed from lands located at 765 CKL Road 121

shall be serviced with municipal water and may initially be serviced with a private sewage disposal system until such time as municipal sanitary facilities are available to the property. The development limits to which this policy applies are defined through the applicable zoning by-law.

31.4.3.8 Parks And Open Space

31.4.3.8.1. The Parks and Open Space designation includes lands used for active and passive leisure activities. In addition, open spaces are intended to contribute to the environment through the provision of green space and vegetation.

31.4.3.8.2. The predominant use of land shall be primarily for the preservation and conservation of land and/or environment, as well as for the provision of outdoor recreational and educational opportunities, and should be managed in such a fashion as to complement adjacent land uses and protect such uses from any physical hazards. Permitted uses include indoor and outdoor active and passive recreational uses including parks, trails, golf courses, arenas, curling rinks, sports fields and other similar uses as well as open space areas. Compatible uses, such as public and/or private utilities, environmental conservation, and community gardens may also be allowed.

31.4.3.8.3. The development of parks shall be subject to Sections 8, 18.15 and 34.13 of the Official Plan.

31.4.3.8.4. The following policies shall apply to the Parks and Open Space designation:

- a) Community gardens, parks, and recreation operations on lands designated Parks and Open Space should maintain the unique natural characteristics of such lands, where possible and appropriate;
- b) Lands designated Parks and Open Space shall not contribute to problems of erosion, flooding, pollution or the deterioration of the environment;
- c) Buildings and structures shall be permitted in parks provided that they are related to the main permitted use. Structures such as those required for flood consideration, municipal services and/or utilities shall be permitted in areas designated Parks and Open Space, provided engineering studies acceptable to the City and Conservation Authority indicate that any hazard, natural or otherwise, can be overcome, or if the Conservation Authority determines that the isolated parcel of land is not hazardous. Where major physical alterations are necessary to overcome the hazards, an amendment to this Plan will be required. Where detailed investigation shows that an area is non-hazardous, and provided that the Conservation Authority confirms this in writing, then an alternative use consistent with the surrounding uses may be considered through a Zoning By-law Amendment; and
- d) Where Parks and Open Space lands are under private ownership, it shall not be construed that these lands shall be free and open to the general public, nor that they shall be acquired by the City or any other public agency.

31.4.3.8.5. The City will carry out programs to improve park facilities and provide public parks to meet the needs of the community, as well as augmenting the present park deficiencies. Park needs shall be considered in conjunction with future recommendations and/or improvements to the Trent-Severn Waterway and the lands adjacent to it.

31.4.3.8.6. The City will work on improving the open space adjacent to the shoreline. The City will implement a program to improve the facilities in the Garnet Graham Park, including the enhancement to its parking lots, boardwalks, supporting facilities and sand.

New Park

31.4.3.8.7. The general location of a new park in Fenelon Falls is denoted with the symbol "NP" on Schedule F-3. A park may be situated anywhere within the extent of the underlying land use designation denoted with the symbol "NP," and the City will determine the type of park and its final location prior to draft plan approval.

31.4.3.9 Environmental Protection

31.4.3.9.1 Permitted uses within this designation should maintain the unique natural characteristics of such lands and should not contribute to problems of erosion, flooding, pollution or the deterioration of the environment, and will be guided by the policies of Section 31.4.2.6.6 to 31.4.2.6.9 of this Plan. The following uses may be permitted within the Environmental Protection designation:

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

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

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

31.4.3.9.4 In some instances, the boundary of the Environmental Protection designation may be found not to reflect the true limit of the land subject to flooding or containing a natural hazard. To determine this, an evaluation shall be undertaken by the landowner to demonstrate that the land is not subject to flooding or other physical hazard. The evaluation shall be reviewed and

approved by the City and Kawartha Conservation Authority. The City will consult with Kawartha Conservation or other expertise in the review of the evaluation. If it is found through the evaluation that the boundary is in error and the land is not subject to flooding or other physical hazard, then an alternate use permitted in the abutting land use designation may be considered and the land appropriately zoned. This provision applies where the designation boundary is found to be in error and the proposed use is minor and it is determined by the City that an amendment to the Plan is not required.

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

31.4.3.9.6 Where regulations are in effect, no placing or removal of fill of any kind, whether originating on the site or elsewhere shall be permitted within this designation unless such is approved by the City, Kawartha Conservation or Ministry of Natural Resources and Forestry.

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

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

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

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

31.4.3.9.10 In determining the extent of flooding, the landowner may be required to have a qualified professional determine the flood level and appropriate flood-proofing measures that

would be required. The City will consult with Kawartha Conservation, before allowing the expansion or enlargement.

31.4.3.10 Development Plan Area Six (DP-6)

31.4.3.10.1 The land within this designation may be developed for a mix of commercial and residential uses, including a shopping centre, townhomes, apartment/condominium buildings, and retirement residences.

31.4.3.10.2 All uses within this designation will be developed on full municipal services. Notwithstanding the preferred hierarchy of municipal sewage and water systems within Urban Settlement Areas, this development may be permitted while temporarily serviced by the acceptable installation of a sewage system in accordance with the Environmental Protection Act and Ontario Building Code and subject to the restrictions of and approval by the City and the District Health Unit, where applicable. All sanitary services shall be connected directly to the municipal sanitary sewer system immediately after the Public Works Department allocates the required servicing capacity. The approved temporary servicing shall be decommissioned at the expense of the owner and to the satisfaction of the City and District Health Unit.

31.4.3.10.3 The implementing Zoning By-law will establish separate and appropriate commercial and residential zone categories and respective development standards and requirements.

31.4.3.10.4 Prior to the preparation of the required Site Plan Agreement the City must be in receipt of the comprehensive Site Plan. Such Plan will include building and elevations plans; detailed site servicing, lot grading and drainage plans; all with sufficient detail to meet the requirements of the Building Code and the City's requirements.

31.4.3.10.5 All commercial uses within this designation may be permitted in one or more separate buildings, provided that the total gross floor area of all commercial buildings does not exceed 4,800 square metres.

31.4.3.10.6 All development within the DP-6 area shall be subject to site plan control. The site plan control requirements shall, among other matters, address stormwater management and road entrance requirements to the satisfaction of the City. As part of the approved stormwater management plan the use of roof top storage controls shall be permitted.

31.4.3.11 Future Development Area

31.4.3.11.1 Lands shown as Future Development Area on Schedule "F-3" are intended for future development purposes beyond the planning horizon of this Plan. They will be given first consideration for redesignation to a variety of urban land uses to be developed on full municipal services if warranted through a comprehensive review of the Official Plan and Master Plans in accordance with Section 2.2.8 of the Growth Plan. Until such time, the lands shall continue to be subject to the policies contained in Section 16 of the Official Plan and subject to the following list of permitted uses:

- Limited, low density single detached dwellings on existing lots;
- Active and passive recreation uses and facilities;

- Agricultural uses without buildings;
- Farm markets;
- Public and private infrastructure;
- Public parks;
- Utilities;
- Nurseries;
- Greenhouses; and
- Forestry management.

31.5. OMEMEE SECONDARY PLAN

31.5.1. VISION, GOALS, AND STRATEGIC DIRECTIONS

The Vision, Goals, and Strategic Directions of the Omemee Secondary Plan are as follows:

31.5.1.1. Vision

The Secondary Plan for Omemee is based upon, and future development should be guided by, the following vision developed based on the input from community consultation activities in Omemee:

“Over 20 years Omemee will grow as a self-sustaining community with a small town feel, enhance its own identity and character, and provide employment, recreational, and residential areas for all ages and seasons.”

31.5.1.2. Goals

- To outline a vision for Omemee’s long-range physical development that reflects the aspirations of the community while managing the effects of such development on the social, economic, and environmental well-being of Omemee;
- To provide strategies and specific implementing actions that will allow the vision to be accomplished;
- To provide a basis for City staff when reviewing specific development proposals and ensure that public projects are in harmony with this Plan’s policies;
- To provide guidance for the City, other public agencies, and property owners to coordinate and design projects that will enhance the character of the community;

- To provide land use designations for the Omemee settlement area.

31.5.1.3. Strategic Directions

Strategic directions give specific purpose to the policies of the plan. The following strategic directions were identified for Omemee:

- Increase pride in the community;
- Expand infrastructure to create growth;
- Encourage recreational activities;
- Create new jobs;
- Provide opportunities to live and work in the same community; and,
- Provide accessible housing.

31.5.2. GENERAL POLICIES

31.5.2.1. Housing

Growth in Omemee and this Secondary is based on:

- a) a 2016 permanent population of 1,271 persons and a forecasted 2031 permanent population of 2,143 persons;
- b) 520 residential dwelling units in 2016 and a forecasted 944 residential dwelling units in 2031; and,
- c) a greenfield mix of 85% low density and 15% medium density residential development.

31.5.2.1.1 Omemee currently has a constraint on development because there is an insufficient quantity of municipal water servicing. Until the constraint on municipal water servicing is resolved, and notwithstanding the restrictions of Section 28.4.1 and Section 29.1.9, the following provisions shall apply:

- a) the City may allow the use of private communal water services for new development, subject to the policies of this Plan;
- b) infilling and minor rounding out of existing development may be permitted with individual on-site water services, provided that site conditions are suitable for the long-term provision of such services with no negative impacts;
- c) any new development will require the preparation of a hydrogeological study in accordance with Section 3.3.4 of this Plan;
- d) final approval of any draft plans of subdivision or draft plans of condominium shall only be granted when Section 31.5.2.1.1(a) is satisfied; and,

- e) the holding provision within the zoning by-law on lots that have servicing constraints shall not be removed until Sections 31.5.2.1.1(a), (b), and/or (c) are satisfied.

31.5.2.1.2. Intensification in Omemee shall generally follow the recommendations of the City's Growth Management Strategy (May 2011) and will take the form of infilling of existing developments along King Street on the area designated as Central Business District. There are no additional available areas with potential for intensification or redevelopment in Omemee. Intensification development shall be in accordance with Section 18.4 of the Official Plan and section 2.2.3.7 of the Growth Plan.

31.5.2.1.3. The development of affordable housing will be in accordance with the relevant policies of Section 5 and 18 of the Official Plan.

31.5.2.1.4. Secondary suites will be permitted within single and semi-detached, and townhouse dwelling units where residential dwellings are permitted as a use, as appropriate.

31.5.2.2. Economic Development

31.5.2.2.1. The City will support the creation of an economic development strategy for Omemee to attract the location of new businesses and the growth of current businesses.

31.5.2.2.2. The City will work with stakeholders and local residents to define a community improvement area for Omemee's mainstreet area and to develop a Mainstreet Community Improvement Plan in accordance with Section 9 of this Plan.

31.5.2.3. Parks and Open Spaces and Trail Systems

31.5.2.3.1. The City shall implement a strategy to enhance the parks and open space network in Omemee with an emphasis on improving the open space adjacent to the Pigeon River and improvements to the public beach located south of the downtown. Improvements may include new washroom facilities, renewal of the beach and new docks.

31.5.2.3.2. The City will develop and implement a strategy to improve and expand the trail network in Omemee and to maintain it for a year round use. The strategy should also include the improvement of pedestrian connections from the downtown to the beach area and the Trans Canada Trail.

31.5.2.3.3. The City will develop a strategy to build a strong pedestrian and cycling trail network and enhance the pedestrian and cycling network in and around the mainstreet area, as this area is highly used by both residents and visitors.

31.5.2.3.4. The City will develop a strategy to improve the Omemee Boat Launch, located north of the King Street Bridge. Improvements may include new docks and washroom facilities.

31.5.2.4. Downtown/Mainstreet Development

31.5.2.4.1 The mainstreet area presently exists along King Street West, which concentrates most of the commercial and community uses in Omemee. New mainstreet development or redevelopment should be designed to take into account the policies in Section 18.11 and 18.13.

31.5.2.5. Urban Design

31.5.2.5.1. Waterfront development shall take advantage of views and frontage along the Pigeon River, with public connections to the open space system, residents and visitors amenities and other public uses. Buildings located along the river shall have entrances and windows facing the shoreline or facing streetscapes adjacent to open space along the shoreline.

31.5.2.5.2. The City will work on the enhancement of Omemee's entries in order for travelers to acknowledge their arrival, navigate, and provide sense of place. The following priorities are identified:

1. Eastern approach – King Street East and Pigeon River Bridge (highly visual and tied to bridge improvements);
2. Western approach – King Street West and Deane Street (modest signage);
3. Main intersection – King Street and Sturgeon Road North (highly visual and tied to Coronation Hall; intersection improvements and public art);
4. Trans Canada Trail Entry – Sturgeon Road North (modest signage into the downtown);
5. Trans Canada Trail Entry – Colborne Road North (modest signage into the downtown and boating area).

Urban design treatments in accordance with section 18.13.8 should be further enhanced with the use of an identifiable symbol which is strongly associated with Omemee's history as well as public art and architectural pieces.

31.5.2.5.3. The City will work with the Ministry of Transportation, as required, on streetscape improvements along King Street. The streetscape improvements should include:

- Repaved sidewalks using unit pavers;
- New crosswalks using unit pavers or coloured concrete;
- Revised lighting standards;
- Sustained street trees;
- Periodic on street parking;
- New streets signage;
- Strengthened street wall (through the use of infill buildings).

31.5.2.6. Environment and Natural Heritage

31.5.2.6.1. Schedule “G-4” illustrates Environmental Constraint Areas that influence the ultimate form and structure of the settlement area of Omemee. The lands identified on Schedule “G-4” display known physical hazards, Environmentally Sensitive Features, and/or constraints. If development occurs without regard to these constraints, loss of life, property damage or degradation of the environment may occur. Delineation of these constraints has been derived, in a conceptual manner, from mapping provided by Kawartha Conservation and the Ministry of Natural Resources and Forestry. While these constraints must be given due consideration in the development and redevelopment of land within the areas identified on Schedule “G-4”, development proposals may be considered where appropriate studies have demonstrated that development or redevelopment could take place without negatively affecting the risk of loss of life, property damage or the degradation of the environment. The delineation of these constraints and Environmental Sensitive Features may be refined through the preparation of an Environmental Impact Study (EIS), as required by Sections 3.5.37 to 3.5.40 of this Plan, flood plain analysis, or other appropriate study. Approval from the Ministry of Natural Resources and Forestry will be required to modify evaluated wetland boundaries.

Environmental Constraint Areas

31.5.2.6.2. Schedule “G-4” conceptually delineates as Environmental Constraint Areas those lands that are susceptible to flooding or erosion, have steep slopes or soil instability, may contain Provincially Significant Wetlands or other natural heritage features, and/or are located within 120 m of a lake or river having fish habitat (identified as “EIS Study Area – 120 m buffer” in Schedule G-4). An EIS prepared in accordance with Sections 3.5.37 to 3.5.40 of this Plan shall be required for all development proposals on or abutting lands identified as Environmental Constraint Area.

31.5.2.6.3. Where Environmental Constraint Areas are identified through an EIS, flood plain analysis, or other appropriate study on lands subject to site plan control, the site plan shall implement the findings of the study. The site plan shall correctly and precisely delineate those lands impacted by the constraints and identify how the proposed development and/or redevelopment will ensure no negative affect on the risk of loss of life and property damage, and no degradation of the environment.

