

# TOWNSHIP OF STRONG OFFICIAL PLAN

Revised by:  
**Lehman and Associates**  
September 1993

Consolidated by:  
**Meridian Planning Consultants**  
November, 2004

**ADOPTION BY-LAW FOR OFFICIAL PLAN**

**BY-LAW NO. 90-1250**

The Council of the Corporation of the Township of Strong in accordance with the provisions of the Planning Act, 1983, hereby enacts as follows:

1. THAT the Official Plan for the Township of Strong, consisting of the attached map and explanatory text, and Addendum No. 1 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 Official Plan for the Township of Strong.
3. THAT this by-law shall come into force and take effect on the day of the final passing thereof.

ENACTED AND PASSED THIS \_\_\_\_\_

Original Signed by Floyd Hicks

Original Signed by Diana Georgie

\_\_\_\_\_  
REEVE

\_\_\_\_\_  
CLERK

CERTIFIED that the above is a true copy of By-law No. 90-1250 as enacted and passed by the Council of the Township of Strong.

Original Signed by Diana Georgie

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CLERK

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## **1.0 INTRODUCTION TO THE PLAN**

### **1.1 Short Title**

This Plan may be cited as the “Strong Official Plan”.

### **1.2 Defined Area**

This Plan applies to all the land included within the boundaries of the Township of Strong as shown on Schedule A.

### **1.3 Purpose and Effect of the Official Plan**

The purpose of this Official Plan is to establish clear, practical objectives and policies to guide future physical development in the Township of Strong, while having regard for relevant social, economic and environmental matters.

The authority to prepare the Official Plan is assigned directly to Council. Once the Official Plan has been approved by the Minister of Municipal Affairs and is in effect, it means that Council and municipal officials must follow the Plan; all public works must conform to the Plan; and, all municipal by-laws must conform to the Plan.

In order to change the Official Plan, a document called an Official Plan Amendment must be prepared. An Official Plan Amendment may be required to recognize a change in circumstances, or to accommodate a request for an amendment. The process for dealing with an Official Plan Amendment is generally the same as for an Official Plan.

Flexibility has been built into the Official Plan in order to give Council scope for interpretation when making decisions on land use matters, provided the general intent of the Plan is maintained.

### **1.4 Basis of the Official Plan**

1. The general land use pattern is rural in nature with a mixture of residential, seasonal/lakeshore residential and farm uses. The residential and farm uses are distributed along Township roads, while the seasonal/lakeshore residential uses are located on Lake Bernard, Pool Lake and Cheer Lake. Commercial, Tourism Activities and Industrial uses are found in scattered locations throughout the Township.
2. There are no villages in the Township.
3. Rural residential development is found adjacent to the east and west boundaries of the Village of Sundridge. Development in these areas shall be restricted to residential development, institutional and local commercial uses.

4. The Village of Sundridge functions as the service centre for residents of the Township and provides most commercial services.
5. New development in the Township shall be generally serviced by private individual water supply and sewage disposal systems. Municipal or communal systems shall only be permitted where such development is in the best interests of the municipality and the environment.
6. The Plan is based on various surveys and investigation of physical, social and economic conditions. A Background Study at the end of the Plan highlights the findings that have contributed to the formulation of the Plan and which should be referred to for background information and for further guidance in interpreting the general intent of the Plan.
7. The permanent population of the Township of Strong was 1303 in 1990 indicating an overall increase of 11.5% or 134 people from 1976 to 1990. In the last 5 years, the population has increased at the rate of about 1% per year. A modest increase in the permanent population is expected to occur over the next five years due to an influx of retirees and commuters looking for affordable residential lots, the conversion of seasonal and lakeshore residential lots to year round use, and the development of resort and tourist commercial developments.
8. Assessment ratios for 1989 were 52.8:47.2 respectively for residential/farm and commercial/business.
9. The text of the Plan is set out in paragraphs of explanation and numbered policy statements. The policy statements embody the essentials of the Plan which will govern through the authority of the Planning Act where it states that no public works shall be undertaken and no By-laws passed that do not conform to the Plan. The paragraphs of explanation are to provide further information which will assist in the interpretation of the policy statements and help clarify the general intent of the Plan.
10. The Plan is divided into four parts. Part One establishes the general intent, purpose and objectives of the Official Plan. Part Two establishes the relevant land use policies to guide planning and development in the municipality. Part Three establishes policies for municipal roads and services. Part Four establishes policies for implementation, administration and interpretation of the Official Plan.
11. The Official Plan will guide planning and development for the next 10 years. Periodic revisions will be required to reflect changing circumstances, legislative changes, the policies, priorities and aspiration of Council and local residents, and to keep the Plan current.

## **1.5 Objectives of the Official Plan**

The Plan is based on the following objectives:

1. To promote an orderly, economic and attractive land use pattern;
2. To ensure that new developments in the Township are conducted in a sound, environmentally acceptable manner;
3. To improve physical services, roads and community facilities to satisfy the needs of the residents of the municipality;
4. To encourage affordable housing the municipality;
5. To encourage community improvement;
6. To encourage the establishment of new industry and commercial suitable for the municipality;
7. To provide policies and guidelines for evaluating development proposals;
8. To establish a framework for the municipal zoning by-law; and,
9. To encourage public participation in the planning of the municipality.

## **2.0 LAND USE POLICIES**

An objective of the Plan is to promote the development of an orderly, economic and attractive land use pattern. To accomplish this, the Township of Strong has been divided into a number of land use designations. The general pattern of these land uses is set out on Schedule A. It is the intent of Council that the lands in the municipality shall be developed in accordance with the policies in the Plan and as shown on Schedule A.

It is also an objective of this Plan to ensure that any development which occurs recognizes the existence of a number of environmentally sensitive areas in the Township. Appendix 1 to this Plan outlines development constraints which must be recognized when any application for development in the Township is submitted. This appendix is provided for information purposes only and will be updated from time to time as better information is made available without requiring an amendment to this Plan.

### **2.1 Land Use Designations**

2.1.1 The Planning Area is divided into the following land use designations: Rural Residential, Lakeshore Development, Environmental Protection, Hazard Land, Development Constraint and Rural.

2.1.2 The following land uses are permitted to establish in any land use designation shown on Schedule A provided that Council considers them to be necessary and in agreement with the intent of the Plan:

- a) Parks and Open Space areas and municipal recreation facilities;
- b) Home occupations;
- c) The essential operations of governments, municipally associated institutional uses, utilities and transportation agencies excluding their offices and maintenance facilities, provided that they are designed as far as possible to harmonize with the character of the area in which they are located;

#### **2.1.3 Electric Power Facilities**

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

2.1.4 Wherever a use is permitted in a land use designation, it is intended that uses, buildings or structures normally incidental, accessory and essential to that use shall also be permitted.

2.1.5 In all land use designation, it is the intent of this Plan that no development be permitted on flood prone land except as provided for by the Hazard Lands and Development Constraints and Environmental Protection constraints of this Plan.

