

OFFICIAL PLAN for



Approved by the County of Peterborough
June 26, 2013

Approved by Ontario Municipal Board January 12, 2015

**Consolidation showing OMB decisions and
outstanding appeals to June 10, 2015
and Amendments to April 25, 2024**

CONSOLIDATION INCLUDES:

OPA #1	Stewart.....	Approved April 9, 2015
OPA #2	MDS.....	Approved October 31, 2017
OPA #4	Source Water	Approved December 25, 2017
OPA #3	Champions Gymnastics	Approved January 3, 2018
OPA #5	Cameron (Ida).....	Approved October 14, 2020
OPA #6	Towerhill Commercial.....	Approved February 25, 2021
OPA #7	Towerhill North Subdivision.....	Approved October 15, 2021
OPA #8	Stewart.....	Issued August 5, 2022
OPA #9	Cannabis Production Facilities	Approved April 4, 2022
OPA #10	1066 Syer Line.....	Approved June 3, 2022
OPA #11	Township Wide CIP.....	Approved July 4, 2022
OPA #12	Wiseman.....	Approved April 4, 2023
OPA #13	Kennedy.....	Approved August 10, 2023
OPA #14	Bill 109 and Bill 23 Conformance	Approved Sept 8, 2023
OPA #15	Vargas Subdivision	Approved April 25, 2024
OPA #16	CSU Subdivision	Approved April 25, 2024

PREFACE

This document is the **OFFICIAL PLAN** for the Township of Cavan Monaghan. This new Official Plan replaces the Official Plan adopted by Council in 2002 and approved by the County in 2003 and the Village of Millbrook Official Plan approved in 1987.

The Official Plan provides an up-to-date policy framework for guiding growth and development within the municipality, while taking into consideration important social, economic and environmental matters. The Plan incorporates local land use directions and required Provincial policies, including the Oak Ridges Moraine Conservation Plan, the Provincial Policy Statement, the 2005 Growth Plan for the Greater Golden Horseshoe and recent amendments to the County of Peterborough Official Plan.

Note

Parts of this Plan are subject to appeals currently before the Ontario Municipal Board and parts of this Plan are fully approved. The following notation in red text identifies the matters currently under appeal and to which new schedule or policy language is sought to be added.

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Note: Brookfield appeal regarding Special Study Area 1

1 FOUNDATIONS OF THE PLAN

1.1. INTRODUCTION

This Official Plan, in the form of text and maps, defines the intent of Township Council regarding the direction of growth and development in the Township of Cavan Monaghan. The goals, objectives and policies contained in this Plan are intended to guide the decisions of public authorities and private interests to maintain the Township as a livable and attractive community. No public work can be undertaken, or Zoning By-law passed that does not conform to the Official Plan.

This Plan will serve as the basis for managing change in the Township to the year 2031.

The Plan has been prepared to implement the Oak Ridges Moraine Conservation Plan, the Growth Plan for the Greater Golden Horseshoe and the Provincial Policy Statement, 2005. Provisions for the Oak Ridges Moraine have been consolidated into this document as approved by the Minister of Municipal Affairs in Official Plan Amendment # 2 to the 2003 Official Plan.

There are policies in the County of Peterborough Official Plan that may affect the future development of lands in the Township. In accordance with the provisions of the Planning Act, where conflict between this Plan and the Peterborough County Official Plan occurs, the provisions of the County Plan shall prevail except where the local plan is more restrictive.

It shall be a policy of the Township to ensure that all development occurs in accordance with the land use designations shown on the attached Schedules and with the policies of this Plan.

1.2. STRUCTURE OF THE PLAN

1.2.1. 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, upper tier policies and Council direction that form the basis for establishing Strategic Directions in Section 2 and Interpretation in Section 9 of this Plan.

1.2.2. Strategic Directions

Section 2 establishes the key directions, principles and objectives for the Township. Should uncertainty or conflict arise in the interpretation or implementation of this Plan, reference should be made to the Strategic Directions in this section.

Special Study Area No.1 incorporates lands intended to be studied to determine the extent of land required to respond appropriately to future growth opportunities.

1.2.3. General Development Policies

The General Development Policies set out in Section 3 act as the primary guidelines for the consideration of all development proposals and public works projects. This section establishes criteria or tests that must be considered prior to the Township approving any development proposal. The policies relate to environmental, cultural and physical features in the Township.

1.2.4 Land Use Policies and Schedules

The Land Use Policies in Sections 4, 5 and 6 outline the future land use pattern and infrastructure elements, or structure, for the Township. The policies in these sections describe how development will occur within the different land use designations and how infrastructure will be developed and managed.

The Land Use policies of the Plan are separated into four sections, consistent with structure of the Township:

• Settlement Area	Section 4
• Countryside Areas	Section 5
• Natural Heritage System	Section 6
• Transportation and Infrastructure	Section 7

The policies contained in these Sections are supported by the following schedules:

- Schedules A and A-1 designate the land use components of the Township. Parts of the Transportation System are shown on Schedules A and A-1 for the purpose of delineating the various components of the system; **(Subject to appeal as it relates to Special Study Area 1 identified on Schedule A)**
- Schedules B and B-1 graphically depict the Environmental Features that must be considered through the development process. The policies relating to these features are found throughout this Plan, primarily in Section 6;
- Schedule C illustrates Development Constraints including well-head protection areas, aggregate resources, noise exposure forecasts and former waste disposal sites;
- Schedule D identifies Aquifer Vulnerability Areas of the Oak Ridges Moraine;
- Schedule E depicts Land Form Conservation Areas in the Oak Ridges Moraine; and,

- Schedule F, Maps 1 to 8 depict proposed Hamlet boundaries within the Township.
(Subject to appeal as it relates to Special Study Area 1 identified on Schedule A)

1.2.5 Implementation and Interpretation

Sections 8 and 9 outline procedural and implementation requirements for the use and development of lands to ensure compliance with stated objectives and to provide direction to interpret the policies and the Schedules contained in the Plan.

1.3 PURPOSE AND GOALS OF THE PLAN

This Official Plan establishes the pattern that development within the Township should follow during the planning period to 2031. In accordance with the Planning Act, this Plan will be reviewed every five years to determine if it continues to represent appropriate guidelines for the future development of the Township.

In keeping with this purpose, the goals of this Plan are to:

- Assist Council in determining future policies and actions in all matters relating to the development of the Township;
- Build a sense of community in the Township through development of a Plan that guides the future of the Township as a single entity with a common purpose and common objectives;
- Preserve the rural character of the landscape, settlement areas and cultural heritage of the Township;
- Provide for the protection and preservation of the natural environment through policies that implement the Oak Ridges Moraine Conservation Plan and the Provincial Policy Statement;
- Direct development primarily to the existing designated urban serviced community of Millbrook and, to a lesser extent, the existing hamlets in the Township; (Under appeal only to determine the amount of growth, if any, which should be directed to Special Study Area 1.)
- Improve the economy of the Township by encouraging improved opportunities for employment in the commercial and industrial sectors;
- Ensure development is attractive, accessible and reflects the historic character and built form in the Township;
- Encourage a density of new development that is energy efficient, sustainable and makes the most efficient use of existing services;
- Ensure that new development incorporates sustainable elements into design, construction and operation to the benefit of the environment, the economy and the residents of the Township;

- Identify, protect, conserve and manage the cultural heritage of the Township, including archaeological sites, built heritage features and cultural landscapes for present and future generations;
- Provide a variety of housing opportunities to meet the needs of the present and future residents of the Township;
- Make information available to the public regarding the future development pattern of the Township, to reduce speculation in land;
- Ensure that no public works shall be undertaken by Township authorities or private developers that do not comply with the provisions of this Plan;
- Manage change in a manner that has the greatest positive impact on the Township; and,
- Develop methodologies to ensure that the impact of change is measured and recorded.

1.4 BASIS OF THE PLAN

The policies set out in this Official Plan have been determined following a comprehensive process of background review and public consultation. The following facts explain the rationale for these policies:

- The population of the Township is forecast to reach 11,560 by the year 2031. This growth represents approximately 2,730 persons between 2006 and 2031.
- Growth in the rural areas will be limited as a result of the policies of the Oak Ridges Moraine Conservation Plan and Provincial Policy Statement and the County of Peterborough Official Plan.
- **Growth in the Millbrook urban area will represent about 70 per cent of all of the growth in the Township.**
- Growth in the Hamlets will be contingent on the ability to provide adequate individual on-site, sewage and water services on a sustainable basis.
- It is anticipated that the new residential development during the life of this Plan will be distributed throughout the Township as follows:

Location	Households
Millbrook	1,000
*Hamlets	115
*Countryside Areas	240
TOTAL	1,355

*** Subject to an appeal with respect to the policies applicable to Special Study Area 1 as identified on Schedule A.**

- Employment opportunities will be focused on the transportation facilities in the Township including Hwy 115, the airport and rail services. The Township will establish a target of one new job for each three new residents over the planning period to 2031. This full-time employment growth represents approximately 900 new jobs between 2006 and 2031.
- New development in the Township and especially in Millbrook, will reflect the existing built form and historic character of the community.
- Additional growth in Millbrook will include a wider range of goods, services and facilities.
- The Township is a desirable place to live and a tourist destination largely because of the attributes associated with the Oak Ridges Moraine, the natural character of the rural area, recreational opportunities and facilities, and the historical and cultural character of Millbrook. Throughout the development of this Plan, Council and the public have indicated a desire to maintain and enhance these qualities.
- The Township contains many significant environmental features. Approximately 15 percent of its land area is within the Oak Ridges Moraine. A considerable portion of the Township contains Provincially Significant Wetlands. The significant natural heritage features, valley systems, significant forest areas and wetlands provide habitat for a wide range of fish, wildlife and vegetation. There is sufficient land available for development in the Township without the need to disturb these environmentally sensitive areas.
- Agriculture will continue to play an important role in the economy of the Township and the quality of the natural landscape. Prime agricultural lands will be preserved for future agricultural use so that the economy and character of the Township is also preserved.
- Consideration of sustainability through the integration of the environment, the local economy and the community shall be paramount in all planning and public works decisions.

2 STRATEGIC DIRECTIONS

This section establishes the strategic directions on which this Plan is based. These strategic directions establish the framework for the remaining policies in the Plan. Where situations of uncertainty or conflict arise in the interpretation or implementation of this Plan, reference should be made to these directions.

2.1 COMMUNITY

2.1.1 Residential Growth Targets

During the period of this Plan, the Township will experience increasing development pressures because of the high rate of growth that will be experienced throughout the Greater Toronto Area (GTA) and improved transportation linkages between the Township and the GTA.

The Township will manage population growth in a sustainable manner. This goal will be achieved by:

- a) Directing growth primarily to the urban settlement of Millbrook with limited rural development to the year 2031; (Subject to an appeal with respect to the policies applicable to Special Study Area 1, as identified on Schedule A)
- b) Planning for residential growth of approximately 65 residential units per year to the year 2031, with most directed to the Millbrook urban serviced area;
- c) Ensuring development in the urban area:
 - i) is sequential and phased to provide for the continuous and orderly development of the community;
 - ii) is developed to a density that will make economical use of existing infrastructure and services;
 - iii) supports intensification and integrates with existing residential areas; and,
 - iv) will not have an adverse effect on the Township's financial situation.
- d) Accommodating limited growth in the Hamlets through minor rounding out and infilling on private services that is sustainable and maintains the character of these small communities; and (Subject to appeal as it relates to Special Study Area 1)

- e) Limiting growth in the Countryside Areas to preserve the agricultural economy and be compatible with the rural character of the Township.

2.1.2 Housing Targets

A diverse housing stock in terms of type, tenure, density and affordability is required to meet the varied needs of residents and the community. This goal will be achieved by:

- a) Maintaining an adequate supply of land for residential development, and ensuring the availability of water and sewage treatment capacity;
- b) Encouraging intensification and infill development within the built-up area where adequate services such as water supply, sanitary sewerage, storm sewerage and drainage, schools and parkland are available and commercial and community facilities are accessible;
- c) Encouraging rental housing, assisted seniors housing and housing for special needs groups to locate in the Township. This housing shall be directed to areas in close proximity to support services such as community and medical facilities, shopping, parks and green space; and,
- d) Ensuring that new housing developments include a range of housing sizes and designs to offer housing opportunities at a range of prices, including affordable housing, in the marketplace.

2.1.3 Employment Targets

The Township will promote economic development and more employment opportunities within the community. This goal will be achieved by:

- a) Targeting an employment to population ratio of 1 job for every 3 people;
- b) Directing new employment opportunities primarily to the designated Employment Areas;
- c) Encouraging the development of privately serviced Employment Areas in the vicinity of major transportation facilities, and fully serviced Employment Areas in Millbrook; and,
- d) Encouraging continued employment in agricultural and resource sectors by promoting diversification and protecting resources.

2.1.4 Infrastructure

Infrastructure is the foundation of community development. The Township will encourage the provision of infrastructure that meets the needs of present and future

residents and businesses in an efficient, economical, and environmentally sensitive manner. This goal will be achieved by:

- a) Promoting the building of infrastructure required to serve the urban area of Millbrook to accommodate urban development;
- b) Ensuring that new infrastructure is paid for by those who benefit from the services to avoid long-term municipal debt;
- c) Establishing an integrated transportation system that safely and efficiently accommodates various modes of transportation including automobiles, trucks, cycling and walking;
- d) Constructing new infrastructure and expansions to existing infrastructure in a manner that is compatible with adjacent land uses and poses minimal social and environmental impact;
- e) Encouraging the provision of infrastructure that is energy efficient, promotes water conservation and water efficiencies and limits impacts to air quality;
- f) Considering accessibility requirements in the design of all public and private infrastructure; and
- g) Maintaining and enhancing infrastructure in a manner that encourages community involvement and participation in cultural, social and recreational activities.

2.2 NATURAL HERITAGE AND RESOURCE MANAGEMENT

Natural heritage features will be protected in the Township consistent with the policies of the Oak Ridges Moraine Conservation Plan, the Provincial Policy Statement and the Growth Plan to provide long term and sustainable environmental, economic and social benefits. This goal will be achieved by:

2.2.1 Natural Heritage

- a) Protecting the Oak Ridges Moraine for its unique landform characteristics, its significant function of groundwater recharge and discharge, its significant natural heritage features and their ecological functions;
- b) Identifying a continuous natural heritage system throughout the Township. This system will provide for the preservation of important ecological functions and features;
- c) Protecting groundwater resources as they are a vital component of the ecosystem and a source of drinking water. Land use related decisions of Council

will maintain and enhance surface and groundwater resources in sufficient quality and quantity to meet existing and future uses on a sustainable basis, promote water conservation and support the efficient use of water resources on a watershed and subwatershed basis;

- d) Protecting public health and public safety from water related hazards such as flooding and erosion;
- e) Permitting commercial logging of woodlands only in accordance with sustainable forestry practices; and,
- f) Encouraging the wise use and protection of the Township's aggregate resources while balancing this with the Township's responsibility to protect the ecological integrity of the natural heritage system, rural landscapes and the quality of life for its residents.

2.2.2 Agriculture

Agricultural lands are an integral part of the economy of the Township. As such, the Township will continue to protect agriculture and promote value-added agricultural operations and resources. This goal will be achieved by:

- a) Protecting Prime Agricultural lands and ensuring that non-agricultural uses that may have an impact on the viability of farm operations are not permitted;
- b) Prohibiting fragmentation of agricultural lands and encouraging the consolidation of farming parcels to improve efficiency and productivity; and,
- c) Encouraging small scale secondary uses to develop on farm properties to ensure value-added operations and to improve the livelihood of area farmers.

2.2.3 Aggregate Resources

Aggregate Resources are not renewable and therefore must be protected from incompatible uses. This goal will be accomplished by:

- a) Identifying aggregate resources on the Schedules to this Plan;
- b) Protecting aggregate resources from uses that may preclude the eventual extraction; and,
- c) Limiting residential uses and new lots in the Countryside Areas.

2.3 CULTURE

The Township has a unique cultural and historical heritage. The Township will protect this cultural and historical heritage in accordance with its powers under the Ontario Heritage Act and promote its value. This goal will be achieved by:

- a) Encouraging the conservation and enhancement of cultural heritage resources, including structures, sites and streetscapes of cultural, historic and/or architectural significance, significant archaeological and historic resources and significant landscapes, vistas and ridgelines;
- b) Preparing a comprehensive inventory of the Township's built heritage and cultural heritage landscape resources over the time frame of this Plan;
- c) Designating Significant Cultural Heritage resources under the Ontario Heritage Act to ensure preservation and protection;
- d) Retaining heritage buildings and structures generally for the original use in their original location. Where this cannot be done, adaptive reuse of heritage buildings and structures will be supported; and,
- e) Promoting public awareness, appreciation of cultural resources and fostering civic pride through education on the Township's existing cultural heritage resources.