31.5.2.6.4. The City will work with Kawartha Conservation in the delineation of areas susceptible to flooding and erosion. The City shall incorporate the results of any new flood plain mapping into the Secondary Plan, when available from Kawartha Conservation.

31.5.2.6.5. The City recognizes that portions of existing development may be located within a flooding hazard identified through Policy Area #1 and that existing development may continue under this policy (in accordance with Section 17.6 of this Plan). An existing building or structure located in a flooding hazard may be enlarged, expanded, or altered subject to:

- a) the determination that there will not be an unacceptable off-site impact due to the displacement of the flood water;
- b) the enlargement to the building is appropriately flood proofed;
- c) new or existing hazards are not created or aggravated;
- d) the Conservation Authority has been satisfied;

- e) the development is not a threat to public health and safety or property;
- f) vehicles and people must have a way of safely entering and exiting the area during floods; and,
- g) satisfactory water supply and subsurface sewage disposal servicing.

31.5.2.6.6. The City will protect, conserve, and promote Natural Heritage in accordance with the 2020 Provincial Policy Statement and Section 3.5 of the Official Plan.

Environmentally Sensitive Features

31.5.2.6.7. Schedule "G-4" delineates as Environmentally Sensitive Features those areas that are recognized by this Plan as comprising the Natural Heritage System (i.e., wetlands, fish habitat, and significant woodlands). A Provincial Fish Sanctuary extends from the dam to the CNR Bridge. This sanctuary is intended to provide for a protected and high quality spawning habitat and is considered to be an Environmentally Sensitive Feature. The following policies shall apply to developments on lands adjacent to Environmental Sensitive Features:

- a) In accordance with the provisions and policies of this Plan, development may be permitted on lands adjacent to Environmentally Sensitive Features to the extent that the type or magnitude of development is compatible with the environmental conditions or that suitable measures have been undertaken to mitigate any resulting negative impact. The uses permitted shall be in accordance with Schedule "F-4". Development and site alteration is not permitted within a Provincially Significant Wetland.
- b) In considering the approval of a development application or an application for an amendment to this Plan and/or the implementing zoning By-law adjacent the area delineated as an Environmentally Sensitive Feature on Schedule "G-4" of this Plan, Council, in conjunction with Kawartha Conservation, shall give consideration to the need for an analysis of the impact of development on the Environmentally Sensitive Area. An EIS in accordance with Sections 3.5.37 to 3.5.40 of this Plan shall be required for all development proposals on or abutting areas identified as Environmentally Sensitive Features.
- c) Lands adjacent to Environmentally Sensitive Features, identified in this Plan, shall be developed and managed in a manner to protect and complement the nature of the adjacent sensitive area. Regard shall be had for the location, extent and nature of the environmentally sensitive area, the scale of the proposed development, the potential impact on Environmentally Sensitive Features and the proposed mitigating measures including the adequacy of spatial setbacks and buffers. Council shall consult with Kawartha Conservation in relation to the appropriateness of the proposed mitigating measures.
- d) Where an EIS is required to assess the impact of development on environmental features, no site alteration or development is permitted to commence until such time as the proponent has prepared such a report to the satisfaction of Council and Kawartha Conservation.

- e) Where an Environmental Assessment of a proposal is conducted in accordance with the provisions of The Environmental Assessment Act, that assessment shall be considered as having fulfilled the requirements of paragraph (b) of this Section.
- f) Where Federal Lands are involved and the Federal Environmental Assessment and Review Process is required, that assessment shall be considered as having fulfilled the requirements of paragraph (b) of this Section.

Protection of Shorelines

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

31.5.2.6.9. The alteration of shorelines for the purpose of establishing or altering drainage works such as those works under the Drainage Act, infrastructure or for stabilization, erosion control or protection purposes shall only be permitted if it is demonstrated that natural shoreline treatments (e.g. planting of natural vegetation, bioengineering) that maintain the natural contour of the shoreline will be used where practical, and a vegetative riparian area will be established to the extent feasible.

31.5.2.6.10. Where a proposal for development or site alteration is permitted within 30 metres of a shoreline, in accordance with Section 3.5.38 of the Official Plan, the proposal for development or site alteration shall comply with the following where applicable:

- maintain, and where possible, increase or improve fish habitat in the lake, stream or wetland, and any adjacent riparian areas;
- to the extent possible, enhance the ecological features and functions associated with the lake, stream or wetland;
- minimize erosion, sedimentation, and the introduction of excessive nutrients or other pollutants and utilize planning, design, and construction practices that maintain and improve water quality; and
- integrate landscaping and habitat restoration into the design of the proposal to enhance the ability of native plants and animals to use the area as both wildlife habitat and a movement corridor.

Waste Disposal Assessment Areas

31.5.2.6.11. The identification, management and clean-up of former waste and contaminated sites are important to achieve the Goals, Principles, and Objectives of this Plan. An EIS in accordance with Section 36.10 of this Plan shall be required for all development proposals on or abutting areas identified as Waste Disposal Assessment Area.

The City shall be satisfied that appropriate measures have been taken to:

- d) Ensure that the active and closed waste disposal facilities are carefully managed and rehabilitated;
- e) Ensure the uses adjacent to waste disposal areas do not jeopardize public health or the environment; and,
- f) Ensure the potentially contaminated sites are assessed and remediated as required, prior to any development or redevelopment.

31.5.2.6.12. In areas identified as a Waste Disposal Assessment Area as shown on Schedule “F-1”, uses may be permitted in accordance with the land use designation, upon the Municipality consulting with the Ministry of Environment and Climate Change and/or other appropriate jurisdiction, and subject to the following policies:

- f) Written approval has been received from the Ministry of Environment and Climate Change, and/or other appropriate jurisdiction, that the development complies with the provisions of the Environmental Protection Act;
- g) The studies required by the Ministry of Environment and Climate Change shall be carried out to the satisfaction of the City and shall demonstrate that development is compatible and can proceed without unmitigated negative impact;
- h) The City shall require the construction and phasing of all development to coincide with the control of any problems identified by the engineering studies;
- i) The studies of gas, leachate and hydrogeology, shall be carried out by a qualified engineer; and
- j) The City is satisfied with the required studies with respect to any matter regarding structural stability, safety and integrity of any and all structures.

31.5.2.6.13. Given the potential impacts in areas subject to the Waste Disposal Assessment Area policies, only land uses compatible with waste disposal sites and the associated engineered controls will be permitted.

31.5.2.6.14. Lands within the Waste Disposal Assessment Area shall be placed in a zoning category that does not permit habitable buildings or structures as an interim or permanent use. When such areas are deemed suitable for development, a rezoning to an appropriate category may be undertaken, subject to the applicable policies of Section 35.

31.5.2.6.15. A parking lot, paved or otherwise, may be constructed within a Waste Disposal Assessment Area to serve an adjacent recreation facility or to act as a trail head location for a trail system. For the purpose of this Section, a municipal parking lot is deemed not to be a structure.

31.5.2.6.16. Park amenities, but not buildings, may be constructed on a Waste Disposal Assessment Area after the City, in conjunction with the Ministry of Environment and Climate Change is satisfied that the soils do not pose a safety hazard to those using the park facilities.

31.5.2.7. Transportation

31.5.2.7.1. The City will work on the expansion of transportation opportunities for the population, particularly focusing on meeting the needs of the aging population. The strategy

should also focus on improving and expanding on the existing trails and cycling network, expanding its parking supply to meet projected demands and creating a compact urban form.

31.5.2.7.2. Schedule “H-4” identifies the existing road pattern and future arterial and collector road network for Omemee. The following road classification applies in Omemee:

- iv. Local roads provide access to lots and serve low volumes of traffic and shall have a minimum right of way width of 20 metres.
- v. Collector roads provide for medium volumes of traffic and shall have a minimum right of way width of 26 metres.
- vi. Arterial roads provide for medium to high volumes of traffic and shall have a minimum right-of-way width of 26 metres.

31.5.2.8. Infrastructure and Services

31.5.2.8.1. The City will study the provision of full municipal water and wastewater systems, as necessary, to accommodate the needs of future development and redevelopment in Omemee.

31.5.2.8.2. In addition to the policies in Section 28 – Infrastructure and Service Policies, development within the Omemee settlement area shall be on full municipal services in accordance with the policies of the City, except where allowed by Section 31.5.2.1.1.

31.5.2.8.3. The infrastructure and services provided for new developments and redevelopments in Omemee shall be sized, located and designed to the City of Kawartha Lakes engineering standards, guidelines and criteria to ensure that acceptable levels of service are maintained.

31.5.2.8.4. The planning and design of stormwater infrastructure, and the evaluation of development with respect to its management of stormwater, will be in accordance with the relevant policies of Section 3.3 of the Official Plan.

31.5.2.9. Culture and Cultural Heritage

31.5.2.9.1. The City shall protect, conserve, and promote culture and cultural heritage in accordance with the 2020 Provincial Policy Statement and Section 10 of the Official Plan.

31.5.2.10. Land Use Compatibility

31.5.2.10.1. The development of any industrial use shall be in accordance with Section 3.8 of the Official Plan.

31.5.2.10.2. All development will comply with the minimum distance separation formulae established by the Province in order to minimize odour conflicts between livestock facilities and development, as amended from time to time.

31.5.3. LAND USE POLICIES

31.5.3.1. RESIDENTIAL

31.5.3.1.1. The predominant use of land in the Residential designation shall be a variety of dwelling types. The location of the Residential designation is shown on Schedule “F-4”.

In addition to these uses, the following uses shall be permitted:

- a) Parks in accordance with Section 18.15 of this Plan;
- b) Neighbourhood commercial, in accordance with policies 31.6.3.1.4 of this Plan; and,
- c) A home occupation accessory to the residential use located within the dwelling unit.

Within the Residential designation there shall be two densities of residential development. In addition to the two densities, mixed density development may also occur. The appropriate density shall be based on the availability of services, compatibility with surrounding uses and locational factors, as set out below.

31.5.3.1.2. Low Density Residential Uses

Low density residential uses shall include single detached dwellings, semi-detached dwellings, duplex dwellings and similar low-profile residential buildings not exceeding 2.5 storeys in height, and two (2) dwelling units per property. Within the Residential Designation, the implementing zoning by-law will delineate individual parcels for Low-Density Residential Uses.

The density for low density residential development shall range between a minimum density of 15 dwelling units per net hectare of land (unless a hydrogeological study has determined that a lower density is necessary for the sustainability of the aquifer) to a maximum density of 25 dwelling units per net hectare of land.

To foster attractive streetscapes, garages should not project more than 1 metre beyond the front of the dwelling or a covered porch. Low Density Residential uses will be encouraged to have a variety of facades and use a variety of building materials.

31.5.3.1.3. Medium Density Residential Uses

Within the Residential Designation, the implementing zoning by-law will delineate individual parcels for Medium Density Residential uses. Medium density uses are permitted in the form of triplex dwellings, fourplex dwellings, row or block townhouse dwellings, stacked townhouse, converted dwellings containing more than three dwelling units, and mid-rise apartments. Home-based businesses may be permitted as long as it is accessory to the principal residential use and occurs entirely within the confines of the dwelling unit. Neighbourhood commercial uses may also be permitted, in accordance with the policies of Section 31.5.3.1.7 of this Plan.

Medium density residential areas shall be developed from a minimum density of 25 units per net hectare to a maximum density of 60 dwelling units per net hectare.

Medium Density Residential will be encouraged to have front porches or covered entrances. Attached garages on housing units should be recessed in the building facade so that the resulting streetscape is predominated by the front yard landscaping, doors, and windows rather than garages.

New medium density residential uses shall meet the following criteria:

- g) The height and massing of the buildings at the edge of the proposed medium density residential zone shall have regard to the height and massing of the buildings in any adjacent low density residential zone;
- h) Medium density residential lots shall accommodate low-rise dwellings which do not cause significant issues with casting of shadows and obstructions of views for adjacent lots;
- i) The development shall be encouraged to have direct access to an arterial or collector road, where possible and appropriate;
- j) For apartments, and/or block townhouse dwellings, on-site recreational amenities may be required ;
- k) Except for a triplex dwelling, fourplex dwelling or other similar small scale developments, a report on the adequacy of the road network to accommodate the expected traffic flows, and the adequacy of water and sewer services shall be prepared by the applicant and approved by the City Engineer, as required in this clause;
- l) Buildings should incorporate landscaping in all yards ;
- m) Parking shall be provided in accordance with Policies 18.16.8, 18.16.10 and 18.16.11. Parking for freehold townhouse development shall be permitted in the front yard; and,
- n) Apartments and/or block townhouses shall be designed to provide for collection and storage of recyclable and waste containments on site.

31.5.3.1.4. Neighbourhood Commercial Uses

31.5.3.1.4.1. Neighbourhood Commercial uses are small convenience retail facilities that serve the daily shopping needs of the residents of a neighbourhood. These facilities shall be permitted within the Residential land use designation.

31.5.3.1.4.2. The following policies shall apply to Neighbourhood Commercial Uses:

- h) No more than one commercial structure or building shall be permitted on any site, and the gross floor area of the commercial use shall not exceed 300 square metres;
- i) Building height shall be limited to one storey unless residential apartments are located on the upper floor(s), in which case the maximum building height will be subject to the appropriate residential density provisions;
- j) Required loading spaces should be located at the rear of the structure;
- k) Landscaping, fencing, berming and other screening shall be provided adjacent to residential land uses;
- l) All required parking shall be provided on the site. Cash-in-lieu of required parking shall not be accepted by the City unless the neighbourhood commercial use is incorporated into a residential apartment building;
- m) Driveway access shall be approved by the City in consultation with the Ministry of Transportation as necessary and appropriate; and,
- n) Neighbourhood commercial uses shall be located in proximity to the intersection of arterial or collector roads and shall not be located mid-block within a residential area.

31.5.3.1.5. Live/Work Opportunities

31.5.3.1.5.1. Medium density residential units designed for live/work activity may be permitted subject to provision of sufficient parking. Live/work development is encouraged to locate on collector and arterial roads and/or in an area planned for intensification.

31.5.3.2. COMMERCIAL

The Secondary Plan defines Commercial broadly and is intended to work with the Zoning By-law to control the specific type and built form of commercial development in the settlement areas. Two land use designations and associated policies generally apply to the commercial areas of Omemee. These commercial land use designations are Central Business District and Highway Commercial.

31.5.3.2.1. Central Business District

31.5.3.2.1.1. The Central Business District is Omemee's primary mixed use node and is intended to serve a variety of complementary functions. New development should be planned as

an extension of the existing downtown street-related business core or as infilling in the existing Central Business District area.

31.5.3.2.1.2. The predominant use of land in the Central Business District land use designation shall be a full range of retail and commercial uses and other uses. In addition, residential uses are permitted on the upper storeys of a commercial building or in free standing residential buildings. The Central Business District is also the location for institutional uses, niche shops and specialty retail uses, cultural and entertainment uses, personal and professional services, businesses and offices, hospitality uses, transit and transportation uses, and parks and open spaces. Individual properties and buildings may contain more than one of the above-noted uses. New drive-through facilities, auto related uses such as auto body shops, repair shops are not permitted. The limits of the Central Business District area are shown on Schedule “F-4”.

