

**OFFICIAL PLAN  
FOR THE  
TOWNSHIP OF AMARANTH**



**PREPARED BY:**



**December 2004**

**Includes Final MMAH Modifications October 26, 2005**

MINISTERS APPROVAL

OFFICIAL PLAN  
FOR THE  
TOWNSHIP OF AMARANTH

The Official Plan for the Township of Amaranth which was adopted by the Council of the Corporation of the Township of Amaranth, on the **15th** day of **December 2004**, by By-law No. **68-2004** is hereby approved in accordance with Section 17 of The Planning Act, R.S.O. 1990, c.P.13, as amended, as the Official Plan for the Township of Amaranth.

October 26, 2005

DATE

THE CORPORATION  
OF THE  
TOWNSHIP OF AMARANTH  
BY-LAW NO. \_\_\_\_\_

The Council of the Corporation of the Township of Amaranth in accordance with the provisions of the Planning Act, R.S.O., 1990, c.P.13, as amended, hereby ENACTS as follows:

1. THAT the Official Plan for the Township of Amaranth, being the attached text and Schedules "A", "A-1", "A-2" and "B" is hereby adopted.
2. THAT the Clerk is hereby authorized and directed to make application to the Minister of Municipal Affairs for approval of the aforementioned Official Plan for the Township of Amaranth and to provide such information as required by Section 17 (7) of The Planning Act, R.S.O., 1990, c.P. 13, as amended.
3. THAT this By-law shall come into force and take effect on the day of passing thereof, subject to receiving the approval of the Minister of Municipal Affairs.
4. AND THAT upon approval of this Plan by the Minister of Municipal Affairs, the Official Plan for the Township of Amaranth approved by the Minister on January 12, 1988 is hereby rescinded.

Enacted and passed this \_\_\_\_\_ day of \_\_\_\_\_ 2004.

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## 1.0 FOUNDATIONS OF THE PLAN

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### 1.1 INTRODUCTION

This Plan replaces the Official Plan that was adopted by the Minister of Municipal Affairs in January 1988. Since the adoption of the earlier Official Plan, the Township has seen increased growth pressure as the Greater Toronto Area continues to grow. While the Township continues to be largely rural and agricultural in nature, the degree to which the Township has developed for semi-urban and non residential uses in the past 20 years has changed the character of the Township from that of a primarily agricultural community.

This Plan has been developed following the preparation of detailed background studies related to the physical and social characteristics of the Township and the development of a Vision Statement and Objectives for the future of the Township. The Vision statement is as follows:

#### **VISION**

*The Township of Amaranth will direct growth in a positive manner that protects the environment, is sustainable, socially acceptable, sensitive to the heritage of the community and financially sound.*

This Vision Statement is reflected in the Objectives and Policies of this Plan.

The following expresses the fundamental principles on which this Plan is based.

- The rate of residential growth in the rural areas over the next twenty years will be similar to what has occurred in the past 20 years. New residential growth will occur at a rate of approximately 30 new dwellings per year. Growth in the settlement areas will occur at a rate that will exceed the previous rates of growth.
- The preservation of the quality of life and the quality of the environment are of utmost importance in the Township. These features of the Township should remain largely unchanged over the next 20 years.
- The financial health of the Township and economic opportunities for present and future inhabitants will be enhanced through the environmental and growth management policies of this Plan.

In preparing this Official Plan, the Council of the Township of Amaranth has had regard for the policies of the Provincial Government contained in a Policy Statement that came into effect on May 22, 1996.

## 1.2 PURPOSE

This Official Plan establishes the pattern which development within the Planning Area should follow during the planning period to 2024. In accordance with the Planning Act, this Plan will be reviewed every five years to determine if it continues to represent appropriate guidelines for future land use in the Township. The policies in this Plan are intended:

- To assist Council in determining future policies and actions in all matters relating to the development of the Township;
- To assist all public and private agencies and members of the public concerned with the development of the Township of Amaranth in determining their future needs or requirements;
- To make available to the public information regarding the future development pattern of the municipality, in order to reduce speculation in land which arises when residents and land developers are not advised of the development policies and plans of the Township;
- To ensure that no public works shall be undertaken by public authorities or by private developers which do not comply with the provisions of this Plan;
- To manage land use change in a manner that has the greatest positive impact on the municipality; and,
- To ensure that land use planning will contribute to the protection, maintenance, and enhancement of water and related resources and aquatic ecosystems on an integrated watershed management perspective.

## 1.3 STRUCTURE

### 1.3.1 Foundations

This first section of the Plan describes the basic assumptions, observations and forecasts that have been derived from a comprehensive background information review and extensive public input. These sections represent a combination of technical information, public comment and political direction that forms the basis for establishing Objectives in Section 2 of this Plan.

### 1.3.2 Objectives

The second section of this Plan establishes the key direction for the future of The Township of Amaranth. Should uncertainty or conflict arise in the interpretation or implementation of this Plan, reference should be made to the Objectives in Section 2.

### 1.3.3 Future Land Use

The third section of this Plan outlines the future land use pattern for the Township. Schedule "A", the Land Use and Transportation graphically depicts the future land use throughout the Township. The policies in Section 3 describe how development will occur within the different land use designations in Schedules "A", "A-1" and "A-2".

### 1.3.4 Development Criteria

Section 4 establishes a series of tests or criteria which must be satisfied prior to any development occurring in the Township. This part of the Plan addresses the form of development and the relationships among development, the natural environment and the residents of the Township.

Schedule "B", Environmental Features, graphically depicts natural conditions which must be considered through the development process.

### 1.3.5 Implementation and Interpretation

The final section of this Plan describes the development approval process and planning tools that the Township will use to implement the policies of this Plan.

## 1.4 BASIS

The policies set out in this Official Plan have been determined following a comprehensive process of background review and public consultation. The following facts are included in the Plan to explain the reasoning behind the policies contained in the Plan.

- The Township has been essentially rural in character and has faced continuous development pressure as the Greater Toronto Area represents one of the fastest growing areas in Canada. In recent years there has been a recognized out migration of young families from the urban areas to the south into the Township. This migration is the result of an increased ability to work from home and a trend toward more self employment in combination with the desire of many urban area residents to live in an

attractive rural environment. These trends will result in increased demand for rural housing and small community living.

- The May 1996 Provincial Policy Statement requires municipalities to direct most of their growth to existing settlement areas.
- Additional growth within the existing communities will permit a wider range of services and facilities to be provided within those communities. However, growth in the communities will be contingent on the ability to provide adequate services on a sustainable basis.
- It is projected that the population of the Township will continue to rise steadily to a figure of approximately 5000 persons by 2024 provided that services continue to be available to the community of Waldemar and the community of Laurel in a manner that is sustainable.
- The quality of the life that makes the Township a desirable place to live is created largely by the rural character of the area. Throughout the development of this Plan, Council and the public have indicated a desire to maintain the open landscape character and natural features of the Township.
- The Township of Amaranth contains many environmental areas and features. A significant portion of the area is within the headwaters of the Grand River Watershed. The valley systems, significant forest areas, wetlands and other natural areas in the Township provide habitat for a wide range of fish, wildlife and vegetation while maintaining the quality and quantity of the rivers and streams.
- Agriculture continues to play an important role in the economy of the Township, the Township's heritage and the quality of the natural landscape. Agricultural lands must be preserved for future agricultural use so that the economy and character of the Township is also preserved.

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## 2.0 OBJECTIVES

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The following section establishes the primary objectives on which this Plan is based. These objectives relate to the entire Township and establish the framework for the remaining policies in the Plan. Each of the objectives is equally important when considering future development. Where situations of uncertainty or conflict arise in the interpretation or implementation of this Plan, reference should be made to these objectives.

1. To create a community that is healthy, safe, secure sustainable and recognizes the importance of the heritage and the quality of life of the existing and future residents.
2. To provide opportunities for economic and social development that will provide a viable and sustainable future for the Township.
3. To recognize the importance of agriculture in the Township and ensure that agricultural operations can adapt to changing economic and employment conditions and technology.
4. To protect the environmental features in the Township in a manner that recognizes the different ecosystem functions and groundwater resources in the community.
5. To provide a level of services that recognizes the mix of rural, rural settlements and estate residential uses in the Township and the financial resources of the municipality.
6. To protect water resources, prime aggregate resources, peat resources and woodlands for their long term use.
7. To ensure that all land use decisions promote water conservation and support the efficient use of water resources on a watershed and subwatershed basis.
8. To direct growth to specific areas of the Township that will be in keeping with the Vision and these Objectives.

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### 3.0 FUTURE LAND USE

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The Plan places the Township into eight Land Use Designations. These designations include:

- *Agricultural*
- *Community*
- *Rural*
- *Estate Residential*
- *Extractive Industrial*
- *Employment Areas*
- *Environmental Protection Areas*
- *Open Space-Recreation*

The land use designations are shown on the map entitled Schedule "A" to the Official Plan. The communities of Waldemar and Laurel are shown in greater detail on maps entitled Schedule "A-1" and Schedule "A-2". All of the Schedules form part of the Official Plan. Within those communities there are specific designations that include:

- *Community Residential*
- *Community Commercial*
- *Community Institutional*

The following policies apply to the designations shown on the Schedules to this Plan.

3.1 AGRICULTURAL  
(Under Appeal with Respect To Con 4, Pt Lot 11)

3.1.1 Identification

The *Agricultural* area is designated on Schedule "A". It is intended that this designation reflects:

- a) All lands where soils are primarily Classes 1, 2, and 3, as identified in the Canada Land Inventory of Soil Capability for Agriculture, except areas where the existing fragmentation of the land or surrounding land uses result in agriculture being incompatible or not viable based on a site specific analysis.
- b) Lands that have significant agricultural infrastructure and livestock operations.
- c) Prime agricultural areas, as defined in the Provincial Policy Statement are included on Schedule "A" to this Plan.

3.1.2 Objectives

- a) To encourage all forms of agriculture and protect the long term ability of farming operations to contribute to the economy and lifestyle of the Township of Amaranth.
- b) To maintain scenic values and agricultural heritage of lands and buildings in the Township.
- c) To maintain the open landscape character of the Township by preserving large parcel sizes and minimizing the intrusion of non-agricultural uses into agricultural areas.

3.1.3 Permitted Uses

Lands in the *Agricultural* designation may be used for the following:

- a) Agricultural uses that include the use of lands, buildings or structures for the growing of crops, including nursery and horticultural crops, raising of livestock and other animals for food, or fur, including game, poultry and fish, aquaculture, agroforestry, and maple syrup production subject to the provisions outlined in this Plan;

- b) A single-detached dwelling for the owner or manager of the farm operation plus an additional single-detached dwelling for full-time farm help subject to the provisions of Section 3.1.5.b;
- c) A single detached dwelling on existing or approved new lots;
- d) Home occupations and small scale home industries accessory to agriculture and other rural land uses;
- e) Forest, wildlife and fisheries management;
- f) Abattoirs, livestock marketing or sales yard, a seed cleaning plant, an agricultural produce warehouse or similar agri-business be permitted provided that alternative locations within areas designated other than Agricultural are not available as per Section 3.1.5 g) of this Plan;
- g) Agriculture-related commercial and agriculture-related industrial uses that are small in scale and directly related to the farm operation and required to be located in close proximity to the farm operation, such as a grain drying handling and storage facility;
- h) Farm oriented tourist business' and bed and breakfast uses that do not reduce the agricultural capability of the land, remove farm infrastructure or adversely effect adjacent farm operations;
- i) Wayside pits and quarries and portable asphalt plants, subject to the Aggregate Resources Act;
- j) Accessory buildings, structures and facilities and site modifications required to accommodate those uses permitted in the agricultural designation; and,
- k) Watershed management and flood and erosion control projects and parkland development carried out or supervised by a public agency.

#### 3.1.4 Severance Policy

- a) It is the policy of this Plan that the agricultural land base is to be preserved as much as possible in large parcels. The severed and retained parcels are to be of an appropriate size for the type of agricultural uses common in the area and sufficiently large to maintain flexibility for future changes in the type or size of the agricultural operation. In general, severances are discouraged. The basic farm unit in this category will be the original surveyed parcel of land, of approximately 40 hectares , the farm residence, barns and other buildings and structures which together support the farm operation.