2.4 ECONOMIC DEVELOPMENT

The Township will encourage development that provides opportunities for economic growth that is compatible with the character and environment of the community. This goal will be achieved by:

- a) Establishing Employment Areas that provide a range of job opportunities and a broad range of commercial and service facilities geared specifically to meet the needs of residents of the Township;
- b) Providing a sufficient supply of employment lands for development at all times;
- c) Providing opportunities for rural employment uses that can utilize the excellent transportation infrastructure including Highway 115 and the Peterborough Airport while operating sustainably on private services;
- d) Encouraging the development of home-based businesses provided the proposed use is compatible with adjacent land uses;
- e) Recognizing the importance of agriculture to the local economy and providing opportunities to improve and enhance the quality agriculture and value-added

agricultural industries in the Township;

- f) Providing opportunities to improve and enhance the quality of tourist facilities and the variety of tourism related business in the Township while recognizing the importance of culture and environment to the economy of the Township;
- g) Providing phasing and allocating municipal sewage and water services in the Employment Areas to ensure a long-term supply of fully serviced Employment land is available at all times; and,
- h) Promoting downtown Millbrook as the focal point for tourism and population serving commercial facilities in the Township.

2.5 SUSTAINABILITY

The Township will strive for increasingly sustainable development through the life of this Plan. Sustainable development means ensuring that the environment, the community and the economy are preserved and maintained in a manner that will ensure that resources are available to meet the needs of future generations. Decisions relating to future land use, public works and capital expenditures shall be made having consideration for the long term impacts on the environment, economy and the community and the appropriate balance between the Strategic Directions related to each of the matters identified in this section of the Plan. This goal will be achieved by considering the sustainability of development with respect to impacts on:

- a) Careful management of natural resources;
- b) Climate change and air quality;
- c) Energy conservation;
- d) Ecological integrity, connectivity and biodiversity;
- e) Financial well-being and management of the municipality;
- f) Community cohesion, character and quality of life;
- g) Reducing of waste;
- h) Reuse and recycling of resources including water; and,
- i) Preservation of the agricultural community and ability to grow food locally.

2.6 SPECIAL STUDY AREA NO. 1

Special Study Area No.1 (SSA-1) is shown on Schedule A to this Plan. This area is not designated as a Settlement Area for the purposes of this Plan and does not constitute

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an alteration of a boundary of a Settlement Area or the establishment of a new Settlement Area in the Township but it is where future growth in the Township of Cavan Monaghan is anticipated to occur if and to the extent demonstrated by the municipal comprehensive review as further described below. The Township will consider identifying lands within the Study Area for the expansion of Settlement Areas when this Plan is reviewed under the provisions of Section 8.1 of this Plan In accordance with the following:

- a) The Official Plan review will include a municipal comprehensive review of the need for lands to accommodate growth in accordance with the development projections identified in the Growth Plan for the Greater Golden Horseshoe and Amendments as made to that document. The study will include an analysis of supply and demand for additional urban lands based on Growth Plan policies and targets, the County's allocation of growth within the County and the growth and intensification targets within designated Settlement Areas in the Township. This comprehensive review will include consultation with the County of Peterborough, City of Peterborough and the area municipalities within the County.
- b) Until such time as this comprehensive review has been completed the boundaries of Settlement Areas shall not be expanded.
- c) The overall set of comprehensive studies required for SSA-1:
 - i) shall be done on a sub-watershed basis;
 - ii) may include studies outlined in Sections 8.4 (e) and (f) as required; and;
 - iii) be conducted in two phases as follows:
 - 1. Phase One shall include a Growth Management Study and the determination of the need, if any, for boundary expansions to Settlement Areas. If such a need is identified, Phase Two shall then determine the amount of land required and location of lands within Special Study Area No. 1 to be included in any proposed expansion and shall be determined based upon; (i) principles of good land use and infrastructure planning and not on land ownership; and, (ii) compliance with the Growth Plan, and (iii) the County's growth allocation to the Township; and (iv) studies outlined in Sections 8.4 (e) and (f) as required.
 - 2. Should Council determine a need for a Settlement Area designation for some of the lands within SSA-1, Phase Two Studies will be undertaken by the development community and will also include the preparation and completion of a Secondary Plan, or more than one Secondary Plan for the need identified in Phase One. Among other

matters, the Secondary Plan(s) will define stages of development in the area according to the need for land and must include an approach for the development of residential lands in relation to employment lands in order to provide a complete community and ensure a positive financial impact on the municipality.

3. Phase One and Phase Two studies described in this section may be conducted concurrently.

- d) If Council determines that a Settlement Area designation shall be placed on lands adjacent to settlement areas within SSA-1, a detailed Master Servicing Strategy for the lands must be prepared. All required infrastructure, including water and wastewater servicing systems, whether stand-alone or part of a larger system, shall be funded entirely by the development community in accordance with appropriate agreements for reimbursement and/or development charge credits, as noted below. If stand-alone systems are required, they may be ultimately owned and operated by the Township of Cavan Monaghan, in its sole discretion.
- e) With the exception of applications for consent, minor variance, small-scale official plan and zoning amendments, small-scale plans of subdivision within settlement areas and Rural Employment Areas, or as otherwise provided, Council may not consider other Planning Act applications until the Secondary Plan(s) referred to above has been considered and adopted by Council and approved by the County of Peterborough.
- f) The costs of any studies within the SSA-1 and peer review of those studies shall be borne solely by the development community. Such costs may be recoverable through development charge credits, if available, or through front-ending or cost-sharing agreements among members of the development community.

3 GENERAL DEVELOPMENT POLICIES

The following policies apply to all of the lands within the Township. All applications for development will be subject to the applicable policies in this section of the Plan. These policies deal with development in a variety of situations, and, therefore, not all of the policies apply to every development.

3.1 GENERAL DEVELOPMENT CRITERIA

Where a land use is permitted, uses normally accessory to such use are also permitted. Provisions and regulations regarding accessory uses, including size, type, location, height, mass, floor area, and spacing shall be included in the implementing Zoning By-law.

Prior to development occurring, and before any subdivision or a provisional consent is permitted, or any amendment to a Zoning By-law is made, it shall be established to the satisfaction of the Township and all other bodies having jurisdiction, that:

- a) Soil and drainage conditions are suitable to permit the proper siting of buildings and other site improvements such as driveways, parking, and accessory structures and meet any applicable requirements of this Plan including Source Water Protection policies;
- b) Suitable arrangements have or can be made for water supply, sewage disposal, storm drainage and all other necessary public services;
- c) No traffic hazards will ensue because of excess traffic generation, or limited sight lines on curves or grades;
- d) The development fronts on a road that is maintained year round and meets standards of design and safety established by the Township or authority having jurisdiction over the road;
- e) The potential impact of the proposed use on adjacent lands and uses has been considered, and adequate mitigation, including design, buffers and setbacks are provided between the proposed use and adjacent uses in accordance with the policies of the Plan;
- f) The Minimum Distance Separation formulae are complied with, if required as outlined in Section 3.27;
- g) There will be no negative impacts on significant natural features or their ecological functions; and,

- h) The potential impact on public health and public safety from water related hazards such as flooding and erosion have been considered.

In the course of considering a development proposal, Council may require the completion of studies prepared by a qualified professional to ensure that the objectives and policies of this Plan are met. Such studies may include the ecological, financial, social and economic impacts on the Township and its residents as set out in this Plan. These studies are to be submitted to the Township and are to be reviewed by municipal staff. In addition or alternatively peer reviews may be required at the discretion of Council with the cost of such review to be solely at the proponents expense. Council may refuse development proposals that would have significant adverse impacts, or that may require significant remedial works to offset such impacts as conditions of development approval.

3.2 ALTERNATIVE ENERGY

The use of private power generators, such as small-scale wind turbines, solar panels, geothermals and other similar sources are regulated under the Green Energy Act, 2009. When providing comments on alternative energy projects Council shall consider the following specific policies as well as the general policies of this Plan.

Large scale power generation operations that develop and sell electricity for commercial purposes including solar and wind farms shall be considered an industrial use in accordance with the provisions of this Plan.

Large-scale commercial operations, involving one or more large wind turbines generating electricity for sale to the electrical grid, should be sited and regulated so that most of the safety and the noise effects, as regulated by the Ministry of the Environment, are contained on the subject property and the adverse visual effects off the property are minimized to the extent possible.

Wind farms and large solar panels should be located to avoid incompatibility with:

- a) Communities, residential subdivisions and built-up areas;
- b) Sensitive land uses, including residences;
- c) Noise mitigation in accordance with the applicable regulations of the Ministry of the Environment and safety relative to such aspects as falling ice;
- d) Bird migration routes and feeding areas;
- e) Significant cultural landscapes and assets;
- f) Significant natural heritage features;

- g) Natural hazard areas (i.e. floodplains and erosion hazard areas);
- h) Agricultural land capability;
- i) The capacity of the affected public roads to accommodate construction and maintenance vehicles; and,
- j) Airports and private airstrips and the applicable regulations of Transport Canada.

Prior to providing comments on wind farm proposals Council may require the proponent to submit any or all of the following studies and materials prior to making a decision on such application:

- a) A noise study to identify the setbacks or other mitigation measures, if any, required to meet the applicable Ministry of the Environment standards;
- b) A visual impact study analyzing the impact on the landscape including cultural heritage resources, as viewed from arterial roads and area residences and the mitigation measures required, if any;
- c) A study analyzing the potential amount of adverse shadow or light reflection effects on sensitive uses adjacent to the subject property and the related mitigation measures, if any;
- d) A study of any impacts on environmental features and functions such as bird migration and feeding activities;
- e) A study outlining the potential impact on agriculture and required mitigation measures; and,
- f) A study demonstrating that the project will not adversely affect the control of flooding and erosion.

If wind power facilities are decommissioned, the site shall be appropriately rehabilitated by the owner for a use permitted by the applicable policies of this Plan.

3.3 ARCHAEOLOGICAL RESOURCES

Council recognizes that there are archaeological remnants of prehistoric and early historic habitation as well as areas of archaeological potential within the Township. Archaeological sites and resources contained within these areas can be negatively impacted by future development.

Council shall require archaeological impact assessments and the preservation or excavation of significant archaeological resources in accordance with Provincial

requirements as a condition of considering any application to develop lands requiring planning approval.

Archaeological assessment reports by licensed archaeologists are to be in compliance with guidelines set out by the Ministry of Tourism, Culture and Sport as well as licensing requirements referenced under the Ontario Heritage Act.

Where archeological sites are found in the Township they shall be reported to the appropriate Provincial agency. Based on the extent and significance of the findings, Council may:

- a) Require the site to be preserved in its natural state; or
- b) Require that portions of the site remain preserved through the development process; or
- c) Require that artifacts found on the site be removed by a licensed archeologist and preserved for public education.

Council shall consult appropriate government agencies, including the Ministry of Tourism, Culture and Sport and the Ministry of Consumer Services when an identified human cemetery, or marked or unmarked human burial is affected by land use development. The provisions of the Ontario Heritage Act and the Cemeteries Act shall apply.

Council may conserve the integrity of archaeological resources by adopting zoning by-laws under Section 34 of the Planning Act to prohibit land uses on sites where an identified significant archaeological resource exists.

3.4 BROWNFIELDS

A Brownfield site is a property that has been impacted by former industrial or commercial uses and may be contaminated as a result of these former activities. At the present time two Brownfield sites have been identified in the Township. It is one of the objectives of this Official Plan to encourage the re-use and redevelopment of the sites. Should additional sites be identified, the Township will encourage redevelopment of those sites as well.

The Township will work closely with the development community to support the continued redevelopment of these sites. In addition, the Township will assist property owners of Brownfield sites in seeking County, Provincial and Federal funding assistance for rehabilitating these sites.

Proposals to develop Brownfield sites shall also be subject to Section 3.18, Potentially Contaminated Sites.

3.5 CULTURAL HERITAGE RESOURCES

It is the intent of this Plan that the Township's cultural heritage resources be identified, conserved and enhanced whenever practical and that all new development occur in a manner that respects the Township's rich cultural heritage. The heritage resources of the Township generally include:

- a) Built heritage, such as buildings, structures, monuments or remains of historical, cultural and/or architectural value;
- b) Cultural heritage landscapes, such as rural, hamlet and urban areas that are of historic and scenic interest; and,
- c) Archaeological resources.

The inventory of heritage buildings and structures within the Township shall be maintained and improved as additional properties are inventoried. Inventoried heritage resources may be considered for designation under the Ontario Heritage Act and/or conservation through the review of any proposed development, subject to all relevant legislation.

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

- a) The building or property is strongly associated with the life of a person who played an integral role in the development of the Township and/or is well-known locally, nationally or internationally; and/or,
- b) The building or property is the location of, or is associated in a significant way, with a significant local, national or international event; and/or,
- c) The building has an architectural style that is distinctive and representative of a period of history and/or is the work of a recognized architect; and/or,
- d) The building or property is considered to be an easily recognizable landmark in the Township and contributes to the character of the community; and/or,
- e) The neighbourhood contains a collection of buildings and properties described in Sections a), b), c) and d) above and which collectively contribute to the character of the Township.

Council shall require the submission of a Cultural Heritage Impact Statement (CHIS) to support an application for development if the affected lands are the site of an identified

heritage resource or are located in close proximity to a significant cultural heritage resource or are on abutting lands to a significant cultural heritage resource. The purpose of the CHIS is to determine what impacts the development will have on the resource and whether the application for development will conform to the goals, objectives and policies of this Plan and/or the area-specific policies or zoning regulations.

Development or site alteration may be permitted on abutting lands to a protected heritage property where a CHIS has demonstrated that the heritage attributes of the protected heritage property will be conserved. Conservation may include the use of mitigation measures and/or alternative development approaches.

The CHIS shall be in the form of a report prepared by a qualified professional and contain a description of:

- a) The proposed development;
- b) The cultural heritage resource(s) to be affected by the development;
- c) The impacts upon the cultural heritage resource(s) of the proposed development;
- d) The measures necessary to mitigate the negative impacts of the development upon the cultural heritage resource(s);
- e) How the proposed development will relate, in terms of height, bulk, massing and presence with identified heritage buildings on the property and in the area; and,
- f) How the policies of the Heritage Conservation Plan have been incorporated or satisfied, where one has been prepared.

Council may impose conditions on any development approval that requires the retention and conservation of cultural heritage resources or the implementation of appropriate mitigation measures to minimize the impact of the development on the cultural heritage resource.

Pursuant to the Ontario Heritage Act, and as part of an overall strategy to conserve built heritage resources, Council may refuse to permit the demolition of heritage buildings or structures that have been designated under the Ontario Heritage Act.

3.5.1 Millbrook Conservation District Plan

Council may prepare a Heritage Conservation District Plan for the historic Downtown of Millbrook. Prior to designating a Heritage Conservation District pursuant to the Ontario Heritage Act, Council may:

- a) Pass a by-law to define an area to be studied for possible future designation;

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- b) Consider passing a by-law to impose interim control of alteration, demolition or removal of cultural heritage resources in the area defined as under study for possible future designation pursuant to the Ontario Heritage Act;
- c) Prepare and adopt a Heritage Conservation District Plan; and,
- d) Establish a Heritage District Committee to advise Council on matters pertaining to the designated district.

3.5.2 Cultural Landscapes

Cultural landscapes include natural and man-made features that define the character of the Township. The rolling hills associated with the Oak Ridges Moraine and the historic agricultural buildings and landscapes in Cavan Monaghan create a cultural landscape that defines much of the character of the rural areas of the Township.

All development shall be designed in a manner that is sensitive to the cultural landscapes in the Township. Historic buildings, trails and roadways shall be preserved wherever possible. New structures built in the area of these features shall be designed to reflect the surrounding landscape and built form. The Township will use site plan control to ensure that new development is sited and designed to complement the historic and natural character of the Township.

3.6 ENERGY CONSERVATION

The Township shall encourage energy conservation by promoting:

- a) Compact urban form in the Millbrook Urban Area;
- b) Mixed use development in appropriate locations and live-work relationships to reduce automobile use;
- c) Lot and building design that maximizes direct access to sunlight during the winter;
- d) The use of vegetation that will reduce energy consumption of buildings;
- e) Use of energy efficient building design and fixtures;
- f) Community design, facilities and infrastructure for cycling and walking from home to sources of goods, services and employment; and,
- g) Requiring all buildings in excess of 600 square metres to meet a LEED Silver or better design standard.

3.7 ENVIRONMENTAL IMPACT STUDIES (EIS)

Where the policies of this Plan require that an Environmental Impact Study (EIS) be prepared, such an EIS must be completed by a specialist qualified in the environmental features and values that are being assessed. An EIS shall be prepared to the satisfaction of the Township of Cavan Monaghan and/or the approval authority in accordance with the requirements of this section and a Terms of Reference approved by the Township, in consultation with the appropriate Conservation Authority and the proponent. The purpose of an EIS is to:

- a) Collect and evaluate the appropriate information to have a complete understanding of the boundaries, attributes and functions of natural heritage features and associated ecological and hydrological functions; and,
- b) Make an informed decision as to whether or not a proposed use will have a negative impact on the natural heritage features and related ecological and hydrological functions.