31.5.3.2.1.3. Central Business District development should generally contain buildings with a maximum height of 3 stories.

31.5.3.2.1.4. The preferred form of development within the Central Business District is for retail and office uses at grade with residential uses locating on upper floors of buildings and/or behind the front portion of buildings, where appropriate.

31.5.3.2.1.5. The following policies shall apply to the Central Business District designation:

- h) Traditional downtown and mainstreet areas shall be revitalized and preserved to reinforce the character of the mainstreet;
- i) Development shall be in accordance with policies in Sections 18.11 Downtown/Mainstreet Development and 18.13 Urban and Public Realm Design;
- j) The surrounding areas should relate to and be efficiently connected with the Central Business Districts through the integration of bicycle and pedestrian trail systems;
- k) All utilities shall be provided underground, where feasible; and,
- l) Parking, loading areas and service areas should be designed as per policies 18.16.7, 18.16.8, 18.16.9 and 18.16.10 and 18.16.11 of this Plan

31.5.3.2.1.6. Any enlargement of an existing or establishment of a new retail use in excess of 3,000 square metres of gross leasable floor space shall require a site specific Zoning By-law Amendment. Prior to consideration of a Zoning By-law Amendment, a Retail Market Analysis Study, prepared in accordance with Section 18.7 of this Plan, shall be submitted and approved by the City. The implementing Zoning By-law to enlarge or establish such retail use, shall establish a specific zone and regulations that shall include, but not be limited to, size (maximum gross leasable floor space), performance standards and specific permitted uses.

31.5.3.2.1.7. A Community Improvement Plan shall be undertaken for Omemee’s Central Business District, in accordance with Section 9 of this Plan, with a view to enhancing and improving the District as a significant and unique mixed commercial, residential, cultural, social and entertainment area.

31.5.3.2.1.8. Development or redevelopment, including intensification in designated Central Business District shall preserve, complement and enhance the cultural heritage and/or architectural character of these areas. Among the specific requirements are the following:

- the sensitive location, limited extent and effective buffering of parking facilities so as not to detract from historic streetscapes and adjacent buildings and uses;
- the consistency of setbacks and continuity of character, in order to maintain and restore the street-related, pedestrian-oriented streetscapes and the encouragement of pedestrian activity by providing linkages between the downtowns and adjacent areas of residential or other development; and
- compliance with the heritage policies of Sections 10 and 18.14 of this Plan.

31.5.3.2.1.9. In Central Business District areas sidewalks should be wide enough to allow for pedestrian passage, retail displays, street furniture, landscaping, patios and outdoor dining.

31.5.3.2.1.10. The City may utilize Tax Incentives to promote private sector improvements to existing buildings and revitalize existing Central Business District areas.

31.5.3.2.1.11. The City may establish Business Improvement Areas in the Central Business District areas to help promote and support local businesses in these areas.

31.5.3.2.1.12. The City shall encourage coordination, by local business persons or owners, of such things as signs, building facades, lighting, street furniture, landscaping and general maintenance.

31.5.3.2.1.13. No open storage shall be permitted within the Central Business District.

31.5.3.2.1.14. The City encourages the upgrading, rehabilitation and redevelopment of buildings and/or facades in the Central Business District as set out in the City's guidelines, manuals or plans which may be in place from time-to-time.

31.5.3.2.1.15. Buildings and structures of cultural heritage value or interest shall be conserved and incorporated, where appropriate, into any development or redevelopment project. The preservation of areas of cultural heritage value or interest shall also be encouraged.

31.5.3.2.2. Highway Commercial

31.5.3.2.2.1 Areas identified as Highway Commercial in Schedule "F-4" represent existing and future Highway Commercial areas and a limited range of retail stores outside of the Central Business District. The permitted uses in the Highway Commercial land use designation shall include convenience-type retail, service commercial, automobile service stations, vehicles sales and service, public garages, motels, hotels, eating establishments, furniture, appliance, carpet, flooring, home electronics and/or garden centres, , building supply centres, and other similar uses.

31.5.3.2.2.2 The following policies apply to lands designated Highway Commercial:

- a) Highway Commercial uses will be developed in accordance with good urban design principles. It is the intent of this Plan to provide for the consolidation of Highway

Commercial uses and to avoid the extension of such uses into adjacent non-commercial areas.

- b) New Highway Commercial areas shall be compatible with surrounding uses and shall be adequately buffered from adjacent residential and other sensitive land uses. Buffers shall include grassed areas and appropriate planting of trees and shrubs, and / or the provision of other suitable screening materials;
- c) Building entrances and display windows should be oriented to street frontages, and a minimum of one major building entrance should front directly onto the main street frontage, when applicable.
- d) Driveway access shall be approved by the City in conjunction with the Ministry of Transportation as considered to be necessary and appropriate. Consolidated accesses between properties shall be required where necessary;
- e) Buildings should be built to a minimum setback at intersections to help frame the streets;
- f) The building identity at corner locations will be reinforced by taller building elements such as towers, entrance structures or roof elements (i.e. skylights and dormers);
- g) Commercial garbage receptacles shall be adequately screened or in an enclosed storage area contiguous with the building;
- h) Parking, loading areas and service areas should be designed as per policies 18.16.8, 18.16.10, 18.16.11 and 18.16.12 of this Plan; and,
- i) Highway Commercial designations shall only locate on highways, arterial or collector roads.

31.5.3.2.2.3. The City may require a traffic impact assessment as part of a complete application for a zoning by-law amendment or site plan approval in the Highway Commercial designation.

31.5.3.3. EMPLOYMENT

31.5.3.3.1. Within the Employment designation, the permitted uses shall include a wide range of employment uses, including manufacturing and fabricating, assembling, processing, servicing and repairing, warehousing and storage, shipping and receiving, offices as an accessory or secondary use, commercial activities as an accessory use, and other accessory uses or a residence for a caretaker.

No outside storage of goods or materials shall be permitted in any yard adjacent to Provincial highways, arterial roads, or residential areas.

31.5.3.3.2. Employment uses shall locate along Provincial highways, arterial and collector roads. Employment uses shall not be permitted to locate on local roads that necessitate the movement of trucks past residential lots. Employment uses shall be encouraged to group together provided adequate buffering is established.

31.5.3.3.3. The following policies apply to lands designated Employment:

- i) Adequate landscaping and buffering shall be provided between the Employment designation and sensitive land uses, as established by the Ministry of Environment and Climate Change or other relevant agency.
- j) Adequate off-street parking, service areas and loading facilities are required and will be designed for maximum safety. Parking, loading areas and service areas should be designed as per policies 18.16.8, 18.16.10, 18.16.11, and 18.16.12 of this Plan.
- k) For employment uses located on roads with sidewalks and/or cycling connections, pedestrian access should be accommodated in a manner that is distinguishable from the access provided to motorized vehicles, and be safe and convenient.
- l) Buffering is required between employment area uses and residential uses, including but not limited to, increased setbacks, a high degree of landscaping, screening, and fencing.
- m) Accessory office uses should generally be oriented to the front of the building and incorporate substantial glazing while recognizing that some office space may be required to be located throughout the employment building.
- n) Abutting public streets, variations in articulation of the building envelope are encouraged.
- o) The orientation of buildings to maximize frontage along public streets is encouraged.
- p) In Employment designations which face Residential areas on the opposite side of the street, the building façade should be architecturally treated in order to achieve a compatible streetscape.

31.5.3.3.4. Employment uses located along Provincial highways, arterial roads and collector roads are expected to accommodate a wide range of light industrial type uses requiring high visibility. High quality design will be essential in these areas and some restrictions on uses may be applied to ensure attractive streetscapes.

31.5.3.3.5. Employment uses shall not include uses that may be obnoxious or noxious to the surrounding area

31.5.3.3.6. The Comprehensive Zoning By-law shall establish development standards, permitted uses, and other measures required to support the Employment policies. The City may also establish design guidelines to provide further guidance on the character of development in the Employment Designation.

31.5.3.3.7. The conversion of lands within the Employment designation to non-employment uses is subject to policy 18.10.13 of this Plan.

31.5.3.4. INSTITUTIONS and COMMUNITY FACILITIES

31.5.3.4.1. Institutions and Community Facilities uses are intended to serve the immediate neighbourhood or a collection of neighbourhoods, and provide social or cultural services such as education, health care, social housing, and religious worship for residents.

31.5.3.4.2. Within the Institutions and Community Facilities land use designation, the predominant use of land shall be for public and institutional uses that benefit the residents of Omemee and surrounding areas. These uses shall include institutional, government offices, places of worship, nursing homes and assisted living, daycare centres, social housing, medical clinics, recreational, cultural and educational facilities, cemeteries, fairs or exhibition grounds, other public uses or community facilities, and uses accessory thereto. Government buildings deemed to be redundant may continue to be used office purposes without an amendment to this Plan.

31.5.3.4.3. The following policies shall apply to the Institutions and Community Facilities designation:

- g) Adequate measures shall be taken to ensure that the permitted uses have no adverse effects on adjacent land uses. Adequate buffer planting shall be provided between any Institutions and Community Facilities use and any adjacent residential area where land use conflicts might be expected, and such buffer planting may include provisions for grass strips and appropriate planting of trees and shrubs, berms or fence screening.
- h) Institutions and Community Facilities shall be planned to reflect the level of service for which they are intended to provide.
- i) Institutions and Community Facilities shall be encouraged to have building massing, exterior building materials, and landscaping which help it integrate with the neighbourhood. The City encourages specific design elements which highlight the civic nature of institutional uses.
- j) Institutions and Community Facilities are encouraged to develop on sites served by existing or planned transit routes.
- k) Adequate off-street parking areas shall be provided and access to parking areas shall be limited and designed to provide maximum safety for pedestrian and vehicular traffic. Parking areas shall be located to the side or rear of the building and screened from view.
- l) The design of new Institutions and Community Facilities shall be pedestrian friendly, barrier-free and accessible.
- m) The City will encourage Institution and Community Facilities to act as community hubs offering a variety of public services, where possible. The location of these facilities should be in areas serviced by existing infrastructure, and easily accessible by active transportation methods.

31.5.3.4.4. Elementary schools should be planned in coordination with growth of the community and located adjacent to public parks and open spaces, where possible. Generally, the school should be centrally located in regard to the area being served. The location should be selected and designed in consultation with the School Board to minimize traffic conflicts with

pedestrians. Sidewalks will be required to link all school sites to adjacent neighbourhoods. Bicycle lanes and bicycle parking will be incorporated wherever feasible.

31.5.3.4.5. Where possible, places of worship should be located on arterial or collector roads within walking distance of transit stops. Places of worship should provide on-site parking located at the rear or side of the building and adequately and safely accommodate vehicular and pedestrian traffic entering on site. Proposals for developing new places of worship may require the applicant to submit a traffic impact study, lighting study, parking study and other studies deemed appropriate by the City.

31.5.3.4.6. Emergency service facilities, including fire, police and ambulance stations are permitted in all land use designations. Where appropriate, such facilities shall be located on an arterial or collector roads. The siting of new facilities shall also consider the potential impacts on adjacent users.

31.5.3.5. PARKS and OPEN SPACES

31.5.3.5.1. The Parks and Open Spaces designation includes lands used for active and passive leisure activities. In addition, open spaces are intended to contribute to the environment through the provision of green space and vegetation.

The predominant use of land shall be primarily for the preservation and conservation of land and/or environment, as well as for the provision of outdoor recreational and educational opportunities, and should be managed in such a fashion as to complement adjacent land uses and protect such uses from any physical hazards. Permitted uses include indoor and outdoor active and passive recreational uses including parks, trails, golf courses, arenas, curling rinks, sports fields and other similar uses as well as open space areas. Compatible uses, such as public and/or private utilities, environmental conservation, and community gardens may also be allowed.

31.5.3.5.2. The development of parks shall be subject to Sections 8, 18.15 and 34.13 of this Plan. The following policies shall apply to the Parks and Open Space designation:

- e) Community gardens, parks, and recreation operations on lands designated Parks and Open Space should maintain the unique natural characteristics of such lands, where possible and appropriate.
- f) Lands designated Parks and Open Space shall not contribute to problems of erosion, flooding, pollution or the deterioration of the environment.
- g) Buildings and structures shall be permitted in parks provided that they are related and accessory to the main permitted use. Structures such as those required for flood consideration, municipal services and/or utilities shall be permitted in areas designated Parks and Open Space, provided engineering studies acceptable to the City and Kawartha Region Conservation Authority indicate that any hazard, natural or otherwise, can be overcome, or if the Kawartha Region Conservation Authority determines that the isolated parcel of land is not hazardous. Where major physical alterations are necessary to overcome the hazards, an amendment to this Plan will be required. Where detailed investigation shows that an area is non-hazardous, and provided that the Kawartha Region Conservation Authority confirms this in writing, then an alternative use consistent with the surrounding uses may be considered through a Zoning By-law Amendment.

- h) Where Parks and Open Space lands are under private ownership, it shall not be construed that these lands shall be free and open to the general public, nor that they shall be acquired by the City or any other public agency.

31.5.3.5.3. The City will carry out programs to improve park facilities and provide public parks to meet the needs of the community, as well as augmenting the present park deficiencies.

31.5.3.5.4. The City will work on improving the open space adjacent to the shoreline. The City will implement a program to improve the facilities in the Omemee Beach Park, located south of the downtown area, including the enhancement to its parking lots, boardwalks, supporting facilities and sand.

31.5.3.5.5. The City will work on the creation of continuous waterfront multi-use trail system and improve access to the shoreline, parks and open spaces and to help advance active transportation opportunities in the community. The trails should be maintained for year round use. Strategic links along existing roads shall be established to provide connections to the shoreline and the Kawartha Trans Canada Trail.

New Park

31.5.3.5.6. The general location of a new park in Omemee is denoted with the symbol “NP” on Schedule F-4. A park may be situated anywhere within the extent of the underlying land use designation denoted with the symbol “NP,” and the City will determine the type of park and its final location prior to draft plan approval.

31.5.3.6. ENVIRONMENTAL PROTECTION

31.5.3.6.1. Permitted uses within this designation should maintain the unique natural characteristics of such lands and should not contribute to problems of erosion, flooding, pollution or the deterioration of the environment, and will be guided by the policies of Section 31.5.2.6.2 to 31.5.2.6.6 of this Plan. The following uses may be permitted within the Environmental Protection designation:

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

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

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

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

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

31.5.3.6.6. Where regulations are in effect, no placing or removal of fill of any kind, whether originating on the site or elsewhere shall be permitted within this designation unless such is approved by the City, Kawartha Conservation or Ministry of Natural Resources and Forestry.

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

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

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

- a) the determination that there will not be an unacceptable off-site impact due to the displacement of the flood water;
- b) the enlargement to the building is appropriately flood proofed;

- c) New or existing hazards are not created or aggravated;
- d) Kawartha Conservation has been satisfied;
- e) The development is not a threat to public health and safety or property;
- f) Vehicles and people must have a way of safely entering and exiting the area during floods;
and,
- g) Satisfactory water supply and subsurface sewage disposal servicing.