- b) All farm and non-farm development will comply with the Minimum Distance Separation Formulae (MDS) established by the Province in order to minimize odour conflicts between livestock facilities and development, as amended from time to time.
- c) Existing agricultural operations should not be subdivided into smaller parcels of land where the severance would reduce the long-term flexibility and viability of the existing farm unit.

**Section 3.1.4 d) superseded by Provincial Policy Statement 2005**

d) One lot may be severed in the *Agricultural* designation from a farm operation for a full-time farmer of retirement age, who will be retiring from active working life, farmed on or before January 1, 1994 and has farmed in the area for 10 years and the proposed severance meets the following criteria:

- i) the size of the lot is kept to the minimum required to site a dwelling, well, sewage disposal system and accessory uses and establish logical lot lines;
  - ii) the new lot is separated from agricultural uses in accordance with the Minimum Distance Separation Formula 1 of the Provincial Policies Statement;
  - iii) the new lot is directed to areas of lower quality agricultural capability; and,
  - iv) such new lots will be considered only on the basis of one per farm holding defined as the original farm lot and where no retirement lot has been previously created since January 1, 1994.
- e) In addition to farm related severances, consents may be permitted for the following purposes:
- i) an easement or right of way;
  - ii) to recreate original parcels of approximately 40 hectares along the original lot lines; or
  - iii) a lot addition, deed correction or boundary adjustment which does not create an additional lot or result in the significant reduction of the land area actively farmed; or
  - iv) to create one additional lot in either of the following circumstances:

- 1) to sever a dwelling built prior to 1978 that is surplus to a farm operation as the result of a farm consolidation. Farm consolidation means the acquisition of an additional farm parcel to be operated as one farm operation, normally within the County of Dufferin and where the remaining lands may be zoned to prevent further residential building; or;
- 2) to permit infilling between two non-agricultural dwellings where the proposed residential lot is between two existing non-farm dwellings that are on similar sized lots on the same side of the road and are not more than 100 metres apart; or

Lots created in these circumstances shall be of a size and location that minimizes the removal of productive agricultural lands and meets the MDS formula.

### 3.1.5 Development Policies

In addition to the Development Criteria in Section 4, the following policies shall apply:

- a) Development within and adjacent to the *Agricultural* designation shall ensure that there are no conflicts with the agricultural uses which may result in new restrictions on the agricultural use. All farm and non-farm development will comply with the Minimum Distance Separation Formulae (MDS) established by the Province in order to minimize odour conflicts between livestock and development, as amended from time to time.
- b) One additional dwelling unit may be permitted on a farm where the nature of the farm operation requires farm families or employees to be accommodated on the farm subject to the following:
  - i) the additional dwelling shall be located in close proximity to the existing farm buildings and shall utilize the same road access as the principle residence;
  - ii) mobile homes may be permitted as a temporary use; and,
  - iii) Severances of any additional farm dwellings permitted under this section are prohibited.

- c) Agricultural buildings that existed as of the date of adoption of this Plan may be used for non-agricultural purposes as a temporary use where:
  - i) the proposed use does not adversely affect the continuation of agricultural uses on the surrounding lands;
  - ii) the exterior of the building is not significantly changed to indicate that a non-agricultural use is occurring within the building;
  - iii) the use does not adversely impact the rural character of the surrounding lands in terms of noise, odour, dust or traffic;
  - iv) Council has passed a Temporary Use By-law in accordance with the provisions of Section 5.1.4 of this Plan;
  - v) the renovations to the building or the change in use will result in the building complying with the Building Code for the proposed occupancy and use; and,
  - vi) any site developments required shall be subject to Site Plan Control.
- d) Value added agricultural products such as custom meat shops, pick-your own operations, packing operations and farm produce outlets shall be permitted in conjunction with on-going agricultural operations provided that such uses do not adversely impact on traffic and nature of the operation reflects the size and the products of the associated agricultural operation.
- e) No intensive agricultural operations shall be permitted on lands identified on Schedule "B" as a vulnerable aquifer. Specific regulation for intensive operations shall be implemented through site-specific zoning.
- f) Agriculture-related commercial and agriculture-related industrial uses that are small in scale and directly related to the farm operation and required to be located in close proximity to the farm operation such as a grain drying handling and storage facility. Other agric-business uses such as abattoirs, livestock marketing or sales yard, a seed cleaning plant, an agricultural produce warehouse or similar agri-business are permitted provided that alternative locations within areas designated other than Agricultural are not available as per Section 3.1.5 g) of this Plan.
- g) Any application to redesignate lands from *Agriculture* to another use shall be supported by a report justifying the proposed use in terms of:
  - i) the impact of the proposal on neighbouring agricultural uses;

- ii) there is a demonstrated need for additional land to be designated to accommodate the proposed use;
  - iii) there are no reasonable alternative locations which avoid agricultural areas; and,
  - iv) there are no reasonable alternative locations in agricultural areas with lower priority agricultural lands.
- h) Hobby farms shall be permitted on lots having an area of at least 2.0 hectares and shall not exceed 10 livestock units as defined in the Minimum Distance Separation Formulae (MDS), as amended from time to time.
- i) Applications to permit new agriculture related commercial or industrial uses must demonstrate by way of appropriate technical assessment that the location will be able to supply water in adequate quantity and quality and sustain a sewage treatment and disposal system in accordance with the applicable legislated requirements.

3.1.6 Zoning

- a) *Agricultural* lands will be zoned in an appropriate category in the implementing Zoning By-law.
- b) Farm-related commercial and industrial uses are permitted and will be placed in a separate Zoning category.
- c) Where land is severed as the result of a surplus farm dwelling, the retained lands may be zoned to prevent further residential development.

## 3.2 RURAL (Under Appeal With Respect To Con 6, Lot 31)

### 3.2.1 Identification

The *Rural* areas designated on Schedule "A" are lands where the soils are classified as Classes 4 to 7 according to the Canada Land Inventory and the use of land has traditionally been for limited agriculture, hobby farms, residential uses on large lots, recreation, conservation and resource related uses. These lands may also include areas where lot fragmentation has resulted in higher quality lands no longer being capable of being farmed.

### 3.2.2 Objectives

- a) To encourage agriculture and protect and preserve the long term continuation of farming operations in the Township while permitting non-farm uses that have a minimal impact on such agricultural uses.
- b) To maintain scenic and cultural values of lands and buildings in the Township.
- c) To maintain the open landscape character.
- d) To provide opportunities for rural land uses that may be incompatible with agriculture and environmentally sensitive areas and which are not suitable for estate residential areas or hamlets.

### 3.2.3 Permitted Uses

The permitted uses in this designation include:

- a) Agricultural uses that include the use of lands, buildings or structures for the growing of crops, including nursery and horticultural crops, raising of livestock and other animals for food, or fur, including game, poultry and fish, aquaculture, agroforestry, and maple syrup production;
- b) Single-detached residential dwellings;
- c) Small scale commercial and industrial uses that service the rural area;
- d) Home occupations and home industries;
- e) Small scale public uses such as schools, churches, cemeteries and community halls servicing the local community;

- f) Small scale institutional uses which service the local residents and depend on the rural community and environment to support their function;
- g) Small scale recreational and tourism related uses such as passive parks and trail uses provided that any detrimental impact of these uses on the scenic qualities and natural environment is kept to a minimum;
- h) Forest, wildlife and fisheries management;
- i) Transportation and utility facilities;
- j) Conservation areas, reforestation areas, watershed management and flood and erosion control or parkland development projects carried out or supervised by a public agency;
- k) Wayside pits and quarries and portable asphalt plants subject to the Aggregate Resources Act;
- l) Accessory buildings, structures and facilities and site modifications required to accommodate those uses permitted in the Rural designation; and,
- m) Agriculture-related commercial and agriculture-related industrial uses that are small in scale and directly related to the farm operation and required to be located in close proximity to the farm operation such as abattoirs, livestock marketing or sales yard, a seed cleaning plant, an agricultural produce warehouse or similar agri-business are permitted subject to a rezoning amendment.

#### 3.2.4 Severance Policy

New lots may be created for the following purposes;

- a) a maximum of three severances from any original Township lot of approximately 40 hectares shall be permitted provided that the severed and retained lots are of a sufficient size to be sustainable on appropriate water and sewage systems, generally 1.0 hectare or larger; and,
- b) creating lots of approximately 2 hectares in size within existing clusters of existing lots having frontages of less than 100 metres and areas of 4 hectares to 12 hectares that existed as of the date of adopting this Plan.

New lots shall reflect the physical characteristics of the land and the lot pattern in the immediate vicinity and shall not adversely affect agricultural uses in the Township. In assessing applications for severance, priority over the application will

be given to nearby agricultural operations on lands designated *Agricultural* under this Plan.

### 3.2.5 Development Policies

In addition to the Development Criteria in Section 4, the following policies shall apply:

- a) Small scale industrial and commercial developments in the *Rural* area shall be designed to maintain the historical rural character of the Township. Site Plan Control will be applied to all institutional, industrial and commercial development to ensure that building design, landscaping, lighting, parking areas and signs are integrated into the rural environment.
- b) The scale of non-residential uses in the *Rural* area shall be restricted by the amount of sewage effluent generated by the use. Small scale uses shall be defined as those uses which generate less than 10,000 litres of sewage effluent daily. Uses which generate larger volumes of sewage, or which generate non-domestic or non-agricultural effluent shall not be permitted in the *Rural* area.
- c) New developments in the *Rural* area shall not result in traffic, noise, odour or dust which would change the character of or be incompatible with the Rural area.
- d) In order to encourage the retention of existing agricultural buildings, Council may pass a By-law to permit an agricultural building that existed on the date of approval of this Plan to be used for a non-agricultural purpose provided that the intent of this Plan is met. In considering such development, Council will ensure that the exterior of the building is maintained and that the rural character of the surrounding lands is not changed. Prior to approving such development, Council may require a report and preliminary building plans prepared by a professional architect outlining the extent of building renovations being proposed. Developments of this nature shall be subject to Site Plan Control.
- e) The development of recreational facilities in the *Rural* area shall respect the existing landscape and vegetation qualities of the land. Significant alteration of these features shall not be permitted in order to accommodate a recreational use. The development of recreational facilities which generate more than 10,000 litres per day of sewage effluent shall require an amendment to this Plan which will include the submission of technical studies that addresses the feasibility of water and sewage services.
- f) Hobby farms shall be permitted on lots having an area of at least 2.0 hectares and shall not exceed 10 livestock units. A Nutrient Management Plan will be not be required provided that the maximum number of livestock does not exceed a maximum density of 2.0 units per hectare (0.8 unit per acre).

- g) All farm and non-farm development will comply with the Minimum Distance Separation Formulae (MDS) established by the Province in order to minimize conflicts between livestock facilities and development, as amended from time to time.
- h) New development proposed in or adjacent to high potential aggregate deposits or areas designated as Extractive Industrial shall not preclude or hinder the establishment of new operations or access to the resources.

3.2.6 Zoning

- a) The Zoning By-law shall place lands in the appropriate Zone to recognize the different uses permitted within this designation.
- b) Small scale commercial, industrial and institutional uses shall each be placed in separate zones.
- c) Existing agricultural operations in the *Rural* area may be placed in an agricultural zone.

3.3 ESTATE RESIDENTIAL

3.3.1 Identification

- a) *Estate Residential* areas are intended to recognize existing estate residential lots in plans of subdivision and areas where this form of development is planned for the future.

3.3.2 Objectives

- a) To identify areas where estate residential subdivisions have occurred in the Township.
- b) To direct non-farm residential development to areas where similar development presently exists.
- c) To guide residential growth in the rural area in a manner that will be sustainable and preserve the rural character and natural environment of the Township.

3.3.3 Uses Permitted

- a) The predominant use of land in this category shall be for single-detached residences on large lots or at low density.
- b) Public parks and public utilities are also permitted. In addition, communal recreation facilities, home occupations within wholly enclosed buildings shall also be permitted.
- c) Cluster forms of housing will be permitted only where they can be assimilated into the rural landscape.