Any EIS required by this Plan must describe the natural heritage features and ecological functions, identify their significance and sensitivities and describe how they could be affected by the proposed use. The EIS should give consideration to the relevant aspects and inter-relationships of various components of the natural heritage system on and off the site.

An EIS shall be prepared by a qualified professional at the sole expense of the applicant and may be subject to a peer review as set out in this Plan.

The Township, in consultation with the Conservation Authority, must approve an EIS prior to the granting of development approvals. The recommendations of an EIS shall be implemented through Official Plan amendments, zoning by-laws, subdivision conditions, site plan control, or other applicable regulations.

Before development is approved in the area subject to the EIS, the EIS shall demonstrate that the relevant policies of this Plan are met. The EIS shall demonstrate that the use will:

- a) Not have a negative impact on significant natural heritage features and related ecological functions;
- b) Not discharge any substance that could have an adverse effect on air quality, groundwater, surface water and associated plant and animal life;
- c) Be serviced by an adequate supply of water and that the groundwater taking associated with the use will not have an adverse effect on the quality or quantity of existing water supplies, surface water features and associated plant and

animal life;

- d) Not cause erosion or siltation of watercourses or unacceptable changes to watercourse morphology;
- e) Not interfere with groundwater recharge to the extent that it would adversely affect groundwater supply for any use;
- f) Avoid or mitigate factors that could harmfully alter, disrupt or destroy (HADD) fish habitat;
- g) Maintain/enhance/restore/rehabilitate the natural condition of affected watercourses, and protect/enhance/restore/rehabilitate aquatic habitat;
- h) Not encourage the demand for further development that would negatively affect wetland function or contiguous wetland areas;
- i) Enhance and restore endangered terrestrial and aquatic habitat where appropriate and feasible;
- j) Not adversely affect with the function of existing or potential natural corridors that are determined to be of significance;
- k) Not lead to a reduction of the size of or fragment significant woodlands; and,
- l) Not lead to species loss or negative impacts on endangered, threatened or rare species and/or their habitat.

In determining whether the above criteria have been satisfied, reference may be made to applicable federal and provincial standards and regulations as well as referring to the relevant policies of this Plan, the County of Peterborough Official Plan and any watershed or subwatershed plans where they exist.

The Township may permit a scoped EIS following a preliminary review of a development project as part of the pre-consultation process. A scoped EIS will address only those features and functions identified by the Township and/or local Conservation Authority during the pre-consultation process.

3.8 NATURAL HERITAGE SYSTEM AND ENVIRONMENTAL CONSTRAINTS

3.8.1 Objectives

The natural heritage system and environmental constraints are identified on Schedules B and B1. The purpose of identifying these features is to prevent development or site alteration on lands that are hazardous due to flooding, poor drainage, deep organic soils, erosion, steep slopes, contamination or any other physical condition that could

cause loss of life, personal injury, property damage or degradation of the environment. Within these areas the following policies apply:

- a) No buildings or structures, with the exception of essential structural works required for flood and/or erosion or sediment control are permitted;
- b) The boundaries of these features are intended to reflect the limits of flooding of rivers, streams and wetlands. Where development is proposed adjacent to these features precise boundaries will be established through a survey identifying the appropriate flooding elevation as determined by the Conservation Authority; and,
- c) Expansion or alterations of any existing building or structure located within an identified feature may be permitted provided that:
 - i) The building or structure is not located within the floodplain;
 - ii) New or existing hazards or environmental impacts are not created or aggravated;
 - iii) The Township and the Province have approved a Special Policy Area and/or an erosion control plan as outlined in Section 4.8.4;
 - iv) The development does not pose a threat to public health and safety or property;
 - v) Vehicles and people must have a way of safely entering and exiting the area during times of flooding; and,
 - vi) The Township has adopted a site-specific amendment to the Implementing Zoning By-law.
- d) The Township will consult the Conservation Authority where development occurs adjacent to these features;
- e) Where development occurs adjacent to these features, the development shall be designed and constructed to preserve the natural function and flow characteristics of the adjacent waterway; and,
- f) Lands within the natural heritage system or identified as having an environmental constraint shall not be accepted as parkland dedication in the development process. However, the Township will encourage the transfer of these lands to a public authority.

3.9 GARDEN SUITES AND ACCESSORY APARTMENTS

Garden suites and accessory apartments shall be permitted in all designations that permit residential units (with the exception of the Oak Ridges Moraine). A Temporary

Use By-law will be required for garden suites for a maximum of 20 years. When considering such uses, Council shall be satisfied that:

- a) The ADU is being permitted in conjunction with a single-detached, semi-detached and townhouse dwelling unit and will remain secondary to the single detached, semi-detached and townhouse dwelling. The accessory apartment will be secondary to the primary residential use of the property, and is permitted in conjunction with single-detached, semi-detached and townhouse dwellings. No more than two (2) accessory apartments are permitted per property within the serviced urban area;
- b) There is adequate sewage disposal and water service capacity available to service the unit acceptable to the appropriate approval agency. In the case of a rural area the garden suite or accessory apartment is serviced through an extension from the existing dwelling unit and the private services are adequate to service the principal residential unit and the garden suite and/or accessory dwelling;
- c) The roads are of a standard that can accommodate the increased use;
- d) Adequate parking is available for the unit and buffering can be provided where necessary;
- e) The development will not adversely affect the character of the area and is designed to be in keeping with the character of the surrounding area; and,
- f) The development complies with the Ontario Building Code.

The Township may also require the landowner to enter into an agreement regarding the maintenance, alterations and improvements and eventual removal of the garden suite unit and/or renovation of the accessory apartment to become part of the main dwelling when it is no longer required.

The location and development of garden suites and accessory apartments shall satisfy the General Development Criteria in this section of the Plan.

3.10 GROUP HOMES

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

The Zoning By-law shall establish the areas in which group homes may be permitted and such other matters as the type of group home, the number of persons who may reside in a group home. In order to prevent an undue concentration of residential care facilities in specific areas of the Township, the Zoning By-law shall specify a minimum

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distance separation between facilities, as well as regulations regarding performance standards such as dwelling type, and minimum floor space. These standards shall have regard to the limitations of the existing housing stock and design, as well as the objective of community integration.

In the rural portions of the Township, only those group homes which require a rural or small community setting with limited municipal services or facilities are permitted.

3.11 HOME-BASED BUSINESSES

Home-based businesses are permitted in all designations that permit residential uses and where a dwelling is a principle permitted use. Bed and Breakfast establishments operated as home-based businesses shall be permitted in all designations subject to compliance with the zoning regulations.

Home-based businesses are subject to the following requirements:

- a) Within the Millbrook Settlement Area and the Hamlets the use shall generally be wholly located within a dwelling unit;
- b) The business is clearly secondary to the primary use of the property as a residence to the person conducting the business in terms of floor space utilization and it is compatible with surrounding residential uses;
- c) The use shall not have a negative impact on the enjoyment and privacy of neighbouring properties;
- d) The character of the dwelling as a private residence is preserved;
- e) No outside storage of goods, materials, equipment, or service vehicles other than cars, vans and light trucks related to the business occurs;
- f) Adequate on-site parking is provided for the business use, in addition to the parking required for the residential use, and such parking is provided in locations compatible with the surrounding residential uses;
- g) The sign identifying the business is limited in size and in accordance with the Township Sign By-law and Zoning By-law;
- h) The existing sewage disposal system can adequately service the principle residential dwelling and the proposed business;
- i) The traffic generated will not impact negatively upon a Township Road, Provincial Highway or County Road; and,
- j) Home-based businesses located on provincial highways require the approval of

the Ministry of Transportation for entrance and sign permits. The MTO requires the landowner to acknowledge that the use of their existing entrance cannot be converted to a commercial entrance and that an additional entrance will not be permitted to accommodate the home-based business.

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

3.12 LAND USE COMPATABILITY

- a) The Township recognizes the principle of, and need for land use compatibility. Land uses such as residences, schools, elder care facilities, hospitals, and day nurseries are considered sensitive to noise, vibration, odour or other emissions associated with various types of commercial or industrial uses. It is a policy of this Official Plan that incompatible land uses shall be separated and/or buffered from each other. Where a proposed development is located adjacent to a potentially incompatible land use, an assessment of the compatibility of the proposal shall be required in accordance with Provincial guidelines, including the D-Series Guidelines prepared by the Ministry of Environment. An assessment of noise, odour, air quality, traffic and other potential environmental impacts may be required; and,
- b) This assessment shall be prepared to the satisfaction of Council and the appropriate agencies and shall include recommendations on how the impacts can be mitigated. The approval of development proposals shall be based upon the achievement of adequate separation distances, buffering, the implementation of the recommendation of the required studies and the registration of any notices on title. The Township shall use the Zoning By-law, site plan control and subdivision control to provide compatibility between land uses.

3.13 LEED DESIGN

It is the Township's objective to encourage new construction, including industrial, institutional, commercial and multiple residential buildings, to be built to LEED (NC) Canada Version 1.0 certification level "Silver" or equivalent. All major renovation projects requiring Planning Act approvals and resulting in a total gross floor area of 600 square metres or more for industrial, commercial, institutional and medium density residential buildings occurring after January 2012 shall meet this standard. LEED consists of an explicit set of performance criteria organized into six performance criteria including sustainable sites, water efficiency, energy and atmosphere, materials and resources, indoor environmental quality and innovation and design.

When considering proposals for industrial, institutional, commercial and multiple residential buildings in the Township, Council shall be satisfied that:

- a) Proponents have met with Township staff prior to submitting an application to discuss LEED and its requirements;
- b) The proponent has obtained the services of a LEED certified consultant to coordinate the design process, review the construction and certify the completion of all works on the subject land;
- c) The proponent has submitted a retainer letter from a LEED certified consultant identifying all services to be provided that will ensure compliance with the Township's LEED Policy;
- d) The proponent shall submit the appropriate documentation to the Township throughout various phases of design and construction to ensure adherence to LEED standards;
- e) Following the completion of all works, written confirmation from the LEED certified consultant that all works have been constructed, and meet, at a minimum, LEED (NC) Canada Version 1.0 certification level Silver or equivalent, must be submitted to the Township; and,
- f) The proponent shall submit an application to the Canada Green Building Council for LEED certification following the completion of all works.

3.14 LOT CREATION

Consents may be given for the creation of new lots, boundary adjustments, rights-of-way, easements, long term leases and to convey additional lands to an abutting lot, provided an undersized lot is not created. In addition to the policies contained within specific designations of this Plan, when commenting on applications for consent being considered by the County of Peterborough, the Township shall consider the following policies.

3.14.1 General Development Policies

- a) Applications for consents shall only be granted where the following conditions are satisfied:
 - i) A plan of subdivision is not necessary;
 - ii) The number of additional lots created from a land holding, is generally not more than two new lots in addition to the retained parcel unless as otherwise permitted in the Millbrook Settlement Area;
 - iii) The lot can be adequately serviced with appropriate water and wastewater systems;

- iv) The lot will front onto and will be directly accessed by a public road which is maintained year round;
- v) Access to the lot will not cause a traffic hazard;
- vi) The lot is not within the 25 and 30 Noise Exposure Forecast (NEF) around the Peterborough Airport and will not adversely affect the operation or expansion of the airport, as shown on Schedule C;
- vii) The creation of the lot will not restrict the ultimate development of adjacent lands or the remnant parcel of land;
- viii) The lot will not adversely affect existing or potential aggregate operations as outlined in Section 5.5.3. Where a lot is proposed within an area identified as Significant Aggregate Resources on Schedule C, a lot shall not be granted if the proposed land use or development would preclude or hinder the establishment of new aggregate extraction operations, expansions to existing aggregate operations or access to the aggregate resource. The creation of a lot shall only be permitted if a study or site investigation undertaken to the satisfaction of the Township confirms:
 - The resource use would not be feasible; or
 - The proposed land uses or development serves a greater long term public interest; and
 - Issues of public health, public safety and environmental impact are addressed.

New lots will not be permitted within 150 metres of a pit above the ground water table or within 300 metres of a pit below the ground water table.

- ix) The size of the residential lot shall not exceed 0.8 ha (2 acres) except where the following site conditions require a larger lot size;
 - 1. to satisfy requirements of the Health Unit or the Ministry of Environment; or
 - 2. to accommodate physical features of the site; or
 - 3. to avoid the creation of an irregularly-shaped lot.
- x) The lot is located adjacent to an existing lot line wherever possible;
- xi) The lot will not have a negative impact on the Natural Heritage Features and related ecological functions in the area;
- xii) The lot will not sever a Key Natural Heritage Feature;

- xiii) 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; and,
 - xiv) The consent complies with the Minimum Distance Separation formula and all other relevant provisions of this Plan, including Section 3.27.
 - xv) The creation of a lot within 300 metres of a railway right-of-way or 1,000 metres of a railway yard may require the proponent to submit noise and vibration studies in accordance with Section 3.16 of this Plan. These studies should be prepared in accordance with Provincial guidelines and to the satisfaction of the Township and the appropriate railway. Measures to mitigate any adverse effects from noise and vibration that are identified shall be required as a condition of consent.
- b) Provisional consent may be granted subject to appropriate conditions of approval in accordance with the Planning Act; and,
 - c) Lot line adjustments for legal or technical reasons shall be permitted in all designations provided that the severed and retained lots achieve compliance with the requirements of the Zoning By-law.
 - d) An application for consent shall have the effect of creating only one (1) new lot in addition to the retained lot. If more than one (1) new lot is created, an additional application shall be required.
 - e) An application for consent within an identified vulnerable area shall be accompanied by a Notice under Section 59(2) of the Clean Water Act, 2006, as amended, and must conform to the policies of Section 3.19 where applicable.

3.14.2 Lots for Utilities

- a) The creation of new lots for public utilities, communication utilities and water and sewer infrastructure may be permitted provided:
 - i) The use cannot be accommodated through the use of easements or rights-of-way;
 - ii) The area of the proposed lot is minimized and reflects what is required for the use;
 - iii) The Implementing Zoning By-law, as a condition of Provisional Consent, only permits uses that are related to the utility on the lot; and,
 - iv) They comply with the policies of this Plan.

3.14.3 Lot Creation for Public Purposes

New lots may be created for acquisition by a public body provided they comply with the general intent and purpose of this Plan.

3.14.4 Lot Boundary Adjustments

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

3.14.5 Re-creation of Lots

Notwithstanding any other policy to the contrary, where abutting lots have previously existed as conveyable parcels and have inadvertently merged in title under the applicable section(s) of the Planning Act under current ownership, a consent granting authority may consider the re-creation of the original lots in accordance with applicable policies.

3.14.6 Subdivision and Condominium Development Policies

- a) This section is intended to contain general Plan of Subdivision and Condominium policies that are to be considered with every application for Plan of Subdivision or Condominium. Regard should also be had to the specific policies dealing with lot creation in each land use designation;
- b) The creation of new lots by subdivision or condominium outside of Millbrook and the Hamlet designations are not permitted unless specifically provided for in this Plan;
- c) Prior to the consideration of an application for Plan of Subdivision or Condominium, Council shall be satisfied that:
 - i) the approval of the development is not premature and is in the public interest;
 - ii) the lands will be appropriately serviced with infrastructure, schools, parkland and open space, community facilities and other amenities, as required;
 - iii) the density of the development is appropriate for the area;
 - iv) the subdivision or condominium, when developed, will be easily integrated and connected with existing development in the area;

- v) the subdivision or condominium conforms with the environmental protection and growth management policies of this Plan;
 - vi) the proposal conforms to Section 51 (24) of the Planning Act, as amended; and,
 - vii) The applicable criteria in Section 3.14.1 shall be satisfied.
- d) Prior to the registration of any Plan of Subdivision or Condominium, a Subdivision Agreement or Condominium Agreement between the landowner and the Township will be required. Applicants are encouraged to pre-consult with the approval authority prior to submitting an application;
- e) Where the Township determines that it is appropriate, lot creation may occur through the use of Part Lot Control Exemption by by-law, in accordance with the provisions of the Planning Act; and
- f) Model homes may be permitted following draft approval subject to an agreement with the Township.
- g) Development applications within an identified vulnerable area shall be accompanied by a Notice under Section 59(2) of the Clean Water Act, 2006, as amended, and must conform to the policies of Section 3.19 where applicable.