## **2.2 Secondary Uses**

2.2.1 In all land use designations, it is the intent of this Plan that compatible, secondary uses shall be permitted provided;

- a) the proposed use is compatible with the primary uses and with the area as already established;
- b) the impact on adjacent and nearby uses is minimal;
- c) parking and loading facilities are adequate for the proposed use;
- d) sewage and water facilities are adequate to accommodate the proposed use;
- e) the noise and traffic generation that the use may give rise to is not excessive in relation to the character of the area as already established;
- f) they meet all appropriate health and environmental standards;
- g) they do not restrict the potential for economic activities related to the resources of the area;
- h) the land is not subject to hazardous conditions; and,
- i) that they will not adversely impact such significant natural values as fisheries habitat or wildlife habitat as determined by Council in consultation with the Ministry of Natural Resources.

## **2.3 Rural**

A large part of the municipality has been designated as Rural. It is the intent of Council that future growth in the Rural designation, other than that related to agriculture, recreation, tourism activities and resource development, will be controlled to prevent problems that may result when development occurs in areas not adequately supplied with services and other public works and to avoid excessive costs for such work in the future. In this respect, it is the intent of Council to maintain the level of services in the Rural designation at a similar level to that now prevailing. Municipal water and sewer services shall not be provided in the Rural area. A moderate demand for rural residents which will provide an alternative to an urban residential lifestyle is expected. A demand for commercial and industrial uses is also expected. Estate residential development shall be permitted in the Rural designation subject to the Estate Residential development policies of this Plan.

- 2.3.1 The primary uses permitted in the Rural designation are: recreational, tourism activities, mining, forestry, agriculture, existing landfill sites, pits and quarries and portable asphalt plants, including wayside pits and quarries, conservation and other resource development activities, recreation dwellings and single residential dwellings. **(Revised by OPA 1)**
- 2.3.2 Single residential dwellings and recreation dwellings may be permitted in the Rural designation without an amendment to the zoning by-law provided:
- a) they are located on a lot or parcel that can be legally conveyed under the Planning Act;
  - b) they meet all the requirements of the Ministry of the Environment or its designated agency for sewage disposal and potable water supply;
  - c) they are not located on a flood prone area, on hazard land or on land that may be prone to slumping due to unstable banks;
  - d) except in the case of recreation dwellings, the lot or parcel has frontage on an existing public road maintained year-round;
  - e) all farm and non-farm development, which includes decisions of land division, will comply with the Minimum Distance Separation (MDS) formulae as amended from time to time. In addition, the Zoning By-law shall also implement the MDS formulae. **(Replaced by OPA 1)**
  - (f) they do not restrict the potential for economic activities related to the resources of the area and conform to the Ministry of the Environment's D-Series Guidelines for separation distances related to land use compatibility and sensitive land uses. **(Added by OPA 1)**
- 2.3.3 Prior to creating new lots the requirements of the appropriate authority for potable water and septic systems must be met. In addition, consideration shall be given to the cumulative impact of development on the ability of the ground water supply to provide potable water free from agricultural contamination. Where there is a concern for the cumulative impact of development on the quality or quantity of the ground water, Council or Planning Board may require the preparation of a hydrogeological report identifying potential impacts of the development prior to approving new lots. **(Replaced by OPA 1)**
- 2.3.4 Residential subdivisions shall not be permitted in the Rural land use designation, except in accordance with the estate residential policies of this Plan.
- 2.3.5 Recreation dwellings may be permitted in the Rural designation on seasonally maintained public roads. Conversion of recreation dwellings to permanent residential dwellings shall require frontage on and have access to a public road maintained for year round use and be located on an existing school bus route and not result in an increased demand for municipal services.

**2.3.6** Private hunt camps may be permitted in areas that have access only by unopened road allowances or registered rights of way. The Zoning By-law will place restrictions on the size and services associated with these uses to ensure that the camps do not become residential uses in the future. Where access is obtained over a municipal road allowance, the municipality will require the user to enter into an agreement that ensures that the municipality accepts no responsibility or liability with respect to the use of the road allowance for access. **(Added by OPA 1)**

## **2.4 Extractive Uses in the Rural Area (Modified by OPA 1)**

2.4.1 Pits and quarries shall be permitted in the Rural area designation by way of an amendment to the Zoning By-law.

2.4.2 Legally existing pits and quarries shall be recognized in the Zoning By-law.

2.4.3 Wayside pits and quarries and portable asphalt plants used on public authority contracts shall be permitted in the Rural Area without the need for official plan amendment or rezoning, except those areas of existing sensitive development or particular environmental sensitivity as shown on Appendix No. 1 – Development Constraints. **(Revised by OPA 1)**

2.4.4 In areas adjacent to or in known deposits of mineral aggregates, development which would preclude or hinder the establishment of new operations or access to the resources will only be permitted if:

- a) resource use would not be feasible; or
- b) the proposed land uses or development serves a greater long term public interest; and,
- c) issues of public health, public safety and environmental impact are addressed. **(Revised by OPA 1)**

2.4.5 Council shall encourage the rehabilitation of pits and quarries and wayside pits.

2.4.6 It is the intent of this Plan to have regard for the availability of mineral aggregate resources from the rural designation, to meet the future, local and regional needs.

## **2.5 Estate Residential Development in Rural Area**

Estate residential development which refers to areas intended for low density residential uses on large lots, will take place primarily by registered plan of subdivision on lots generally having a frontage of between 60 to 90 metres, an area of between .8 to 1.6 hectares, with an average lot size of 1 hectare, and will be serviced by private individual water supply and sewage disposal systems. These design standards may be varied to allow for creativity in design provided the general intent of the Plan is maintained. Estate development will not bring about the need for significant increases in the existing level of services provided by the municipality nor should the development impose a financial burden on existing taxpayers. Generally estate development will be located in areas where future urban expansion is not anticipated or in locations separated from urban

areas by significant topographical features or physical barriers. **(Modified by OPA 1)**

No estate residential areas have been designated on the land use schedule implementing this Plan. Prior to estate residential development occurring, an amendment to the municipal zoning by-law will be required.

#### 2.5.1

The following policies shall apply as a basis for considering the development of Estate Residential subdivisions:

- a) Estate development will generally be located in areas where future urban expansion requiring piped services is not anticipated.
- b) Low density development offering a varied lot size is encouraged. Access to individual lots shall generally be from an internal road system.
- c) Estate residential development will be designed to retain natural and physical features of the site, and create minimal disturbances to the natural and physical environment.
- d) Estate residential development will be encouraged in areas which provide natural screening such as diverse topography and vegetation so that the rural character of the municipality is retained.
- e) Estate residential lots shall generally have a frontage of between 60 to 90 metres and an area of between .8 to 1.6 hectares, with an average lot size of 1 hectare. **(Modified by OPA 1)**
- f) The maximum number of lots permitted in any one estate residential development or any one estate location shall be 40.
- g) Fire protection services must be within a reasonable distance of any proposed estate residential development.
- h) An area for estate residential development shall be shown to have suitable soil and drainage conditions for an adequate means of waste disposal and for a suitable supply of potable water and in evaluating the suitability of a site for these services, the cumulative effect of these systems over time shall be considered. To satisfy this requirement a hydrogeological study shall be required. Approval of sewage and potable water supplies is required from the Ministry of Environment and Energy or its designated agency. Any development through plan of subdivision may require such technical studies as a servicing options statement, a water supply assessment and a water quality impact risk assessment to the satisfaction of the approval authority. **(Revised by OPA 1)**
- i) Estate residential development will not be permitted in areas subject to flooding, erosion, poor drainage or a high water table; areas having steep slopes, those that are swampy, have organic soils, or those classified as Hazard Land, Development Constraint or Environmental Protection on the

attached Schedule A or included on Appendix No. 1 – Development Constraints. **(Revised by OPA 1)**