3.3.4 Subdivision Development Policies

In addition to the Development Criteria in Section 4, the following policies shall apply:

- a) Amendments to designate new *Estate Residential* areas must meet the following criteria:
  - i) Such development shall not be on agricultural land;

- ii) Such development must be well buffered from agricultural and aggregate activities, by such natural features as natural topography, major river valleys, or significant forest areas;
  - iii) Lands to be developed for estate residential purposes shall have direct access to a paved road system;
  - iv) Lands to be developed for Estate Residential purposes should be located in excess of 1 km from the boundary of any settlement area; And,
  - v) New development proposed in or adjacent to high potential aggregate deposits or areas designated as Extractive Industrial shall not preclude or hinder the establishment of new operations or access to the resources.
- b) Lots within plans of subdivision which have been created through the subdivision approval process shall not be further divided into new lots.
  - c) The following design principles shall apply to the development of estate residential subdivisions in *Estate Residential* areas:
    - i) Lot size and density shall minimize land consumption and reduce servicing costs, while considering the maintenance of the existing character of the Township. In addition to the Development Criteria in Section 4.0, lot size, pattern and density shall be supported and determined by the detailed hydrogeological study and other studies as determined and completed to the satisfaction of Council to address planning considerations such as design, servicing of the site and stormwater management.
    - ii) Lots shall be well proportioned. The depth of any lot should not exceed six times the lot's frontage.
    - iii) All buildings and structures shall be set back from the crest of the embankment of any stream valley in order to ensure adequate structural stability, to avoid adversely affecting the visual amenity of the landscape and to protect the quality of the stream and fisheries habitat. The Township shall consult the Conservation Authority when considering the appropriate setback.
    - iv) Where the existing topography and/or vegetation provides no visual buffering adjacent to existing roads, tree screening and earth berms shall be provided in order to protect dwellings from passing traffic and to create as much privacy and enclosure as possible. A

detailed landscaping plan prepared by landscape architect shall be required as part of the application for such development.

- v) Existing mature trees shall be preserved wherever possible. Reforestation shall take place so that a substantial proportion of the area of each lot is tree covered.
- vi) The natural topography, surface drainage pattern and vegetative cover shall be an essential consideration in the design and layout of roads and lot pattern and shape of proposed lots.
- vii) Access to individual lots or units shall be from internal public roads.

### 3.3.5 Zoning

*Estate Residential* lots shall be placed in an Estate Residential Zone which will reflect an appropriate range of uses for these lots.

Site specific Zones may be used to reflect the results of the studies prepared in support of the development application.

3.4 COMMUNITY (Under Appeal with Respect To Con 4, Lot 11)

3.4.1 Identification

The existing communities in the Township provide an important residential, commercial and social function in a rural area. The *Community* areas of The Township of Amaranth are identified on Schedule "A" and shown in greater detail on Schedules "A-1" and "A-2".

3.4.2 Secondary Plans

Should the municipal water system in Waldemar be expanded within its Community Boundary, or should services be developed in Laurel, secondary plans will be required for those communities. The Secondary Plans will provide specific details for the future development of these communities, including detailed land use, servicing, population targets, phasing, built form and design guidelines.

After a Secondary Plan has been approved for a community, the policies of the Secondary Plan will take precedence over the following policies to the extent that any conflict exists.

3.4.3 Community Development Strategy

The communities of Laurel and Waldemar are intended to be the focus for residential growth in the Township. Growth in these communities shall only proceed under the following conditions:

- i) the rate of growth will be managed to minimize the impact of development on the existing residents of these communities;
- iii) development shall be designed to preserve the scenic attributes and cultural character of the communities; and,
- iv) developments will be planned to provide a continuous open space and parks system within the community.

3.4.4 Community Designations

Within the Communities there are a number of specific designations that apply only to the lands within the *Community* boundaries shown on Schedules "A-1" and "A-2". These designations are:

- *Community Residential,*

- *Community Commercial*, and,
- *Community Institutional*.

These designations are shown on Schedules “A-1” and “A-2”. The following policies apply Community designations.

#### **3.4.4.1 *Community Residential***

Land in the *Community Residential* classification may be used for the following:

- a) Single-detached dwellings;
- b) Home occupations; and,
- c) Public parks.

Lot size and density in Community Residential areas shall minimize land consumption and reduce servicing costs. In addition to the Development Criteria in Section 4.0, lot size, density and pattern shall be supported and determined by a detailed hydrogeological study and other studies as determined and completed to the satisfaction of Council to address planning considerations such as design, servicing of the site and stormwater management.

Residential development by registered plan of subdivision will be encouraged. However, infilling or minor expansions through the creation of lots by severance may be permitted subject to the approval of the sewage and water services by the appropriate authority.

Future parks are shown graphically on Schedule “A-1” and “A-2”. The final location of these parks will be determined at the subdivision stage. These parks should be approximately 0.8 hectares in size and serve the immediate neighbourhood.

#### **3.4.4.2 Community Commercial**

Commercial uses within the communities should be of a size and nature that reflects the role of the community as a local service centre. Commercial uses that attract tourism are also encouraged provided that the size of these uses is in keeping with the character of the community. Permitted commercial uses shall include:

- i) retail stores that service the Township and immediate area
- ii) tourist oriented retail and food services
- iii) professional and administrative offices
- iv) small scale manufacturing and service uses that may include a retail component
- v) residential uses accessory to commercial uses

When considering new commercial uses, Council's primary consideration shall be for the compatibility of the proposed use with existing uses in the Community. Site Plan control shall be used to regulate lighting, signs, fencing landscaping and parking in a manner that reflects the character of the community and respects the neighbouring uses.

The Zoning By-law will be used to limit uses and floor space as well as providing specific regulations that will ensure that new development is in keeping with the policies in this Plan.

#### **3.4.4.3 Community Institutional**

Community Institutional uses are intended to provide a focus for recreational and social activities within the Township. Permitted uses include schools, places of worship and community halls serving the community and surrounding area. In addition, parks and open space uses shall be permitted and encouraged to locate adjacent to other *Community Institutional* uses.

*Community Institutional* areas may also be used for other public services such as municipal wells and associated facilities, public parking areas and medical facilities servicing the community.

It is recognized that not all services and facilities that provide public services are owned and operated by public authorities or agencies. Where private facilities are proposed, those facilities shall be subject to the same policies as commercial uses outlined above and shall be subject to site plan control.

All community facilities in the Township shall be designed with barrier free access.

#### 3.4.5 Community Development Policies

In addition to the Development Criteria in Section 4, the following policies shall apply within the *Community* designation:

- a) Legally existing uses are permitted in *Community* areas. Expansion of uses which are incompatible due to noise, odour or other emissions will be discouraged.
- b) New development shall be designed to maintain the rural character of the *Community* areas. The built form and building materials should reflect this character. Greater attention will be given to streetscape and landscape elements on developments within the *Community* areas. Council may use Site Plan control within the *Community* areas to ensure that new development is compatible with the existing community.
- c) All development shall be supported by studies that address the servicing of the site, including water supply, sewage disposal and stormwater management. Facilities for stormwater management shall be required on-site in a manner that ensures that post development run-off does not increase the quantity or decrease the quality of storm water leaving the site.
- d) Development standards in the *Community* designation shall include asphalt roadways, sidewalks, street lighting, curbs and gutters and boulevard landscape treatment. These facilities shall be designed to be barrier free wherever possible. All utilities shall be underground. Council may establish detailed design criteria for use in development review.

#### 3.4.6 Zoning

*Community Residential, Commercial, and Institutional* uses will be placed in separate zones in the implementing Zoning By-law.

The Zoning By-law shall establish minimum lot areas based on the results of hydrogeological studies undertaken in support of development applications or Secondary Plan Studies.

3.5 EMPLOYMENT AREA

3.5.1 Identification

The following policies shall apply to those lands having an *Employment Areas* designation on Schedule "A":

3.5.2 Objectives

- a) To encourage land uses that will provide a variety of opportunities for employment and economic growth in the Township;
- b) To direct and focus larger scale commercial, industrial and institutional uses to specific areas in the Township where those uses will be compatible with adjacent land uses; and,
- c) To provide criteria that will ensure that new development will be attractive and reflect the rural character of the Township.

3.5.3 Uses Permitted

Lands in the *Employment Area* designation may be used for the following:

- a) manufacturing and assembly, clean processing and reclaiming, warehousing and materials storage, including contractors yards, transportation terminals, and other similar facilities associated with buildings and structures;
- b) accessory sales outlets and other uses such as offices and cafeterias that are smaller in scale than, and located on the same lot as the primary industrial use to which they are incidental;
- c) free-standing business oriented sales, service and office operations such as vehicle, machinery and equipment sales, service and/or leasing operations, printing, telecommunication and/or electronic data processing facilities, and vehicle fuel retailing operations;
- d) business and professional offices;
- e) specialized retail outlets serving a wide trade area accessible to this high visibility location;
- f) restaurant facilities, hotels and motels;

- g) open space, recreation uses, fire halls, police and ambulance stations, utilities and like facilities necessary to serve the community;
- h) automotive commercial uses, such as service stations, automobile, recreational vehicle or trailer sales and service, car rental outlets, and other uses which require large buildings and parcels of land with high exposure to traffic such as building materials outlets, gardening supply and nursery centres; and,
- i) institutional uses such as schools, places of worship, daycare facilities and administrative offices that are compatible with the employment area uses outlined above.

#### 3.5.4 Prohibited Uses

Prohibited uses include the following:

- a) outdoor scrap, salvage or wrecking yards;
- b) the manufacture of asphalt and petroleum refinery operations;
- c) the extraction or storage of potentially hazardous materials;
- d) noxious uses; and,
- e) the extraction or storage of mineral aggregates.

#### 3.5.5 Design

The design of development shall be enhanced by incorporating the following features:

- a) reverse lot frontages, requiring buildings to be sited so that an attractive architectural facade rather than loading or service areas are oriented towards the road having the greater standard of design and construction;
- b) increased setbacks along the road having the greater standard of design and construction to provide adequate areas for landscaping and buffering;
- c) building design that reflects the rural character of the Township;
- d) landscaping designed by a professional landscape architect;
- e) signs and lighting that minimize the visual impact on the surrounding landscape and uses.

### 3.5.6 Buffering

All *Employment Area* uses shall minimize the noise, visual, traffic, pollution and other related nuisances and hazards arising there from. Industrial uses that are in proximity to non-industrial uses shall provide to the satisfaction of the Township, a combination of the mitigation measures to reduce any potential negative impacts that the development may have on these non-industrial uses. These measures may include: landscaping, fencing or berming between potentially incompatible uses; and; appropriate building design and siting.

Where residential land or other sensitive land uses are within the distances identified below from proposed *Employment Area* uses, an assessment of the potential impact of the industrial use and mitigation measures to prevent adverse effects that may be experienced shall be required accordance with the Ministry of Environment Guidelines:

	<u>TYPE OF USE</u>	<u>AREA OF INFLUENCE</u>
a)	Class III (Heavy industrial uses) Large scale manufacturing or processing industries, characterized by major annoyances and high probability of fugitive emissions	1000 metres
b)	Class II (Medium industrial uses) Medium scale processing and manufacturing including outdoor storage, associated with minor annoyances including noise, odour, dust, vibrations and low probability of fugitive emissions	300 metres
c)	Class I (Light industrial uses) Small scale, self-contained plants or buildings having a low probability of fugitive emission, and has no outdoor storage	70 metres

Where an impact assessment study recommends larger setbacks, such larger setbacks shall be considered the appropriate minimum setbacks for industrial development from residential or other sensitive land uses. In cases where the separation distance can be reduced through other buffering techniques the Ministry recommends, where feasible, that some site-specific notification be implemented to deal with future changes in use which would not normally require re-zoning.