3.15 SIGNIFICANT AGGREGATE RESOURCES

- a) Areas having significant mineral aggregate resource potential are identified on Schedule C as Significant Aggregate Resources. Development of these areas for purposes other than resource extraction will only be permitted, where it can be shown that the proposed development has a greater public interest than the extraction of the resource and the development will not adversely affect the availability of the resource and long-term viability of the aggregate industry in the future;
- b) Where development is proposed in or adjacent to an area of known aggregate resources, the development shall be set back and buffered sufficiently to ensure that it would not preclude or hinder the establishment of new operations, expansion of existing operations or access to the resources, except where the following conditions are met:
 - i) the resource use would not be feasible;
 - ii) the proposed land used or development serves a greater long term public interest; and,

- iii) issues of public health, public safety and environmental impact are addressed.
- c) Adjacent is considered to be minimum of 150 metres for existing pits above ground water table, 300 metres for existing pits below the ground water table, and significant aggregate resources and a minimum of 500 metres for existing quarries.

3.16 NOISE AND VIBRATION

It is a policy of this Plan to minimize any disturbances of normal activities within residential areas and other sensitive land uses due to adverse noise and vibration impacts from the airport, highways, arterial roads, rail lines and industries. New development shall have regard for all current policies and guidelines of the Ministry of Environment. A Noise Impact Study shall be undertaken for proposed development involving sensitive land uses that are within the 25 and 30 NEF contour of the airport or within 300 metres, to a highway, arterial road, industrial use or other uses that generate noise to the satisfaction of Council and the County. The approval of development applications shall be based on the implementations of the required study, such as the restriction of new residential and other sensitive land uses, and the provision of appropriate safety and mitigating measures and notices on title.

A Noise Impact Study may be required where proposed development involving sensitive land uses is within 300 metres of a railway right-of-way or 1,000 metres of a railway yard. A Vibration Study may be required where proposed development involving sensitive land uses is within 75 metres of a railway right-of-way. Noise and Vibration studies shall be prepared to the satisfaction of Council and the County in consultation with the appropriate railway agency. The approval of development applications shall be based on the implementation of the recommendations of the required studies, such as the restriction of new residential and other sensitive land uses and the provision of appropriate safety measures, such as setbacks, berms and security fencing, mitigating measures, and notices on title.

3.17 OAK RIDGES MORaine

The following policies apply specifically to the areas designated with an “Oak Ridges Moraine”(ORM) prefix and the sub-designations, ORM – Rural, ORM- Prime Agricultural and ORM- Extractive on Schedule A. ORM – Natural Core Areas and ORM – Natural Linkage Areas identified on Schedules A and A-1 are subject to policies contained within Section 6 Natural Heritage System.

3.17.1 General Principles

The Oak Ridges Moraine Conservation Plan is an ecologically based plan established by the Ontario Government to provide land use and resource management direction for

the land and water within the Moraine. The Moraine includes the south-western portion of the Township.

The Oak Ridges Moraine Conservation Plan should be referred to in determining the relevant land use policies that apply to any parcel of lands within the Oak Ridges Moraine.

3.17.2 Objectives

The objectives of the Oak Ridges Moraine Conservation Plan and the policies contained in this section include:

- a) Protecting the ecological and hydrological features and functions of the Oak Ridges Moraine Area;
- b) Ensuring that only land and resource uses that maintain, improve or restore the ecological and hydrological functions of the Oak Ridges Moraine are permitted;
- c) Maintaining, improving or restoring all the elements that contribute to the ecological and hydrological functions of the Oak Ridges Moraine Area, including the quality and quantity of its water and its other resources;
- d) Ensuring that the Oak Ridges Moraine Area is maintained as a continuous natural landform and environment for the benefit of present and future generations;
- e) Providing for land and resource uses and development that are compatible with the other objectives of the Oak Ridges Moraine Conservation Plan;
- f) Providing for continued development within the Millbrook Urban Settlement Area and recognizing existing rural settlements;
- g) Providing for a continuous recreational trail through the Oak Ridges Moraine Area that is accessible to all including persons with disabilities; and,
- h) Providing for other public recreational access to the Oak Ridges Moraine Area.

3.17.3 Existing Uses, Buildings and Structures

- a) Nothing in this Plan is intended to prevent the use of any land, building or structure currently in existence if the land, building or structure was lawfully used for that purpose on November 15, 2001 and continues to be used for that purpose;
- b) Nothing in this Plan applies to prevent the expansion of an existing building or structure on the same lot, if the applicant demonstrates that there will be no

change in use and the expansion will not adversely affect the ecological integrity of the Oak Ridges Moraine;

- c) Nothing in this Plan is intended to prevent the use, erection or location of a single-detached dwelling and any accessory building or structure, if the use, erection and location would have been permitted by the Township of Cavan Restricted Area (Zoning) By-law No. 2252, as amended, or the Village of Millbrook Comprehensive Zoning By-law No. 91-16, as amended, on November 15, 2001 and the applicant demonstrates to the extent possible, that the use, erection and location of the dwelling and/or accessory building or structure will not adversely affect the ecological integrity of the Oak Ridges Moraine; and,
- d) Specific land use designations within the Oak Ridges Moraine Area are found in Section 5 and Section 6 of this Plan.

3.18 POTENTIALLY CONTAMINATED SITES

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

Complete applications for planning approval will require a completed screening questionnaire regarding the current and past use of the lands and the actual or potential contamination of the lands.

The Township may require applications for planning approval for development to be supported by the certificate of a qualified engineer indicating that a Phase I Environmental Site Assessment (ESA) has been completed in accordance with Part XV.1 of the Environmental Protection Act and Ontario Regulation 153/04 or their successors.

The Township will require a Phase II ESA to be completed in accordance with Part XV.1 of the Environmental Protection Act and Ontario Regulation 153/04 as amended from time to time where the Phase I ESA reveals that the site may be contaminated. The Phase II ESA will provide a sampling and analysis of the property to confirm and delineate the presence of soil or groundwater contamination at the site or confirm the absence of contamination.

Prior to planning approvals for subdivision, site plan, and consent applications from the County or Township for residential development or where the application is for a change of use to a more sensitive land use than the site's previous land use, and where the Phase I and II ESAs reveal the site is or may be contaminated, the proponent shall provide a Record of Site Condition in accordance with Part XV.1 of the Environmental Protection Act and Ontario Regulation 153/04, as amended from time to time. The

Record of Site Condition shall be acknowledged by the Ministry of the Environment and registered on title of the subject lands, confirming that the site has been remediated and made suitable for the proposed use. The Record of Site Condition and Ministry of the Environment acknowledgment shall be provided to the Township.

Where the Township is to be deeded land for public highways, road widenings, parkland, stormwater management facilities or any other public use to the Township, the Township may require as a condition of the transfer a Phase I ESA in accordance with Part XV.1 of the Environmental Protection Act and Ontario Regulation 153/04 or their successors confirming that no contamination exists on the land or a Record of Site Condition and acknowledgement from Ministry of the Environment to ensure that the lands have been properly remediated where such contamination was discovered.

The Township will require that a Record of Site Condition, acknowledged by the Ministry of the Environment be submitted for development applications on sites where there is a gas station with a license to operate from the Technical Standards and Safety Authority (TSSA). When the site is being redeveloped for the same use, the Township will require a letter of continued use from the TSSA in place of the Record of Site Condition. For instances where contamination has extended onto a Township road or other municipal lands, the Township will require that an Off-site Management Agreement and Remedial Action Plan pursuant to the Environmental Protection Act be implemented to the satisfaction of the Township prior to the issuance of a building permit.

In managing development on potentially contaminated sites, the Township shall:

- a) Identify and inventory those lands that are suspected or known to be contaminated;
- b) Inform the proponent upon receipt of an application for development of any such site where contamination could be problematic given the nature of the proposed use(s); and,
- c) Secure conditions and/or agreements as part of the planning review and approval process to ensure a Phase I or II ESA is carried out in accordance with this Plan.

3.19 SOURCE WATER PROTECTION

The Township's residents obtain drinking water from municipal and private wells. It is the objective of this Plan to manage water resources in a manner that ensures sustainable supply of clean water for both human use and the natural environment. It is the objective of the Township to:

- a) Protect the quality and quantity of existing surface and ground water from degradation and to improve and restore water quality where degraded;

- b) Manage water resources in a manner that ensures a sustainable supply of clean water for both human use and the natural environment;
- c) Incorporate source protection objectives into the land use planning process to ensure that the sources of water are not compromised in the future as a result of land use decisions;
- d) Avoid competition for water supplies through appropriate inter-regional planning initiatives and decision-making processes;
- e) Encourage the establishment of water conservation measures as a way to meet water supply needs in the same manner that alternatives to create new supplies are investigated; and,
- f) Educate the public on the value of protecting the resource and how they can contribute to its protection.

3.19.1 Source Water Protection Plan

3.19.1.1 General Policies

Policies in the Trent Source Protection Plan apply to vulnerable areas which are identified on Land Use Schedules 'C' and 'D' to the Township of Cavan Monaghan Official Plan.

The Township's Zoning By-Law shall include zones and/or mapping and zone provisions to identify vulnerable areas and implement the approved Trent Source Protection Plan and this Plan.

The following land use activities shall be prohibited in vulnerable areas where they would constitute a future significant drinking water threat unless otherwise stated in the Trent Source Protection Plan:

- a) The application or storage of agricultural source material;
- b) The management of agricultural source material;
- c) The application, handling, or storage of non-agricultural source material;
- d) The application, handling, or storage of commercial fertilizer;
- e) The application, handling or storage of pesticide;
- f) The handling or storage of road salt;
- g) The storage of snow;
- h) The handling or storage of fuel;

- i) The handling or storage of dense non-aqueous phase liquid;
- j) The handling or storage of an organic solvent;
- k) The use of land as livestock grazing or pasturing land, an outdoor confinement area or a farm-animal yard; or
- l) Waste disposal sites.

During pre-consultation and development application review, Municipal Staff, Conservation Authority Staff, and the Risk Management Official will provide information related to source water protection to the proponent, to indicate whether the proposed application is within a vulnerable area and that Trent Source Protection Plan policies may apply.

Development applications on property that is wholly or partially within identified vulnerable areas shall be accompanied by a Notice issued by the Risk Management Official under Section 59(2) of the Clean Water Act, 2006, as amended.

New land uses, including the creation of lots, and new or expanding land use activities, shall not be permitted within vulnerable areas unless it can be demonstrated that they do not pose a significant drinking water threat. Existing land uses which support an associated significant drinking water threat activity will be managed pursuant to the Trent Source Protection Plan.

Persons undertaking land use activities that are, or may be, a significant drinking water threat may be required to comply with a Risk Management Plan.

Existing sewage systems that are a significant drinking water threat shall connect to the municipal sewage collection system where it is feasible to do so, given financial and technical constraints.

Future sewage systems that are a significant drinking water threat shall only be permitted where it is not feasible to connect to the municipal sewage collection system and must comply with applicable Ontario Building Code construction standards.

The installation of any future municipal wastewater collection system(s) must comply with construction standards that will ensure that the collection system is not a significant drinking water threat.

With respect to Source Water Protection, the Township may acquire land located in the most vulnerable areas as shown on Schedules 'C' and 'D' in consideration of the following criteria:

the nature of any existing and potential future significant drinking water threats;

the availability of the lands for purchase; and,

the availability of funds and financial feasibility.

Such acquisitions must be monitored in accordance with this Section.

3.19.1.2 Sewage Systems

Planning approvals shall not be given to proposed land uses dependent upon large sewage systems (more than 10,000 L/day) such as wastewater treatment plants, communal sewage systems and some types of industrial sewage treatment systems where they would constitute a significant drinking water threat. Exceptions to this policy may be made where all of the following conditions are met:

The proposed system is intended to replace an existing activity or activities;

The proposed system would be more protective of drinking water; and

The Ministry of Environment and Climate Change is satisfied that the system is not a significant drinking water threat.

3.19.1.3 Waste Disposal

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

3.19.1.4 Transport Pathways

If a person applies to the Township for approval of a proposal to engage in an activity in a vulnerable area that may result in the creation of a new transport pathway or the modification of an existing transport pathway, the Township shall give the Source Protection Authority and the Trent Conservation Coalition Source Protection Committee notice of the proposal and a copy of the notice to the person responsible for the proposal as per Section 27 (4) of O. Reg. 287/07.

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

- i) A description of the proposal;
- ii) The contact information of the person responsible for the proposal; and
- iii) A description of the approvals the person requires to engage in the proposed activity.

Municipalities may establish a by-law prohibiting the approval of a proposal to engage in an activity that will result in the creation of a new transport pathway within a vulnerable area.

3.19.1.5 Stewardship

The Township, in collaboration with the Province, the Conservation Authority, and the County, will promote good stewardship practices for lands and water within vulnerable areas.

The Township of Cavan Monaghan may consider the use of alternative protection measures within the most vulnerable areas that may include land acquisition, land management and/or entering into conservation easements, agreements and development of stakeholder partnership programs to minimize or eliminate significant drinking water threats.

3.19.1.6 Monitoring

- a) Where the Township has taken action(s) to acquire lands in accordance with the provisions of the Planning Act, the Municipal Act, or any other act, an annual report shall be prepared by February 1 each year, describing these actions for the preceding calendar year. This report must be made available to the applicable Source Protection Authority. It is recommended that the contents of the report include, but are not limited to:

A summary of any land purchases within a vulnerable area and how significant drinking water threats were eliminated as a result of the purchase.

- b) Where the Township has required a Section 59 Notice as part of a complete application under the Planning Act, the Risk Management Official will prepare an annual report by February 1 each year, describing how this requirement was met for the preceding calendar year. This report must be made available to the applicable Source Protection Authority, and where the approval

authority is not the lower or single tier municipality, the report will be copied to all applicable municipalities.

- c) Where the Township has required by by-law that sewage systems that are a significant drinking water threat be connected to a municipal servicing system, an annual report shall be prepared by February 1 each year, describing the actions it has taken to meet this requirement during the preceding calendar year. This report must be made available to the applicable Source Protection Authority. It is recommended that the contents of the report include, but are not limited to:

A summary of how the by-law was implemented;

A summary of any systems connected to municipal sewage collection.

- d) Where the Township has required by by-law that the creation of a new transport pathway within a vulnerable area is prohibited, an annual report shall be prepared by February 1 each year, describing actions it has taken to meet this requirement during the preceding calendar year. This report must be made available to the applicable Source Protection Authority. It is recommended that the contents of the report include, but are not limited to:
- Any activities that are undertaken as part of an education and outreach program;
 - A summary of the by-law(s) created.

3.19.2 Well Head Protection Areas

Well Head Protection Areas (WHPA) are depicted on Schedules 'C' and 'D' for information purposes only. WHPAs represent the vulnerable area delineated around groundwater wells that supply municipal drinking water systems and are comprised of subareas. The WHPA subarea to which the policies of the Trent Source Protection Plan and this Official Plan apply is further depicted on Schedules 'C' and 'D' as the Vulnerable Area.

3.19.3 Hydro-geological Studies

Given the reliance on water primarily for human use and its ecological importance, all applications for development that would use more than 10,000 litres per day of ground or surface water in close proximity to development serviced by private wells shall be supported by a Hydro-geological Report prepared by a qualified professional. Where

there is concern about ground water quality or quantity, Council may require studies for lower water uses.

The Report shall be prepared to the satisfaction of the Township and the County of Peterborough. The purpose of the Hydro-geological Report is to investigate the impacts of the proposed development on water quality and quantity and provide recommendations on:

- a) How to protect or enhance the hydrological function of the water resource;
- b) How to minimize or eliminate the effect of the proposed use on the groundwater recharge and discharge function;
- c) How to minimize or eliminate the effect of the proposed use on the quality and quantity of drinking water in adjacent private and municipal wells;
- d) How to protect, enhance or restore sensitive groundwater recharge/discharge areas, aquifers and headwater areas;
- e) Whether it is necessary to monitor water budgets for groundwater aquifers and surface water features; and,
- f) How to ensure that the quality of the sensitive surface water features affected by the development is protected, improved, or restored.

3.19.4 Commercial Water Taking

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

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

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

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

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

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

3.20 STORMWATER MANAGEMENT

Applications for development shall be supported by a Stormwater Management (SWM) report unless waived by the appropriate agencies through a pre-consultation process in accordance with Section 8.5 of this Plan. The content and scope of the SWM report shall be determined when the development is proposed.