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

31.6. OAK RIDGES MORaine PLAN

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

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

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

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

- 31.7.1. Four Mile Lake is a relatively shallow warm water lake (758 hectares) that is located in the sub watershed of Corben Creek (Former Township of Somerville area). Four Mile Lake is a closed lake system that has no navigable access to or from the Trent River System or other lakes. The volume of water in Four Mile Lake has a very slow flushing rate of once in five years and its small drainage area

directly influences it. The current health of the lake and quality of life in the community is linked to the undeveloped rural character of the watershed.

- 31.7.2. The lake is split by two significant geological landforms. The northern one-third of the lake is located on the Canadian Shield dominated by granite shorelines. The southern two thirds of the lake is located on the Carden plain, characterized with sedimentary limestone cliffs along the shoreline and consisting of unusual shale and other sedimentary rock formations located on an expansive plain dotted with scrub-like vegetation. The lakebed is primarily limestone, which provides a natural alkaline buffer to counter the damaging effects of acid rain.
- 31.7.3. Four Mile Lake is a shoreline residential community that is 'at capacity' for new recreational development and activities. The entire shoreline of Four Mile Lake has been heavily developed with over 450 single-family residential dwellings. Existing dwellings have been constructed on lots with shoreline frontages of 30 m or less, and with shoreline setbacks of 15 m. There is no commercial or industrial development along the shoreline and the backlands are sparsely developed. There are only two significant portions of the lake that are undeveloped.
- 31.7.4. The character and geology of the shorelines and surrounding watershed is unique and quite diverse and provide for a wide range fish and wildlife species and landscapes. However, it is recognized that this diversity is fragile and may be threatened from any new development. The diversity of shoreline landforms includes limestone cliffs, exposed Canadian Shield, and wetlands. The diversity of the lake substrates include bedrock, limestone, gravel, sand and weedy areas.
- 31.7.5. Four Mile Lake is considered to be 'at-capacity' for Residential Cluster and all commercial developments. In order to protect the integrity and character of this residential community, new shoreline and backlot residential development must occur in accordance with the following standards and new Residential Cluster or commercial development shall not be permitted.

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

31.8. FOUR MILE LAKE OBJECTIVES

- 31.8.1. There is a strong community desire to maintain the unique status and residential life on the lake. Some of the values that support this character include:
- Good water quality,
 - Safe living environment,

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

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

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

31.9. SCOPE OF FOUR MILE LAKE POLICIES

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

31.10. SPECIFIC POLICIES

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

31.10.2. FOUR MILE LAKE WATERFRONT DESIGNATION

31.10.2.1. Permitted Uses:

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

Specific Policies:

- 31.10.2.2. All new shoreline residential lots shall require a minimum lot frontage of 60 m on Four Mile Lake and a lot area of 0.4 hectares. No new residential “infilling” as per Section 19 will be permitted on smaller sized lots. New shoreline residential development shall only be in the form of single family dwellings on separate lots that directly front on Four Mile Lake. New residential cluster developments on the shoreline will not be permitted.
- 31.10.2.3. New single family residential dwellings will be permitted on backlots (i.e., lands with no lake frontage) on existing lots of record that have a minimum lot frontage of 60 m on a publicly maintained road and have a lot area of 0.4 ha.
- 31.10.2.4. All development shall have a minimum setback from the road of 30 m. New backlots may not be created except to separate two existing residential dwellings. Residential cluster development on backlots with access to the lake through private or publicly owned lands will not be permitted.
- 31.10.2.5. Recreational trailers and vehicles may only be used on a temporary basis when a building permit for a main residential building has been issued.
- 31.10.2.6. Home industries are not a permitted use in the Waterfront Designation. New Bed and Breakfast operations may be considered provided they meet all requirements for home occupations and do not exceed 2 guest rooms per dwelling and are located on lots with a minimum lot frontage of 60 m of lot frontage and a minimum lot area of 0.4 ha.

31.11. DEVELOPMENT WITHIN THE CORBEN CREEK WATERSHED

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

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

31.12. DEVELOPMENT PLANS

- 31.12.1. Development Plans cover site-specific areas with detailed policies for the development of that area. The following Development Plans (DP-1 to DP-6) are carried forward from the former County of Victoria Official Plan and were considered and approved under that Plan. They do not represent the policy

framework established under this Plan and as such are not to be taken as precedent or as an acceptable form of development under this Plan. The Cranberry Lake area in Dalton was previously included along with QE II Wildlands provincial park under “Open space” Designation has been now included as “Development Plan –DP 7 and Longford Reserve area with its unique geographic situation has been included as a “Development Plan –DP8. The area designated as ‘Rural Estate’ under previous Official Plan and not yet developed are covered under “Development Plan-9” to maintain status-quo.

- 31.12.2. The lands covered by Development Plans are shown on Schedules DP-1 to DP-10.
- 31.12.3. Development Plans carried forward from the former Victoria County Official Plan (DP-1 to 6) or included as new (DP-7, 8, 9 & 10) are as follows:

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

- 31.13.1. This policy is applied to the east part of Lot 13, Concession 2 and part of the west half of Lots 13 and 14, Concession 3, in the Township of Verulam, as shown on Schedule DP 1. A detailed Environmental Evaluation was carried out on the land to determine the suitability of the land for development and the impact on the surrounding area and in particular the wetland and the capacity of Sturgeon Lake to accommodate further development adjacent to it.
- 31.13.2. Within the area shown on Schedule DP 1 as Residential, a maximum of 29 single family detached dwelling lots shall be permitted which may also include parkland.
- 31.13.3. The land shown as a Nature Reserve on Schedule DP 1 shall be kept in its natural state to protect the wetland. No dredging, filling or clearing of vegetation should be undertaken, unless as a management function, it will enhance and not destroy the natural environment. Such work should only be undertaken in consultation with the Ministry of Natural Resources, the Trent Severn Waterway and the Kawartha Region Conservation Authority.
- 31.13.4. The Recreation Area shall be used for an access road to parking facilities for a limited number of motor vehicles for individuals using the boat mooring facilities. A buffer strip having a minimum width of 30 metres shall be maintained between the maximum controlled high water mark for Sturgeon Lake and the Recreation Area.
- 31.13.5. A dredged boat slip or canal is not permitted within the Recreation Area or the Nature Reserve.

- 31.13.6. All lands below the elevation of 248.7 metres CGD shall be zoned so as not to permit any buildings or structures other than for flood or erosion control. Boat mooring facilities of a design suitable to the Trent Severn Waterway shall be permitted only within the confines of the area shown as Water Block A as shown on Schedule DP 1.
- 31.13.7. The Nature Reserve above the maximum controlled high water mark for Sturgeon Lake and the Recreation Areas shall be held in public ownership or held as a common area to be jointly owned by all property owners in the area shown as Residential.

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

- 31.14.1. On part of Lots 20 and 21, Concession 1, Township of Somerville, as shown on Schedule DP 2, a two zone, floodway/flood fringe zoning by law may be used where detailed flood plain mapping exists, satisfactory to the City, which clearly delineates the extent of the floodway and flood fringe.
- 31.14.2. Where a two-zone approach is implemented, efforts shall be made to ensure public safety both through flood proofing requirements and through contingency preparations in the event that flood-proofing efforts fail or are overcome.
- 31.14.3. Where a two-zone flood plain exists, no site alteration, no filling or new buildings or structures, other than those required for flood and erosion control or necessary for safe property access shall be permitted in the floodway. Buildings and structures may only be permitted in the flood fringe and no site alteration shall be flood proofed to 0.3 metres above the maximum flood elevation at the building site and no building opening should be below the elevation of 258.0 metres. Driveways to lots will be installed to allow drainage (i.e., culverts) and will be raised to the flood elevation of 257.68, the regulatory flood elevation, to ensure dry access to these lots. Implementing zoning by laws shall specify flood-proofing requirements that are to apply to all new buildings in the flood fringe areas. The implementing zoning by-laws will prohibit structural development within the floodway except as noted herein. The flood fringe line will be surveyed and plotted prior to any development or site alteration.
- 31.14.4. The area shown as Residential on Schedule DP-2 shall be considered to include the flood fringe portion of the flood plain. Within the area shown as Residential, lots for single detached residential dwellings and the placement of fill to the extent necessary for the development of the lots shall be permitted. Final lot grading will provide for the adequate drainage of all lots. Notwithstanding the foregoing, the placement of fill (both its location and depth) for raised septic tile bed systems must receive the prior written approval of the Haliburton Kawartha Pine Ridge

District Health Unit or any subsequent authority having jurisdiction for septic system approvals.

- 31.14.5. The area shown as Flood Reserve on Schedule DP-2 shall be considered as encompassing the Floodway. Within the Flood Reserve area the policies of Section 19 of this plan shall apply and, except as otherwise provided for herein, the placement of fill or unauthorized removal of vegetation shall not be permitted. The retention of natural vegetation on all shore lands especially those in the flood fringe, is encouraged.
- 31.14.6. Notwithstanding the preceding paragraph, where the Flood Reserve is located on an individual lot between a public road and the Residential portion of the lot the following forms of development are permitted:
- 31.14.7. One private driveway, provided it is flood proofed and engineered to provide safe access any time that the “Maximum flood elevation” is achieved; and
- 31.14.8. Fill associated with the mantle area of a private sewage system where it is demonstrated that no alternative location is available on a specific lot.
- 31.14.9. All access roads within DP-2 shall be constructed so as to be flood proofed and in a manner that establishes the final grade of the traveled surface above the” Maximum flood elevation.
- 31.14.10. All filling, actions, measures, or methods of flood proofing shall be carried out in accordance with established and accepted engineering standards and practices and certified by a qualified professional engineer licensed to practice in the Province of Ontario and shall include, but not be limited to, such actions, measures or methods necessary to ensure the structural integrity of buildings and septic tile bed systems is maintained and that the safe and continuous pedestrian and vehicular ingress and egress to new buildings is not prevented during any time that the “Maximum flood elevation” is achieved.
- 31.14.11. For the purpose of this policy, the following definitions apply:

“Flooding hazard elevation” means the maximum flood elevation.

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

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

- 31.15.1. These policies are applied to those lands located on Part of Lot 2, Concession B and Part of Lots 1 and 2, Concession C, Township of Mariposa, as shown on Schedule DP-3.
- 31.15.2. The land shown as Shoreline on Schedule DP 3 may be developed for a maximum of 157 residential lots resulting in a maximum of 157 units, and no additional growth or demand will be approved for the water and wastewater treatment system beyond the current proposal and any additional demand would trigger system design and appropriate expansion. Permitted development shall be on full municipal communal sewer and water services. A buffer strip having a maximum width of 30 metres shall be maintained in a natural state between the maximum controlled highwater mark for Lake Scugog of 249.8 metres CGD and the Shoreline designation. Only infrastructure to serve the lands designated Shoreline will be permitted within this setback.
- 31.15.3. The land shown as Nature Reserve on Schedule DP 3 shall be retained in its natural state in order to preserve its natural ecological functions. No dredging, filling or removal of vegetation shall be undertaken, unless done as a management tool to enhance the natural functions. Limited trail and boardwalk access may also be provided for interpretative purposes. Any work or alterations of any kind, within such designation must have the prior written approval of the Trent Severn Waterway, the Kawartha Region Conservation Authority and the City.
- 31.15.4. A dredged boat slip or canal is not permitted within the Nature Reserve designation.
- 31.15.5. Roads shall not be permitted in the Nature Reserve designation. Municipal infrastructure shall be permitted in both the Shoreline and Nature Reserve designations subject to the necessary environmental approvals.
- 31.15.6. All lands below the maximum flood elevation of 251.04 metres CGD shall be zoned to prohibit habitable buildings or structures. Only buildings and structures required for flood and erosion control, or ancillary to the provision of municipal services shall be permitted.
- 31.15.7. Prior to development proceeding, the development proponent shall undertake a flood plain analysis for the Nonquon River to determine the effects of a Regional Storm upon the lands included in Schedule DP-3. The recommendations of such study shall be implemented through conditions of draft plan approval and or site plan control.
- 31.15.8. Prior to any development occurring within the lands included in Schedule DP-3 the development proponent shall enter into agreements, with the municipalities having

jurisdiction, for: the design, construction, assumption, operation and maintenance of the communal services; the upgrading of River Street, Sun Valley Road and any other municipal roads, between the site and its interpolicy with Durham Regional Road 2; all interpolicy and traffic control improvements; and the provision of fire protection services.

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

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

- 31.16.1. These policies are applied to those lands located in Part of Lot 5, Concession A, geographic Township of Mariposa, as shown on Schedule DP-4. A detailed Environmental Evaluation was carried out on the land to determine the suitability of the land for development, the impact on the surrounding area and, in particular, the wetland, and the capacity of Lake Scugog to accommodate further development adjacent to it.
- 31.16.2. The land shown as Shoreline on Schedule DP-4 can be developed with a maximum of 22 single detached residential lots on individual private sewer and water services.
- 31.16.3. The land shown as Open Space on Schedule DP-4 can be developed with a small parking area, an anchor for a docking facility, dock maintenance access and a storage area for boats.
- 31.16.4. Land shown as Environmental Protection on Schedule DP-4 shall be retained in its natural state in order to preserve its natural ecological functions. No dredging, filling or removal of vegetation shall be undertaken, unless done as a management tool to enhance the natural functions. Any work or alterations of any kind, within such designation must have the prior written approval of the Kawartha Region Conservation Authority, Parks Canada, Trent-Severn Waterway and the City of Kawartha Lakes. A dredged boat slip or canal is not permitted within the Environmental Protection area.
- 31.16.5. Notwithstanding the above, within the Environmental Protection area a stormwater pond is permitted provided it is outside the 30-metre setback from the Provincially Significant Wetland Boundary as identified by the Ministry of Natural Resources. Drainage easements within the Environmental Protection are permitted with the approval by the City of Kawartha Lakes.
- 31.16.6. It is not intended that lands within the Open Space or Environmental Protection areas, above the maximum controlled high water level for Lake Scugog, be held

in private ownership by individual residential property owners; however, it may be held as a common area owned jointly by property owners in the Shoreline area.

- 31.16.7. The land shown as Agricultural on Schedule DP-4 may be used for agricultural purposes.
- 31.16.8. Infrastructure such as irrigation, stormwater management and non-potable water intakes shall be permitted in the Shoreline, Open Space and Environmental Protection areas subject to the necessary environmental approvals.
- 31.16.9. All lands below the maximum flood elevation of 250.9 metres CGD shall be zoned to prohibit habitable buildings or structures. Only buildings and structures required for flood and erosion control, boat launching and docking, or ancillary to the provision of municipal services, shall be permitted.
- 31.16.10. Prior to any development occurring within the lands included in Schedule DP-4, the development proponent shall enter into agreements with the municipality for the design, construction, assumption, operation and maintenance of municipal roads.
- 31.16.11. Amendments to this Development Plan will not be required in order to make minor adjustments to the approximate land use boundaries or the location of roads, provided the overall intent of this Development Plan is preserved.