### 3.5.7 Infrastructure and Amenities

The Township will use site plan control for all development in the *Employment Area* designation to incorporate the following:

- a) water supply servicing;
- b) sanitary sewage servicing;
- c) appropriate storm drainage works;
- d) appropriate outdoor lighting, sidewalks, walkways and landscaping;
- e) off-street parking, including parking for the disabled, loading, service and other similar areas that have routes, roadway access and internal driving aisles accessible at all times and that ensure that all vehicle movements are accommodated off the public roads while being compatible with adjacent land uses;
- f) direct access onto paved roadways; and,
- g) any other services, works or consideration the municipality may deem appropriate or that are required elsewhere in this Plan.

### 3.5.8 Lot Creation

- a) new lots shall be of a sufficient size to accommodate the appropriate water and sewage systems, sufficient area for storm water management, parking, loading and buffering from adjacent uses.
- b) new lots should not be created without consideration for area wide storm water and transportation impacts of the development.
- c) where three or more lots are created or where lot creation results in the need to extend municipal roads or other services a plan of subdivision will generally be required. Subsequent development by part lot control will be considered only where servicing and land use compatibility issues can be addressed.

### 3.5.9 Zoning

- a) *Employment Lands* will be zoned in a number of commercial, institutional and industrial zones to reflect the existing uses and provide for reasonable expansions to those uses.

- b) The Zoning By-law shall contain provisions including adequate setbacks from property lines, off-street parking and loading requirements, landscaped area or buffering requirements, prohibition of nuisances, and control over outside storage.
- c) The Zoning By-law will define and regulate offensive industries that may create a nuisance.

3.6           EXTRACTIVE INDUSTRIAL

[Section 3.6.1 as related to extraction of peat; and 3.6.3(d) - Under Appeal]

3.6.1           Identification

This Plan recognizes all existing pits and quarries, other than wayside pits and quarries, with licenses issued in accordance with the Aggregate Resources Act and high potential aggregate resources. New *Extractive Industrial* including the extraction of peat or top soil will require an amendment to this Plan. The following policies outline conditions under which pits and quarries, peat extraction activities and other mineral resource activities shall operate and expand and where new extractive operations may be established.

3.6.2           Objectives

- a)       To identify areas where extractive operations presently exist in the Township.
- b)       To protect high potential aggregate resources for long term use, and from potentially incompatible uses.
- c)       To provide criteria for the future development of extractive operations in order to minimize their impact on the natural landscape and residents of the Township.

3.6.3           Permitted Uses

The predominant use of land in this category shall be for the extraction of minerals. Permitted uses include;

- a)       Agricultural operations;
- b)       Existing uses;
- c)       Aggregate extraction operations licensed pursuant to the Aggregate Resources Act;
- d)       extraction of peat ;
- e)       Forest, fisheries and wildlife management;
- f)       Recreational uses that are oriented toward the land rather than the building of major structures;

- g) Public uses; and,
- h) Watershed management and erosion control projects carried out or supervised by a public agency.

3.6.4 Development Policy [Under appeal for Lot 19, Con. 9 and Lot 1, Con. 4]

Development of new *Extractive Industrial* uses outside of the *Extractive Industrial* designation shall proceed by Official Plan Amendment only, subject to the following policies. When considering applications for new *Extractive Industrial* uses, preference shall be given to those areas identified as High Potential Aggregate Resource Areas on Schedule "B".

Where new aggregate operations are proposed outside of the Aggregate Resource Areas shown on Schedule "B", the applicant shall include an assessment of the quality and quantity of the aggregate located on the subject lands.

In addition to the Development Criteria in Section 4, the following policies shall apply to the development of new extractive operations or the expansion of existing extractive operations:

- a) In order to preserve the scenic beauty and amenity of the Township, extractive operations will be screened from the public view.
- b) Extractive operations will generally be prohibited within approximately 120 metres of any adjoining property designated or used only for residential purposes. Where a proposed extractive operation borders on other uses, where land use compatibility issues may arise, Council may require a buffer area of 120 metres.
- c) No pit or quarry shall be excavated so that its edge is at a point less than 30 metres from the limit of any road right-of-way and 15 metres from any adjoining property line unless the adjoining property is also zoned for extractive industrial uses in which case the setback may be eliminated.
- d) Residential development, other than development on existing lots or draft plan approved lots and other forms of development that may be incompatible with the aggregate operation will not be permitted to establish within 120 metres of existing extractive locations.
- e) All extractive uses must satisfy the requirements of the Ministry of Environment with regard to water supply, disposal of liquid wastes, noise, dust and control of air pollution and other matters in order to fulfill the requirements of the provincial legislation and policy.

- f) On prime agricultural land (Classes 1 to 3 according the Canada Land Inventory of Soil Capability for Agriculture) mineral aggregate extraction (including wayside pits and quarries) may occur, if agricultural rehabilitation of the site is carried out and substantially the same acreage and average soil capability for agriculture are restored.
- g) Extractive operations including wayside pits and haul routes shall satisfy the following criteria:
  - i) The protection of sensitive ecological, geological, historic and archaeological sites or areas on, or adjacent to the proposed site;
  - ii) The protection of surface and groundwater resources;
  - iii) The maintenance of good agricultural land in accordance with the Provincial Policy Statement;
  - iv) The minimization of the adverse impact of extractive and accessory operations on existing and approved residential development;
  - v) The preservation of the natural and cultural landscapes as much as possible during extraction and after rehabilitation, and,
  - vi) Traffic safety and the prevention of traffic conflicts on haul routes.
- h) As a condition of the license, the extractive operation shall be screened while it is in progress and prior to extraction in a manner compatible with the surrounding visual environment. Screening shall incorporate the following:
  - i) Overburden material supplemented with native tree and shrub plantings should be utilized for screening purposes.
  - ii) Tree screen plantings are to be of compatible species and sizes to permit only very limited visual contact from the surrounding landscape. Native species should be used wherever possible.
  - iii) All plantings should be properly maintained to ensure continued survival and good growth rates.
  - vi) Where an existing forest is to be considered as an effective screen along the perimeter of the site, provisions shall be included in the Aggregate License protecting the forested area being used as a natural screen.

- i) Wherever possible, rehabilitation shall be progressive as the extraction proceeds. Where it is not practical to rehabilitate immediately to the planned after use, interim rehabilitation shall occur.
- j) For the purposes of this Plan a wayside pit shall mean:
 

*a temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.*
- k) A wayside pit shall be permitted in the *Extractive Industrial, Rural or Agricultural* designation. An application for a wayside permit shall be accompanied by:
  - i) a sketch map drawn to scale indicating property features, present pit areas, excavation faces, areas to be excavated and other areas to be used; and,
  - ii) a rehabilitation statement or plan compatible with the proposed operation and land use in the area. Lands designated as Agricultural shall be rehabilitated as per Section 3.6.4 g) of this Plan.
- l) The opportunity to use aggregate resources which would not be otherwise commercially developed, including abandoned pits and quarries, shall be encouraged.

### 3.6.5 Zoning

Existing *Extractive Industrial* areas will be zoned specifically in the Zoning By-law. New extractive uses will require an amendment to the Zoning By-law.

Council shall not approve a zoning By-Law permitting new or expanded aggregate operations until it is satisfied that the appropriate development agreements are in place to address issues such as:

1. hours of operation;
2. haul routes and frequency of travel; and,
3. maintenance or upgrading of municipal roadways.

Council may pass a Zoning By-Law using a Holding Provision provided under Section 36 of Planning Act that requires the above-noted matters to be addressed prior to the Hold being lifted by Council.

### 3.6.6 Land Division

New lots shall be of a sufficient size to ensure that the extractive activity can be adequately buffered and screened within the same lands as the extractive operation.

### 3.6.7 Lands Adjacent To Extractive Uses

Non-farm residential development will not be permitted within 120 metres of the limits of an extractive use licensed under the Aggregate Resources Act.

Where lands are identified as High Potential Aggregate Resource Areas on Schedule "B", Council shall consider the impact of non-aggregate uses on the ability to extract aggregates from the lands prior to permitting such uses.

Applications for non-aggregate uses adjacent to, or in these areas shall be supported by studies that demonstrate:

- i) that the amount of aggregate resources in the Township which are available to supply mineral resource needs would not be restricted;
- ii) aggregate resource use would not be feasible;
- iii) that the proposed land use or development serves a greater long term public interest;
- iv) that issues of public health, public safety and environmental impact area addressed; and,
- v) that the proposed development would not preclude or hinder the expansion or continued use of an existing aggregate operation.

### 3.7 OPEN SPACE - RECREATION

#### 3.7.1 Identification

*Open Space - Recreation* areas are lands used for public or private outdoor recreation. The designation recognizes existing uses. New uses will require an Amendment to this Plan in accordance with the policies in this Section of this Plan.

#### 3.7.2 Objectives

- a) to encourage the development of high quality recreation facilities which are compatible with the natural environment;
- b) to encourage public access and enjoyment of the Township's rural landscape; and,
- c) to provide criteria which will provide for a balance between economic growth and environmental protection.

#### 3.7.3 Permitted Uses

The uses permitted in this designation include:

- a) Public parks including fairgrounds on land owned or under the control of government authorities;
- b) Recreational and tourism related uses such as campgrounds, country clubs, golf courses, private sports fields, trail uses and private clubs that require large open space areas and recreational amenities;
- c) Accessory residential uses for a property manager; and,
- d) Ancillary commercial uses providing goods and services to the patrons of the recreational facility and meeting or conference facilities.

#### 3.7.4 Development Policies

In addition to the Development Criteria in Section 4, the following policies shall apply:

- a) Council encourages the continued development of and improvement to the recreational facilities in the Township provided that the development is in harmony with the open landscape character and is sensitive to the natural environment.

- b) Major facilities, buildings and structures used in conjunction with these uses shall be designed and located so as to minimize the visual and environmental impact of the structures and shall have paved access from a paved public road system.
- c) In addition to the General Development Criteria in Section 4, the development or expansion of golf courses shall comply with the following criteria;
  - i) road access shall be from a paved public road system;
  - ii) water for irrigation shall be obtained primarily from surface run-off and surface sources rather than sub-surface sources wherever possible;
  - iii) the natural topography of the landscape shall be maintained except for minor modifications required for buildings, parking areas, tees and greens;
  - iv) a buffer strip of undisturbed vegetation of not less than 15 metres shall be maintained adjacent to natural watercourses. Where the watercourse is identified as a cold water stream on Schedule "B", the buffer strip shall be not less than 30 metres unless the applicant demonstrates to the satisfaction of the approval authority that a lesser setback is sufficient or that the stream is a warm water stream;
  - v) where development occurs within a valley or stream corridor, modification to the contours shall maintain the predevelopment characteristics of the flood plain;
  - vi) applications shall be accompanied by the following:
    - a site and grading plan;
    - a hydrogeological report;
    - a landscape analysis and landscaping plan;
    - an environmental analysis;
    - a traffic impact assessment; and,
    - a supply and demand analysis.
- d) Residential development undertaken in conjunction with any *Open Space - Recreation* area shall only be considered through an Amendment to this Plan and in the context of the Growth Management Policies of this Plan; and,

- e) All private recreational developments shall be subject to site plan control.

### 3.7.5 Zoning

Generally each *Open Space - Recreational* area will be placed in a site specific Zone which reflects the existing development. New uses or expansions to the existing developments will require an amendment to the Zoning By-law.

### 3.8 ENVIRONMENTAL PROTECTION

#### 3.8.1 Identification

The Environmental Protection designation is a general designation including:

- a) Natural hazardous lands and sites including areas of flooding, erosion, steep slopes or unstable soils;
- b) Fish habitat;
- c) Areas of significant wildlife habitat;
- d) Areas of Natural or Scientific Interest (ANSI);
- e) Environmentally Sensitive Areas (ESA);
- f) Wetlands;
- g) Significant habitats of threatened and endangered species;
- h) Significant forest areas;
- i) Valley lands; and,
- j) Rivers, lakes, streams and creeks.

These areas are shown as a single designation, *Environmental Protection* on Schedules "A", "A-1" and "A-2".