The SWM Report shall be prepared by a qualified professional to the satisfaction of the Township, Conservation Authorities and other appropriate agencies and be prepared in accordance with The Ministry of Environment Stormwater Management Planning and Design Manual, 2003, or its successor, and shall:

- a) Provide recommendations on a stormwater quantity system that ensures that post-development peak flow will not be greater than the pre-development levels for storms up to the 1:100 year storm event;
- b) Document the possible impacts of development on watershed flow regimes including their interconnection with groundwater resources;
- c) Provide recommendations on how to maintain or improve post-development water quality and improve run-off where appropriate;
- d) Document the means by which stormwater volume control will be provided;
- e) Determine and describe the necessary site management measures required to be undertaken during construction to mitigate the potential negative impact of development;

- f) Every proposal for development or site alteration shall demonstrate planning, design and construction practices to protect water resources will be used, including:
 - i) Keeping the removal of vegetation, grading and soil compaction to a minimum;
 - ii) Keeping all sediment that is eroded during construction within the site;
 - iii) Seeding or sodding exposed soils as soon as possible after construction; and,
 - iv) Keeping chemical applications to suppress dust and control pests and vegetation to a minimum.
- g) In considering a proposal for development or site alteration, the Township shall seek to reduce areas with impervious surfaces and increase areas retained in a natural undisturbed state, in order to minimize stormwater volumes and contaminant loads;
- h) Municipal development standards shall incorporate planning, design and construction practices that will:
 - i) Reduce the portions of lots and sites that have impervious surfaces; and,
 - ii) Provide the flexibility to use alternative stormwater management techniques such as directing roof discharge to rear yard ponding areas and using grassed swales.
- i) For the purposes of stormwater management, the minimum standard for water quality is that 80 percent of suspended solids shall be removed from stormwater runoff as a long-term average;
- j) A stormwater management plan shall provide for an integrated treatment approach that uses a planned sequence of methods of controlling stormwater and keeping its impact to a minimum by techniques including, without limitation:
 - i) Lot level controls such as devices and designs that direct roof discharge to rear yard ponding areas;
 - ii) Conveyance controls such as grassed swales; and,
 - iii) End-of-pipe controls such as wet ponds at the final discharge stage.

- k) A Stormwater Management Plan shall be prepared in accordance with the applicable watershed plan, if one exists. On lands within the Oak Ridges Moraine the policies of Section 6.7.7 shall also apply;
- l) For development proposals located within a vulnerable area, and which require the construction of roads, other impervious land surfaces used for vehicular traffic and parking, and including impervious pedestrian paths, consideration shall be given to design strategies and alternative surfacing which minimizes the amount of impervious surface area.

Parking area design that minimizes the amount of impervious surface area to which road salt may be applied is encouraged.

Grading, maintenance activities and drainage designs that reduce ponding and direct any run-off outside of vulnerable areas, where possible, are encouraged.

All stormwater management facilities in a plan of subdivision or condominium shall be zoned to ensure that their intended use is recognized. Stormwater management facilities for condominium developments and other large single uses may be privately owned and maintained. Agreements with the Township shall be required as a condition of approval, to provide for their continued maintenance.

3.21 TELECOMMUNICATION FACILITIES

Telecommunication facilities including telecommunication antennas, towers and related structures are Federally regulated and are not subject to the requirements of the Planning Act. In examining the siting of such towers, the proponent shall consult with the Radio Communication Antenna System Siting Policies and Procedures of the Township.

When providing comments on proposed telecommunication facilities Council will request that proponents consider the following:

- a) Co-locate towers and antennas, where possible;
- b) Use existing towers and infrastructure, such as rooftops, water towers, utility poles, etc.;
- c) Blend the placement, style and colour of the antenna and equipment shelters into the surrounding environment;
- d) Maintain appropriate setbacks from road allowances;
- e) Maximize distances from residential areas;
- f) Maximize distances from public and institutional facilities such as schools,

- hospitals, community centres, day care and seniors' residences;
- g) Avoid natural features, vegetation, hazard lands (floodplains, steep slopes);
 - h) Avoid areas of topographical prominence, where possible, to minimize long/short range viewscales;
 - i) Provide safe vehicular access locations; and,
 - j) Generally be compatible with adjacent uses.

3.22 URBAN DESIGN GUIDELINES

These design guidelines are intended to apply to the Millbrook Urban Settlement Area and to a lesser extent to the designated Hamlets. More detailed design guidelines may also be provided in specific land use policies in Section 4 of this Plan.

- a) Street trees are required in all designations and shall be aligned parallel to the street and spaced at regular intervals. Tree species should be indigenous to Cavan Monaghan and capable of growing to a height of at least 15 metres;
- b) Street lighting in all designations should be dark sky compliant;
- c) Sidewalks are required in all designations to create a complete and connected pedestrian walkway and should be conveniently linked to all pedestrian facilities including trails and parks. Sidewalk widths should vary according to their adjacent land use;
- d) Bicycle facilities are encouraged in all designations. Street lanes may be considered on higher speed roadways on routes that are contiguous, require minimal stops and link significant destinations such as downtown, parks, and schools;
- e) Parking spaces should not be permitted to overwhelm the frontages of commercial properties. Wherever possible parking should be placed behind buildings and/or screened with the use of landscaping and low walls or decorative fencing. On street parking shall be provided when feasible. Large parking areas will require landscaped areas to divide the large expanse of asphalt and reduce heating effects of large parking areas;
- f) Buildings in excess of 600 square metres shall meet LEED Silver or better design criteria that incorporates energy efficient designs to reduce impacts of heat islands, reduce energy consumption and improve storm water quality;
- g) Energy efficient design and orientation which maximizes the use of alternative or renewable energy such as solar and wind energy and the mitigating effects of

vegetation will be encouraged wherever possible;

- h) Public safety and security will be considered in the design of all new development by incorporating the principles of “Crime Prevention Through Environmental Design” (CPTED) including but not limited to: establishing opportunities for public spaces and siting of buildings, adequate lighting, multiple walking routes and opportunities to control speeding of motor vehicles;
- i) Natural features will be integrated with open space and parks systems to create a continuous system. Watercourses, valleylands, significant trees, woodlots, wetlands and other ecological features and functions will be protected. Healthy established trees will be protected in new development in accordance with Section 3.26 of this Plan;
- j) Cultural heritage features will provide context for new development and should be protected and enhanced where possible, as outlined in Section 3.5; and,
- k) New development will be compatible with and complementary to existing buildings with respect to historic architecture and design, siting, height, and scale.

3.23 URBAN RURAL FRINGE

The Urban Rural Fringe is shown on Schedule A. Applications for development that require Planning Act approval in this area will be circulated to the City of Peterborough for review and comment. Development in this area shall be limited to avoid land use patterns that may negatively impact the development of the City of Peterborough.

3.24 WASTE DISPOSAL AREAS

The former waste disposal sites in the Township are identified on Schedule C. These sites and lands within 500 metres of these sites may be used for a proposed use permitted in the underlying designation provided:

- a) Written approval has been received from the Ministry of the Environment that the development satisfies the provisions of the Environmental Protection Act, as amended;
- b) Studies have been carried out to the satisfaction of the Township and the Ministry of the Environment that show that the development is compatible and can safely take place;
- c) The construction and phasing of all development coincides with the control of any problems identified by the engineering studies;
- d) Studies of gas, leachate and hydrogeology are carried out by a qualified engineer

or hydrologist;

- e) The required studies, with respect to any matter regarding structural stability, safety and integrity of any and all structures are satisfactory to the Township;
- f) Only land uses compatible with potential impacts of the waste disposal site or their engineered controls will be permitted and may have to be determined by amendment to the Zoning By-law as supported by the results of studies conducted under this section; and,
- g) The land shall be subject to a Holding provision in the Implementing Zoning By-law. The lifting of a Holding provision permitting the development of any new use or new or enlarged buildings or structures within the area shall not occur until Council is satisfied that all of the required studies have been completed to the satisfaction of the Township.

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

Re-use of former waste disposal sites will require approval in accordance with Section 46 of the Environmental Protection Act.

An amendment to this Plan will be required for a new waste disposal site.

3.25 WATERSHED PLANNING

It is the objective of the Township to support the preparation and implementation of watershed and subwatershed plans within the Township. These plans are intended to ensure that there is an appropriate balance between the objectives of water supply management, habitat protection, flood management and land use to protect and enhance water quality and quantity for future generations. A watershed is an area of land that drains into a watercourse or body of water. Unlike municipal boundaries, watershed boundaries are defined by nature and, as a result, watersheds often overlap a number of jurisdictions. The intent of watershed and subwatershed plans is to provide direction and target resources for the better and effective management and restoration of a given watershed and subwatershed. Such plans are intended to:

- a) Serve as a guide for improving water quality, reducing flood damage and protecting natural resources in a watershed;
- b) Prevent existing watershed problems from worsening as a result of future land development, public work activities and agricultural and other activities; and,
- c) Provide an opportunity for multiple jurisdictions with varying priorities to coordinate their efforts and accept their responsibility for the impact their actions have both on upstream and downstream areas.

Council shall have regard to the above when making decisions or commenting on the priority given to the preparation of watershed and subwatershed plans. Subwatershed plans prepared by the Township shall be in cooperation with the appropriate Conservation Authority.

All subwatershed plans shall contain the following:

- a) A detailed assessment and integrated analysis of the natural heritage features and functions and linkages on a watershed basis for incorporation into the Natural Heritage System;
- b) An assessment of the opportunities for and constraints to development;
- c) An estimate of the development capacity of the watershed based on defined water quality objectives;
- d) A water budget analysis;
- e) A description of the tools that are available to improve conditions in the watershed and address the cumulative impacts of development; and,
- f) An action plan that contains a series of recommended programs and projects for improving the watershed.

It is the intent of the action plan to set out the responsibilities of the various jurisdictions within the watershed so that each can contribute to the prevention and remediation of watershed problems and opportunities.

Relevant recommendations contained in watershed and subwatershed plans shall be incorporated by Amendment into this Plan. All applications for development shall conform with the recommendations made in an approved watershed or subwatershed plan that have been incorporated by Amendment into this Plan.

The Township will support the provincial groundwater monitoring well established by the Ministry of the Environment and will continue to use the data obtained from the well when making decisions about increased groundwater taking. The Township will maintain existing relationships with the local Conservation Authorities, the Ministry of the Environment, and the local District Health Unit to monitor the health of aquifers affecting the Township of Cavan Monaghan.

3.26 WOODLOT, TREE PRESERVATION, REPLACEMENT AND ENHANCEMENT

The Township will protect significant woodlands including areas within the Natural Heritage System and in Settlement areas.

When considering applications for site plan approval, plans of subdivision or condominium or rezoning that affect woodlots and tree cover in the Township, Council shall be satisfied that:

- a) Significant trees to be protected must be identified on a survey, and/or tree inventory, and within tree preservation and protection plans as prepared by a qualified tree professional;
- b) All significant trees as identified on sites that are subject to a development application, may not be removed, damaged, injured, pruned or destroyed in any way without the written approval of Township Council or delegated staff;
- c) Trees which are considered significant must be protected throughout the planning application and development process by adequate fencing to the satisfaction of the Township. Fencing may include temporary chain link fence or plastic construction fencing to be located at the greater of 2 metres from the base of the tree or at the outer edge of the tree canopy;
- d) The landowner and/or developer will be financially responsible for any damage or destruction done to any trees prior to, during and following construction. The Township may request the owner to post securities to ensure tree preservation for up to one year after completion of construction;
- e) Trees to be protected must exhibit good biological health and condition for long-term survival. All trees must be native, non-exotic and non-invasive species;
- f) Significant trees are to be protected in addition to trees located within a woodlot area, trees forming a cluster of trees (consisting of 5 or more trees and containing at least one significant tree) any significant trees defining a hedgerow (consisting of 5 or more trees);
- g) Other trees to be protected include any tree of historical significance, Celebration trees of any size and Special Status Trees planted to commemorate a special occasion or person;
- h) Replacement trees shall be protected by a tree maintenance program and shall be zone tolerant trees generally not susceptible to disease or pests. A variety of trees should be planted to reduce the potential for disease and pest problems associated with a mono-culture of a particular species;
- i) The Township will also require securities for the purposes of tree preservation, the amount of which will represent 100 percent of the value for the trees to be protected. In the case of significant woodlands the security deposit will represent 20 percent of the total value of the woodlot. Securities may be released at the discretion of the Township, upon confirmation by the Township that the trees to be protected and preserved exhibit vigorous health and have not sustained any

damage as a result of site development activities;

- j) It is intended that this policy will be adhered to for all new development sites in the Township. It is recognized however, that some trees may be removed or sustain damage as a result of construction or development and as such replacement plantings will be considered on the following basis:
 - i) Trees that have been identified to be protected but cannot be preserved due to development constraints can be removed, with the use of the “Aggregate Inch Replacement” method. (i.e. One 30 cm dbh tree is removed and is replaced by 2 trees of 15 dbh or 3 trees of 10 dbh); and,
 - ii) Replacement trees should be planted in proximity to their removal, and efforts should be made to replace trees of the same species and size or replacement equivalent. However, where replacement of this nature is not practical, the Township may specify an alternate location where replacement trees may be placed.
- k) These policies are not intended to deal with tree plantations, nursery stock or development on lands that is permitted as of right without planning approvals in the Township.
- l) It is recognized that the mapping of Significant Woodlands on Schedule B and B1 is based on high level photography. For this reason the location and significance of the woodlands needs to be assessed on site and through consultation with the Conservation Authority and the Township. Where lands shown as Significant Woodlands on Schedule B and Schedule B-1 are determined to not be significant, development of the lands may proceed in accordance with the policies of this section of the Plan.

3.27 MINIMUM DISTANCE SEPARATION (MDS) FORMULAE

New land uses, including the creation of lots, and new or expanding livestock operations, shall comply with the Minimum Distance Separation I (MDS I) and the Minimum Distance Separation II (MDS II) Formulae contained in the publication *Minimum Distance Separation (MDS) Document – Formulae and Guidelines for Livestock Facility and Anaerobic Digester Odour Setbacks*, Publication 853, Ministry of Agriculture, Food and Rural Affairs, as amended from time to time (the MDS Document).

Unless specifically identified, the default approach to the application of MDS as outlined in the MDS Document shall apply.

- a) For clarity, (MDS I) shall not apply in the following situations:

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to lands designated as Hamlet or Millbrook Urban Settlement Area on Schedules “A” and “A-1” of this Plan;

to lots that existed prior to March 1, 2017 subject to the provisions of the implementing Zoning By-law.

for a severed or retained lot for agriculture-related uses;

- b) For clarity, (MDS I) is always required in the following situations:
 - i) for all proposed amendments to rezone or redesignate land to permit development in prime agricultural areas and rural lands presently zoned or designated for agricultural use.
- c) For clarity, (MDS II) is applicable:
 - i) to all existing cemeteries. However, certain cemeteries may be treated as a Type A land use. These cemeteries, if any exist, will be clearly identified in the implementing Zoning By-law. All other cemeteries will be treated as Type B land uses.
- d) MDS setbacks should not be reduced except in limited site specific circumstances that meet the intent of the MDS Document. Examples include circumstances that mitigate environmental or public health and safety impacts, or avoid natural or human-made hazards. If deemed appropriate by the Township, the processes by which a reduction to MDS may be considered include a minor variance to the local zoning by-law provisions, a site-specific zoning by-law amendment or an official plan amendment introducing a site-specific policy area.
- e) The implementing Zoning By-law may establish regulations for the application of the Minimum Distance Separation I (MDS I) Formulae to existing lots, from surrounding livestock facilities that are already on different lots than a residence proposed to be severed as surplus to a farming operation, and from proposals, including lot creation, to permit certain types of new or expanding agriculture-related uses and on-farm diversified uses.
- f) The implementing Zoning By-law may establish regulations for the application of the Minimum Distance Separation II (MDS II) Formulae to permit certain types of first or altered livestock facilities or anaerobic digesters and certain types of existing agriculture-related uses and on-farm diversified uses, and by treating specified cemeteries as Type A land uses, rather than Type B land uses.

3.28 CANNABIS PRODUCTION FACILITIES AND OUTDOOR CANNABIS CULTIVATION

Where a *Cannabis Production Facility* or *outdoor cannabis cultivation* is permitted, or where an existing legal non-conforming *Cannabis Production Facility* is expanded, such uses shall only be permitted in accordance with the requirements of this Section and any other applicable policies of this Official Plan.