- j) In order to protect certain resource lands estate residential development shall not be permitted on or near high quality mineral, aggregate or forest resources.
- k) Proposed estate residential lots which are not in conformity with these polices shall not be created by the severance process.
- l) Prior to considering an estate residential development, Council shall require the applicant to provide such information as may be needed to determine compliance with this Plan including an explanation of how the estate residential criteria can be met; and provide the municipality with the necessary engineering and planning information to justify the proposed amendment including the supply and demand for estate residential lots and how they relate to the Township's overall population projections.
- m) After the date of adoption of this Plan, estate residential development will only be permitted by way of a specific amendment to the municipal zoning by-law.

## **2.6 Commercial and Industrial Uses in Rural Area**

2.6.1 The policy of Council is to permit commercial and industrial activity in areas where it can be supplied with adequate services. Commercial and industrial uses such as highway commercial uses, tourism activities uses, offices, gas stations, motels, manufacturing, warehousing, bulk storage, equipment servicing, resource related uses, asphalt and concrete plants, licensed auto wrecking yards, and home industries may from time to time seek to establish in the Rural area.

Such locations are not predictable and approvals for these uses will require an amendment to the municipal zoning by-law. In considering applications for such amendments, due regard shall be paid to the possible impact on the rural environment and adjacent uses; and, appropriate conditions regarding setbacks and buffering and limitations on access to roads and highways may be imposed. Such uses may be permitted provided that:

- a) it is clearly demonstrated to the satisfaction of Council that a rural location is necessary for the proposed commercial or industrial uses;
- b) they are encouraged to locate in groups; ribbon development is discouraged;
- c) they are located on a lot or parcel that can be legally conveyed under the Planning Act;
- d) they front on a year-round publicly maintained road, of a standard acceptable to Council except that:

- i) seasonal tourism activities uses may be permitted on lots having water access only or access by a seasonally maintained public road of an acceptable standard of construction;
- ii) forestry, aggregate resource extractive operations and other mining operations may have access to a public road;
- e) they do not create a traffic hazard and have only a limited number of openings for vehicle exits and entrances;
- f) the amenity of the surrounding rural area is adequately protected;
- g) adequate off-street parking and off-street loading facilities shall be provided;
- h) adequate open space is provided around the commercial or industrial use so that a buffer of trees, shrubs or fencing is provided;
- i) they meet all the requirements of the Ministry of Environment or its designated agency for sewage disposal, potable water supply and industrial waste treatment;
- j) they are not located on a flood prone area, on hazard land or on land that may be prone to slumping due to unstable banks;
- k) they meet all the requirements of the Ministry of the Environment and Energy for industrial uses with respect to air emissions, including dust and noise. Other industrial discharges also require the Ministry of Environment and Energy's approval.
- l) within unserviced areas, where industrial or commercial uses are proposed to be serviced by individual, on-site septic systems, only dry industrial/commercial uses will be permitted unless authorized by the Ministry of the Environment. Such uses are defined as those in which only the disposal of the domestic waste of employees is permitted and treated within septic systems, and into which the discharge of industrial/commercial liquid wastes, wash or cooling water or process wastes is prohibited. **(Revised by OPA 1)**

#### 2.6.2

Industrial and commercial development shall be encouraged to locate in the vicinity of the Highway 11 and Highway 124 interchange and other major interchanges with Highway 11. Direct access to Highway 11 will not be permitted in this area. The former highway will be used as a service road for these and other existing uses. The Ministry of Transportation will require proponents of development proposals to submit traffic impact studies that address the anticipated traffic volumes and their impacts upon interchange areas. **(Revised by OPA 1)**

Industrial uses in this area shall be required to appropriately landscape and screen outdoor storage areas from the view from the highways to ensure that the open storage areas will not detract from the intended character of the area.

Accessory commercial sales related to industrial uses will also be permitted.  
**(Added by OPA 1)**

Parking and loading areas will generally be restricted to those areas not facing the highway.**(Added by OPA 1)**

All industrial activities will be encouraged to locate within enclosed buildings unless it is essential for an activity to locate outdoors, in which case, the industrial use will be suitably screened and buffered from a provincial highway.**(Added by OPA 1)**

Where industrial uses generate noise, odours, dust, traffic or effluent that may adversely affect other land uses in the area, the development shall provide for buffering in the form of berms, landscaping or setbacks that will mitigate the impacts on neighbouring properties and the lands having development constraints shown on Appendix No. 1. The Ministry of Environment D-Series Guidelines for separation distances shall apply to such uses.**(Added by OPA 1)**

Commercial uses in this area shall include highway and tourism related commercial uses that rely on highway visibility and location to attract customers.  
**(Added by OPA 1)**

Council may zone this area using a Holding Provision as provided for under Section 36 of the Planning Act. Conditions for removing the Hold will include requiring a site plan agreement between the Township and the property owner to ensure that the development is designed and located in a manner that is attractive, safe and environmentally sound.**(Added by OPA 1)**

2.6.3 Redevelopment and reuse of former industrial sites shall require assessment and, where necessary, remediation of contaminated sites before reuse, subject to Ministry of Environment's Guidelines for Use at Contaminated Sites in Ontario.**(Added by OPA 1)**

2.6.4 Industrial and commercial uses may be permitted in the Rural area, as a secondary use by amendment to the zoning by-law, provided they meet all appropriate health and environmental standards.

Small scale/home industries on residential lands in the Rural Area shall be permitted as a secondary use subject to the provisions of Section 2.6.1 related to public health and environmental protection. Where the size of a home industry or the use of the home industry exceeds the limitations for these uses in the zoning by-law, the lands will be required to be placed in an industrial zone and comply with the Ministry of the Environment's D-series Guidelines for Land Use Compatibility and with environmental criteria for protection of natural heritage features, including fish and wildlife habitat, and for all adjacent on site or off site sensitive land uses. **(Added by OPA 1)**

## **2.7 Lakeshore Development**

Lakeshore Development Areas are located on Lake Bernard and Cheer Lake. The shores of these lakes are considered suitable for lakeshore residential

development which may include seasonal and permanent residential uses and commercial tourist uses. The Official Plan, however, is not to be interpreted as arbitrarily allowing complete development of the entire shore areas for lakeshore residential uses but should be used as the basis for considering development applications within the designation provided specific conditions are satisfied.

Council recognizes the trend to convert seasonal dwellings to permanent and year round use. Such conversions shall be permitted where the standards applying to permanent dwellings can be met.