#### 3.8.2 Objectives

- a) To protect and enhance the *Environmental Protection* areas in The Township of Amaranth;
- b) To establish criteria regarding the scope, content and evaluation of Environmental Impact Assessments undertaken in support of development within and adjacent to important natural features in the Township, as per Section 4.1.13 of this Plan;
- c) To prohibit development where an Environmental Impact Assessment has indicated that the proposal would have a negative impact on the functions, features or linkages of the *Environmental Protection* areas;

- d) To encourage the maintenance and improvement of public and privately owned lands to provide for a sustainable natural ecosystem throughout the Township; and,
- e) To protect human life and property from water related hazards such as flooding and erosion.

### 3.8.3 Permitted Uses

Uses permitted within the *Environmental Protection* designation include:

- a) Existing agricultural operations;
- b) Legally existing uses;
- c) Passive recreation uses such as nature viewing and trail activities, except the use of motorized vehicles, that do not require buildings or structures and do not adversely affect the environment, soil or topography or impact on nearby agricultural uses;
- d) Forest, wildlife and fisheries management and archaeological activities;
- e) Essential transportation and utility facilities;
- f) Home occupations accessory to existing dwellings; and,
- g) Essential watershed management and flood and erosion control projects carried out or supervised by a public authority.

### 3.8.4 General Development Policies (under appeal with respect to Con 6, Lot 31)

In addition to the Development Criteria in Section 4, the following policies shall apply:

- a) Where land designated *Environmental Protection* is under private ownership, this Plan does not imply that such areas are free and open to the general public or will be purchased by any municipality or other public agency.
- b) Prior to considering any application to develop lands within the *Environmental Protection* designation, Council shall be satisfied that there are no alternate sites available in the municipality which could reasonably be developed for the same purpose with less environmental impact.

- c) The Township will seek technical advice of the appropriate review agencies, including the appropriate Conservation Authorities when dealing with development proposals in and adjacent to this designation.
- d) No building nor the placing of fill of any kind whether originating on the site or elsewhere, shall be permitted in the regulatory flood plain except in accordance with the regulations of the local Conservation Authority.
- e) Where new development is proposed on a site that includes areas designated *Environmental Protection* because of physical or environmental hazards, the hazardous lands shall not be included as part of the dedication for parkland provided for in the Planning Act.
- f) In considering development proposals on lands containing important natural heritage features shown on Schedule "B", Council may consider increased development densities in return for the conveyance of portions of the natural heritage features to a public agency or otherwise setting the lands aside for non-development purposes.
- g) Any development of permitted uses within *Environmental Protection*, as identified on Schedule "A", should be such that the ecological, educational, research or interpretive values of such areas are substantially maintained and there is no net loss of the natural heritage features.
- h) A setback for development will be established for *Environmental Protection* and areas of physical and environmental hazard such as any areas susceptible to flooding and valley slopes, by the implementing authority wherever it may be determined that such setback is necessary to protect the ecological, educational or interpretive value of such areas.

In addition, a greater setback from the top of bank adjacent to the Grand River will be established to maintain the natural landscape of the valley.

- i) Natural wetlands that are locally significant or have yet to be evaluated shall be protected from development. Development adjacent to natural wetlands shall only be permitted if it can be demonstrated that it will not result in any negative impact on the wetland.
- j) All development within the *Environmental Protection* areas shall be subject to Site Plan Control.
- k) Where an Environmental Impact Assessment determines that the boundaries of the Environmental Protection designation are more correctly shown on more detailed mapping, the boundaries on Schedule "A" and

Schedule "B" may be refined without an amendment to this Plan and the policies for the abutting designation shall apply.

3.8.5 Severance Policy

New lots shall not be permitted in the *Environmental Protection* areas except through acquisition by a public body. Severances may be permitted for the purpose of correcting title or enlarging existing lots.

3.8.6 Zoning

The Zoning By-law will recognize legally existing uses within the *Environmental Protection* designation and may provide for limited expansions of those uses. New development within *Environmental Protection* will require an Amendment to the Zoning By-law except where, at the time of adoption of this Plan plans for development have been approved by the appropriate authority.

### 3.9 TRANSPORTATION AND UTILITIES

This section should be read in conjunction with Schedule "A" - Land Use and Transportation Plan which shows:

- a) Proposed widths of major roads.
- b) Proposed major roads not yet established.
- c) Planned intersection and bridge improvements.

#### 3.9.1 New Roads

The Township will not open or maintain roadways which are not constructed to municipal standards. New roads developed within plans of subdivisions will be constructed to Township standards by those developing the lands. In the Community areas new roads shall utilize curb and gutter construction with underground storm sewers.

#### 3.9.2 Private Roads

New building lot creation by severance or subdivision will not be permitted on private roads.

#### 3.9.3 Proposed Road Widths and Widening

- a) All Township side roads and concession roads within the rural areas of the Township shall have a minimum 26 metre road allowance. In certain areas a wider Road Allowance may be required to provide sufficient area to ensure proper grades and stabilization of slopes due to topography or environmental conditions.
- b) Local Township roads within plans of subdivisions and in community areas shall have a minimum road allowance width of 20 metres. Within historical settlements, a narrower right of way may be permitted in order to preserve the character of the community and mature trees.
- c) Wherever possible County Roads shall have a minimum 30 metre Road Allowance. Existing County road allowances less than 30 metres wide may require widening where possible to bring them up to standard.
- d) Where possible, equal amounts of widening will be required from either side of the road allowance, but in specific cases, it may be necessary to deviate from this policy where physical characteristics of the land make it impossible. In such cases, it may be necessary to acquire more than half or

even all of the total required widening from one side in order to attain the full required width.

- e) Sight triangle shall be provided at all intersections as follows:
  - i) Intersections between Township and Township Roads  
- 10.0 m by 10.0 m
  - i) Intersections between Township and County Roads  
- 15.0 m by 15.0 m
  - ii) Intersections between County Roads and County Roads and County or Township Roads and Provincial Highways  
- 30.0 m by 30.0 m
- f) All new septic system tile fields shall be kept to a minimum of ten (10) meters back from all road allowances to protect the road authority from relocation costs during any road rebuilding operations.

#### 3.9.4 Road Improvements

- a) The Township shall study existing intersections with a view to improve such aspects as grade, alignment, sight distance, access and traffic flow.
- b) Road improvements will be designed to be sensitive to the objectives of maintaining the scenic and historic character of the Township.
- c) The Township shall monitor the condition of bridges and plan for the repair or replacement of such structures as will be required to maintain the road system.

#### 3.9.5 Provincial Highways

Development adjacent to Highway 89 shall be subject to the approval and geometric requirements of the Ministry of Transportation.

#### 3.9.6 Development Policies For Transportation And Utilities

The following development criteria shall apply to all transportation and utility facilities:

- a) All new and reconstructed transportation and utility facilities shall be designed and located to minimize the impact on the environment and be consistent with the objectives and the land use designations in this Plan. Site and design guidelines include the following:

- i) Grading and tree removal should be minimized where possible through realignment and utilization of devices such as curbs and gutters, retaining walls and tree wells.
  - ii) New roads should be designed to eliminate the need for cul de sacs and dead ends. Within Community areas roads should generally follow a grid pattern.
  - iii) New roads should be designed to ensure that there are no negative up or down stream flood impacts and will remain flood free under Regional Storm Conditions.
  - iv) Finished slopes should be graded to a 3 to 1 slope or less and covered with vegetation; large cuts should be terraced to minimize surface erosion and slope failure.
  - v) Site rehabilitation should use native species of vegetation and blend into the surrounding landscape.
  - vi) Vegetation screens should be used where feasible.
  - vii) Transportation and utility structures should be sited and designed to minimize visual and environmental impacts. The effects of blowing snow shall be considered in all road design.
  - viii) A development setback from the top of bank for utility structures will be required to minimize visual impacts.
  - ix) The visual impact of utility structures should be minimized by siting, structural design, coloration and landscape planting in order to minimize the impact on the rural environment.
  - x) The Township or County road standards may be modified to accommodate environmental or natural feature preservation.
- b) New transportation and utility facilities should avoid Environmental Protection Areas and Agricultural designated areas wherever possible. However, these uses shall be permitted in all designations.
  - c) Wherever possible, communication facilities shall utilize existing towers and share facilities.
  - d) No new dwellings should be constructed within 150 metres of the municipal works yard.

- 3.10 Wind Energy [Section 3.10 Section 3.10(e)(v) – under appeal]
- (a) Subject to the policies of this plan, the Township supports the development of such facilities as a source of renewable energy.
  - (b) Small-scale individual wind turbines will be permitted for on-site domestic use of wind-generated electricity on an individual lot basis in the Agricultural and Rural designations through a Zoning By-law Amendment
  - (c) Large scale commercial operations, involving one or more large wind turbines generating electricity for sale to the electrical grid, may be permitted through a Zoning By-law Amendment in the Agricultural and Rural designations. It is intended that such operations, referenced herein as wind farms shall be sited and regulated so that most of the safety, noise and visual impacts are contained on the subject site.
  - (d) Wind farms shall generally be located in accordance with the following criteria:
    - i) well separated from communities, residential subdivisions and residential clusters;
    - ii) well separated from, or sufficiently screened from sensitive land uses, including residences;
    - iii) providing sufficient on-site setbacks for noise mitigation and safety relative to such aspects as falling ice or structure collapse;
    - iv) preferably not within bird migration routes and feeding areas;
    - v) preferably on lands of lower agricultural capability;
    - vi) with access to a public road having the capacity to accommodate construction and maintenance vehicles;
    - viii) no closer than 10 kilometres from an airstrip unless the written approval of Transport Canada is obtained;
    - ix) outside of provincially significant wetlands, the habitat of threatened and endangered species, significant forested lands, significant valleylands, significant wildlife habitat, fish habitat, and provincially significant areas of natural and Scientific Interest; and,
    - x) preferably on lands of low mineral aggregate potential.

- (e) Council may require the applicant for a wind farm related Zoning By-law Amendment to prepare any or all of the following studies and materials prior to making a decision on such application:
  - i) a noise study to identify the setbacks or other mitigation measures, if any, required to ensure that noise levels will not exceed the Ministry of the Environment standards for sensitive land uses;
  - ii) a visual impact study analyzing the impact on the landscape as viewed from arterial roads and area residences and the mitigation measures required, if any;
  - iii) a study analyzing the impact and the related mitigation measures, if any, required with regard to the shadows or light reflection from the wind turbines on adjacent sensitive land uses;
  - iv) a study of any impacts on environmental features and functions such as bird migration and feeding activities; and,
  - v) drawings or plans prepared by a suitably qualified person showing the location and height of the proposed wind turbines and accessory facilities as well as the location and height of all buildings and structures on, and within 500 metres of the subject property.
- (f) The implementing Zoning By-law Amendment shall include provisions relating to setbacks, maximum height provisions and other regulatory provisions.
- (g) The implementing Zoning By-Law Amendment may include reverse setbacks for new sensitive land uses in areas adjacent to a wind farm.
- (h) Wind farms shall be subject to site plan control in accordance with the provisions of the *Planning Act* and the policies of Section 5.3 of this Plan.
- (i) The implementing Zoning By-law Amendment may provide for a holding provision under the provisions of the *Planning Act* and the policies of Section 5.1.2 of this Plan. A principal objective of using a holding provision would be to ensure that a site plan and associated agreement had been completed before the development commenced. Other requirements prior to the removal of the holding provision may include such matters as the provision of the required license from the Ontario Energy Board.
- (j) Wind farms that are intended to generate greater than 2 Mega Watts of electricity are subject to Ontario Regulation 116/01, *the Electricity Projects Regulation*.

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## 4.0 DEVELOPMENT CRITERIA

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The following policies apply to all of the lands within the Township of Amaranth. All applications for development and land division will be subject to these policies. These policies deal with development in a variety of situations, and, therefore, not all of the policies apply to every development. This section contains two sub-sections, Environmental Management and Growth Management.

Schedule "B", Environmental Features, identifies areas where specific environmental policies apply. Due to the scale of the mapping, the precise limits of the environmental features shall be determined by on-site inspection by the appropriate authority.