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

- 31.17.1. The following policies are applicable to those lands located on Part of Lot 1 Concession 19 in the former Township of Harvey, formerly in the Municipality of Bobcaygeon/Verulam and Part of Lot 2, Concession 10 in the Geographic Township of Verulam, formerly in the Municipality of Bobcaygeon/Verulam as shown on Schedule DP-5.
- 31.17.2. The land shown as Residential (R) on DP-5 may be developed for a maximum of 17 lots for single detached dwellings based on a rate of one lot for every 4.5 metres of shoreline in the Open Space classification. The density was also based on having a total shoreline frontage that represented one lot per 27 metres of total shoreline and with land set aside in the open space and nature reserve areas with a ratio of one dwelling per 745 square metres of land within the open space and nature reserve areas.
- 31.17.3. Land shown as Nature Reserve (NR) on DP-5 shall remain undisturbed in order to protect and preserve its ecological functions and processes and there shall be no dredging, filling, removal of vegetation or installation of walkways except under management practices deemed necessary or compatible with the preservation

and protection of the ecological functions or processes on the lands within the Nature Reserve area. The Nature Reserve area shall be protected through the provisions of the implementing Zoning By-law and any subdivision agreement shall include provisions requiring the prior written consent of the municipality and approvals from the Trent-Severn Waterway and the Conservation Authority before any alterations or management actions are taken within the lands classified as Nature Reserve.

- 31.17.4. Land shown as Open Space (OS) on DP-5 shall only be used for passive recreational purposes with no buildings or structures other than those necessary for stormwater management, flood and erosions control or access walkways, except that the southerly Open Space area may also be used for the purpose of common boat docking and boat launching facilities. Any subdivision agreement shall include provisions requiring the prior written consent of the municipality and approvals from the Trent-Severn Waterway and the Conservation Authority before any excavating, dredging, filling, removal of vegetation or the construction of any structure within the areas classified as Open Space.
- 31.17.5. The implementing Zoning By-law and any subdivision agreement shall provide for a buffer area not less than 15 30 metres wide along the common boundary between lands in either the Nature Reserve classification or the Open Space classification and lands in the Residential classification where such common boundary is within 35 metres of the shoreline. There shall be no structures or site alteration activities within the buffer area and provisions shall be made for establishing, protecting and maintaining indigenous vegetation in the buffer area.
- 31.17.6. Notwithstanding Subsections 31.17.3., 31.17.4, and 31.17.5 of this Plan, on the land designated as Nature Reserve, described as Block 18 Plan 57M-579, Part of Lot 1 Concession 19, Part of Lot 2, Concession 10, geographic Township of Verulam, now City of Kawartha Lakes construction of 9 docks for access and storage for boats is a permitted use.
- 31.17.6.1 Notwithstanding Subsection 31.13, on land designated as Nature Reserve, described as Block 18 Plan 57M-579, Part of Lot 1 Concession 19, Part of Lot 2, Concession 10, geographic Township of Verulam, now City of Kawartha Lakes, a beach for the purpose of public recreation is not permitted

31.18. DEVELOPMENT PLAN AREA SIX (DP-6) – 564711 ONTARIO LIMITED, FENELON

- 31.18.1. The land within this designation may be developed for a mix of commercial and residential uses, including a shopping centre, townhomes, apartment/condominium buildings, and retirement residences.

31.18.2. [Please refer to Section 31.4.3.10]

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

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

West of Victoria Road

South of road allowance between conc.7 & 8

East of road allowance between Lot 10 & 11, and

North of Lot line between conc.4 & 5

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

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

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

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

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

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

31.20. DEVELOPMENT PLAN AREA EIGHT (DP-8) – LONGFORD AREA

31.20.1. The purpose of the Longford Area–DP 8, is to recognize the uniqueness of the geographic township of Longford. It is owned by Longford Reserve Limited. The

members or shareholders can enter into an agreement with Longford Reserve Limited for the exclusive use of a defined site within the township. On each site, a member may build one or more dwellings along with accessory buildings or structures.

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

31.20.3. LAND USES PERMITTED

The following uses will be permitted within the Longford Area:

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

31.20.4. SPECIAL POLICIES

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

31.20.6. The following types of dwellings will be permitted:

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

31.20.7. The zoning by-law may zone the area where the various types of dwellings and the lodge are permitted. The by-law may also zone land prohibiting buildings or structures on wetlands, land subject to flooding and areas known as habitat for endangered or threatened species.

31.20.8. If Longford Reserve Limited conveys or proposes to convey all or part of this township, resulting in a consent, subdivision, or condominium application for the

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

- 31.20.9. Nothing in this Plan will be construed as requiring or encouraging any public access to be provided to or within the area of DP8.
- 31.20.10. All development applications shall comply with Section 3.3.21-Lake Trout Lakes and Section 3.11-Water Setback and Accessory Uses of this Plan.

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

- 31.21.1. The predominant use of land in the areas shall be relatively large, single family detached homes on large lots. There are four locations denoted as DP-9 (2) to (4) on Schedule "A" which have additional site specific special policies.
- 31.21.2. In evaluating any development proposal, attention should be given to the extent of development proportionate to housing demands and the economic and financial capabilities of the City to provide appropriate levels of service.
- 31.21.3. To ensure that the health, welfare, safety and satisfaction of future residents is protected and the City will not be faced with expensive servicing costs in the future, development should only be established where soil and drainage conditions ensure a suitable water supply and an adequate means of waste disposal. Special attention will be given to the impact that the development may have on recharge areas and related water quality in the surrounding area.
- 31.21.4. The site should be reasonably close to community facilities.
- 31.21.5. Any development will be directed away from areas with high potential for agriculture or aggregate extraction. It will also be directed away from Environmental Protection and Sensitive Areas unless a review of the impact reveals that such development will not be detrimental to the unique characteristics of the area.
- 31.21.6. An assessment of the forest potential of the proposed site should be undertaken to ensure that significant prime forests are not taken out of production.

- 31.21.7. The principle of low density rural estate type development shall be maintained by establishing a minimum lot area consistent with the natural characteristics of the site, having particular regard for tree cover, topography and a sense of privacy on individual lots. The lot size may range from four tenths (0.4) to two (2) hectares (1 to 5 acres).
- 31.21.8. The proposed development should be near a "black topped" public road maintained on a year round basis or alternatively, the developer must be prepared to rebuild and/or resurface the connecting road at his cost, to the satisfaction of the road authority concerned.
- 31.21.9. The development should be serviced by an internal road network. If it is clearly not necessary in the public interest to have all lots front onto an internal road network, then a limited amount of development may be permitted to front onto City or low traffic volume local Road. The criteria to determine if access should be onto existing roads are: the shape of the land holding; topography; vegetation; and the existing and proposed road network.
- 31.21.10. The site should be serviced by existing school bus routes. The capacity of local schools should be shown to be sufficient to accommodate the needs of the new development.
- 31.21.11. Rural estate type development should be directed to locations where the natural landscape can assimilate the residential structures without the loss of the natural features of the site. Sites should contain wooded areas, special landforms and interesting topography. Building location and landscaping should complement existing topography and vegetation and ensure privacy between dwelling units. The design should ensure that unique qualities of the landscape are preserved for the visual enjoyment of the entire community.
- 31.21.12. The development of a site should not produce an undesirable impact on the City by increasing the demand for local services beyond an acceptable level.
- 31.21.13. Within the DP-9(2) area on part of Lots 17 and 18, Front Range, Township of Somerville, west of Highway 35, any zoning by law permitting habitable development shall establish the minimum elevation for external openings of 257.0 metres G.S.C.
- 31.21.14. Lands under DP-9(3), on Part of Lot 11, Concession 10 in the former Township of Fenelon, more specifically described as being those lands bounded by the municipal boundary between Fenelon Township and the Village of Sturgeon Point parallel to Irene Avenue to the south, Forest Road to the west and County Road 25 to the east, but excluding existing lots of record and Victoria County Land

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

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

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

- 31.22.1. In addition to the Highway Commercial policies of this plan, the area shown as DP-10 on Schedule "A" and described as Part Lot 16, Concession 5, Ops, north east corner of Angeline Street South and Highway #7 shall be subject to the following provisions:
- 31.22.2. The subject lands shall not be rezoned to any Highway Commercial Zone save and except one with a Holding (H) designation until:

- 31.22.3. Council is satisfied that there is sufficient capacity in the Lindsay water supply and distribution system, and sufficient capacity in the Lindsay sewage treatment plant and collection system to permit the subject lands to be serviced.
- 31.22.4. Council is satisfied that an on-site stormwater management system can be provided which satisfies City standards and the requirements of the Ministry of Transportation of Ontario.
- 31.22.5. Council is satisfied that the lands can be adequately accessed meeting the requirements of the Ministry of Transportation for only a right in, right out access on Angeline Street, with no access off Highway 7.
- 31.22.6. Arrangements have been completed for the transfer of any required road widenings along the Angeline Street and Highway 7 frontages of the subject lands.
- 31.22.7. An archaeological review of the site has been completed.

PART G – IMPLEMENTATION

32. POLICY EXCEPTIONS

32.1 The following policies of the former Victoria County Official Plan and Township of Ops Official Plan remain in effect as exceptions to this Plan and appear as they were originally written and approved. For references to section numbers and schedules, the original document shall be consulted.

- 32.1.1. Notwithstanding any other policies of this Plan, lands on Part of Lot 2, Concession XIII, Township of Somerville, being Blocks 7 and 8, Plan 105 which are the subject of this Amendment, may be developed by the consent process to permit a maximum of three new lots and one retained.
- 32.1.2. Notwithstanding Section 6.4.6 (0.4-2ha lot size for rural estate sub), the minimum lot area shall be 2,950 square metres for those lots within a Plan of Subdivision which are designated as “Rural Estate” on part of Lot 25, Concession 10, in the Township of Fenelon. The subject property has a total lot area of approximately 11.3 hectares and lot frontage of 447.5 metres along a Township of Fenelon Road which extends northerly from Louisa Street of the Village of Fenelon Falls.
- 32.1.3. On land designated Rural Estate on part of Lots 4 and 5, Concession 8, Township of Fenelon, the maximum number of lots that may be created is five having an area of not less than 6,000 square metres each. The land shall be subject to Site Plan Control to address the drainage of the land. The Zoning By-law shall be amended to incorporate provisions to ensure that the dwellings are built within the treed portion of the property.
- 32.1.4. Reserved (File 16.5.93 and 16.5.94 Amendment No. 54)
- 32.1.5. A plan of subdivision is required to divide land in the Rural Estate designation in the following locations:
 - a) Part of Lot 5, Concession 5 in the Township of Verulam
 - b) For division of land on this property, the following shall apply:
 - i. A hydrogeological assessment study within the subdivision will be submitted as background information with the application for a plan of subdivision.
 - ii. The density of development within the subdivision will be determined by the results of the hydrogeological assessment when the results have been accepted by the Ministry of the Environment.

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

- 32.1.6. Within the Rural Estate Designation on part of Lots 17 and 18, Front Range, Township of Somerville, west of Highway 35, any zoning by-law permitting habitable development shall establish the minimum elevation for external openings of 257.0 metres G.S.C.
- 32.1.7. (Reserved for Amendment # 79)
- 32.1.8. On land designated Resort Estate on part of Lots 6 and 7, Concession 6 and part of Lots 6 and 7, Concession 7, in the Township of Laxton, certain lands are considered to be subject to flooding by the Ministry of Natural Resources as lands that are subject to flooding or have a high water table. The land that is subject to flooding, as determined by an engineering study which is acceptable to the Ministry of Natural Resources, shall be appropriately zoned in a restricted are By-law prior to the registration of a Plan of Subdivision on the residential component within this Designation.
- 32.1.9. Notwithstanding any limitations on residential development set out in other Sections of this Plan, on the land comprising Part 1 Plan 57R-6994 being Part of Lot 8, Concession A, Township of Mariposa up to seven (7) single detached homes serviced with individual water supply and sewage disposal services may be permitted on a lot a minimum of 8 hectares in size under a site specific zone category. The zoning of the subject lands shall provide for a buffer area abutting a provincially significant wetland, which shall not be less than 15 metres in width and within which there shall be no disturbance of existing vegetation. In addition, the implementing zoning By-law shall recognize all existing drainage features and apply a minimum 15 metre building setback from the centre line of said features and the wetland shall be zoned to prohibit landscaping activities and the removal of vegetation. Notwithstanding any provisions of this Plan to the contrary, development of single detached dwellings on this site shall be subject to site plan control.
- 32.1.10. Notwithstanding Sections 6.7.2.3 , for those lands designated as Shoreline on part of Lot 3, Concession 8, Township of Fenelon being draft approved Plan of Subdivision 16T-79064, the density shall be one dwelling unit for every seven metres of undeveloped open space shoreline.
- 32.1.11. On land designated as Shoreline on part of the north half of Lot 19, Concession 10, Township of Emily described more specifically as Parts 1, 2, 3 and 4 on Plan 57R-4280, the minimum lot area for any new lots shall be 1.7 hectares on Part 1 and 9600 square metres on Parts 2, 3, and 4 on Plan 57R-4280. The lot layout shall be such that each lot shall have access to open water without the necessity

for dredging. Provisions should be incorporated into the Zoning By-law to ensure that the shoreline area is left in its natural state.

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

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

32.1.13. (Reserved for Amendment No. 74)

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

32.1.15. (Reserved for Amendment No. 58)

32.1.16. On land designated Shoreline, described as Part Lot 30, Front Range, geographic Township of Somerville, now in the City of Kawartha Lakes, known as 6463

Highway 35 and comprised of approximately 18 ha., as shown on Schedule “A” to this amendment, development of the land may proceed by consent to a maximum of four (4) shoreline residential lots and such lots shall have access from Highway 35 via a common element (i.e., a road) or a Condominium Corporation. (B/L 2002-163)

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

time as the submission of site development plans and any matters pertaining thereto, have been completed to the satisfaction of the Township. All traffic related to or originating with the quarry operation shall access the property from Highway 121 and no access from local municipal roads shall be used.

32.1.23. Within this Designation, blasting, crushing and quarry-related drilling operations are restricted to the southern half of the 19.8 hectare site, on part of Lot 9, Concession 6, Township of Somerville.

32.1.24. The following requirements shall apply to 32.1 hectares of land within this designation constituting part of Lot 19, Concession 7, Township of Fenelon. The license to establish and operate a sand and gravel pit under the Pits and Quarries Control Act or its successor shall include within it provisions that: a) implement the recommendations contained within the report authored by Frank H. Theakston and Associates Inc. dated February 16, 1989 entitled "Wind Entrained Particulate Study, Proposed Gravel Pit, Fenelon Falls, Ontario", and, b) ensure that coniferous trees are planted to provide buffer and windbreak from the sand and gravel pit operation and the properties to the east and north-east.

32.1.24.1 The above requirements shall be mandatory or as circumstances change may be modified or altered as concurred with the County of Victoria, the Ministry of Natural Resources and the Ministry of the Environment.

32.1.25. Within this designation as it applies to Part of Lots 7 and 8, Concession 6, Township of Somerville there shall be no extraction within 2 metres of the water table.

Prior to site being rezoned, a noise impact study shall be submitted for consideration by the Ministry of the Environment, the Township of Somerville and the County.

The noise and vibration generated by any operation or activity associated with the Quarry shall be consistent with the standards established by the Ministry of the Environment in its guidelines for noise control in publications NPC-105, NPC-115, NPC-118, NPC-119, NPC-131 and NPC-132.

32.1.26. (Reserved – Amendment No. 71)

32.1.27. Within the Pits and Quarries Designation, on land constituting part of the West Half of Lot 22, Concession 3, Township of Eldon, a concrete batching plant shall be permitted.