- 2.7.1 Two areas have been identified on Schedule A - Land Use as Lakeshore Development. These include Lake Bernard and Cheer Lake. The boundaries of the Lakeshore Development designation shall be used as a guide for the preparation of the zoning by-law. An amendment to the Official Plan will not be required for minor changes to the Lakeshore Development Designation intended to allow for creativity in design, provided the general intent of the Plan is maintained.
- 2.7.2 The primary uses permitted in areas designated as Lakeshore Development are single residential dwellings, recreation dwellings and, tourism activities uses.
- 2.7.3 As it is almost impossible to predict where future tourism activities uses might wish to locate, such uses shall be permitted by by-law amendment provided that they are at low densities and they are suitable to the site and situation involved.
- 2.7.4 Existing tourism activities uses active on the date of adoption of this Plan may be zoned to permit such uses to continue in their established location.
- 2.7.5 The development of new lakeshore development uses shall be strictly limited according the capability of the lakes and soil to sustain further human activities.

a) Lake Bernard

Lake Bernard is a cold water fishery. Council recognizes the important of maintaining this fishery and the water quality of the lake. At the time of approval of this Plan, detailed lake capacity measurements for Lake Bernard had not been completed. When these studies have been completed, specific policies relating to the capacity of the lake to sustain additional development will be added to this Plan. Until such time as these studies have been completed, development on Lake Bernard shall be limited to existing lots of record. The expansion of existing commercial operations shall be limited to ensure that the impact of these expansions on the lake is minimal. The creation of new lots on the lake shall only be permitted where it can be demonstrated to the satisfaction of the Ministry of Natural Resources and the Ministry of the Environment and Energy that the proposed development will not have an adverse impact on water quality.

- 2.7.6 The designation for Lakeshore Development shall be in no way interpreted to mean that access roads will be kept open in the winter or that additional public services will be provided.

2.7.7 Single residential dwellings and recreation dwellings may be permitted in the Lakeshore designation without an amendment to the zoning by-law provided:

- a) they are located on a lot or parcel that can be legally conveyed under the Planning Act;
- b) they meet all the requirements of the Ministry of the Environment or its designated agency for sewage disposal and potable water supply;
- c) they are not located on a flood prone area, on hazard land or on land that may be prone to slumping due to unstable banks;
- d) except in the case of recreation dwellings, the lot or parcel has frontage on an existing public road maintained year-round.

2.7.8 New lots in the Lakeshore Residential designation may be created by either the consent or subdivision approval process in accordance with the policies of this Plan.

## **2.8 Rural Residential**

Rural Residential areas have been identified adjacent to the Village or Sundridge municipal boundary as shown on Schedule A - Land Use. It is the intent of Council that development of these lands be restricted to residential development, neighbourhood commercial and institutional uses. Council will manage future growth in these areas in order to minimize the demand for additional public services.

2.8.1 The primary uses permitted in the Rural Residential designation are residential dwellings.

2.8.2 Single residential dwellings may be permitted in the Rural Residential designation without an amendment to the zoning by-law provided;

- a) they are located on a lot or parcel that can be legally conveyed under the Planning Act;
- b) new development in the Rural Residential designation east and west of the Village of Sundridge shall proceed by plan of subdivision on the basis of full municipal services. Where full municipal services are not available, limited infilling by consent may proceed on the basis of communal and/or private sewage and water systems, provided development proposals are accompanied by a report, with a recommended preferred option, along with a justification, satisfactory to the Ministry of the Environment and Energy and in accordance with the goals and objectives of this Plan.

Prior to consideration of any new development which is not on full municipal services, the applicant may be required to submit an environmental impact assessment report which shall be subject to the approval of the Ministry of Environment and Energy.

- c) the lot or parcel has frontage on an existing public road maintained year-round.

2.8.3 Two separate residential dwellings on one lot will not be allowed. A residential dwelling containing two dwelling units, such as a duplex or a semi-detached dwelling may be permitted in the Rural Residential designation by an amendment to the Zoning By-law. When considering such an amendment, Council shall be satisfied that:

- i) there is adequate sewage disposal and water service capacity available to service the two dwelling units acceptable to the appropriate approval agency, and the roads are of a standard that can accommodate the increased use;
- ii) the development will not adversely affect the low density residential character of the area, and is designed to be in keeping with the character of the surrounding homes. **(Added by OPA 1)**

2.8.4 Neighbourhood commercial and institutional uses may be permitted as secondary uses in the Rural Residential designation provided the criteria in 2.8.2 can be met such uses shall not require a by-law amendment.

## 2.9 Hazard Lands and Development Constraint

The Hazard Lands category encompasses such features as: flood plains or erosion prone sites, and unstable soil conditions. Within any potentially hazardous area, the degree of constraint associated with the site may vary from a low risk situation which can be overcome through site engineering to a high risk situation in which no form of development should be permitted. In order to determine the degree of constraint related to many of these hazard lands, detailed assessments and engineering studies may be required before human activities or any development is permitted. It is the intent of this Plan to prevent development from occurring on lands having an inherent environmental hazard such as poor drainage, flood susceptibility, erosion susceptibility, steep slopes or any other physical condition which could endanger human life and/or property, if these lands were to be developed.

The Development Constraint category identifies sites of organic soil, with high water tables. While these sites do not pose a risk to loss of life or severe property damage from flooding, they do exhibit significant building constraints. As well, many of these organic soil areas represent ecologically diverse wetland communities.

It is an objective of Council to recognize the importance of wetlands and the other ecological resources to the community and the importance of protecting such areas from adverse environmental impacts.

The boundaries of the Hazard Land and Development Constraint designations shall be used as a guide for the preparation of the zoning by-law. An amendment to the Plan will not be required for changes to the Hazard Land or Development

Constraint designations which are deemed to be suitable by Council in consultation with the Ministry of Natural Resources and which meet the intent of the Plan.

The floodplain elevation for Lake Bernard has been determined as 330.21 metres C.G.D. This elevation is based on information currently available and includes a 0.43 metre provision for wind set-up/wave run-up. Further site specific refinement of the wind set-up/wave run-up factor must be supported by detailed engineering analyses. The minimum elevation for new building openings outside the flood plain is 330.7 metres, which includes a 0.5m freeboard provision.**(Modified by OPA 1)**

- 2.9.1 Areas designated as Hazard Land on Schedule A - Land Use identify sites which are subject to significant property damage or loss of life, due to riverine or lake flooding.
- 2.9.2 Areas designated as Development Constraint on Schedule A - Land Use identify sites or organic soil, with high water tables.
- 2.9.3 The boundaries of the Hazard Land and Development Constraint designations on the land use schedule shall be used as a guide for the preparation of the Zoning By-law.
- 2.9.4 An amendment to this Plan will not be required for minor changes to the Hazard Land designation which are deemed to be suitable by Council in consultation with the Ministry of Natural Resources and which meet the intent of the Plan.

Criteria for reviewing amendments to the Plan will include:

- severity of flood hazard;
- risk to public safety;
- impacts upon stream and downstream flooding of adjacent properties;
- impacts upon such ecological values as wetland and fisheries/wild life habitat.