### 4.1 ENVIRONMENTAL MANAGEMENT

#### 4.1.1 General Development Criteria

The Environmental Criteria in this section shall apply to all development in the Township.

The uses permitted by this Plan may only be allowed provided that:

- a) The long-term capacity of the site can support the use without a negative impact on environmental features, functions and attributes such as, water quantity and quality, natural vegetation, soil, wildlife, population, visual character and cultural heritage features;
- b) The cumulative impact of development will not have detrimental effects on the environment including air quality, water quality and quantity, vegetation, soil, wildlife, and the natural landscape;
- c) The site is not considered hazardous to life or property due to unstable soil conditions or possible flooding;
- d) Development meets applicable Federal, Provincial, County and municipal requirements including health and servicing requirements; and,
- e) Development shall be consistent with the Provincial Policy Statement issued under Section 3 of the Planning Act.

#### 4.1.2 Stormwater Management

Stormwater management is to be addressed prior to development with the preparation of a Stormwater Management Report. All major commercial, industrial, institutional and residential development proposals shall be accompanied by a Stormwater Management Report prepared by a qualified professional to the satisfaction of the Township, Department of Fisheries and Oceans and the appropriate Conservation Authority. The report shall be prepared in accordance with the Township's design criteria and the following:

- a) the Stormwater Management Planning and Design Manual (March 2003), or its successor, as prepared by the Ministry of Environment;
- b) Best Management Practices (BMP);
- c) a Stormwater quantity system which ensures that post-development run-off rates will not be greater than the pre-development run-off rates for storms up to and including the 100 year event; and,
- d) the effects of development on watershed flow regimes including the interconnection with groundwater resources.

#### 4.1.3 Development Affecting Steep Slopes And Ravines

The following development criteria shall apply to development affecting steep slopes and ravines:

- a) The crest or brow and toe of the slope or ravine may be established by the means of a site inspection by the Conservation Authority and these lines will be surveyed and plotted on proposed development plans. Alternately, an engineering report identifying appropriate setbacks may be required.
- b) The Conservation Authority will establish a minimum development setback from the brow or crest and toe of a slope or ravine and no disturbance of grades or vegetation below the crest or brow and above the toe shall occur except for erosion and sedimentation control projects approved by the Conservation Authority.
- c) On existing vacant lots, where the restrictions established by b) above cannot be achieved on a steep slope, the development setback may be reduced or eliminated provided an Engineering Report prepared by a professional soils consultant, is prepared to the satisfaction of the Conservation Authority and the Township of Amaranth. The Report shall identify that the slopes will be stable during and after construction.

- d) Development should be designed in such a way as to minimize the disturbance of and ensure the stability of slopes.

4.1.4 *Water Quality (decision still pending by Ministry of Municipal Affairs)*

The following development criteria shall apply to development affecting the water quality of surface and ground water resources:

- a) Changes to the natural drainage should be avoided.
- b) No sewage tile field should be allowed closer than 30 metres from:
  - i) the high water mark of any waterbody or watercourse;
  - ii) the top of a stream bank or ravine; or
  - iii) the edge of any wetland.

Where this setback cannot be achieved on an existing lot of record the distance may be varied to the satisfaction of the appropriate authority.

- c) A setback for other development will be established from each side of a stream, river, pond, lake or wetland necessary to maintain existing water quality. The width of this buffer shall be determined in consultation with the Conservation Authority and other agencies as required, which shall consider:
  - i) soil type;
  - ii) types and amounts of vegetation cover;
  - iii) slope of the land including existing drainage patterns;
  - iv) fish and wildlife; and,
  - v) nature of the development.
- d) No alteration of the natural grade or drainage shall occur within the setback where, in the opinion of the implementing authority, such action would adversely affect surface and/or ground water resources.
- e) The cutting of trees within the setback shall be regulated by Site Plan Control or as a condition of consent or subdivision.
- f) All applications for major development proposals such as subdivisions or large scale commercial, industrial or institutional shall be accompanied by a Water Resource Management (WRM) Report. The WRM Report shall be prepared by a qualified professional to the satisfaction of the Township and Conservation Authority, Ministry of Environment and other agencies as may

be required. The WRM Report shall address the potential impacts and cumulative impacts on surface and ground water quality and quantity by requiring:

- i) maintenance or enhancement of natural hydrological characteristics including baseflow of watercourses;
  - ii) maintenance or enhancement of sensitive groundwater recharge/discharge areas, aquifer and headwater areas;
  - iii) the development and monitoring of water budgets for groundwater aquifers;
  - iv) the protection or enhancement of fish and wildlife habitat;
  - v) maintenance of existing drainage patterns where possible; and,
  - vi) management of all watercourses within the Township as coldwater streams and respect to water quality and quantity.
- g) During and after development sediment and erosion control measures shall be carried out to the satisfaction of the implementing authority.
- h) Prior to permitting development in areas identified as a Vulnerable Aquifer, as shown on Schedule "B", or in areas where the primary source of drinking water is the overburden, the Township shall be satisfied that the requirements of subsection (f) have been fulfilled. In addition, no uses that use potentially harmful chemicals or processes that may contaminate or deplete the overburden or groundwater supply in these areas, including the spreading of bio-solids shall be permitted.

Nutrient Management Plans required by this Plan and provincial legislation shall assess the impact of the disposal of farm waste on areas identified as a Vulnerable Aquifer.

- i) Water for irrigation shall be obtained primarily from surface runoff and surface sources rather than subsurface sources wherever possible.

#### 4.1.5 Water Quantity

The following development criteria shall apply to development affecting the quantity of water resources:

- a) Permitted uses which involve water taking or undertake stream diversions must demonstrate such actions to be an essential part of their operation

and shall be of a scale and intensity that will not adversely affect water quality, quantity and the natural environment. The Township may require that studies be undertaken to justify the need and amount of water taking and/or diversions and the need to mitigate impact on the natural environment.

- b) When considering whether to allow a use that involves water taking or diversion, the Township shall consider the number, distribution, location and intensity of such activities within the watershed in terms of:
  - i) the impact on water quality and availability of groundwater resources;
  - ii) the cumulative effect on the objectives of the Plan and designation; and,
  - iii) the quantity and character of natural streams and water supplies.
- c) Commercial water taking shall be considered as an industrial use and shall be regulated by the policies for industrial uses in the Township.
- d) The Township shall also take into consideration the water resource management policies/activities and permit requirements of the Ministry of Environment, Ministry of Natural Resources and Conservation Authority.

#### 4.1.6 Flood Plains

The following development criteria shall apply to development affecting flood plains:

- a) No building or structure shall be permitted in any areas susceptible to flooding, except where the building or structure has been approved by the local municipality, the Conservation Authority and/or the Ministry of Natural Resources in accordance with established floodplain management and development criteria.
- b) Watershed management and flood and erosion control projects shall be carried out in accordance with the standards, policies or guidelines of the Ministry of Natural Resources and/or Conservation Authority. Where possible, such projects should be designed and located to avoid or minimize the impact on wetlands, wildlife habitat, source areas, streams, steep slopes and other areas of visual and environmental significance.
- c) When considering a new project the implementing authority shall consider the number, distribution and location of flood and erosion control works within the watershed in terms of their cumulative effect on the objectives of the applicable designation and watershed management policies/activities of the Ministry of Natural Resources and the Conservation Authority.

#### 4.1.7 Significant Forest Areas

Significant Forest Areas include, but are not limited to, County Forests, lands on which former Woodlands Management agreements existed, all woodlands 40 hectares in size or larger and all forest stands that are in excess of 60 years of age and 4.0 hectares in size. Only County Forests and former Woodlands Management Agreement lands are currently shown on Schedule "B"- Environmental Features. The identification of other significant forest areas shall be undertaken through the completion of an Environmental Impact Assessment, as outlined in Section 4.1.13 of this Plan. In addition to those items outlined in Section 4.1.13, an assessment of forested areas shall be undertaken to determine:

- i) The size of the overall woodland feature;
- ii) Whether the woodland is dominated by trees in excess of 60 years of age, and,
- iii) The ecological functions of the woodland including the provision of interior habitat, provision of linkages to, or overlap with, other natural heritage features and woodland diversity.

Schedule 'B' will be updated as additional significant forest areas are identified. The following policies shall further apply to significant forest areas:

- a) Disturbance of Significant Forest Areas should be minimized. Where development is proposed in significant forests, these areas should be maintained as public or private open space.
- b) Proposed development in significant forest areas shall have site plan agreements continuing specific management details regarding the protection of existing trees.

#### 4.1.8 Other Forested Areas

- a) Existing tree cover or other stabilizing vegetation should be maintained on slopes with grades in excess of 25 percent (1:4 slopes).
- b) Wherever possible, existing tree lines and hedge rows shall be preserved.
- c) The cutting of trees may be regulated by a tree cutting By-law passed by the County of Dufferin.

#### 4.1.9 Fisheries

Water resources will be maintained in a clean and healthy condition so that there is no net loss to aquatic ecosystems which depend on such resources for their

existence. Development adjacent to significant fishery resources shall demonstrate the following:

- a) the development shall ensure net gain/no net loss of productive capacity of fish habitat;
- b) maintenance of minimum baseflow of watercourses;
- c) maintenance of existing watercourses in a healthy natural state;
- d) maintenance of vegetative buffers in accordance with the sensitivity of the fishery resource and development criteria; and,
- e) best available construction and management practices shall be used to protect water quality and quantity, both during and after construction. Treatment of surface run-off to maintain water quality and hydrological characteristics in receiving watercourses shall meet the standards established by the Ministries of Environment and Natural Resources.

#### 4.1.10 Significant Habitat Areas

Habitat of rare, vulnerable, threatened and endangered plant and animal species must be protected and new development shall minimize the impact on wildlife habitat. These areas are shown as Significant Habitat Area on Schedule "B". In addition to those requirements outlined in Section 4.1.13, development shall:

- a) Not be permitted in identified significant habitat of threatened and endangered plant or animal species.
- b) Be designed so as to:
  - i) minimize the impacts on biodiversity and wildlife habitat, in particular, rare, vulnerable, threatened and endangered plant or animal species, as identified by on-site evaluation;
  - ii) maintain wildlife corridors and linkages with adjacent areas; and,
  - iii) enhance wildlife habitat wherever possible.

Within the deer yards shown on Schedule "B", development shall only be permitted where it can be demonstrated that the development will not remove critical deer wintering habitat.

Any development within or adjacent to significant Wildlife Habitat areas shown on Schedule "B" shall only be considered after an Environmental Impact Assessment

has been evaluated by Council, the Conservation Authority and other interested agencies.

#### 4.1.11 Waste Disposal Areas

- a) The existing and former waste disposal sites in the Township are identified on Schedule "A" as WD and FWD respectively. These sites and lands within 500 metres of these sites may be used for a purpose permitted in the underlying designation provided that the municipality in consultation with the Ministry of Environment in accordance with MOE Guideline D-2 is satisfied that there are no environmental problems associated with the site that may make the lands unsuitable for development.
- b) Prior to approving any new development within 500 metres of an active or inactive waste disposal site, the applicant must demonstrate to the satisfaction of Council that the water supply will not be negatively affected and that there are no other problems such as leachate, gas, other contaminants, rodents or vermin.
- c) Re-use of a former waste disposal site will require approval in accordance with Section 46 of the Environmental Protection Act.

#### 4.1.12 Biosolids

There shall be no spreading of biosolids, waste vegetables, restaurant waste or other waste except under agreement with the Township of Amaranth, and where a Nutrient Management Plan has been approved by the appropriate approval authority.

Under no circumstance, shall the application of any of the above be permitted in areas of groundwater sensitivity, as shown on Schedule "B" as vulnerable aquifers (1-100 years).

Where lands have been used for the spreading of biosolids in the past 5 years approval of development or land division shall be contingent on a report completed by a qualified professional and subject to the approval of Council confirming that the soil and ground water is not contaminated from heavy metals or bio hazards in accordance with Provincial guidelines for human habitation and potable water.

#### 4.1.13 Environmental Impact Assessment

- a) An Environmental Impact Assessment shall be required for any development and site alteration proposed adjacent to Provincially Significant Wetlands and the habitat of threatened and endangered species and within and adjacent to all other Natural Heritage Features as shown on Schedule "B".