32.1.28. A group home operating within two dwelling units will be a permitted use on Part 1 of Plan 57R-1893 on part of the south half of Lot 12, Concession 11, Township of Mariposa.

32.1.29. (Reserved for Amendment No. 60)

32.1.30. Notwithstanding any limitations on residential development set out in other Sections of this Plan, on land described as part Lot 30, Concessions 1 and 2, geographic Township of Fenelon, up to five (5) single detached dwellings, serviced with individual water supply and sewage disposal services, may be permitted on a lot having a minimum of 40 hectares and implemented in a site specific zone category.

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

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

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

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

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

32.1.33. Land designated Highway Commercial on part of Lot 12, Concession 19, Township of Fenelon, shall be restricted to the uses outlined above but shall not include a motel or restaurant or any use that would consume large quantities of water and as such, the uses should be dry.

32.1.34. Land designated Highway Commercial on part of Lot 12, Concession 19, Township of Verulam, shall not include automobile service station, restaurant and automobile

sales agencies as permitted uses. Notwithstanding the above restriction on uses, an automobile sales establishment shall also be a permitted use on the lot described as Part 2, Reference Plan 57R-5353 being within Lot 12, Concession 19, Township of Verulam. Except for the points of access to the property, an eight metre landscaped buffer shall be established by maintaining the existing trees with additional trees as required for a buffer. A maximum of three lots may be created with the southern two gaining access onto a road to be municipally assumed and maintained. The northern lot shall gain access directly onto Highway 36 provided the entrance is established within 23 metres of the northerly property line or within the existing reduced speed zone, whichever is greater.

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

32.1.41. The residential lots created on lands designated Residential on Part of Lot 2, Concession 1, Township of Ops and having approximately 199.2 metres (653.6) feet of frontage onto the forced Township Road between the east and west half of Lot 2, Concession 1, Township of Ops shall have approximately a minimum lot area of .4 hectare and a minimum lot frontage of 38 metres. However the actual lot area shall be determined by a hydrogeological assessment.

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

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

32.1.42.1 Permitted Uses

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

(Amend. No. 46 – B/L 2004-138)

32.1.42.2 Policies

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

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

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

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

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

32.1.43. Part of Lot 16, Concession 6

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

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

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

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

The following policies shall apply to lands designated as Institutions and Community Facilities in part of Lot 25, Concession 4 and identified on Schedule “A” of this Plan. It is the intent of this Plan that development shall be undertaken in a manner that is consistent with the corresponding designations and policies of the Jennings Creek Community

Development Plan as set out in Volume II of the Town of Lindsay Official Plan (as approved in 2000). (Amend. No. 46 – B/L 2004-138)

- 32.1.46. Notwithstanding any other provisions of this Plan, the uses permitted on lands designated Tourist Commercial, on parts of Lot 11, and part of the west half of Lots 12 and 13, Concession 1, shall be a golf course and related uses including a club house with guest units, a restaurant, a pro shop and maintenance building. These may be described as intended future uses in a Holding zone in implementing zoning by-laws. The Holding provision may be removed from such zone upon the execution of a site plan agreement, deemed satisfactory by Council, for development of the permitted uses.

- 32.1.47. Notwithstanding any policy of the Official Plan to the contrary, on those lands designated Agricultural which are bounded by a heavy red line in part of Lots 11, 12, 13, Concession 1, Township of Ops as shown on Schedule 'A' hereto are included in the land area utilized by hydrogeological studies prepared in 1992 by Site Investigation Services Limited to calculate nitrate concentrations for the golf course, no Official Plan Amendment to permit any other development will be considered by Council which would result in an increase in nitrate concentrations above the drinking water quality objectives established by the Province of Ontario. A hydrogeological study in a form acceptable to the Ministry of Environment and Energy and the Municipality shall be required for any development proposal prior to any amendment to the Plan being adopted by Council.

- 32.1.48. In addition to any other provisions of this Plan, on those lands designated 'Highway Commercial – Exception No. 1', on the west half of Lot 17, Concession 6, golf course, driving range, miniature golf and ancillary uses are also permitted.

- 32.1.49. On land designated Agricultural Support on part of Lot 16, Concession 7, being part of Plan 57R1408, agricultural support uses shall be permitted. In the building that existed when this plan was adopted, being the one closest to Highway 36, industrial uses will also be permitted provided that any outside storage of goods or materials is contained within a fenced area, hidden from public view.

- 32.1.50. In addition to those uses permitted in the Agricultural Support designation pursuant to Section 7.9.2., on land designated Agricultural Support on part of Lot 7, Concession 11, Ops Township, a honey and maple syrup processing and packaging plant shall be a permitted use.

- 32.1.51. On land designated Industrial being part of Lot 22, Concession 7, being a 3.4 hectare (8.4 acre) parcel identified in the assessment roll as poll 6, roll number 48, the buildings that existed when this plan is adopted may be used for industrial and retail commercial uses provided that there is no storage or display of merchandise or materials in the existing front yard.

- 32.1.52. Notwithstanding any other provisions of this Plan to the contrary, the lands designated Rural in part of Lot 5, Concession 4, of the Geographic Township of Verulam, specifically the 20-acre parcel formally zoned C3-3 in the Township of Verulam By-law 6-97 as amended, operating as the Heron's Landing, may be developed and used as a mobile home park with a maximum of 62 lease sites for year-round access and occupation. This policy also recognizes that the Heron's Landing units that are existing as of the date of approval of this Official Plan shall also be subject to this special policy.
- 32.1.53. Despite Section 16.3, on land designated Rural, described as Part Lot 14, Concession 8, geographic Township of Emily, 661 Shamrock Road, one additional consent for a rural residential lot, subject to approval by all relevant technical commenting agencies, may be considered.
- 32.1.54. [See 15.4.7]
- 32.1.55. [Not used]
- 32.1.56. [Not used]
- 32.1.57. [See 16.4.9]

33. DIVISION OF LAND AND BUILDINGS

33.1. SUBDIVISIONS

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

33.2. CONDOMINIUMS

- 33.2.1. Only those development proposals submitted under the Condominium Act in conformity with the General Policies and Land Use Designations of this Plan shall be recommended for approval.
- 33.2.2. Council may require any information deemed necessary to evaluate such development proposals.
- 33.2.3. Council will only approve an exception for a Condominium when it is located on a lot or lots within a plan of subdivision and shall be serviced by communal piped water and sanitary sewage systems at a standard acceptable to the City.
- 33.2.4. Any condominium development will require the signing of a development agreement to ensure adequate service levels.
- 33.2.5. The conversion of rental accommodations to condominium tenure may be permitted provided:
 - the conversion will not reduce the vacancy rate below 3% within the urban centre; and
 - there will be no net loss of affordable residential units.

33.3. CONSENTS

- 33.3.1. Consents will only be considered when it is clearly not necessary that a Plan of Subdivision be registered. Only those applications for Consent that conform to the policies within this Plan shall be considered for approval.
- 33.3.2. In addition to specific policies with respect to the creation of lots within a land use designation, the following policies shall also apply:
- 33.3.3. Consents may be considered only when the land fronts on an assumed public road that reflects a reasonable standard of pavement or gravel construction, and is maintained year round by the City or Province. Notwithstanding, a Consent may be considered in the Waterfront Designation where the parcel abuts an unassumed municipal road or private road if it qualifies under the definition of infilling.
- 33.3.4. Consents should not be granted where access may create a traffic hazard because of limited sight lines on curves or grades.
- 33.3.5. The size of any parcel of land created by Consent should be appropriate for the proposed uses and the services available.

- 33.3.6. Consents may be considered only when it has been established by that soil and drainage conditions are suitable to permit the proper siting of buildings, to obtain sufficient potable water and to permit the installation of an adequate means of sewage disposal, for both the severed and retained parcels, which meet Provincial effluent discharge standards.
- 33.3.7. Consents which have the effect of changing boundary lines or which do not create additional or buildable lots should be evaluated on their own merits. Consents that propose an addition to a lot, created by a previous consent, may be subject to conditions deemed necessary to ensure the merging in title of the two parcels. This may include conveyances to alter the lot description, stipulating the consent and agreements registered against title of both the severed and benefiting parcels.
- Consents should not be considered within a draft plan of subdivision to create new lots that would be created if the plan was registered.
- 33.3.8. Consents will not be granted where the proposed use would conflict with the Minimum Distance Separation Formulae.
- 33.3.9. Consents should be discouraged which result in the necessity to use mutual driveways. In some instances, the use of a mutual driveway may be considered where necessary for safe entrance to a road. In such cases, the approval of the City or MTO will be required. It is recommended that there be appropriate easements be established in favour of each parcel utilizing the entrance.
- 33.3.10. Where there is any question in the information contained in a severance application, the Committee of Adjustment may require that the applicant provide clarification through professional sources prior to any decision.
- 33.3.11. When an application for Consent is submitted to create new lots, only one parcel of land shall be retained. The checker boarding of an application or applications is not permissible.

For determining consent potential a land holding, which was held in one ownership on March 8, 1978, shall be considered one land holding notwithstanding that it may be divided by: a private right-of-way; a railway line or abandoned railway line; an easement; a utility corridor; or a watercourse. A watercourse shall include any body of water the bed of which was not vested in the Crown or which had not been declared navigable by a Court of competent jurisdiction on or before March 8, 1978.

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

Prior to granting of the severances, the municipality may require that agreements be drawn up to cover such matters as the upgrading of roads, servicing and other matters normally covered in subdivision agreements.

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

34. DEVELOPMENT CONTROL

34.1. EXISTING USES

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

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

Nothing in this Plan applies to prevent the conversion of a legally existing use to a similar use. An amendment to the implementing Zoning By-law to permit any other use not identified will be required and will only be approved if it can be demonstrated that the conversion will bring the use into closer conformity with the requirements and policies of the Official Plan. Council may also decide that it is appropriate to recognize non conforming uses and permit the extension or enlargement to avoid unnecessary hardship. Such extensions or enlargements may be dealt with by a site-specific zoning by-law amendment or an approval by the Committee of Adjustment.

In considering applications for enlargements or extensions, such matters as the possible acquisition of the land by the municipality, the possibility of relocating the non conforming use, improvements to make the use more compatible with surrounding uses, and where applicable the feasibility of extending municipal services should all be evaluated.

34.2. EXISTING VACANT LOTS

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

34.3. PUBLIC USES

Within all designations, buildings or structures for infrastructure and passive recreation parks shall be permitted. Provisions may be incorporated into the zoning by-law to ensure compatibility with a sensitive use and natural heritage areas and features.

Major facilities such as a sewage treatment facility, landfill site, recycling facility, municipal parks and recreational facilities shall be zoned specifically as a permitted use in the zoning by-law.

34.4. PROPERTY STANDARDS

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

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

34.5. ZONING BY-LAW

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

Residential lots in the Waterfront Designation that front onto an assumed public road that is maintained year-round by the municipality may be zoned to permit both seasonal and permanent residential uses.

Two residential zones will be used for residential lots within the Waterfront Designation that front onto a limited service road. The first will permit a seasonal occupancy (Limited Service Seasonal), while the other will permit both seasonal and year-round occupancy (Limited Service Residential).

Limited Service Zoning is an attempt to reflect the existing level of municipal services provided to a given area. The basis of the Limited Service Zoning is the existing means of vehicular access. The fact that a lot has access via a limited service road will affect other municipal services such as road maintenance, snow removal, fire protection, garbage collection, school bus service and where applicable, ambulance service, piped municipal water supply and piped municipal sewage disposal. Limited Service Zoning indicates that the normal range of servicing is not provided in an area and that such services are not to be extended beyond current levels.

Where residential lots in the Waterfront Designation front onto a limited service road, they may be zoned Limited Service Seasonal, unless the municipality decides, after due consideration of: the policies of this Plan; the present level of services; and the potential future demand for services, to zone the area in question as Limited Service Residential.

Residential lots that are initially zoned for Limited Service Seasonal may be rezoned to Limited Service Residential if the municipality is satisfied that the sanitary disposal system is suitable for year-round use.

Residential lots which are initially zoned on a limited service basis may be rezoned to permit both seasonal and permanent residential uses without servicing limitation, when and if the road is assumed and maintained year-round by the municipality.

It is not intended to zone all land at the outset for the uses designated in this Plan. Holding zones may be established in order to achieve orderly development and ensure that policies established in this Plan have been met prior to rezoning. The City may prezone for infilling and draft approved Plans of Subdivision. Lands designated for residential purposes will be rezoned from a holding category at an appropriate time after the application for development is made.

34.6. HOLDING SYMBOL IN ZONING BY-LAW

The City when passing a zoning by-law, may, by use of the Holding Symbol "H" together with a specific zone category, specify the use to which land, buildings or structures in areas so identified may be used until the Holding Symbol is removed by an amending By-law.

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

- to recognize or require the phasing of development;
- to encourage development by recognizing an area suitable for a use permitted within the applicable designation under this Plan, pending the imminent provision and allocation of water, sewage or any municipal service necessary to support development; or

- to recognize a specific development site for a particular use or development pending the completion of related matters deemed necessary by the municipality such as: servicing or development agreements; site plans; grading and drainage plans; mitigation measures for drainage, sedimentation or erosion control; surveys; or any technical study.
- The application of the Holding Symbol will be limited to situations where Council is satisfied that the details of the development are not so uncertain or complex that they pose an insurmountable obstacle for the proponent or the municipality to overcome.
- In the case of servicing, the Holding Symbol should not be applied where servicing capacity does not exist or the potential for future capacity has not been approved by the City.
- Prior to passing a by-law to remove a Holding Symbol, the City shall ensure that:
 - the development is consistent with the orderly development of the municipality;
 - adequate municipal services are available for the proposed development;
 - the owner or applicant has satisfied all requirements identified by the municipality and any agreements necessary to address municipal concerns and servicing requirements have been entered into;
 - the Owner has satisfied the requirements of the municipality or any other agency, having jurisdiction and having identified concerns, that the lands or the proposed uses are, or can be adequately protected from any physical hazard or environmental degradation by methods that are consistent with accepted engineering, environmental management or resource management practices; and
 - the Owner has satisfied any requirements of the City with respect to use or access to municipal roads or facilities and has entered into any agreements or obtained any necessary permits in that regard.

34.7. SITE PLAN CONTROL

The Council of the City of Kawartha Lakes hereby establishes the entire City as a Site Plan Control Area. It may be applied to all uses except agricultural, aggregate extraction, forestry, open space and single detached residential lots.

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

Council may in a site-specific zoning by-law amendment determine that site plan control shall apply in order to ensure certain facilities and services are provided in keeping with the requirements of the Planning Act.

Where land is designated as a Site Plan Control Area and it abuts an Arterial Road, prior to development, the City shall require in those circumstances where the right of way is

less than 26 metres that land be dedicated to the City, at no expense to the City, for the widening of the arterial road so as to establish a right-of-way 13 metres on each side of the centreline of the existing pavement.

Where land is designated as a Site Plan Control Area and it abuts a road under the jurisdiction of the City, prior to development, the City may require in those circumstances where the right-of-way for a road is less than 20 metres that land be dedicated to the City, at no expense to the municipality, for the widening of the road so as to establish a right-of-way 10 metres wide on each side of the existing centre line of the road allowance exclusive of any sight triangles, turning lanes or turning tapers which may also be required by the municipality.