- 2.9.5 Council shall amend this Plan and/or the implementing zoning by-law to incorporate more detailed hazard land mapping as it becomes available or as existing mapping is reviewed and revised periodically.
- 2.9.6 Changes in available information, technology or physical changes in the watershed may require minor changes to the boundaries of the hazard lands and an amendment to this Plan will not be required for such boundary changes. When such changes occur, the appropriate abutting land use designation shall apply and the zoning by-law shall be amended accordingly.
- 2.9.7 The zoning by-law may contain provisions for a setback from shorelines, river banks and other hazardous areas; such setback will be established in consultation with the Ministry of Natural Resources.
- 2.9.8 Council shall undertake a flood line mapping program to accurately determine the extent of flood hazard areas, selected areas in the Township, provided significant

funding support is obtained from senior levels of government. Council shall incorporate this mapping into the Official Plan and the municipal zoning by-law.

- 2.9.9 While it is the intent of this Plan to restrict development on Hazard Lands and areas of Development Constraint, nothing herein shall prevent the inclusion of these lands as part of a lot or parcel created by consent or plan of subdivision provided the remainder of such lot or parcel has an adequate area for development and the development complies with other applicable policies of this Plan.

## **2.10 General Policies for Existing Uses on Hazard Land**

- 2.10.1 All existing uses will be recognized as being permitted in the zoning by-law implementing this Plan.

- 2.10.2 An existing use that is damaged or destroyed will be permitted to reconstruct provided: the building or structure is located on the original foundation; the size of the building or structure is not increased; and there is no change in use except to a use permitted in a Hazard area and that reconstructed habitable buildings shall be floodproofed to the identified flood level.

- 2.10.3 Renovations to existing uses will be permitted without a rezoning. Minor alterations to existing structures in the floodplain may be permitted, subject to review of the following criteria by Municipality and the Ministry of Natural Resources:

- where off-site impacts of a development are likely to occur, the proponent may be required to have a professional engineering report prepared to the satisfaction of the Municipality and the Ministry of Natural Resources to assist in this review.;
- minor alterations shall not include an increase in the ground floor area of the existing structure;
- minor alterations shall not include additional fill within the floodplain; and,
- minor alterations shall not place additional life at risk.

## **2.11 Special Policies for Land Along Lake Shorelines**

- 2.11.1 All new structural development near the shoreline of Lake Bernard shall be floodproofed to a minimum elevation of 330.5 metres based on Canadian Geodetic Datum.

- 2.11.2 A 20 metre setback from the average high water level shall be established for all new structural development along the lakeshore. This setback may be reduced through an application for a minor variance to the implementing Zoning By-law where there are undersized lots existing as of the date of this Plan that are constrained by roadways railways or other features that make the 20 metre setback impractical. In those instances the Council or Committee of Adjustment

may impose additional conditions to ensure that the quality of the lakeshore environment is preserved.**(Revised by OPA 1)**

Where new lots are created adjacent to or within fish habitat as generally shown on Appendix No. 1, Council may require site specific zoning to impose greater setbacks from the shoreline. Development that would be permitted on lands adjacent to or within Class 1 fish habitat (SP1) shall be supported by an appropriate technical study, such as an environmental impact study, to demonstrate that there will be no negative impact on the fish habitat.**(Added by OPA 1)**

Larger scale Fish Habitat Classification mapping is available at the Municipal Offices for all properties within or adjacent to a shoreline and shall be consulted when development applications are being considered. Where the shoreline has not been evaluated in terms of fish habitat by the Ministry of Natural Resources, it shall be treated as Class I Fish Habitat, pending further assessment.**(Added by OPA 1)**

- 2.11.3 No new buildings or structure shall be permitted within this setback area except:
- a) where such buildings or structures are intended for floor or erosion control, or are normally associated with the floodplain, landscaping or stabilization;
  - b) for essential public services;
  - c) for other uses normally associated with waterfronts such as docks, boathouses, marina and marina facilities, parks and recreation facilities and other uses compatible with a flood hazard;
  - d) buildings and structure existing on the date of adopt of this Plan may be zoned in a zoning category that permits their existing use.

2.11.4 All public accesses to Lake Bernard and other lakes shall remain public.

## **2.12 Special Policies for Land Along Watercourses**

2.12.1 For all lands along coldwater streams/tributaries and sensitive fisheries habitat, a 30 metre setback from the top-of-bank shall be established in the zoning by-law for all new structural development and/or septic tile bed excluding docks, electric power facilities and other structures that by their nature must be located at the shoreline. For all lands along warmwater/coolwater streams, the setback shall be 15 metres. In addition, the preservation of vegetation along streams may be required as a condition of site plan approval.

2.12.2 Cold water streams have generally been identified on Appendix No. 1. Larger scale mapping of cold water streams is available at the Municipality and shall be consulted when development applications are being considered alongside any streams. **(Added by OPA 1)**

## **2.13 Environmental Protection**

2.13.1 It is an objective of Council to recognize the importance of wetlands, significant wildlife habitat areas, including deer wintering areas, fish habitat, vulnerable, threatened and endangered species and areas of Natural or Scientific Interest to the community and to protect those areas from adverse environmental impacts. These important natural features are shown on Appendix 1. **(Deleted and replaced by OPA 1)**

2.13.2 Where development is proposed within or adjacent to any Environmental Protection Area identified on Schedule A – Land Use Designations or development constraints identified on Appendix No. 1, the proponent shall be required to prepare a report that provides an assessment of the potential impacts of the proposed development on the ecological functions and natural features that have been identified. Development will only be permitted where it can be shown to the satisfaction of Council that there will be no negative impact on those features and functions.

Environmental Impact Statements are to be conducted by specialists qualified in the valued being assessed, to the satisfaction of Council in consultation with the Ministry of Natural Resources. An EIS shall include the following information:

- i) the proposed development;
- ii) the significant features within the surrounding area;
- iii) the potential impacts of the development on the natural feature;
- iv) options for locating the development in a less sensitive area;
- v) techniques that should be used to mitigate potential impacts; and, means to implement the mitigation measures.

Any development that has satisfied the requirements of the Environmental Assessment Act shall be deemed to have met this requirement. **(Added by OPA 1)**

## **2.14 Crown Land**

2.14.1 Council recognizes that the use and development of Crown lands will take place in accordance with the land use and management policies of the Ministry of Natural Resources. Where a change in Crown land use is proposed that may directly affect the municipality and adjacent private properties, the Ministry shall consult with the Township and have regard for the policies of this Plan.

## **2.15 Land Division**

Major land development shall generally take place by registered plan of subdivision in conformity with this Plan. Where a plan of subdivision is not necessary for proper and orderly development, a consent to a land conveyance may be granted in accordance with the following applicable policies:

2.15.1 Consent to sever an individual parcel of land may be permitted provided:

- a) it is clearly apparent that the resulting use of the land will be in accordance with the policies in this Plan pertaining to the land use designations in which the lot is situated;

- b) soil and drainage conditions are suitable to permit the proper siting of buildings, the supply of potable water and the installation of a sewage disposal system approved by the Ministry of the Environment or its designated agent.
- c) the proposed severed and retained lots front on and have access to an opened public road maintained for year-round use, of an acceptable standard of construction;
- d) in the case of tourist commercial development or resource related development, the proposed lot has adequate access to a public road;
- e) access to a highway is considered safe and meets the requirements of the approving road authority;
- f) the subject parcel is not on good agricultural land except that good agricultural land may be severed for agricultural purposes;
- g) The proposed lot shall meet the Minimum Distance Separation Formula as amended from time to time and the implementing Zoning By-law;**(Modified by OPA 1)**
- h) the proposed severance does not restrict the potential for economic activities related to the resources of the area such as forestry, mining, aggregate removal, tourism development or the management or conservation of such natural resources as deer yard areas, significant wildlife habitat, fisheries habitat or significant plant communities.