3.28.1 Development Criteria

Where permitted, all Cannabis Production Facilities, Outdoor Cannabis Cultivation, and any associated agriculture-related uses shall be subject to the following:

- a) All Cannabis Production Facilities shall be designed and sited to mitigate any adverse effects on surrounding land uses and to blend in with the rural character of the surrounding area. This includes the mitigation of any noise, dust or odour impacts that may impede the enjoyment, privacy or function of neighbouring land uses;
- b) Buffering and screening shall be provided to mitigate any adverse effects on surrounding land uses;
- c) All Cannabis Production Facilities shall adhere to dark sky friendly lighting and building design;
- d) No outdoor storage is permitted in association with a Cannabis Production Facility or any associated agriculture-related use thereto;
- e) Notwithstanding Section 8.7(a)(iii) of this Official Plan, all Cannabis Production Facilities shall be subject to Site Plan Control;
- f) Cannabis Production Facilities shall only be permitted through express permission in a site specific Zoning By-law Amendment and may only be permitted in new, purpose-built facilities. Any retrofit or use of existing agricultural buildings or structures is prohibited;
- g) Prior to approving an application for a Zoning By-law Amendment or Site Plan Application, Council shall be satisfied that:
 - i) there will be no adverse effect on the quality and quantity of groundwater and surface water, natural heritage features, hydrologic features or that the Cannabis Production Facility would otherwise pose a negative impact on the ecological health of the watershed;

- ii) the proposed Cannabis Production Facility can be serviced giving consideration to both the quality and quantity of water supply and effluent generated;
 - iii) stormwater management requirements can be managed on-site;
 - iv) waste management facilities can be provided on-site as demonstrated by a Waste Management Plan including but not limited to the location, storage, processing, and loading facilities for haulage of waste by-products from the site;
 - v) adequate parking and loading facilities and associated site circulation are provided on the lot; and,
 - vi) the proposed use will not cause any traffic hazards or any unacceptable impacts on surrounding roads.
- h) The requirements of Section 8.4 of this Official Plan shall apply to any Zoning By-law Amendment or Site Plan application submitted in support of a proposed Cannabis Production Facility. Any of the studies identified in Section 8.4(e) may be required as part of a complete application including at a minimum, the following required studies:
- i) Land Use Compatibility Assessment;
 - ii) Hydrogeological Study where the proposed use would be on private services;
 - iii) Servicing Study where the proposed use would be on municipal services;
 - iv) Stormwater Management Study and Plan;
 - v) Air Quality Study; and,
 - vi) Waste Management Plan.

3.28.2 Cannabis Production Facility and Outdoor Cannabis Cultivation Setbacks

In achieving compatibility between land uses, the avoidance of adverse effects is the preferred first principle. However, if avoidance is not possible, adverse effects must be minimized to the greatest degree possible and appropriately mitigated. One means of achieving land use compatibility is through minimum required setbacks and minimum

separation distances between land uses. In this regard, Cannabis Production Facilities and outdoor cannabis cultivation shall be sited in accordance with the following:

- a) Cannabis Production Facilities and/or an associated agriculture-related use shall maintain a minimum separation distance of 300 metres from any surrounding sensitive land uses or an alternate distance as determined by a Land Use Compatibility Assessment to the satisfaction of the Township;
- b) Application of the minimum separation distance established in Section 3.28.2(a) will be assessed during the review of a planning application to permit a Cannabis Production Facility and/or an associated agriculture-related use. Such minimum separation distance may be determined to be lower or higher in accordance with the findings of a Land Use Compatibility Assessment which in this regard, shall include the following considerations:
 - i) Whether the Cannabis Production Facility is within a greenhouse or in a wholly enclosed building;
 - ii) The size and scale of the proposed Cannabis Production Facility;
 - iii) The proximity and number of sensitive uses in the area including the potential for additional sensitive uses on vacant lots that are zoned to permit a sensitive use;
 - iv) The location of the proposed Cannabis Production Facility in relation to prevailing winds;
 - v) The nature of the adverse effects that exist at the time in relation to existing cannabis cultivation facilities; and
 - vi) The impact of topography on the dispersion of odour.
- c) A minimum separation distance other than that required by Section 3.28.2(a) shall be implemented through a Zoning By-law Amendment. An amendment to the Official Plan shall not be required;
- d) Outdoor Cannabis Cultivation shall maintain a minimum separation distance of 300 metres from any surrounding sensitive land uses and is required to be set back a minimum of 50 metres from all lot lines for the lot on which the outdoor cannabis crop is located.

3.28.3 Cannabis Processing as an Agriculture-Related Use

The processing of cannabis, as a value-added component of a Cannabis Production Facility and as licensed by Health Canada, may only be permitted as an agriculture-related use subject to Site Plan Control provided:

- a) Cannabis processing occurs only in conjunction with a Cannabis Production Facility where such processing is subordinate to the primary use of the lot for the cultivation of cannabis;
- b) Cannabis processing, where permitted as an agriculture-related use, is subject to the requirements of Section 3.28.1 above; and,
- c) Cannabis processing to be permitted as an agriculture-related use on the same lot as the primary Cannabis Production Facility, it must be demonstrated that the proposed agriculture-related use satisfies all of the criteria below:
 - i) Is compatible with and does not hinder surrounding agricultural operations;
 - ii) Is directly related to farm operations in the area;
 - iii) Supports agriculture;
 - iv) Provides direct products and/or services to farm operations as a primary activity; and,
 - v) Benefits from being in close proximity to farm operations.

4 SETTLEMENT AREA

The Settlement Areas in the Township include Millbrook and the designated Hamlets. Millbrook will develop on the basis of full municipal services, including municipal sewage treatment and water supply services. For this reason, it is referred to as an Urban Settlement Area as shown on Schedule A and A-1. The Hamlets, as shown on Schedule F, Maps 1-8 will continue to develop on the basis of private sewage and water services.

The Millbrook Urban Settlement Area contains the following designations:

Residential;
Community Core;
Institutional;
Community Commercial;
Urban Employment Areas;
Parks and Open Space;
Natural Heritage System;
Millbrook Special Development Area;
Institutional Special Policy Area #1; and,
Millbrook Special Policy Area (SPA)

The Hamlets contain only one specific designation, Hamlet. Different land uses within the Hamlets will be regulated by the Zoning By-law.

The establishment of new settlement areas is not permitted by this Plan.

4.1 RESIDENTIAL

The Residential designation is identified on Schedule A-1. The following policies apply to this designation.

4.1.1 Objectives

It is the objective of this designation to:

- a) Maintain and enhance the character and identity of existing residential areas;
- b) Encourage the provision of a range of housing types and opportunities to accommodate persons with diverse social and economic backgrounds, ages, needs and desires while promoting the maintenance and improvement of existing housing;

- c) Promote the efficient use of existing and planned infrastructure by creating the opportunity for various forms of residential intensification, where appropriate;
- d) Ensure that residential areas permit a variety of complementary and compatible land uses including special needs housing, community facilities, schools, small-scale commercial and institutional uses and open space areas; and,
- e) Establish a comprehensive set of design guidelines and policies that foster the establishment of an urban environment that is safe, attractive, energy efficient and in harmony with nature.

4.1.2 Permitted Uses

- a) Housing forms may include single-detached, semi-detached, duplex, three-plex, four-plex, street, block and stacked townhouses, apartment dwellings, long term care facilities, retirement homes and special needs housing;
- b) Accessory apartments;
- c) Garden Suites on a temporary basis;
- d) Complementary uses such as home-based businesses subject to Section 3.11 of this Plan;
- e) Institutional uses which serve the needs of the surrounding residential areas such as private and public schools, places of worship and daycare centres; and,
- f) Local commercial uses which serve the needs of the surrounding residential areas, which include small scale retail uses, convenience stores, personal services and personal commercial uses intended to meet the day-to-day needs of residents

4.1.3 General Development Policies

- a) Residential developments within areas designated Residential may be permitted with a maximum density of 35 units gross net hectare with a maximum height of 3 storeys above grade.
- b) Approximately 30 percent of new housing within the Residential designation shall be multiple unit buildings including semi-detached, townhouses or apartments in order to provide a variety of housing choices;
- c) Approximately 20 percent of new housing in Millbrook should occur within the built boundary as shown on Schedule A1;

- d) Higher density forms of development such as apartment buildings shall be located in proximity to Arterial and Collector roads, and community facilities, including schools and parks;
- e) Two (2) accessory apartment units (over and above) may be permitted in conjunction with a single-detached, semi-detached, or townhouse dwelling in the Residential designation subject to the regulations of the Zoning By-law and the following criteria:
 - i) The accessory apartment shall comply with the Ontario Building and Fire Codes;
 - ii) Adequate parking is available on the lot for both dwelling units without the loss of appropriate outdoor amenity areas and landscaping;
 - iii) The accessory apartment is designed and located in such a manner so as not to have a negative impact on the character of the surrounding neighbourhood and any building addition shall be compatible with the massing, height, and setbacks of adjacent dwelling units;
 - iv) Municipal water and wastewater facilities are adequate and available; and,
 - v) On-site parking is provided in accordance with the provisions of the Zoning By-law.
- f) Garden suites may be permitted in conjunction with a single-detached dwelling in the Residential designation provided that they satisfy requirements of Section 3.9. Garden suites shall not be subject to the density provisions of this Plan;
- g) Places of worship and daycare centres may be permitted through appropriate zoning provided they:
 - i) Have a sufficient lot size to provide for on-site parking and required buffering from adjacent uses;
 - ii) Are compatible with adjacent properties in terms of aesthetics, privacy, sun-shadowing, noise and/or other impacts; and,
 - iii) Are located adjacent to the intersection of two public roads.
- h) Long-Term Care Facilities and Retirement Homes may be permitted subject to an amendment to the Implementing Zoning By-law and provided Council is satisfied that:

- i) The site has access and frontage onto an Arterial or Collector road as shown on Schedule A-1 to this Plan;
 - ii) The site has adequate land area to accommodate the building, an outdoor amenity area, on-site parking and appropriate buffering such as setbacks, landscaping and fencing to ensure compatibility of the use with adjacent land uses;
 - iii) The building does not exceed three storeys in height;
 - iv) The use will not cause traffic hazards or an unacceptable level of congestion on surrounding roads; and,
 - v) Municipal water and wastewater facilities are adequate and available.
- i) The location, size and configuration of new school sites will be defined by the Township through plans of subdivision and zoning, in consultation with the School Boards;
- j) New school sites and buildings will be developed to ensure that:
 - i) Joint use sites and multiple use buildings will be encouraged wherever possible;
 - ii) Parking and loading areas will be provided, and access points designed, in a manner that will minimize conflicts between pedestrian and vehicular traffic; and,
 - iii) There are adequate sidewalks and maintained trails to access the site.
- k) In the event that all or part of an existing school site should no longer be required by a School Board, the following alternate uses may be permitted without the need for an amendment to this Plan. Alternate uses may include:
 - i) Residential uses consistent with the policies of the Residential designation;
 - ii) Compatible institutional uses based on specific evaluation of each site, and which may include religious institutions, community and recreational facilities; and/or,
 - iii) Open space uses.
- l) Local commercial uses may only be permitted, through appropriate zoning, if

they have the following characteristics:

- i) A maximum non-residential Gross Retail Floor Area of 300 square metres;
 - ii) Maintain the residential character of the area; and,
 - iii) Are located adjacent to the intersection of two public roads, at least one of which is a Collector or Arterial road.
- m) Development in Residential areas can include mixed uses where commercial or institutional uses are combined with residential uses.
- n) All development within the Residential designation, except single-detached and semi-detached dwellings, may be subject to Site Plan Control;
- o) Infill and intensification through rezoning or consent within existing Residential areas shall be encouraged provided Council is satisfied that:
 - i) The proposed development, including building form and density, is compatible with the character of the existing neighbourhood;
 - ii) New buildings are designed in a manner that is sensitive to the location, massing and height of adjacent buildings;
 - iii) A suitable transition in lot sizes, densities, building forms and heights is provided from adjacent development;
 - iv) Existing trees and vegetation will be retained and enhanced where possible and additional landscaping will be provided to integrate the proposed development with the existing neighbourhood;
 - v) The proposed development will not create a traffic hazard or an unacceptable increase in traffic on local roads; and,
 - vi) Significant views and vistas which help define a residential neighbourhood are preserved.
- p) In considering applications for new medium density residential development Council shall be satisfied that the proposal:
 - i) Is located on and has direct access to a Collector or Arterial road;
 - ii) Respects the character of adjacent residential neighbourhoods, in terms of height, massing and setbacks;

- iii) Can be easily integrated with surrounding land uses;
- iv) Will not cause traffic hazards or an unacceptable level of congestion on surrounding roads;
- v) Can easily be accessed by transit if available;
- vi) Is located in close proximity to community facilities, such as parks, schools and open spaces;
- vii) Is located on a site that has adequate land area to incorporate the building, on-site parking, an outdoor amenity area, and appropriate buffering such as setbacks, landscaping and fencing to ensure the compatibility of the use with adjacent land uses;
- viii) Where appropriate, considers the role of topography and natural vegetation in minimizing the impacts of tall buildings on adjacent land uses; and,
- ix) Municipal water and wastewater services are adequate and available.

4.1.4 Housing

- a) It is a policy of this Plan to maintain a ten year supply of lands designated and available for residential development. Housing development through residential infilling, intensification and redevelopment within the built up area shown on Schedule A-1 shall provide 20 per cent of the Township's housing needs;
- b) A three year supply of land zoned for residential intensification and residential lots/units in registered and draft plan approved subdivisions within the context of the population target contained in this Plan shall be maintained provided that there is sufficient water and wastewater capacity available to service development;
- c) It is a policy of this Plan to ensure the provision of a complete range of housing types in Millbrook. On this basis, the optimum housing unit mix within the boundaries of Millbrook are:
 - 75 percent low density housing (single, semis, duplex);
 - 10 percent medium density housing (multiple unit, townhouse); and,
 - 15 percent high-density housing (apartments).
- d) Subdivision developments shall be staged to ensure that the intensification and infill targets in Section 4.1.4 are met and a mix of housing is available throughout

the development of the plan of subdivision. Each development stage shall include a range of housing; and,

- e) Residential development that satisfies the desired housing mix in this Plan will be given priority for servicing capacity.

4.1.5 Development Staging

- a) With the exception of development of individual sites or a small number of lots created by consent all undeveloped lands identified on Schedule A-1 may be subject to development staging based on the ability to provide water and wastewater services and the objective of maintaining the agricultural uses of the lands until they are required for development; and,
- b) In Millbrook residential development will be staged to ensure that Employment uses are developed to reflect the residential and employment ratio targets outlined in Sections 2.1.1, 2.1.2 and 2.1.3 of this Plan. Council may support final approval of residential development in advance of the employment development where it is satisfied that the residential growth is financially sustainable and servicing allocation remains available for employment uses according to Section 7.8 of this Plan.

4.1.6 Zoning

- a) The Zoning By-law will provide a number of zones to regulate the location and built form of Residential uses; and,
- b) Low density and medium density residential uses shall generally be placed in separate zones. Zone provisions will establish lot size, frontage, yard and setbacks to ensure that adjacent uses with different densities are compatible.

4.1.7 Residential Urban Design Guidelines

Prior to the consideration and approval of a plan of subdivision in excess of 8 units, the Township shall generally require the preparation of a neighbourhood design plan to the satisfaction of the Township in consultation with other agencies. The neighbourhood plan shall include road alignments, sidewalks, trail systems, walkways, potential cycling routes, proposed lotting, siting of schools, parks, open space lands stormwater management facilities and other community facility/utility uses.

- a) Residential neighbourhoods shall be developed in accordance with the following urban design principles:
 - i) Grid streets shall be utilized wherever possible providing a multiple use for walking, cycling and motor vehicle use. Streets will be designed as high quality urban environments which

encourage social interaction and provide routes and connections to neighbourhood facilities. Streets will be designed to create and enhance views and vistas of significant natural features and public buildings. Street patterns should be oriented to provide for maximum solar gain. Underground hydro will be required in all new residential subdivisions;

- ii) Historical buildings will be rehabilitated in accordance with the architectural style of the building;
- iii) The Township may impose architectural control for residential development over 8 units. Architectural design guidelines will be prepared to ensure that there is a variety of housing types and styles and avoid replication of similar housing designs;
- iv) Public buildings and spaces, including schools, parks and places of worship will be located on prominent sites with significant street frontage. Public buildings will be oriented to the street and will incorporate massing, detailing and entrance features that reinforce its prominence in the neighbourhood. Public buildings and facilities will generally be centrally located to minimize walking distances and will be accessible;
- v) Houses will be designed in such a way as to have a consistent setback to provide human scale to the street. House designs should be encouraged to incorporate features such as prominent entrances and porches to give a social element to the streetscape and to allow for views along the street;
- vi) Garages should be designed and sited so they are not the prominent feature of the streetscape. It is preferable for all garages to be set back from the main front facade and, if possible, located in side or rear yards;
- vii) Sidewalks should be provided on every street and should also connect to the components of the open space network. The sidewalk network must be continuous;
- viii) Indigenous trees shall be planted on both sides of new streets with a minimum spacing of 10 metres;
- ix) Street lighting in residential neighbourhoods should be minimal and dark sky compliant. The height of street lights should be limited to reflect a pedestrian scale and should be spaced between 18 and 20 metres apart; and,

- x) Development along Arterial roads will be designed to provide a high quality urban environment with views of housing, street trees and landscape elements. Reverse lotting and acoustical fencing is generally not permitted.

4.1.8 Site Specific Policies

- a) 1080 County Road 10 and 862 Fallis Line
Part of Lots 11 and 12, Concession 6, Cavan Ward
(Towerhill North Subdivision)

Notwithstanding the provisions of Section 8.3 herein, the external boundaries of the Millbrook Settlement Area shall be expanded as they apply to a portion of the lands in part of Lot 11, Concession 6 of the Cavan Ward, being Roll Number 1509-010-030-062-00 and municipally known as 862 Fallis Line.