Where existing buildings or structures adjacent to roads makes it impractical to require a land dedication for road widening to the specified right-of-way widths, no such dedication may be required.

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

34.8. PHASING

- 34.8.1. The City intends to ensure that new development proceeds in a logical, efficient manner and in keeping with the needs of the marketplace and the City's ability to provide adequate services. The City also intends to ensure that the phasing of development within the designated greenfield area will not adversely affect the achievement of the minimum intensification and density targets in this Plan.
- 34.8.2. Lands identified within the Urban Settlement Boundary of a community are intended to serve the growth needs of the community to the year 2031 and may be allowed to develop subject to a demonstration of municipal water and wastewater servicing capacity by a professional engineer in a Functional Servicing Report or Servicing Options Study to the satisfaction of the City, and final confirmation of water and wastewater servicing capacity by the City as a condition of development approval.
- 34.8.3. In the City's fully serviced urban settlement areas:

- i. Priority shall be given to the development of those lands that are presently serviced by and/or directly abut existing piped sewer and water infrastructure, as well as those areas to which such infrastructure can most easily be extended at no expense to the City;
- ii. Undeveloped lands located within a community's Settlement Boundary but beyond its Urban Servicing Boundary shall only be considered for development once municipal water, wastewater, and stormwater infrastructure have been upgraded and/or extended to adequately service those lands and enable the inclusion of those lands in the Urban Servicing Boundary;
- iii. The phasing of development shall be in accordance with the policies of the Secondary Plans for urban settlement areas, and shall be based on the progressive extension and economic utilization of utilities and services;
- iv. The timing of development approvals shall accordingly be based on the regulation of the geographic sequence and balance so that:
 - a. there are adequate opportunities for both intensification and greenfield development but first priority is to be given to intensification;
 - b. there is the logical extension of municipal services that avoids the leap-frogging of large undeveloped tracts of land;
 - c. a compact urban form and pattern of development is maintained; and
 - d. the provision of all municipal services proceeds in an economically viable manner.
- v. Existing already-developed properties within the Urban Settlement Boundary that do not have municipal water and wastewater services available to them may be allowed to continue to function on private water and/or wastewater services until such time as municipal water and wastewater services are made available. When municipal water and wastewater services become available, those properties shall be required to connect to the municipal water and wastewater services and decommission any private servicing.
- vi. To ensure that lands are not developed prematurely, lands proposed for development in accordance with policies 34.8.1.1 and 34.8.2.ii above, shall be zoned with a Holding (H) provision when:
 - a. The subject lands do not have available allocations of municipal water and wastewater servicing and/or;
 - b. Where construction is not planned to commence within 3 years from the date of final development approval by the municipality.
- vii. The condition for release of the Holding (H) provision in policy 'vi' above shall be

confirmation that any infrastructure constraints have been eliminated or remedied and no longer preclude the proposed development from proceeding to construction within three years.

- 34.8.4. To ensure that the lack of adequate servicing does not create a constraint to development, the City shall coordinate upgrades to water, wastewater, stormwater, and transportation infrastructure to ensure they are planned and completed in advance of their becoming necessary.
- 34.8.5. There may continue to be draft approved plans of subdivision throughout the City which have been dormant for an extended period of time:
 - i. When conditions of draft plan approval are not fulfilled within the allotted time period for which draft subdivision/condominium approval has been granted, Council may elect not to support the extension of draft approval and assign the servicing allocation to other developments or areas of the City or hold the capacity in reserve.
 - ii. Prior to the lapsing of draft approval, the development proponent may request an extension of draft approval. Provided Council is satisfied with the merits of the request for an extension of draft approval, Council may choose to extend the draft approval period. No extension is permissible if draft approval lapses before the extension is given. In which case, Council may proceed with re-allocating the servicing capacity and revising the City's planning documents, as necessary.
 - iii. In all future draft plan of subdivision approvals, a 3 year lapsing provision for draft plan approval shall be included.
 - iv. To ensure that municipal servicing allocation is not tied up indefinitely and that lots are developed to meet the anticipated growth within the municipality, the City will review all draft approved plans and revise the conditions to reflect the current appropriate agency that must clear conditions of draft approval. For draft plans of subdivision to be serviced by municipal services, a condition will also be added that the draft approved plan shall lapse within 3 years if final approval is not given.
 - v. A provision shall be included in the conditions of draft approval or the executed subdivision agreement to ensure that phases are developed in a reasonable time or the allocation of services will be withdrawn or reallocated to another development.

34.9. DEVELOPMENT CHARGES

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

34.10. SERVICE AREAS

A specific area within the municipality may be declared a local improvement area under the Local Improvement Act in order to carry out the maintenance, construction or improvement of services or facilities. The cost for this work shall be borne by those whose lands abut the improvements or those who directly benefit from the improved service. The exact procedure for distributing costs may be decided by Council as permitted within the Act.

In the Waterfront Designation or other areas that have or are being developed for residential purposes, any improvements made to the present level of service, should be carried out on a user pay basis or as a Local Improvement Area.

For example, where an interest is expressed in upgrading roads or water systems that were originally designed and constructed for seasonal use, the costs of such improvements should be borne by those who will benefit directly.

34.11. CAPITAL AND PUBLIC WORKS

The extension or construction of capital or public works will be carried out in accordance with the policies of this Plan. Council shall prepare annually and adopt without amendment to this Plan a staging program to implement features of this Plan. This program shall be cognizant of changing conditions of supply and demand for services and significant changes in economics and technology.

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

Public buildings, structures, easements or rights of way may be considered within any designated area provided suitable buffering and screening from adjacent uses are provided.

34.12. LAND ACQUISITION

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

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

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

34.13. PARKS

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

- Overnight and long-term camping parks – through the operation of Emily and Balsam Lake Provincial Parks the province provides a significant number of camping opportunities. There are also numerous private campgrounds throughout the City that are primarily located to adjacent to lakes and rivers. The City also operates two camping parks. All these facilities provide accommodation to the vacationing and travelling public.
- Day use parks – Council shall encourage the development of day use park areas to serve both tourist and local residents. Council will implement this policy directly or more appropriately through the municipal park system and the Conservation Authority. Council shall endeavour to provide recreational opportunities on City Managed Forest properties and the recreational trails located primarily on the abandoned rail lines throughout the City to provide recreational and tourism opportunities.
- Local parks – Local parks will be provided and managed by the City. Management should be aimed at providing recreational opportunities to local residents.

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

The City supports the planning and development of trails and trailheads, bikeways, and path linkages throughout the City. The routes should be confirmed through a detailed Trails and Bikeways Master Plan.

Pursuant to the Planning Act, the City shall accept the 5 percent parkland dedication or the equivalent in cash in lieu of parkland for residential. In the case of redevelopment or higher density development, the City will take the greater of the five percent of lands proposed for development and redevelopment in residential areas or one hectare for each 300 dwelling units.

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

Where the land would not be suitable for parkland or municipal purposes, the municipality may accept a cash settlement equal to five percent of the value of the total proposal at the time of draft approval or granting of a consent. The monies received from such development shall be set aside in a special fund that will be expressly used for the development of recreational opportunities within the municipality.

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

Where cash-in-lieu may be accepted or required by the City, the funds received should be held in reserve funds for the acquisition or development of parkland in areas of the City where deficiencies are noted.

34.14. CONSERVATION EASEMENTS

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

An easement protects significant lands by placing restrictions on development and practices, which would damage their natural and cultural features. The restrictions can be as narrow or as sweeping as the parties wish, but normally exclude pit and quarry operations, severance or subdivisions, topsoil stripping, and similar activities. Conservation easements typically allow for continuation of existing uses of the property by the current or future owners. Landowners continue to pay property taxes, and can sell or will their property to others as they wish. Easements can apply to all or part of a property.

Conservation easements include provisions for future monitoring and enforcement, including remedies through the courts if necessary. While minor changes to easements can be made with the agreement of all parties to recognize changing circumstances, major changes would be very difficult and the restrictions resulting from a conservation easement should be viewed as essentially permanent.

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

The City should develop a protocol to allow it to co-hold conservation easements with designated conservation organizations, or alternately to enter into agreements with these organizations to provide legal and/or financial support within defined limits in the event that a conservation easement is challenged in the courts.

34.15. PARKING

In order to provide adequate off street parking in the commercial core or Central Business Districts of settlement areas, Council will encourage the provision of adequate parking. Where property becomes available in suitable locations, Council may acquire property to reduce parking deficiencies. All new development in the commercial core or Central

Business Districts of settlement areas shall be encouraged to provide sufficient parking to accommodate the proposed use whether independently or in common with other merchants. If such parking cannot be provided, the municipality may collect cash in lieu to be used expressly for the provision of additional parking spaces in an appropriately defined area.

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

34.16. COMMITTEE OF ADJUSTMENT

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

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

34.17. OFFICIAL PLAN REVIEW

This plan is for a 20 year planning period. A comprehensive review of this Plan shall be undertaken at 5-year intervals by Council to ensure that the policies are adequate for the achievement of the goals and objectives and that they remain valid and realistic in light of prevailing circumstances. The review will also take into consideration that the Plan must be consistent with the PPS that is in effect at the time and conforms with all provincial plans.

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

- Policy 17(18) and 34(14) of the Planning Act provide for alternative Notice Procedures.
- Council shall undertake a program that increases public awareness to the complexities of land use planning. Council shall encourage the active participation of citizens and citizen groups during the preparation of amendments.
- Except as otherwise provided for herein, the provisions of the Planning Act, respecting notification of the public with regard to public meetings shall be followed during the preparation of Official Plans, Comprehensive Zoning By-laws, Community Improvement Plans and any amendments thereto.
- For a second or subsequent public meeting with respect to a Community Improvement Plan or a Zoning By-law, the Council may provide notice in the form as prescribed in the

Planning Act Regulations 7 days prior to the public meeting to those prescribed, in the Planning Act Regulations.

- A Zoning By law Amendment, which, in the opinion of Council, does not change the intent of the By law such as correcting clerical, typographical or grammatical errors or the renumbering of provisions, shall not require a public meeting or public notice prior to Council passing the By law.
- Similarly, after an adopting By-law has been passed, changes to a Zoning By-law, an Official Plan or any Amendments thereto to correct minor, technical errors, or omissions which, in the opinion of Council, do not change the intent of the document shall not require a further public meeting nor the giving of further notice prior to Council passing a By-law to correct such errors.
- Council or a committee of Council, which is charged with the responsibility of conducting public meetings, may at any time, adjourn a public meeting to be continued at a later time, without giving notice, if a time and place for reconvening is announced to the public at the meeting.
- Notwithstanding the above, where a public meeting is adjourned, rescheduled or a subsequent meeting is to be held, the Clerk shall notify by personal service, first class mail or by fax all those who filed with the Clerk their name and full address or fax number, the time and place of the adjourned, rescheduled or subsequent public meeting.
- Where notice is provided as required herein or as prescribed in the Act and the Regulations, Council may provide additional notice between the required minimum notice being given and the public meeting.
- For the purposes of this Policy, Council shall mean either the City Council or a Committee of Council established by Council to conduct the public meeting.

35.1. AMENDMENTS

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

A proposed Amendment shall contain a key map indicating the location and existing designation of the affected and adjoining areas. In addition, a more detailed map showing the proposed and adjoining designations shall be required.

Where an Amendment is considered within an area currently covered by a sub-schedule, such a schedule will be used for the Amendment. Where the Amendment is located in that portion of Schedule A not covered by a sub-schedule then a segment of Schedule A may be used for the Amendment.

From time to time amendments to this Plan are approved in a format that may be inconsistent with the policy numbering convention established for this plan. Changes to the format of the text or schedules of such amendments necessary to maintain consistency and which do not alter the intent of the amendment may be made, without the need for further amendment to this plan, for the purposes of producing an office consolidation of the plan.

35.2. PRECONSULTATION

- 35.2.1. The City has establish a Preconsultation Committee to review planning proposals prior to making an application.
- 35.2.2. If an application for an official plan amendment, rezoning, or plan of subdivision/condominium is proposed, application should be made to appear before the Preconsultation Committee.

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

35.3. COMPLETE APPLICATIONS

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

- Agricultural Capability
- Archaeological Assessment
- Environmental Impact Study
- Flood Plain Study
- Functional Servicing Report for water, wastewater, storm water management and traffic
- Growth and Settlement
- Hydrogeological Study

- Market Study
- Noise Study
- Planning Justification Report
- Servicing Options Study
- Storm Water Management Report
- Traffic Study
- Vegetation Analysis and Tree Preservation Plan
- Vibration Study

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

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

35.4. SCHEDULES

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

35.4.1. Schedule A – Land Use Schedules

- Schedule “A-1” – Manvers
- Schedule “A-2” – Mariposa
- Schedule “A-3” – Ops and Emily
- Schedule “A-4” – Eldon
- Schedule “A-5” – Fenelon and Verulam

Schedule "A-6" – Carden
Schedule "A-7" – Bexley, Laxton and Somerville
Schedule "A-8" – Dalton, Digby and Longford
Schedule "A-9" – Omemee
Schedule "A-10" – Bobcaygeon

35.4.2. Schedule C – Wellhead Protection Zones Schedules

Schedule "C" – Wellhead Protection Areas and Intake Protection Zones Key Map
Schedule "C-1" – Birch Point Wellhead Protection Zone
Schedule "C-2" – Bobcaygeon Intake Protection Zone
Schedule "C-3" – Canadiana Shores Wellhead Protection Area
Schedule "C-4" – Cannington-Arena Wellhead Protection Area
Schedule "C-5" – Fenelon Falls Intake Protection Zone
Schedule "C-6" – Lansdowne Wellhead Protection Area
Schedule "C-7" – Janetville Wellhead Protection Area
Schedule "C-8" – Kings Bay Wellhead Protection Area
Schedule "C-9" – Kinmount Intake Protection Zone
Schedule "C-10" – Lindsay Intake Protection Zone
Schedule "C-11" – Manorview Estates Wellhead Protection Area
Schedule "C-12" – Mariposa Estates Wellhead Protection Area
Schedule "C-13" – Norland Intake Protection Zone
Schedule "C-14" – Pleasant Point Wellhead Protection Area
Schedule "C-15" – Pinewood Wellhead Protection Area
Schedule "C-16" – Sonya Wellhead Protection Area
Schedule "C-17" – Southview Estates Intake Protection Zone
Schedule "C-18" – Victoria Glen Wellhead Protection Area
Schedule "C-19" – Victoria Place Wellhead Protection Area
Schedule "C-20" – Woodfield Wellhead Protection Area
Schedule "C-21" – Woods of Manilla Wellhead Protection Area
Schedule "C-22" – Woodville Wellhead Protection Area
Schedule "C-23" – Western Trent/Palmina Wellhead Protection Area

35.4.3. Schedule D – Waste Management Facilities Schedule

35.4.4. Schedule E – Development Plans.

Development Plan Area One (DP-1) – Moore Subdivision, Verulam
Development Plan Area Two (DP-2) – Black Bear Subdivision, Somerville
Development Plan Area Three (DP-3) – King's Bay, Mariposa
Development Plan Area Four (DP-4) – Gilson Point, Mariposa
Development Plan Area Five (DP-5) – Szakacsi Subdivision, Verulam
Development Plan Area Six (DP-6) – 564711 Ontario Inc., Fenelon
Development Plan Area Seven (DP-7) – Cranberry Area, Dalton

Development Plan Area Eight (DP-8) – Longford Reserve Area.