Where lots are proposed adjacent to or within fish habitat shown on Appendix No. 1, the lot shall have sufficient frontage outside of Class 1 habitat to provide for docking and recreational uses at the shoreline. Where there is frontage comprised of Class 2 habitat, special design features may be required as a condition of rezoning or site plan approval to minimize impact of the fish habitat.**(Added by OPA 1)**

New lots within deer wintering areas shown on Appendix No. 1 should have a minimum frontage of 90 metres and a minimum area of 1.0 ha.**(Added by OPA 1)**

- i) the creation of any new lot will not have the effect of preventing access to or landlocking any other parcel of land;
- j) the severance reflects good planning principles;
- k) the proposed use of each of the parcels to be created is compatible with the existing uses of surrounding land which conform to the Zoning By-law;
- l) the proposed lot is not in a primary aggregate resource area;
- m) it is clear that a plan of subdivision is not required;

- n) In the Rural designation a maximum of three lots may be severed from an original Township lot, generally 40 hectares in size. Additional lots may be permitted as infilling within an existing cluster of lots where three lots presently exist within 400 metres of each other as of January 1, 2000.**(Modified by OPA 1)**

In the Rural designation, where a new lot is created for agricultural or resource related purposes the severed parcel shall be a minimum of 1.0 hectares and have a minimum frontage of 60 metres.**(Added by OPA 1)**

Where lots are created in the Lakeshore Development Areas the minimum lot area shall be 0.4 hectares and the frontage shall be at least 45 metres.**(Added by OPA 1)**

The provisions of Section 2.11 Special Policies for Land Along Lake Shorelines and 2.13 Environmental Protection shall apply to new lots within deer wintering areas and/or within or adjacent to fish habitat.**(Added by OPA 1)**

Within the Rural Residential designation, where the lots are fully or partially serviced with municipal sewage and water, lot sizes shall be similar to adjacent lot sizes. The Zoning By-law will establish minimum frontages and areas.**(Added by OPA 1)**

- o) in the Rural designation, a maximum of three lots can be severed from an original Township lot, generally 40 hectares in size; and,
- p) any lot for permanent residential use shall be located on an existing school bus route.

2.15.2 Consents may also be granted for the following purposes:

- a) to correct lot boundaries;
- b) to convey additional lands to an adjacent lot provided the conveyance does not lead to the creation of an undersized or irregularly shaped lot for the purpose for which it is being used;
- c) to provide easements or rights-of-ways; and,
- d) to re-divide lots which were previously separated by consent or subdivision provided that both the severed and retained lot meet the requirements of the Zoning By-law.

2.15.3 In addition to the policies of this Plan, Council, when considering a plan of subdivision, shall have regard, among other matters to the following:

- a) the conformity of the proposed plan of subdivision to this Plan;
- b) the factors listed under Section 50 of the Planning Act;

c) the factors listed in the land division policies of this Plan.

2.15.4 The subdivider shall bear all the costs of providing services within the subdivision and where applicable, the extension or upgrading of services.

2.15.5 All subdivisions shall be subject to a development agreement with the municipality.

2.15.6 Condominium Developments(**Added by OPA 1**)

Development in the form of vacant land condominiums shall be reviewed in the same manner as a plan of subdivision. Multiple unit residential condominiums will require an amendment to this Plan.(**Added by OPA 1**)

Where condominium developments utilize communal sewage and water services those services will be owned and maintained by the condominium corporation. The municipality will enter into a responsibility agreement with the condominium corporation including conditions which would require the condominium corporation to maintain sufficient funds to maintain and replace services as may be needed. Such an agreement will also require the corporation to file reports with the municipality regarding the operation of the services and the financial position of the corporation.(**Added by OPA 1**)

## **2.16 Group Homes**

Council will encourage group homes in appropriate locations throughout the municipality. For the purposes of this Plan, group homes are defined as a single housekeeping unit in a residential dwelling in which three to ten residents, excluding staff or the receiving family live as a family under responsible supervision consistent with the requirements of its residents; the home is licensed or approved under Provincial statute and in compliance with municipal by-laws.

2.16.1 Group homes shall be permitted in all areas in which residential dwellings are permitted, provided that each group home is located at least 500 metres from another group home.

## **2.17 Affordable Housing**

2.17.1. In accordance with the Land Use Planning for Housing Policy Statement, Council shall:

- a) encourage the provision of a mix and range of housing types in the municipality;
- b) require a minimum of 25% of new residential development to be affordable;
- c) reduce the time to process residential applications, to the greatest extent practical;

- d) encourage residential intensification, where practical; and,
- e) monitor the provision of affordable housing in the municipality.

## **2.18 Cultural Heritage and Archaeological Resources(Added by OPA 1)**

2.18.1 Council shall ensure that all significant cultural heritage and archaeological resources in the municipality, including heritage buildings, heritage areas, cultural heritage landscapes, cemeteries and known archaeological sites are identified and conserved in the land use planning process.**(Added by OPA 1)**

Council may use the Heritage Act to conserve significant cultural heritage resources such as heritage buildings, heritage districts or archaeological sites located within the Township, through the use of local heritage property designation by-laws. Council may consider where appropriate, the passing of archaeological zoning by-laws under Section 34 of the Planning Act, to be adopted for the purpose of protecting identified significant archaeological sites.**(Added by OPA 1)**

2.18.2 The Township will encourage and provide for the identification, restoration, protection, maintenance and enhancement of cultural heritage resources through maintaining a comprehensive inventory of cultural heritage resources as information becomes available and/or developing a heritage master plan as may be needed for resource planning within the Township.**(Added by OPA 1)**

2.18.3 Council shall require archaeological assessments conducted by archaeologists licensed under the Ontario Heritage Act, as a condition of development or prior to approving any Zoning By-law amendment in areas containing a known archaeological site or considered to have archaeological potential. Archaeological assessment reports conducted by licensed archaeologists are to be in compliance with guidelines set out by the Ministry of Culture, as well as licensing requirements developed under the Heritage Act.**(Added by OPA 1)**

2.18.4 Consideration will also be given to the possible effects and impacts of development including municipal public works or municipal projects on cultural heritage resources and that such impacts, where identified, are appropriately mitigated.**(Added by OPA 1)**

2.18.5 Council shall ensure adequate archaeological assessment and consult appropriate government agencies, including the Ministry of Culture and the Ministry of Consumer and Business Services, when an identified historic human cemetery, marked or unmarked human burial is affected by development. The provisions under the Heritage Act and the Cemeteries Act shall apply.**(Added by OPA 1)**

### **3.0 MUNICIPAL ROADS AND SERVICING**

#### **3.1 Municipal Roads**

The intent of Council is to ensure as far as possible a road network that will adequately accommodate the transportation needs of the residents of the municipality and to maintain these roads in a good state of repair within the financial capabilities of the Township.