Adjacent lands are defined as 120 metres for provincially significant wetlands, 50 metres for the habitat of threatened and endangered species, 50 metres for significant forest, 50 metres for significant wildlife habitat, 50 metres for significant valleylands, 30 metres for fish habitat and 50 metres for provincially significant Areas of Natural and Scientific Interest. An Environmental Impact Assessment undertaken in accordance with the policies of this Plan shall include a description and analysis of the following:

- i) The proposed development;
  - ii) The boundaries of the natural features and ecological functions of the area potentially affected directly and indirectly by the development;
  - iii) The sensitivity of the features and functions to development;
  - iv) The direct and indirect effects to the ecosystem that might be caused by the development;
  - v) Any environmental hazards (i.e. slope, flooding contaminants) that need to be addressed as part of the development;
  - vi) Identification and evaluation of measures to avoid and minimize impacts and mitigation measures to be employed before and after development; and,
  - vii) A Management Plan identifying:
    - how the adverse effects will be avoided or minimized over the construction period and the life of the undertaking; and,
    - how environmental features and functions will be enhanced where appropriate and describing the net effect of the undertaking after implementation of the Management Plan.
- The Management Plan shall also establish the limits of buffers and/or setbacks adjacent to components of the *Environmental Protection*.
- viii) Any monitoring that may be required to ensure that mitigating measures are achieving the intended goals.
- b) Proposals for the creation of more than three lots partially within or adjacent to the *Environmental Protection* will require a detailed Environmental Impact

Assessment. Three lots or less adjacent to the *Environmental Protection* will require the preparation of a scoped Assessment.

- c) Detailed Environmental Impact Assessments shall be undertaken by qualified professionals and shall contain specific detailed information regarding the hydrogeological, hydrological and biological functions and linkages related to the following features:
  - wetlands;
  - portions of the habitat of endangered and threatened species;
  - fish habitat;
  - significant forest areas;
  - valley and stream corridors;
  - significant wildlife habitat; and,
  - Areas of Natural and Scientific Interest.
  
- d) A Scoped Environmental Impact Assessments shall address all of the issues that would be studied in a Detailed Environmental Impact Assessments, however the studies may take the form of a letter or a checklist prepared by a qualified professional provided there is little or no impact associated with the proposed development.
  
- e) Prior to approving a development on the basis of an Environmental Impact Assessment, Council, in consultation with the Conservation Authority and other appropriate agencies shall be satisfied that the proposed use will:
  - i) not discharge any substance that could harm air quality, groundwater, soil, surface water and plant and animal life or human health;
  - ii) be supplied by an adequate supply of water and that the groundwater taking associated with the use will not harm existing water supplies and plant and animal life;
  - iii) not cause erosion or siltation of watercourse or changes to watercourse morphology;
  - iv) not interfere with groundwater recharge to the extent that it would adversely affect groundwater supply for any use;
  - v) not cause an increase in flood potential on or off the site;
  - vi) maintain, enhance or restore the natural condition of affected watercourses and protect aquatic habitat;

- vii) not encourage the demand for further development that would negatively affect wetland function or contiguous wetland areas; and,
- viii) enhance and restore endangered terrestrial and aquatic habitat where appropriate and feasible.

In addition, the Environmental Impact Assessment shall demonstrate that there will be no negative impacts resulting from the proposed use on the significant natural features that are identified on Schedule "B" to this Plan.

4.2 GROWTH MANAGEMENT

4.2.1 Rate of Growth

Residential growth in the Township shall occur at a rate of approximately 25 units per year. Plans of subdivision may be phased and creation of lots by consent may be withheld to ensure that this rate of growth is not exceeded and does not occur in one area of the Township. The Township shall prepare an annual report to monitor this policy.

4.2.2 Location of Growth

a) New growth in the Township shall be distributed between the existing settlement areas of Laurel and Waldemar, the estate residential areas and the rural areas in the Township in accordance with the following guidelines:

Communities	80 per cent
Estate Residential Areas	10 per cent
Rural and Agricultural Areas	10 per cent

4.2.3 Lot Creation

Within this Plan there are land division policies that apply to the various land use designations. The following policies apply to all land division in the Township:

- a) Ribbon or strip development shall not be permitted.
- b) The size and configuration of new lots shall be subject to the requirements of this Plan and the implementing Zoning By-law.
- c) New lots created by consent and plans of subdivision must satisfy other applicable requirements of this Plan and the following criteria:
  - i) The location, design, size and density of lots shall retain the open rural landscape and protect natural features; and,
  - ii) The design is in harmony with the natural heritage features, neighbouring development and the landscape.
- d) Consideration of new estate residential development shall include an assessment of:
  - i) the number, distribution and density of vacant lots in the Township;

- ii) the additional lots that may be created in conformity with this Plan; and,
  - iii) the consequences of the development of the lots with regard to the Growth Management objectives of this Plan.
- e) Where a lot is proposed in more than one designation, the severance policy of the least restrictive designation shall apply. There should be sufficient area in the least restrictive designation to accommodate the development.  
***(decision pending by Ministry of Municipal Affairs)***
  - f) New building lots created by consent shall have safe and adequate access and shall front onto a public road that meets current standards of construction and is maintained all year round.
  - g) New lots will not be permitted on lands containing physical constraints to development such as poor drainage, flood susceptibility, steep slopes or any other physical condition that may jeopardize public health and safety.

#### 4.2.4 Municipal Water and Sewage Servicing

- a) Private sewer and water supplies will continue to be the preferred form of servicing for small scale development outside of communities.
- b) For development within Communities, and for major development outside of the settlement area, a servicing option report will be required to be completed to the satisfaction of Council where:
  - i. full municipal sewage and water services is the preferred form of servicing for urban and rural settlement areas, subject to the Township and the requisite approval authorities having confirmed prior to the preparation of the servicing option report that assimilative capacity of the receiving environment for waste water services is available; and,
  - ii. communal services are the preferred means of servicing multiple lots/units in areas where full municipal sewage and water services are not or cannot be provided, where site conditions are suitable over the long term; and,
  - iii. Where the use of communal systems is not feasible development may be serviced by individual on-site systems where site conditions are suitable over the long term; and,
  - iv. Partial services are discouraged except where necessary to address failed services, or because of physical constraints.

- c) Municipally operated water supplies will be maintained in accordance with Provincial standards. Any expansions or upgrading of the existing municipal water systems or any new municipal water systems shall be constructed at the cost of those who would use the system. The costs of maintaining municipal water systems shall be borne by the users of the systems.
  
- d) Any proposal to develop lands utilizing communal services shall require an amendment to this Plan. In addition to those matters to be considered in accordance with Section 5.7 of this Plan, Council shall also require a financial impact assessment outlining the long-term capital and operating costs associated with communal services.

#### 4.2.5 Agricultural Separation Distances

The Provincial Minimum Distance Separation Formulae (MDS) will be used in determining appropriate minimum separation distances between new development and livestock operations and determining appropriate minimum distance separation distances for new or expanding livestock operations outside the designated settlement areas. Separation distances between livestock operations and residential uses shall meet the Minimum Distance Separation requirements. The Township's Zoning By-law will incorporate the Minimum Distance Separation Formulae (MDS) as zoning provisions applicable in the Township.

#### 4.2.6 Heritage Resources

Heritage resources in the Township are not shown on a map in order to protect the integrity of potentially sensitive sites. Where an application is made to develop lands in the vicinity of a potentially significant site, the following development criteria shall apply:

- a) Care shall be taken to preserve known archaeological sites or areas where such sites might reasonably be expected to exist.
  
- b) Existing heritage features, areas and properties should be retained and reused. To determine whether such actions are feasible, consideration shall be given to both economic and social benefits and costs. Council may require an impact assessment report prepared by a professional archeologist where development is proposed on a site containing heritage resources.
  
- c) New development including reconstruction and alterations should be designed in harmony with the area's character and the existing heritage

features and buildings in terms of mass, height and setback and in the treatment of architectural details, especially on building facades.

- d) Where new development involves a heritage feature it should express the feature in some way. This may include one or more of the following:
  - i) preservation and display of fragments of the former building's features and landscaping;
  - ii) marking the traces of former locations, shapes and circulation lines;
  - iii) displaying graphic verbal descriptions of the former use; and,
  - iv) reflection of the former architecture and use in the new development.
- e) Where development will destroy or significantly alter cultural landscapes or heritage features, actions should be taken to salvage information of the features being lost. Such actions could include archaeological salvage excavation, and the recording of buildings or structures through measured drawings or photogrammetry or their physical removal to an alternative location.

#### 4.2.7 Architectural Preservation

- a) It is the intent of this Plan to encourage the retention and conservation of buildings of architectural and/or historical merit on their original sites and to promote the integration of these resources into new development proposals in their original use or an appropriate adaptive re-use.
- b) Demolition, destruction or inappropriate alteration to cultural resources shall be prevented.

#### 4.2.8 Recreation

The recreational amenities of the Township include parks, trails and community halls. Major recreational facilities will continue to be provided through joint use agreements with other municipalities in the County.

The following development criteria shall apply to recreational activities and uses occurring within the Township:

- a) All recreational activities should be designed and located so as not to conflict with surrounding land uses and be compatible with the natural and cultural character of the area.

- b) Intensive recreational activity is intended to occur primarily on lands designated *Open Space - Recreation* on Schedule "A".
- c) Trails will be located and designed so as not to adversely affect adjoining private landowners.
- d) Trails will be located and designed to avoid wherever possible steep slopes, wetlands, erosion-prone soils, and ecologically sensitive areas such as deer-wintering yards and significant plant and animal habitats and Areas of Natural and Scientific Interest.
- e) Trail design, construction and management should provide for multi-use, multi-season activities and ensure the safety of trail users.

#### 4.2.9 Land Use Compatibility

New development must be compatible with surrounding land uses. Proposals for development shall include an assessment of the impact of the proposed development on the adjacent land uses including noise, odour, dust, traffic, the physical form of the development and the visual impact of the proposal.

Where industrial uses are proposed near other sensitive land uses setbacks in accordance with the Ministry of Environments D-Series Guidelines on land use compatibility and servicing, as amended from time to time shall apply.

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## 5.0 IMPLEMENTATION

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### 5.1 ZONING BY-LAWS

#### 5.1.1 Implementing By-law

This Plan shall be implemented by the passage of Zoning By-laws in compliance with the provisions of this Plan and pursuant to the Planning Act. The implementing By-law will also implement the following policies:

- a) It is the intent of this Plan that existing uses that do not conform to the provisions of this Plan, shall, in the long term, be brought into conformity with the provisions of this Plan. However, this Plan is not intended to prevent the continuation, extension or enlargement of uses which do not comply to the provisions of this Plan. After deeming it unfeasible to acquire a non-conforming property so as to bring it into compliance with this Plan through redevelopment, the Township may zone lands to permit the continuation, extension or enlargement of legally existing non-conforming uses provided that Council is satisfied that the zoning shall:
  - i) have no adverse effect on the present uses of the surrounding lands;
  - ii) comply with the Minimum Distance Separation Formulae (MDS) in the Provincial Policy Statement;
  - iii) apply to a use that has frontage on a public road which has been assumed for public use as a road and is fully maintained year round including winter snow and ice control, by the Township, County or the Province; and,
  - iv) will not detrimentally affect the implementation of this Plan.
- b) No provision of this Plan shall be deemed to require Council to zone all lands in the Township in order to permit immediate development of such lands for their designated uses. Therefore the Township may zone lands to reflect existing uses only where there is insufficient information to determine specific zoning categories or where the development of such lands is considered to be premature or not in the public interest. Such lands may be zoned in accordance with the provisions of this Plan at such time as there is sufficient information to determine specific zoning categories and the

development of such lands is no longer considered to be premature or not in the public interest.

#### 5.1.2 Holding Category

The Township may zone lands to include a holding symbol 'H' as provided for in Section 36 of the Planning Act in conjunction with a specific zoning category in order to specify the permitted uses of such lands at such time as the holding symbol is removed by amendment to the zoning by-law. The use of the lands zoned to include the holding symbol with a specific zoning category may include existing uses and a limited range of uses compatible with the intended future use of the lands.