Notwithstanding the provisions of Section 4.1.3 a) herein, the maximum building height for single, semi-detached and townhouse dwellings shall be three (3) storeys and the maximum building height for apartments shall be four (4) storeys.

- b) Southeast Corner of Fallis Line & County Road 10
Part of Lot 13, Concession 5 (Cavan)
Vargas Subdivision

The lands subject to Ministerial Order (O. Reg. 250/22 & Map 304) are identified on Schedule 'A' and 'A-1' as subject to Policy 4.1.8 b). If there is a conflict between the policies of the Cavan Monaghan Township Official Plan and the regulations contained within the Ministerial Zoning Order, then the text and mapping of the Ministerial Zoning Order shall prevail. Development on the lands subject to a Ministerial Zoning Order shall occur within the terms of a Subdivision Agreement between the Township and the landowner, as appropriate.

Notwithstanding the provisions of Section 4.1.3 a) and 4.4.3 herein, the maximum building height for single, semi-detached and townhouse dwellings shall be three (3) storeys and the maximum building height for apartment buildings and mixed-use apartment buildings shall be four (4) storeys.

Development in the "Community Commercial" Designation shall be in accordance with the regulations associated with the "Commercial/Mixed Use Zone" of the Ministerial Zoning Order (O. Reg. 250/22 & Map 304).

In addition to the uses permitted in Section 4.4.2 the following uses shall also be permitted: banks and financial institutions; liquor stores; post offices; personal

services; business, professional and medical offices as a primary use; and dwelling units in mixed-use buildings.

Policy 4.4.3 a) to d) shall not apply.

Those lands located outside of the “Community Zone” and “Commercial/Mixed Use Zone” of the Ministerial Zoning Order (O. Reg. 250/22 & Map 304) shall be subject to the policies of the Natural Heritage System policies in Section 6 of the Official Plan.

Notwithstanding the policies of Section 8.3, the boundaries of the Millbrook Settlement Area shall be expanded to include all lands subject to the Ministerial Zoning Order (O. Reg. 250/22 & Map 304).

- c) 787 and 825 Fallis Line
Part of Lot 11, Concession 5 (Cavan)
CSU Subdivision

The lands subject to Ministerial Order (O. Reg. 250/22 & Map 304) are identified on Schedule ‘A’ and ‘A-1’ as subject to Policy 4.1.8 c). If there is a conflict between the policies of the Cavan Monaghan Township Official Plan and the regulations contained within the Ministerial Zoning Order, then the text and mapping of the Ministerial Zoning Order shall prevail. Development on the lands subject to a Ministerial Zoning Order shall occur within the terms of a Subdivision Agreement between the Township and the landowner, as appropriate.

Notwithstanding the provisions of Section 4.1.3 a) and 4.4.3 herein, the maximum building height for single, semi-detached and townhouse dwellings shall be three (3) storeys and the maximum building height for apartment buildings and mixed-use apartment buildings shall be four (4) storeys.

Development in the “Community Commercial” Designation shall be in accordance with the regulations associated with the “Commercial/Mixed Use Zone” of the Ministerial Zoning Order (O. Reg. 250/22 & Map 304).

In addition to the uses permitted in Section 4.4.2 the following uses shall also be permitted: banks and financial institutions; liquor stores; post offices; personal services; business, professional and medical offices as a primary use; and dwelling units in mixed-use buildings.

Policy 4.4.3 a) to d) shall not apply.

Those lands located outside of the “Community Zone” and “Commercial/Mixed Use Zone” of the Ministerial Zoning Order (O. Reg. 250/22 & Map 304) shall be

subject to the policies of the Natural Heritage System policies in Section 6 of the Official Plan.

Notwithstanding the policies of Section 8.3, the boundaries of the Millbrook Settlement Area shall be expanded to include all lands subject to the Ministerial Zoning Order (O. Reg. 250/22 & Map 304).

4.2 COMMUNITY CORE

The Community Core reflects the historic Commercial Core of the Millbrook Urban Area.

4.2.1 Objectives

It is the objective of this designation to:

- a) Develop, maintain and promote the Community Core as a focal point for commerce, tourism and pedestrian-scale activity in the Township.
- b) Encourage tourism and development in the Community Core that capitalizes on expected growth in the Greater Golden Horseshoe;
- c) Encourage the development of a mix of uses at a density that will enhance the character and vitality of the Community Core;
- d) Encourage streetscape and façade improvements that revitalize the cultural and historic character of Millbrook;
- e) Establish a definitive boundary for the Community Core Area within which a mixed use, pedestrian-oriented environment can be enhanced; and,
- f) Protect the residential character of the areas within and adjacent to the Community Core.

4.2.2 Permitted Uses

- a) Commercial uses permitted in this designation include:
 - i) Banks and financial services;
 - ii) Business, professional and medical offices;
 - iii) Entertainment and recreational uses including banquet halls and private clubs;
 - iv) Hotels and convention centres;

- v) Personal service uses;
 - vi) Recreation and open space;
 - vii) Restaurants; and,
 - viii) Retail stores including food stores and supermarkets and specialty shops.
- b) Free-standing residential uses shall include street, block and stacked townhouses, four-plexes and apartments. Existing single-detached and semi-detached dwellings shall be recognized however, new low density housing will be discouraged;
- c) Uses compatible with, complementary to and serving the commercial and residential uses of the land, such as parkettes, open space linkages, places of worship and daycare centres, libraries, museums, art galleries and private and commercial schools may be permitted within the Community Core; and,
- d) Within areas designated Community Core, a broad range of forms of assisted and special needs housing such as group homes within existing dwellings, long term care facilities and homes for the aged may be permitted.
- e) Existing small scale industrial uses that serve the community and surrounding areas are recognized as permitted uses in the Community Core designation and, where the use is conducted primarily in an enclosed building and does not emit noise, smoke or odours that would be incompatible with the residential and other commercial uses in the community and complies with the MOE D-Series Guidelines for land use compatibility, the Zoning By-law may be amended to recognize the use.

4.2.3 General Development Policies

- a) Medium density residential uses, either combined with commercial uses or free-standing will be encouraged to remain or be re-established;
- b) Mixed use buildings are encouraged within the Community Core designation. It is intended that the permitted commercial uses will be developed on the ground floor. Residential and office uses are encouraged above the commercial uses located on the ground floor;
- c) To preserve the retail character in Millbrook, the Implementing Zoning By-law may restrict the extent to which first floor street front space can be used for office or service related uses. The objective of the zoning is to ensure a thriving and active downtown. Uses that attract people and other businesses to the downtown shall be supported;

- d) The sensitive conversion of existing buildings from their existing use to other permitted uses is encouraged in accordance with the Development Criteria in this Plan. Changes in use may be permitted subject to a rezoning. Historic buildings will be preserved in accordance with the policies in this Plan;
- e) All new development/redevelopment within the area designated Community Core Area shall be subject to Site Plan Control; and,
- f) Maximum building size for retail uses in the Community Core Area will be 900 square metres ground floor area.

4.2.4 Community Core Urban Design Guidelines

4.2.4.1 General Design

When reviewing applications for development in the Community Core due consideration shall be given to the following:

- a) Building height should be a minimum of two and preferably three storeys;
- b) All parking lots should be paved and internally connected. Barrier free parking spaces should be conveniently located near buildings. Ramps should be used to facilitate pedestrian movement. The parking area should be illuminated with identifiable access points and signage;
- c) Parking for residential uses will be located on-site. Parking facilities for all other permitted uses may be located on-site, or in central parking lots. Where a new use cannot accommodate the Township's parking requirement, Council may accept cash-in-lieu where the parking can be reasonably accommodated on the street or off-site, either in municipally owned and/or operated lots or on other private land;
- d) Parking lots exposed to street frontage should be screened with low walls and hedges and/or a continuous line of tree planting to establish boundaries;
- e) Recycling and garbage collection areas will be within buildings wherever possible or screened from view of pedestrians in accordance with municipal standards. Each area should be enclosed with a privacy fence and service gate that allows access for storage and removal;
- f) As part of general streetscape improvements, developers or owners of commercial properties will be encouraged to assist in the creation of a high quality public realm through contributions to street tree planting and street furniture in addition to landscaping improvements on private lands;
- g) High quality landscape treatment shall be provided with particular regard to

screening parking areas visible to the street, providing shade for pedestrians and mitigating heat island effects;

- h) Building form and siting shall minimize the impacts of noise, wind and shadows and shall enhance views of landmark buildings, parks and open space;
- i) Loading areas shall be unobtrusive, screened where necessary, and shall generally be located at the side or the rear of the building. Anticipated noise impacts will be mitigated; and,
- j) All new development or redevelopment in Millbrook shall:
 - i) Reflect the architecture, scale, density and massing of surrounding structures;
 - ii) Incorporate and improve existing historical structures;
 - iii) Provide facilities for pedestrian and cycling patrons;
 - iv) Ensure that the scenic views of the village and surrounding valley are preserved;
 - v) Be limited in height to three storeys; and,
 - vi) Incorporate connections with the open space system.

4.2.4.2 Architectural Guidelines

- a) To maintain the architectural character and identity of the area all new development or redevelopment shall occur in accordance with the following guidelines:
 - i) Original architectural details and features should be restored;
 - ii) Where an existing building lacks significant architectural detail or a new building is to be built on a vacant lot, the façade should be representative of or consistent with adjacent architectural styles including detailing that replicates or compliments a collection of historic detailing such as parapets, coping, cornices, window fenestration, traditional storefront design and glazing;
 - iii) Building materials that are not in keeping with the architectural character of the downtown will be discouraged;

- iv) Traditional signage incorporating three dimensional signage and external lighting is required over internally lit fluorescent sign boxes. Typical national corporate signage will not be permitted.
- v) Broad window treatments at street level are encouraged to maintain an open, pedestrian friendly environment;
- vi) Buildings should maintain similar setbacks as their immediate neighbours in order to perpetuate a consistent image within the historic district;
- vii) All street furniture should be compatible with the architectural style of the community and must be scaled to the pedestrian. The majority of the street furniture will be located along King Street and Tupper Street and throughout the Open Space System and within the various parks;
- viii) The height of street lights should be limited to reflect a pedestrian scale and should be spaced between 18 and 25 metres apart. Within the King Street area street lights shall be of a consistent design and should be placed closer together; and,
- ix) Heritage conservation criteria may be established for the renovation, reconstruction or redevelopment proposed within the Heritage Conservation District.

4.3 INSTITUTIONAL

The lands designated Institutional shall form the focus for new institutional and community based land uses in Millbrook.

4.3.1 Objectives

- a) Develop and promote the Institutional designation as a focal point for community activities, institutional and recreational facilities in the Township in conjunction with the Parks and Recreation system;
- b) Provide sufficient lands to consolidate municipal administration and operations in the Township;
- c) To provide sufficient lands to provide recreational facilities to meet the future needs of the Township; and
- d) Protect the function and character of the areas within and adjacent to the Community Core.

4.3.2 Permitted Uses

a) The uses permitted in this designation include:

Municipal offices and administration facilities;

Recreation and open space;

Public services such as emergency services and public works operations;

Commercial uses that are associated with and secondary to other permitted uses;

Places of worship and daycare centres, libraries, museums, art galleries;

Long-term care and assisted living facilities; and,

Cemeteries.

4.3.3 General Development Policies

Development of the Institutional area shall occur following the completion of a development master plan completed for the site. This Master Plan shall incorporate the recommendations of the Township's Parks and Recreation Master Plan and the Capital Works Program;

Uses developed in the Institutional designation shall not have an adverse impact on the Community Core. Where uses are proposed to be transferred from the Community Core, reuse or redevelopment plans for the existing facilities shall be established by the Township;

Public uses shall be designed to minimize potential impacts on abutting Residential areas and uses;

Public uses of an industrial nature should preferably be located on Employment lands with direct access to Arterial roads;

Acquisition for parklands within the Institutional designation shall occur through parkland dedication, purchase from parkland funds collected as cash-in-lieu of parkland, grants, donations and development charges;

Development of the Institutional area shall include the following design elements:

- i) extensive landscaping on the periphery of the site shall be required to provide buffers from adjacent residential uses;

- ii) all lighting shall be dark sky friendly, using full cut-off fixtures to limit light trespass;
- iii) parking lots shall contain internal landscaping features to encourage natural infiltration and provide shade;
- iv) connectivity to the Natural Heritage system and the residential areas in the community; and,
- v) facilities shall be designed to be accessible.

For the purposes of Minimum Distance Separation formulae as outlined in Section 3.27, an inventory of existing cemeteries will be undertaken and clearly identified in the Township Zoning By-law. This list/map/appendix of cemeteries will indicate which cemeteries (e.g. those that are closed and receive low levels of visitation) may be treated as Type A land uses for the purposes of calculating (MDS II).

With respect to (MDS I), new or expanding cemeteries will be treated as a Type B land use.

4.3.4 Institutional Special Policy Area #1

Lands identified as Institutional Special Policy Area # 1 are intended to be used for the sanitary waste water treatment plant that will service the Millbrook Urban Settlement Area. Following the design of the plant if it is determined that some of the lands within this designation are not required for the plant and required buffer areas the lands shall be considered as Residential lands and can be developed according to the Residential policies of this Plan.

4.3.5 Institutional Special Policy Area #2

Lands identified as Institutional Special Policy Area #2 constitute the required buffer area of the sanitary waste water treatment plan. Permitted uses may include limited vehicle parking and landscaping associated with the waste water treatment plant.

4.4 COMMUNITY COMMERCIAL

The Community Commercial Area is intended to provide opportunities for large format retail uses that require large land areas and service the broader community.

4.4.1 Objectives

The objectives of this designation are to:

- a) Establish an area for the establishment of large format retail uses in the Township;
- b) To provide a diverse range of retail, service and recreational uses serving the entire Township;
- c) To ensure the continued vitality of the Commercial Core of Millbrook;
- d) Encourage a high level of urban design within this greenfield urban development.

4.4.2 Permitted Uses

- a) Commercial uses permitted in this designation include:
 - i) Automobile retail facilities;
 - ii) Commercial fitness centres;
 - iii) Entertainment and recreational uses;
 - iv) Hotels, motels, and convention centres;
 - v) Private and commercial schools and daycare centres;
 - vi) Private recreational uses such as banquet halls and private clubs;
 - vii) Restaurants;
 - viii) Retail stores including food stores and supermarkets, department stores and specialty shops; and,
 - ix) Service industry uses in wholly enclosed buildings.
- b) Uses compatible with, complementary to and serving the primary commercial use of the land, such as parkettes and open space linkages may be permitted within the Community Commercial designation.
- c) The following uses are specifically precluded from locating in the Community Commercial designation:
 - i) Banks and financial institutions
 - ii) Liquor Stores
 - iii) Post office

- iv) Personal Services
- v) Professional Offices as a primary use

4.4.3 General Development Policies

- a) The maximum gross floor area of all commercial uses shall be 30,000 square metres;
- b) The maximum building height shall be 10 metres;
- c) Prior to considering development within the Community Commercial designation, Council may require:
 - i) A detailed market impact study to demonstrate that the proposal is feasible and desirable on the basis of size, location and function relative existing commercial facilities and sufficient population to support the use; and,
 - ii) A detailed traffic impact assessment to demonstrate that the proposal can be developed without causing disruption to the road network and can be implemented at no cost to the Township and the County.
- d) Council may use Zoning By-laws to limit the size, use and form of commercial development in order to ensure that development does not adversely affect the viability of the commercial uses in the Commercial Core; and
- e) All development within the Community Commercial designation shall be subject to Site Plan Control.

4.4.4 Community Commercial Urban Design Guidelines

- a) Community Commercial Areas shall require extensive landscaping on the periphery and within parking areas;
- b) Drive-through facilities shall be designed to minimize impact on traffic within and external to the site;
- c) Shared access, pedestrian orientated facilities and parking among various developments shall be required;
- d) The following policies apply to permitted automobile oriented facilities:
 - i) Service stations and gas bars will only be permitted at the intersection of Collector roads;

- ii) No more than two service stations or gas bars shall be located in the Community Commercial Area;
 - iii) High water users shall generally not be permitted in this designation. Car washing establishments shall adopt water conservation techniques including water recycling; and,
 - iv) Shared access points, provisions for internal circulation and rear service areas shall be incorporated in all site plans.
- e) Buildings should generally be set at street edge with parking moved to the rear. Where surface parking lots are exposed to the street significant landscape buffering including the use of decorative walls and fencing shall be required;
- f) Signage will complement rather than dominate the landscape. It shall be incorporated as an integral part of a building or site layout wherever possible. It will not detract from the overall visual attractiveness of the built environment for both pedestrians and motorists and will be designed to be located so as not to be hazardous for either pedestrians or motorists and will comply with the relevant County or Township sign by-laws;
- g) The location and design of outdoor storage and display areas are to be visually acceptable and generally screened from the road frontage;
- h) All lighting shall be dark sky friendly, using full cut-off fixtures to limit light trespass. Development Agreements shall require lighting levels to be dimmed after closing hours; and,
- i) Parking lots shall contain internal landscaping features to encourage natural infiltration and provide shade.