The Township is experiencing demands for increased levels of servicing in rural areas such as more frequent snowplowing, opening of seasonal roads to year-round maintenance, dust control on roads, and the opening of new road allowances. It has been found that road services in rural areas are sometimes difficult and expensive to provide due to dispersed development patterns associated with rural development. This can place an additional financial strain on the Township. Any further demands for the Township to open unopened road allowances, assume private roads or increase the level of servicing will be fully assessed in terms of municipal costs and the desirability of the kinds of development which may follow any road upgrading.

Prior to constructing, funding or supporting public projects, such as municipal roads or drainage works, the Township shall consult with the Ministry of Natural Resources and the Ministry of the Environment and Energy to determine what design requirements, if any, are necessary to eliminate or mitigate adverse impacts upon fisheries and wildlife habitat values.

3.1.1 The Township will continue to improve public roads as funds become available.

3.1.2 Except for resource related development, or as otherwise provided for in the policies of this Plan, all new development in the Township shall have frontage on and have access to a public road maintained for year-round use, of an acceptable standard of construction.

3.1.3 Unless it is in the public interest;

- a) no new roads will be opened by the Township. An individual may, however, request that a road be opened, provided that:
  - i) the road is opened at the individual's expense; and,
  - ii) the individual enters into a development agreement with the Township for opening the road and bringing the road up to the minimum municipal road standards.
- b) existing private roads will not be assumed by the Township and no responsibility for access, snow clearance, maintenance or use by school buses or public vehicles is acknowledged.
- c) municipal roads shall be maintained at current levels.

## **3.2 Road Standards**

- 3.2.1 Provincial road standards shall be the minimum requirement for all new roads, road reconstruction and extensions in the Township.
- 3.2.2 In new residential subdivisions, roads shall be paved to the municipal standard. This standard shall be required for all internal roads, and roads across the entire frontage and flankage of the subdivision.

## **3.3 Provincial Highways**

- 3.3.1 Highway #11 is a Provincial highway which serves as the main north-south transportation route. It is classified as a 'Controlled Access Highway'. Highway #124 is classified as a 'Major Provincial' roadway. Entrance and land use/building/sign permits are required from the Ministry of Transportation.  
**(Section deleted by OPA 1)**

## **3.4 Sewage and Water Services**

- 3.4.1 Generally all new development in the Township shall be serviced by private individual water supply and sewage disposal systems. Development utilizing communal or municipal sewers may be permitted where such development is in the best interests of the municipality and the environment.
- 3.4.2 The provision of such services will be regarded as a private responsibility of the property owner who shall ensure that his particular means are adequate and in sound working order to minimize the possibility of pollution or danger to health.
- 3.4.3 Only means of sewage disposal and water supply approved by the required authorities shall be permitted.

## **3.5 Landfill Sites**

The provision of landfill sites which meet Ministry of the Environment standards is an important service to the residents of the municipality. Both during and after their operation, however, landfill sites may pose a hazard to other existing and proposed land uses. The location of landfill sites and their adjacent land uses, must be carefully planned. The location of existing landfill sites is indicated on Schedule A - Land Use to this Plan.

- 3.5.1 All new landfill sites must be approved by the Ministry of the Environment.
- 3.5.2 Careful consideration shall be given to potential hazards to development being proposed within 500 metres of an existing or former landfill site.
- 3.5.3 Before approving any application for development or land division on an existing or former landfill site, Council shall consult with the Ministry of the Environment and upon the recommendation of the Ministry of Environment, may require that the applicant provide studies dealing with: groundwater quality; drainage from the

waste disposal site; subsurface gases; animal pests; air quality and odours; and, where the site is in operation, noise and traffic.

- 3.5.4 Council, in consultation with the Ministry of the Environment, may conclude that the proposed development would be subject to one of the above-noted hazards, in which case, the application will not be approved, unless it is also concluded that effective remedial measures are available and will be undertaken.

### **3.6 TransCanada Pipelines**

- 3.6.1 The TransCanada Pipeline runs through the Township, as identified on Schedule A - Land Use. Any permanent structures adjacent to the Pipeline are to be located at least 10 metres from the limits of the Pipeline right of way.

### **3.7 Railways**

- 3.7.1 Noise and vibration sensitive areas may be considered to be those areas of land abutting or adjacent to railway rights-of-way having a passive recreation or residential component. Sensitive areas for noise generally include lands lying within 30 metres of railway rights-of-way. Development proposals within 300 metres of any railway right-of-way shall have regard for rail noise, vibration and safety and may be subject to the approval of the Ministry of the Environment and Energy and/or the rail line operator.

## **4.0 IMPLEMENTATION AND ADMINISTRATION**

### **4.1 Implementation**

This Plan shall be implemented by means of the powers conferred upon Council and the Minister of Municipal Affairs by the Planning Act, the Municipal Act, and other applicable statutes.

### **4.2 Zoning By-law**

Council shall pursuant to the provisions of Section 34 of the Planning Act amend the Township's existing Zoning By-law No. 82-1114 to reflect the principles and policies contained in this Plan. The Zoning By-law shall make provisions for appropriate development standards, and zone land in accordance with the policies of this Plan.

### **4.3 Temporary Use By-law**

Notwithstanding any other policy of this Plan, Council may pass by-laws under Section 38 of the Planning Act to permit temporary use of land, buildings, or structures in defined areas and for prescribed periods of time, for any purpose set out therein. The temporary use by-law shall be consistent with the intent of the Official Plan. In considering the use of a temporary use by-law, Council shall ensure that the use is not detrimental to the existing land uses in the area and that large capital expenditures would not be incurred so that the owner does not experience hardship in reverting to the original use. The temporary use by-law may apply for a maximum period of three years.

### **4.4 Existing Uses**

Nothing in the Plan shall affect the continuance of uses which were legally established on the date that the Plan was adopted whether or not they conform to this Plan.

### **4.5 Non Conforming Uses**

The land use schedules and the policies for land use represent a concept for the future land use pattern in the Township. It is recognized, however, that some existing uses of land will not conform with this concept and it is likely that this situation may persist for some time. Moreover these uses have generally been established for a number of years and a measure of stability exists between them and their neighbours. While a conscientious planning program would not seek to deliberately foster a mixture of uses that were believed to be detrimental to each other, it must recognize that there are many existing situations which can continue without causing any serious adverse results. In some cases, it may also be reasonable and practical to allow the replacement or expansion of non-conforming uses.

4.5.1 where an existing use of land does not conform with the land use designation shown or to any other applicable policy in this Plan, it may, notwithstanding these policies, be zoned in the zoning by-law in accordance with the present use and performance standards, provided:

- a) the zoning by-law will not permit any change of use or performance standards that will aggravate any situation detrimental to adjacent conforming uses;
- b) it does not constitute a danger or nuisance to surrounding uses by virtue of a hazardous nature, environmental threat, traffic hazard or other detrimental characteristic; and,
- c) it does not interfere with desirable development in adjacent areas that are in conformity with this Plan.