- a) The use of the holding symbol shall be restricted to the following situations:
  - i) Where adequate services are not available but anticipated. At such time as adequate services are available, the Township shall amend the Zoning By-law to remove the holding symbol;
  - ii) Where such lands are affected by adverse environmental or other constraints on development which can be resolved to the Township's satisfaction. Upon resolution of the adverse environmental or other constraints on development to the Township's satisfaction, the Township shall amend the Zoning By-law to remove the holding symbol;
  - iii) Where the development of such lands may impose adverse financial impacts upon the Township. Upon resolution of such adverse financial impacts to the Township's satisfaction, the Township shall amend the Zoning By-law to remove the holding symbol;
  - iv) Where the development of the land requires a development agreement, the Holding provision may be used until such time as the appropriate agreement is completed and registered on title; and,
  - v) Where the development is proceeding by Plan of Subdivision, upon the completion of all conditions of Draft Plan Approval, the holding symbol may be removed.

### 5.1.3 Interim Control By-laws

The Township may pass interim control by-laws pursuant to the Planning Act, where the Township has directed that a study be undertaken of land use planning policies in the Township or in any defined areas of the established communities.

### 5.1.4 Temporary Uses

Notwithstanding the policies contained in the Official Plan, Council may authorize the temporary use of land in accordance with the Planning Act which may not comply with the land use designation as established by the Official Plan, provided that:

- a) Such temporary use is determined to not have any detrimental effect upon the existing land uses in the area; and,
- b) The proposed temporary uses conforms to the noted principles and criteria are met:
  - i) The proposed use shall be of a temporary nature and shall not entail any major construction or investment on the part of the owner, so that the owner will not experience undue hardship in reverting to the original use upon the termination of the temporary use provisions;
  - ii) The proposed use shall not be incompatible with adjacent land uses and the character of the surrounding neighbourhood;
  - iii) The proposed use shall not require the extension or expansion of existing municipal services;
  - iv) The proposed use shall not create any traffic circulation problems within the surrounding area nor shall it adversely affect the volume and/or type of traffic serviced by the area roads;
  - v) Parking facilities required by the proposed use shall be provided entirely on-site; and,
  - vi) The proposed use shall generally be beneficial to the community.
- c) Council may permit the installation of garden suites as a temporary dwelling where:

- i) the property owner enters into an agreement with the Township to ensure that the garden suite is occupied and is removed when it is no longer required;
- ii) the sewage and water system servicing the principle dwelling can be modified to accommodate the garden suite; and;
- iii) the garden suite is limited in size to ensure that it is clearly secondary to the principle dwelling.

## 5.2 NON-CONFORMING USES

- a) The Committee of Adjustment for the Township of Amaranth shall be guided by the general intent and purpose of this Plan and the implementing Zoning By-law in making decisions on applications dealing with non-conforming uses made to the Committee under the Planning Act.
- b) This Plan will not limit the authority of the Township to pass a By-law for permitting the extension or enlargement of any land, building or structure which is being legally used, at the time of the passing of such By-law, for a purpose which does not conform with the land use designation of the Official Plan. Such a By-law shall, however, be in conformity with the policies included in this Section of the Official Plan.
- c) Any land use legally existing at the date of approval of this Plan which does not conform with the land use designation shown on Schedule "A", Land Use Plan, and termed a 'non-conforming use', should in the long term, cease to exist. In special instances, however, it may be desirable to permit the extension or enlargement of a non-conforming use in order to avoid unnecessary hardship, provided the application is in conformity with the policies of this Section of the Plan.
- d) A minor variance, extension or enlargement of a legally non-conforming use shall not aggravate the situation created by the existence of the use, especially in regard to the policies of the Official Plan and the requirements of the Zoning By-law applying to the areas subject to the following criteria:
  - i) An approved minor variance, extension or enlargement shall be in an appropriate proportion with respect to what is normally required by the Zoning By-law;
  - ii) The characteristics of the proposed minor variance or the existing non-conforming use and the proposed extension or enlargement shall be examined with regard to noise, vibration, fumes, smoke, dust, odour, lighting, aesthetics and traffic generating capacity. No

approval shall be granted if one or more of such nuisance factors will be created or increased so as to add substantially to the incompatibility of the use with the surrounding area. The proposal shall satisfy the requirements of any agency including the Health Unit, the Conservation Authority, the Ministry of Natural Resources and the Ministry of Environment;

- iii) Neighbouring conforming uses will be protected where necessary by the provision of areas for landscaping, buffering or screening, appropriate setbacks for buildings and structures, devices and measures to reduce nuisances, and where necessary, regulations for alleviating adverse effects caused by outside storage, lighting, advertising signs, and similar. Such provisions and regulations shall be applied to the minor variance or proposed extension or enlargement and, wherever feasible, shall also be extended to the neighbouring complying use in order to improve its compatibility with the surrounding area;
- iv) Traffic and parking conditions in the vicinity will not be adversely affected by the granting of the application, and traffic hazards will be kept to a minimum by the appropriate design of entrance and exit points to and from the site and improvements of sight conditions particularly near intersections;
- v) Adequate provisions have been or will be made for off street parking and loading facilities; and,
- vi) That the water supply and sewage disposal facilities, and other necessary municipal services such as roads, are adequate or can be made adequate.

### 5.3 SITE PLAN CONTROL

#### 5.3.1 Site Plan Control Area

Pursuant to the Planning Act, the Township designates all of the land within the Township as a Site Plan Control Area excepting those lands designated as Extractive Industrial, which are licensed under the Aggregate Resources Act. The Council may pass a By-law designating any portion of the Township as a Site Plan Control Area.

#### 5.3.2 Policies

- a) It is the intention to apply Site Plan Control to all residential buildings containing three or more residential units, commercial uses, industrial uses, and residential dwellings within plans of subdivisions and as otherwise set out in this Plan whereby the Township may require drawings provided in Section (c) below.
- b) For the purpose of this Plan 'development' and 'redevelopment' shall be the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability thereof, or the laying out and establishment of a commercial parking lot or golf course and the use of the land for three or more trailers as defined in the Municipal Act (2000) or of sites for the location of three or more mobile homes.
- c) No development or re-development shall be undertaken within the designated area unless the Township has approved one or both of the following:
  - i) Site plans showing location of all buildings and structures existing or to be erected and all servicing and utility facilities and works to be provided; and,
  - ii) Drawings showing plans, elevations and cross-section views for each building to be erected including the massing and conceptual design, the relationship of the buildings to adjacent buildings, streets and exterior public area, and the provision of interior walkways, stairs, elevators, escalators to which the public has access from streets, open spaces and interior walkways in adjacent buildings.
- d) In accordance with the Planning Act, the owner of land may be required to enter into a Site Plan Agreement and provide to the satisfaction and at no expense to the Township, any or all of the requirements set out in the Planning Act.
- e) Where a proposed development is within the designated Site Plan Control Area, the dedication free of all charges and encumbrances to the appropriate authority, of the widening needed to achieve the road allowance to meet the Township and County rights-of-way and sight triangle standards may be required along the limit of the subject land as a condition of site plan approval.

#### **5.4 Official Plan Amendments**

Should changing conditions necessitate that this Official Plan be amended, the procedures outlined in the Planning Act and the Regulations thereunder will ensure adequate notification of the general public.

Subject to a public resolution of Township Council, an Official Plan Amendment will not be required to:

- i. Change the numbering or ordering of the Sections in this Official Plan, provided Sections are not added or deleted;
- ii. Consolidate approved Amendments or Map Schedules;
- iii. Correct grammatical or typographical errors which do not affect the intent of the Official Plan's policies or Map schedules; and,
- iv. Change measurement to different units of measures or correct references to legislation or regulation where the legislation or regulations has been replaced or changed.

An amendment to Schedule "A", "A-1" or "A-2" or the text of this Plan is required to permit the establishment of uses other than those permitted in this Plan. In considering an amendment to Schedule "A" with a view to designating additional areas for a particular use or changing the designated uses of a particular area, or changing the policies of this Plan, Council shall have due regard to the following criteria which are in addition to those specified in the remainder of this Plan:

- a) the need for the proposed use excepting those amendments to allow for the establishment of new mineral aggregate operations;
- b) the extent to which the existing areas in the proposed categories are developed, and the nature and adequacy of such existing development excepting those amendments to allow for the establishment of new mineral aggregate operations;
- c) the physical suitability of the land for such proposed use; and,
- d) the location of the areas under consideration with respect to:
  - i) the adequacy of the existing and proposed roadway system in relation to the development of such proposed areas;
  - ii) the convenience and accessibility of the site for vehicular and pedestrian traffic and traffic safety in relation thereto;
  - iii) the adequacy of the potable water supply, sewage disposal facilities, and other municipal services in view of the policies

contained in this Plan and in accordance with technical reports or recommendations which the Council shall request from the developer and subject to the review and approval of any other appropriate authority deemed advisable;

- iv) the compatibility of the proposed use with uses in the surrounding area;
- v) the potential effect of the proposed use on the financial position of the Municipality; and,
- vi) the potential effect of the proposed use on the population level and the social character of the community.

## 5.5 CAPITAL WORKS PROGRAM

It is intended that the Council will prepare a capital works program in conformity with the proposals and policies of this Plan, in order to assess the immediate and long-term requirements and plan the major expenditures within the financial resources of the Township. The program would be reviewed annually.

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

## 5.6 CONSERVATION AUTHORITY REGULATIONS

The following works shall be subject to the regulations as administered by the Grand River Conservation Authority, Nottawasaga Conservation Authority and Credit Valley Conservation:

- a) the straightening, changing, diverting or interfering in any way with the existing channel of a watercourse;
- b) the construction of any building or structure in a wetland or in any area susceptible to flooding under regional storm conditions; and,
- c) the placing or dumping of fill of any kind in a defined area regulated by the Conservation Authority.

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## 6.0 INTERPRETATION

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### 6.1 PLAN BOUNDARIES

The outer limit of the Plan Area and the Community designations where abutting a road, lot line or natural features shown on Schedule "A", "A-1" and "A-2" are fixed and inflexible and can be changed only by an amendment to this Plan.

### 6.2 ROAD LOCATIONS

The locations of roads as indicated on the Schedules shall be considered as approximate only. Amendments to this Plan therefore will not be required in order to make minor adjustments or deviations to the location of roads, provided that the general intent of this Plan is maintained.

### 6.3 USES

Examples of permitted uses as included in this Plan are intended to illustrate the range of activities in each respective land use designation. Wherever a use is permitted, it is intended that uses, buildings or structures normally incidental, accessory and essential to that use shall also be permitted. Specific uses and related regulations shall in any case, be defined for an area at such time as the Zoning By-law comes into effect.

### 6.4 LAND USE DESIGNATIONS

It is intended that the boundaries of the Land Use categories shown on Schedule "A" of this Plan, shall be considered as general only, except in the case of roads, railways, and other definite physical barriers. They are not intended to define the exact limits of such areas. Minor adjustments may be made in these boundaries for the purpose of any Zoning By-law if appropriate without necessitating an amendment to this Plan. Other than such minor adjustments, no areas or zones, except as provided in this Plan, shall be created that do not conform with this Plan.

Council recognizes that the boundaries of the Environmental Protection area on Schedule "A", "A-1" and "A-2" of this Plan may be imprecise and may be refined through appropriate environmental studies. The Township shall determine the extent of these Environmental Protection areas on a site-by-site basis when considering development proposals, in consultation with the Conservation Authority. Minor adjustments to the Environmental Protection designation can occur without necessitating an amendment to this Plan.

6.5 PLAN REVIEW

The Plan shall be reviewed at least once within five years of its approval by the Township. Should economic or social changes occur which necessitate an earlier review, Council may direct such a review to be undertaken.

6.6 FLEXIBILITY

The interpretation of the numerical figures with the exception of density figures can be varied within 5 per cent of the figures in the text and such minor variation will not require an amendment.