Development Plan Area Nine (DP-9) – Various Locations as shown on Schedule A

Development Plan Area Ten (DP-10) – Angeline St. S. and Hwy. 7, Ops

35.4.5. Secondary Plan Schedules

Schedule “F-1” – Lindsay Land Use

Schedule “F-2” – Bobcaygeon Land Use

Schedule “F-3” – Fenelon Falls Land Use

Schedule “F-4” – Omemee Land Use

Schedule “G-1” – Lindsay Environmental Constraints

Schedule “G-2” – Bobcaygeon Environmental Constraints

Schedule “G-3” – Fenelon Falls Environmental Constraints

Schedule “G-4” – Omemee Environmental Constraints

Schedule “H-1” – Lindsay Transportation

Schedule “H-2” – Bobcaygeon Transportation

Schedule “H-3” – Fenelon Falls Transportation

Schedule “H-4” – Omemee Transportation

35.4.6. Schedule I – Special Policy Lake Plan Schedules (SP)

The following Lake Plan has been included as a secondary plan to the OP:

Special Policy Lake Plan Area – SP 1 – Four Mile Lake Area.

35.4.7. Schedule J – Bedrock Resource Constraint Overlay

35.4.8. Schedule K – Oak Ridges Moraine Plan Amendment – (Under separate cover)

36. APPENDICES

36.1. APPENDIX A – BACKGROUND STUDIES

Archaeological Assessment

The Study may include the following components:

Stage 1: Background study and property inspection

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

The consultant archaeologist determines whether there is potential for archaeological sites on the property. He or she reviews geographic, land use and historical information for the property and the relevant surrounding area, visits the property to inspect its current condition and contacts this ministry to find out whether or not there are any known archaeological sites on or near the property. A Stage 2 assessment is required when the consultant archaeologist identifies areas of archaeological potential.

Stage 2: Property assessment

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

The consultant archaeologist surveys the land to identify any archaeological resources on the property being developed. For a ploughed field, he or she will walk back and forth over it looking for artifacts on the surface. In forests, overgrown pasture areas or any other places that cannot be ploughed, he or she will dig parallel rows of small holes, called test pits, down to sterile subsoil at regular intervals and sift the soil to look for artifacts. He or she may use other strategies if properties are paved, covered in fill or have deeply buried former topsoils (such as floodplains or former sand dunes). The consultant archaeologist will help determine whether any archaeological resources found are of sufficient cultural heritage value or interest to require Stage 3 assessment.

Stage 3: Site-specific assessment

This stage is for all archaeological sites that may be of cultural heritage value or interest. The consultant archaeologist accurately determines the size of the archaeological site, evaluates its cultural heritage value or interest and, where necessary, makes recommendations for Stage 4 mitigation strategies. To this end, he or she conducts further

background research and fieldwork that expands the information gathered in Stage 2. He or she maps the spatial limits of a site and acquires further information about the site's characteristics by excavating one-metre by one-metre square test units across the site. Based on circumstances, some sites, for example ones that have been paved or are deeply buried, may require specialized methods of assessment.

Stage 4: Mitigation of development impacts

This stage involves implementing conservation strategies for archaeological sites that are of cultural heritage value or interest. Determining the best approach for conserving the site may include reviewing possible strategies with the development proponent, the municipality or other approval authority, Aboriginal communities, and other heritage stakeholders.

Hydro geological Investigation:

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

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

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

Noise Study:

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

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

Storm Water Management Report:

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

The MTO requirement in this regard can be found at following website linkage:

www.mto.gov.on.ca/english/engineering/drainage.

Environmental Impact Study:

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

Flood Plain Study:

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

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

Agricultural Capability:

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

Growth and Settlement:

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

Servicing Options:

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

Traffic Study:

All residential Official Plan amendments or subdivision applications in excess of 50 dwelling units or any new Shopping Centre Commercial development which requires access to a highway, primary arterial, a secondary arterial or an urban arterial road; any Class A aggregate extraction proposal that would not access a designated haul route.

Vibration Study:

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

Vegetation Analysis and Tree Preservation Plan:

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

Market Study:

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

Planning Justification Report

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

36.2. APPENDIX B – TRAFFIC IMPACT STUDY REQUIREMENTS

Consult with the Public Works Department on the requirements for a traffic impact study.

If the proposed use is a significant traffic generator in close proximity to a provincial highway, MTO shall be consulted to determine whether a traffic impact study/report is required.

36.3. APPENDIX C – CULTURAL HERITAGE STUDY REQUIREMENTS

The requirements of the Ministry of Culture form the basis of Archaeological Studies.

Archaeological studies are normally required for official plan and zoning applications and when land is being divided by plan of subdivision or consent when they are:

within 300 metres of a lake, major watercourse, a wetland, or an ancient water source

on a site possessing elevated topography, sandy soil in a clay or rocky area or unusual land forms;

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

Development agreements will contain a requirement, that if during construction any archaeological or cultural heritage resources (including human remains) are found, that all work shall cease, and the Ministry of Culture be notified and only commenced with the Ministry's concurrence.

36.4. APPENDIX D – HYDRO GEOLOGICAL STUDY REQUIREMENTS

If a development proposal consisting of the equivalent of five or more residential units is proposed, a hydro geological study to support the development must be prepared by the proponent. The City will have a peer review of the report to ensure that it the recommendations are acceptable to the City while ensuring that there is sufficient potable

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

The Study must include:

- the testing of at least one well on the property and must consider all wells within 300 metres of the property;
- the potential for cross contamination of existing and proposed subsurface sewage disposal systems;
- that an adequate and safe supply of potable water, relative to the Ontario Drinking Water objectives, is available for the proposed development;
- that on site sewage disposal or water supply will not prevent or impede the use of the ground water resource on site or in adjacent areas;
- the appropriate lot size or site alterations required to meet MOE Technical Guidelines;
- compliance of the study with all pertinent Provincial policies, guidelines and legislation;
- identify additional investigations if there is insufficient information to make a definitive determination relative to items (a) to (f) above; and
- the report should take into consideration that the systems will be designed and built to meet the requirements of the Building Code.

All reports shall be based on the MOE's Technical Guideline for Individual On-Site Sewage Systems: Water Quality Impact Assessment and MOE's Technical Guideline for Private Wells: Water Supply Assessment and the MOE's Reasonable Use Policy.

For a residential unit, the report with respect to water should be based on a water flow of 450 litres per person per day. The water should meet MOE drinking water standards or have a recommended treatment to achieve this.

The use of surface water for a potable water system is not acceptable unless the system will be a communal system to be assumed by the City.

36.5. APPENDIX E – DEVELOPMENT APPLICATIONS

Applications requiring an approval pursuant to the Planning Act shall be accompanied by sufficient information to permit a proper evaluation of the proposal in consideration of the policies of this Plan and applicable Provincial Policies.

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

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

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

Development proponents are expected to meet with the City Development Services Department – Planning Division prior to making an application in order to determine which studies and reports must accompany their specific application.

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

36.6. APPENDIX F – WASTE DISPOSAL SITES

A Waste Disposal facility shall consist of any sanitary landfill site, sewage treatment facility, waste transfer station, or waste recycling facility and shall comply with the requirements of the Environmental Assessment Act and the Environmental Protection Act.

A Waste Disposal Facility may be permitted in the Agricultural and Rural Designations subject to:

- compliance with the provisions of the Environmental Protection and Environmental Assessment Acts;
- studies having been carried out to the satisfaction of the City that show that development is compatible with surrounding uses and can safely take place;
- the City requiring the construction and phasing of all development to coincide with the control of any problems identified by the Engineering Studies; and
- the City being satisfied with the studies with respect to any matter regarding structural stability, safety and integrity of all structures.

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

Zoning By laws shall incorporate appropriate setbacks for new development from Waste Disposal Sites that are consistent with provincial regulations and guidelines as administered by the Ministry of the Environment.

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

Land uses that are proposed on or adjacent to a Waste Disposal Assessment Area shall be compatible with the potential impact of the Waste Disposal Assessment Area and be designated or engineered to ensure health and safety.

A new use shall not be established within 500 metres of a Waste Disposal Assessment Area unless the appropriate studies are completed to determine if any adverse effects or risks to health and safety from the waste disposal site are present and the necessary remedial measures are taken.

If City identifies a potential conflict or negative impact for a new use proposed in proximity to a Waste Disposal Assessment Area, then a study shall be completed which determines, to the satisfaction of the City that the new use can be safely established without risk of negative impacts.

36.7. APPENDIX G – FLOOD ELEVATIONS AND MAXIMUM LAKE LEVELS

	TSW Maximum Elevation (1978 GSC Datum)	CA or MNR 100 Year Flood Elevation or Regional Flood (Timmins Storm) Elevation
Balsam Lake	256.47	256.5
Cameron Lake	255.82	255.7
Canal Lake	241.75	242.75
Chemong Lake	246.82	246.9
Mitchell Lake	256.47	256.5
Pigeon Lake	246.82	246.9
Scugog Lake	251.05	250.9
Sturgeon Lake	248.29	248.4
Head Lake		270.5
Lake Dalrymple		229.4
Young Lake		228.0

36.8. APPENDIX H – ACRONYMS AND ABBREVIATIONS

ANSIs	Area of Natural and Scientific Interests
C of A	Committee of Adjustment
CA	Conservation Authority
CKL	City of Kawartha Lakes
CKLEAC	City of Kawartha Lakes Environmental Advisory Committee
DFO	Department of Fisheries and Oceans (Federal)
DHU	District Health Unit (Haliburton, Kawartha, Pine Ridge District Health Unit)
EIS	Environmental Impact Study or Environmental Evaluation
ELC	Ecological Land Classification

GRCA	Ganaraska Region Conservation Authority
Growth Plan	Growth Plan for the Greater Golden Horseshoe
HADD	Harmful Alteration, Disruption or Destruction (deals with fisheries habitat)
KC	Kawartha Conservation or KRCA (Kawartha Region Conservation Authority)
LACAC	Local Architectural Conservation Advisory Committee
LSRCA	Lake Simcoe Region Conservation Authority
LSW	Locally Significant Wetland
MDS	Minimum Distance Separation Formulae (see definitions)
MMAH	Ministry of Municipal Affairs & Housing
MNDM	Ministry of Northern Development & Mines
MNR	Ministry of Natural Resources
NHS	Natural Heritage System
MOE	Ministry of Environment
MTO	Ministry of Transportation of Ontario
NHIC	Natural Heritage Information Centre
NRVIS	Natural Resources and Values Information System
ORM	Oak Ridges Moraine
ORMCP	Oak Ridges Moraine Conservation Plan
OC	Otonabee Conservation or ORCA (Otonabee Region Conservation Authority)
PSW	Provincially Significant Wetland
PTTW	Permit to Take Water
RSC	Record of Site Condition
TSW	Trent-Severn Waterway, Park Canada
TES	Threatened and Endangered Species
Sq.m.	square metres
m ³ or cu.m.	Cubic metres
l	litre
ha	hectare
m	metre

36.9. APPENDIX I – METRIC EQUIVALENTS (APPROXIMATE)

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

36.10. APPENDIX J – ENVIRONMENTAL IMPACT STUDY

Terms of Reference: Environmental Impact Study

The following are the general Terms of Reference for an Environmental Impact Study (EIS) to determine the potential impacts on the Natural Heritage System (NHS) from development and site alteration proposals. The actual Terms of Reference for any particular application will be determined by the City of Kawartha Lakes in conjunction with the Conservation Authority having jurisdiction over the lands being impacted by the subject proposal (the “Authority”).

With respect to applications for development in that part of the City not under Conservation Authority jurisdiction, “Conservation Authority” or “Authority” refers to the Kawartha Region Conservation Authority (KRCA), but only to the extent that the City calls upon that Authority for advice and assistance. The City will continue to be the decision-maker in all matters described in this Appendix pertaining to such development applications not under Conservation Authority jurisdiction.

Objectives

The objectives of the Terms of Reference are as follows:

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

General Policies

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

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

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

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

Existing Conditions

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

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

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

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

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

The vegetation communities must be identified using the Ecological Land Classification (ELC) system to vegetation type. The communities must be identified in the mapping,

using the appropriate ELC codes, as well as described in the text. A three-season survey may be required.

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

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

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

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

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

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

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

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

All incidental wildlife observed shall be reported on and listed in an appendix. The list must include an analysis for the presence of federal or provincial rare, threatened or

endangered species. Watershed rarity status shall be determined in conjunction with the conservation authority.

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

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

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

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

Assessment of Impacts

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

- evaluation of the possible extent or area of the natural feature(s)
- that the development will affect, directly or indirectly
- evaluation of the possible future and cumulative impacts of

- permanent development that may occur as a result of demand created by
- the present development (i.e., whether the proposal will lead to
- multiple or successive development or site alteration activities)
- recommendation of actions that may be necessary to prevent,
- mitigate or remedy the effects of the development, as well as
- alternative methods to carry out the development and
- alternatives to the form of the proposed development

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

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

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

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

Recommendations and Mitigation Measures

Preferred approach to mitigation.

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

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

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

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

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

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

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

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

Conclusions

The EIS must demonstrate the following:

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

36.11. APPENDIX K – HERITAGE IMPACT ASSESSMENT

- 1) A Heritage Impact Assessment will be required under the following circumstances:
 - a) Any property listed or designated in the municipal heritage register that is subject to land use planning applications;

- b) Any property listed or designated in the municipal heritage register that is facing possible demolition; and/or,
 - c) Any property that is subject to land use planning applications and is adjacent to a property designated in the municipal heritage register.
- 2) A property does not have to be designated or listed in a heritage register to be subject to a Heritage Impact Assessment. Any property that may exhibit cultural heritage value as determined by the City will be subject to an appropriate level of heritage due diligence and may require a Heritage Impact Assessment.
- 3) Where a Heritage Impact Assessment is required, the terms of reference for the study will be determined in conjunction with the City.
- 4) A Heritage Impact Assessment, prepared by a qualified heritage conservation professional, will include, but not necessarily be limited to the following:
 - a) historical research, site analysis and evaluation;
 - b) identification of the significance and heritage attributes of the cultural heritage resource;
 - c) description of the proposed development or site alteration;
 - d) assessment of development or site alteration impacts;
 - e) consideration of alternatives, mitigation and conservation methods;
 - f) schedule and reporting structure for implementation and monitoring; and
 - g) a summary statement and conservation recommendations.
 - i) Modifications to the development proposal to ensure compatibility with the cultural heritage resource on adjacent lands.
- 5) Where approval of a development application, or site alteration permit application would result in the demolition of a built heritage resource, a Heritage Impact Assessment will require the documentation of the built heritage resource. Information to be provided will include land use history, photographs, measured drawings and other information of the heritage resource that can be used for archival purposes. The Heritage Impact Assessment shall be submitted to the Municipal Heritage Committee for review and comment prior to the proposed development application, or site alteration permit application being considered by Council.
- 6) Heritage Impact Assessments may be scoped or waived by the City.”

SCHEDULES