4.5.2 Where an existing use in one or more of these respects is incompatible, it may be made a non-conforming use in the zoning by-law.

4.5.3 Notwithstanding Subsection 2.10, where a use of land does not conform with the land use designation shown or to any other applicable policy in the plan, but is nevertheless reasonably compatible with other uses in its vicinity, it may be renovated, replaced or expanded in order to avoid unnecessary hardship.

## **4.6 Site Plan Control**

4.6.1 Council may pursuant to the provisions of the Planning Act, designate all or part of the municipality as a proposed site plan control area in order to more effectively control the development of land. The intent of site plan control is to improve the efficiency of land use and servicing and to encourage a more attractive form of development. As a condition to approving plans and drawings for development, Council may require the provision and where appropriate, the maintenance of the following matters to the satisfaction of the municipality;

- a) access facilities;
- b) off-street parking and loading areas;
- c) walkways and other means of pedestrian access;
- d) grading or alteration in elevation or contour of the land and provision for the disposal of storm, surface and waste water from the lands;
- e) conveyance of easements for servicing;
- f) one site lighting;
- g) site landscaping and screening devices;
- h) facilities for the storage of garbage and other waste.

4.6.2 All of the land within the boundaries of the Township of Strong is hereby designated as a proposed site plan control area.

4.6.3 Council may pass a site plan control by-law to control commercial, industrial and multiple family developments.

4.6.4 The following developments are exempt from site plan control;

single residential dwellings; two residential dwellings; any other class of dwelling with a maximum of four dwelling units; conservation uses; open space uses; public uses; public utilities; institutional uses; and, agricultural uses.

#### **4.7 Holding Provisions(Added by OPA 1)**

Council may use a Holding Provision as provided for under Section 36 of the Planning Act where lands are being zoned for future uses or where the lands are being zoned prior to a Site Plan being approved or prior to a plan of subdivision receiving final plan approval. Where Council uses a By-law with a Holding provision, the By-law shall specify the conditions under which the Hold will be lifted.(Added by OPA 1)

#### **4.8 Amendments, Variances and Development Applications**

4.8.1 Council, in considering any amendment to the Official Plan or Zoning By-law, a minor variance or development application shall have regard for the following factors, among others:

- a) the impact on adjacent and nearby land uses;
- b) the character of the surrounding area;
- c) the impact on the environment;
- d) the impact on roads, services and utilities;
- e) the proposed parking and loading facilities;
- f) the noise and traffic generated;
- g) the general intent and purpose of the Official Plan and Zoning By-law;
- h) the desirability and appropriateness of the use;
- i) the benefits to the municipality.

#### **4.9 Public Works, Community Services and Facilities**

Council shall prepare and implement plans and programs for all public works, services and facilities coming within its statutory responsibilities related to and compatible with this Official Plan.

#### **4.10 Municipal Budget**

Council shall prepare short and long term capital and current financial plans related to and compatible with this Official Plan.

#### **4.11 Public Works and By-laws to Conform with Official Plan**

No public works shall be undertaken and no by-law shall be passed for any purpose that does not conform with the Official Plan.

#### **4.12 Property Standards**

Council shall pass and enforce property maintenance and occupancy standards by-law pursuant to the provisions of Section 31 of the Planning Act. The purpose of this by-law is to encourage the property maintenance and repair, and establish standards of occupancy for all private property.

Complementary to the enforcement of minimum standards on private properties, Council shall undertake to keep in a fit and well-maintained condition, all municipally-owned properties and structures, and to provide or maintain in good repair such municipal services as roads, sidewalks, parks etc.

#### **4.13 Ontario Building Code**

Council shall enforce the provisions of the Ontario Building Code in order to ensure necessary standards of construction in new buildings and structures or in the extension or enlargement of existing buildings and structures.

#### **4.14 Tariff of Fees**

Council shall pass a by-law to establish a tariff of fees for the processing of planning applications. The tariff will only apply to the anticipated costs incurred by the Municipality in processing a planning application and may include lawyer, planner and engineering fees.

4.14.1 Council, shall pursuant to the provisions of Section 68 of the Planning Act, 1983, pass a by-law to establish a tariff of fees for the processing of planning applications.

4.14.2 The tariff of fees by-law shall establish a fair and equitable fee structure based on the actual or anticipated costs incurred by the Township in processing each type of planning application provided for in the by-law.

4.14.3 Council shall review the tariff of fees by-law from time to time and revise the tariffs as processing costs change.

#### **4.15 Development Charges**

Under the Development Charges Act, S.O, 1989, municipalities can pass Development Charge By-laws in which they can assess and recover part of their anticipated expenses for new growth for both hard and soft services. Hard services include such items as sewer and water services, landfill sites, roads and power services. Soft services include such items as an addition to the municipal office or a new office, a new fire station, library expansion, recreational facilities and additional municipal staff.

4.15.1 Council shall pass a by-law under the Development Charges Act, S.O. 1989 to assess and recover their anticipated expenses for new growth for both hard and soft services.

4.15.2 Development charges may be levied against plans of subdivision, consents, condominiums, zoning by-law amendments, minor variances, building permits and lands exempted from part lot control.

#### **4.16. Revisions and Amendments**

Council shall review the Official Plan on a regular and ongoing basis to review the adequacy of the Plan in meeting municipal objectives; and, to determine the necessity for making amendments to provide for changing circumstances.

4.16.1 Council shall, from time to time, and not less frequently than every five years, hold a special meeting, open to the public, for the purpose of determining the need for a revision to the Plan, as required by Section 26 of the Planning Act, 1983.

4.16.2 Council shall afford any person who attends the meeting an opportunity to be heard in respect of the need for a revision of the Plan.

4.16.3 Amendments will be required at any time that changes are made to the land use schedules, or any other change is made to the policies of the Plan.

4.16.4 Council shall conduct a comprehensive review of the Official Plan every five years.

4.16.5 Public notification and meetings shall be held in accordance with the provision of the Planning Act, 1983.

#### **4.17 Technical Amendments**

No notice is required for technical amendments to the Official Plan or Zoning By-law or for the creation of a consolidated Plan or By-law. For the purposes of this section, the following shall be considered as technical in nature.

4.17.1 The creation of a consolidated Official Plan or Zoning By-law provided that only existing and approved Amendments are added to the Plan or By-law.

4.17.2 The updating of section references to the Planning Act;

4.17.3 The translation of measurements from one unit to another; provided that no change to standards result;

- 4.17.4 The renumbering of sections of the Plan or By-law; and;
- 4.17.5 The correction of grammatical or typographical errors provided that they do not result in a change of policies or zone requirements.

**4.18 Interpretation of Plan**

The intent of this Plan shall in all cases be considered flexible and no strict interpretation of any boundary line or any figure is intended. Appropriate minor variations may be made to these and to other policy statements herein where they are deemed to be necessary for the desirable development of the Township provided that the general intent of the Plan is maintained. The limits of the floodplain shown on Schedule 'A' are approximate only and may be more accurately determined in the field or through engineering studies prepared in consultation with the Ministry of Natural Resources.