4.4.5 Site Specific Policies

- a) 905 Fallis Line and 919 Fallis Line, Part of Lot 12, Concession 5, Cavan Ward (Towerhill Commercial)

In addition to the uses permitted in Section 4.4.2, on lands in part of Lot 12, Concession 5 of the Cavan Ward, being Roll Numbers 1509-010-020-22244 and 1509-010-020-21104 and municipally known as 905 Fallis Line and 919 Fallis Line banks and financial institutions, business, professional and medical offices, and motor vehicle gas bars shall be permitted. Automobile retail facilities shall not be permitted.

4.5 MILLBROOK SPECIAL DEVELOPMENT AREA

The site of the former Millbrook Correctional Facility represents a significant development opportunity in the Township. Redevelopment of this site is encouraged subject to the following policies:

- a) Permitted residential uses may include special needs, seniors, long-term care and retirement homes in accordance with the policies in Section 4.1.3 of this Plan;
- b) Permitted institutional uses may include education or health care related uses;
- c) Permitted employment uses may include research and development, business and professional offices and conference centres; and,
- d) Any development proposal shall be accompanied by a comprehensive development plan for the entire property. The parameters of the comprehensive development plan shall be established through the pre-consultation process. The development plan shall include a comprehensive servicing strategy recognizing the location of the lands within the Oak Ridges Moraine and Source Water Protection Area.

4.6 URBAN EMPLOYMENT AREAS

Urban Employment Areas are designated on Schedule A-1.

4.6.1 Objectives

The objectives of this designation are to:

- a) Ensure that there are sufficient lands available for the creation of diverse employment opportunities at strategic locations;
- b) Ensure that the Township is positioned to accommodate new and expanded business activities that provide jobs to local residents;
- c) Ensure that new industrial development occurs in an orderly manner and in conjunction with the establishment of appropriate sewage and water services;
- d) Ensure that new industrial development is compatible with surrounding uses;
- e) Encourage an attractive built form within the Employment Areas; and,
- f) Ensure that the conversion of lands within the Employment Areas to non-employment uses occurs only through a municipally initiated comprehensive review of this Plan.

4.6.2 Permitted Uses

- a) Permitted uses in Urban Employment Areas include the following:
- i) Manufacturing, assembling, processing, fabricating and warehousing, wholesaling and distribution facilities;
 - ii) Accessory office uses provided they are on the same lot and are related to and ancillary to the main industrial use up to a maximum of 25 percent of the total gross building floor area;
 - iii) Outdoor storage uses that are accessory to a permitted use; and,
 - iv) Service and Trade related uses.
 - v) A Cannabis Production Facility may be permitted subject to all applicable Official Plan policies and subject to a Zoning By-law Amendment to permit such use. A Cannabis Production Facility is only permitted within a fully enclosed building. Notwithstanding Section 4.6.2(a)(iii) and Section 4.6.3(d) of the Official Plan, no outdoor storage shall be permitted in conjunction with a *Cannabis Production Facility*.
- b) In addition to those primary uses, complementary commercial uses which serve the primary industrial uses may be permitted. Those uses include small scale business and personal services, equipment and automobile rental establishments and service stations/gas bars; and,
- c) Uses compatible with, complementary to and serving the primary business/industrial use of the land, such as parkettes and open space linkages may be permitted within the designation.

4.6.3 General Development Policies

- a) Uses requiring water for processing, cooling or washing shall not be permitted unless water used in the process is largely recycled in the process;
- b) No building shall exceed a Floor Space Index of 0.5. The maximum height shall be three storeys or 11 metres, whichever is less;
- c) Service stations/gas bars and automobile rental establishments shall only be permitted on sites having frontage on an Arterial road and/or a Collector road. A maximum site size and restrictions on the range of permitted ancillary uses shall be identified in the Zoning By-law;

- d) Open storage shall be permitted in the Urban Employment Area designation and shall be screened from view by fences, buildings and/or landscaping, and generally only be located in the rear yard.
- e) Adequate off-street loading and parking facilities shall be provided for all permitted industrial and commercial uses;
- f) Adequate buffers shall be provided to separate industrial uses from permitted commercial uses to reduce conflicts. Buffers may include such features as setbacks, berms, walls, fences and landscape strips;
- g) All development within the Urban Employment Area designation shall be subject to Site Plan Control; and
- h) Development in Urban Employment Area will be designed to increase connectivity and provide alternate access routes wherever possible. Roadways in Urban Employment Areas shall be designed to accommodate turning movements and the weight of large vehicles.

4.6.4 Design Standards

Lands having prime exposure to major arterial roads are intended for intensive employment uses exhibiting a high standard of building design and landscaping. The following criteria will be considered as part of the Site Plan approval process:

- a) Building materials used shall include brick, stone, pre-finished steel, stucco on masonry, glazed block, wood, marble, enamel, glass or composite panels of the forgoing materials;
- b) Roof top equipment including vents, stacks, louvers, roof ventilators and similar mechanical equipment shall be screened from all directions. Screening shall be integrated with the architectural form of the building or designed to be compatible in form material, and color;
- c) Buildings should be oriented with the front face of the building parallel to the adjacent roadway. The design of all elevations facing roadways shall be sensitive to the high level of visibility;
- d) Building entrances should be prominent and visible with entrance canopies, awnings and other architectural elements;
- e) Major building components should be illuminated to complement the building and the site, but light spillage onto adjacent sites should be prevented;
- f) Loading and service areas should not be exposed to major roadways and should be screened from view;

- g) Utility equipment, hydro transformers and switching boxes should be positioned to not be visible from the public street and shall be incorporated into the design of the building and site landscape;
- h) A variety of roof shapes should be considered to avoid the monotony of flat roofs; and,
- i) Building heights shall be a maximum of three storeys or 11 metres, whichever is less.

4.7 PARKS AND OPEN SPACE

4.7.1 Objectives

The objectives of this designation are to:

- a) Create an urban parks and open space system which is connected to the Township's Natural Heritage System;
- b) Provide for a continuous trail and integrated park system through Millbrook with an emphasis on natural features;
- c) Provide sufficient lands to meet the recreational needs of the population;
- d) Protect sensitive environments within the Settlement Area; and,
- e) Ensure that the impacts of the use of parks and open space on adjacent land uses and the character of the surrounding neighbourhood are minimized.

4.7.2 Permitted Uses

- a) The Parks and Open Space designation includes the waterfront parks, neighbourhood parks, parkettes, open space linkages and trails. Lands designated Parks and Open Space shall be used primarily for active and passive recreational purposes and accessory uses; and,
- b) Community recreation facilities, community facilities such as public cemeteries and public community centres, stormwater management facilities, infrastructure and utilities may also be permitted provided any adjacent natural features and functions are protected and enhanced and the scale of the use is compatible with the character of adjacent development.

4.7.3 General Development Policies

- a) The intent of the Parks and Open Space designation is to establish an identifiable and continuous open space network through Millbrook. The open

space network is intended to integrate, wherever possible, environmental features and stormwater management facilities with parks to provide opportunities for active and passive recreation. Wherever possible trails, bicycle paths, walkways, sidewalks and utility corridors will be used to connect these spaces;

- b) Lands included within the Parks and Open Space designation are shown schematically on Schedule A-1. The actual locations, configurations and boundaries of the Community Park, the Neighbourhood Parks, the Parkettes and the open space linkages shall be established in plans of subdivision and in the Implementing Zoning By-law;
- c) Additional parkland may be acquired pursuant to the provisions of the Planning Act and by other available means, including:
 - i) Funds allocated in the budget;
 - ii) Donations, gifts, and bequests from individuals or corporations; and/or,
 - iii) Funding allocated by any authority having jurisdiction.

As an alternative to parkland conveyance, Council may require the payment of money in lieu of such conveyance.

- d) All lands dedicated to the Township shall be conveyed in a physical condition acceptable to Council. When an open watercourse is involved in an area to be dedicated, Council may require that easements for access to and maintenance of watercourses be dedicated to the Township as a condition of approval;
- e) Parks or portions thereof may be designed to include stormwater quantity/quality control features. Where stormwater quantity/quality control features are included in parks, the design of such features will be subject to the approval of the Township, in consultation with the Conservation Authority. In instances where grading or the presence of water precludes the use of a portion of park area for the required park purposes, the stormwater control features portion of the park shall not be included as part of the parkland dedication;
- f) When development is proposed on a site, part of which is designated subject to flooding or other hazardous conditions, such lands may not be included as part of the dedication for park purposes as required under the Planning Act;
- g) The Township will continue to upgrade recreational facilities within parks and elsewhere based on growing and changing needs of the population. When the population of the Township reaches 10,000 persons, the Township will review its Parks and Recreation Master Plan to determine future needs for recreational

facilities and programs;

- h) Where any lands included within the Parks and Open Space designation are under private ownership, it shall not be construed that these sites are free and open to the public, nor that they will be acquired by the Township or any other authority;
- i) Neighbourhood parks are identified as Parks and Open Space on Schedule A-1 and should be at least 2 hectares. They are expected to provide a mix of active and passive recreational activities and may incorporate a community recreation centre to serve the needs of surrounding residents. Neighbourhood parks are to be located adjacent to schools, natural areas and/or environmental features wherever possible. Neighbourhood parks must have significant frontage on a public road; and,
- j) Open space linkages, which are not specifically identified on Schedule A-1, are intended to provide greater connection among other park and open space components. Linkages may be required as part of the parkland dedication process.

4.8 MILLBROOK SPECIAL POLICY AREA

- a) Certain lands within the established core area of Millbrook are designated as a Special Policy Area (SPA) as shown on Schedule A-1 to this Plan. The lands designated SPA form part of the historic centre of Millbrook that are susceptible to flooding from Baxter Creek. Special policies are required for the continued economic and social viability of the area; and,
- b) Within the SPA as shown on Schedule A-1, the permitted land uses will be in accordance with the policies of the Official Plan regarding those land use designations shown on Schedule A-1 of this Plan.

4.8.1 General Policies

- a) All new buildings will be floodproofed to the Regulatory Flood level;
- b) Any new building or structure shall be designed such that its structural integrity is maintained during a Regional Storm;
- c) Flood storage loss compensation for all development/redevelopment within the SPA will not be required, however, new development/redevelopment must not adversely impact existing structures upstream or downstream as a result of increasing flood levels and/or velocities;
- d) New development associated with substances of a chemical, hazardous or toxic nature which may pose an unacceptable threat to public safety if damaged as a

result of flooding or failure of floodproofing measures, shall not be permitted to locate below the Regulatory Flood level;

- e) New nursing homes, hospitals, homes for the aged, senior citizen apartments, group homes for the physically or mentally challenged, daycare centres, or other similar uses for which flooding could pose a significant danger to the inhabitants shall not be permitted below the Regulatory Flood level;
- f) New development associated with services such as those provided by fire, police and ambulance stations and electrical substations which would be impaired during a flood emergency as a result of flooding, or failure of floodproofing measures, shall not be permitted to locate below the Regulatory Flood level;
- g) New building services such as electrical and heating systems shall be located above the Regulatory Flood elevation, but where this is not possible, building services shall be floodproofed to the Regulatory Flood level;
- h) The construction or erection of a building or structure on the footprint of a previous structure which has been destroyed or demolished by fire or natural causes may be permitted subject to the written approval of the Otonabee Region Conservation Authority and the Township of Cavan Monaghan;
- i) New basements or expansion to existing basements will not be permitted unless the basement is floodproofed and designed to withstand hydrostatic pressures to the satisfaction of the Township's Engineer or designate;
- j) No underground parking will be allowed unless the underground structure has been adequately designed to withstand all hydrostatic and uplift forces; and,
- k) The minimum floodproofing levels shall be the Regulatory Flood level based upon engineered flood plain mapping as approved by the Otonabee Region Conservation Authority.

4.8.2 Commercial and Non-Residential Uses

- a) Development and redevelopment of new commercial and non-residential structures shall be permitted provided:
 - i) the minimum lowest opening elevation shall be the Regulatory Flood level;
 - ii) where (i) is not feasible because of technical or legal reasons or would cause major disruption in the streetscape, floodproofed doors or shields or other solutions acceptable to the Township of Cavan Monaghan and the Otonabee Region Conservation Authority may be utilized; and,

- iii) new mechanical, electrical, heating and air conditioning equipment will be located above the Regulatory Flood level or floodproofed to the Regulatory Flood level.
- b) Notwithstanding Subsection a), minor additions/renovations to existing commercial and non-residential structures shall be permitted provided the proposed main floor level and exterior openings are not lower than the existing ground floor level and floodproofing measures are acceptable to the Otonabee Region Conservation Authority and the Township of Cavan Monaghan.

4.8.3 Residential Uses Within Commercial Structures

- a) Development which creates residential units within commercial structures shall be permitted subject to Section 4.8.4 and the provision of safe access and safe parking, provided such residential units are not located on the ground floor.

4.8.4 Residential Uses

- a) Residential development, redevelopment or major renovation/addition to residential structures will be permitted provided the structure is floodproofed to the Regulatory Flood level and:
 - i) the habitable floor space elevation of any residential dwelling unit is located above the Regulatory Flood level;
 - ii) safe access and safe parking can be achieved; and,
 - iii) mechanical, electrical, heating and air conditioning equipment are located above the Regulatory Flood level.
- b) Renovations to increase the number of new residential units will only be permitted where the above noted policies can be achieved; and,
- c) Minor renovations/additions to existing buildings used solely for residential purposes shall be permitted provided floodproofing to the satisfaction of the Otonabee Region Conservation Authority is provided and the habitable floor space and exterior openings are not lower than the existing ground floor level.

4.8.5 Implementation

- a) The Township will encourage the Otonabee Region Conservation Authority to amend its Section 28 Regulation implementation policies to be consistent with the policies of the SPA;

- b) Applications for development within the Regulatory Flood plain of the SPA shall not be approved until the Township has been notified by the Otonabee Region Conservation Authority that the development has been approved under the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses;
- c) Where required by Council, the proponent of any new development or redevelopment, may be required to submit to the CAO and the Executive Director, Planning and Development for approval, site plans in accordance with Section 8.7 Site Plan Control in this Plan, and Section 41 of the Planning Act, R.S.O. 1990;
- d) Approved site plans shall conform to the Otonabee Region Conservation Authority permit with respect to matters under Section 41 of the Planning Act, such as lot grading and drainage;
- e) Upon completion of the foundation of the building or structure the Otonabee Region Conservation Authority and the Township may require a letter from an Ontario Land Surveyor or Professional Engineer verifying that the floor is at the required level;
- f) Upon completion of the building or structure, the Otonabee Region Conservation Authority and the Township of Cavan Monaghan will require a letter of compliance by a professional engineer verifying that the floodproofing measures have been implemented as required and are in conformity with the policies of this Plan;
- g) Building permits will not be issued until such time as the Township has been notified of the approval of the Otonabee Region Conservation Authority, as per Section 6.1(a) of the Building Code Act; and,
- h) The Township will continue to maintain its emergency plan and to cooperate with the Otonabee Region Conservation Authority in the operation of the Millbrook flood warning system.

4.9 HAMLETS

The Hamlet designation applies to lands within the boundaries of Ida, Cavan, Mount Pleasant, Five Mile Turn (North Monaghan), Springville, Fraserville, Bailieboro and South Monaghan. The Hamlets are identified generally on Schedule A and more specifically on Schedule F, Maps 1 through 8. The Hamlets are small scale settlement areas that provide an important residential, commercial and social focus in the Rural area. The boundaries of the Hamlets are further delineated in maps provided in Schedule F to the Plan. (Subject to an appeal with respect to the proposal to add a settlement area historically known as Crestwood and a new Map 9.)

4.9.1 Objectives

It is the objective of this designation to:

- a) Recognize the unique and historic nature of the smaller settlement areas in the Township;
- b) Maintain the character and amenities of the existing rural communities in the Township;
- c) Direct the majority of non-farm rural development to areas where similar development currently exists;
- d) Provide opportunities for small-scale commercial, industrial and tourism related uses that service the rural community and are compatible with the character and scale of the Hamlet; and,
- e) Ensure that new development in the Hamlets are sustainable on the basis of private services.

4.9.2 Permitted Uses

Land in the Hamlet designation may be used for the following:

- a) Single-detached or semi-detached dwellings;
- b) Home-based businesses;
- c) Public institutional uses such as schools, places of worship and community halls;
- d) Small scale commercial and industrial uses serving the Hamlet, surrounding rural areas and supporting tourism in the area; and,
- e) Public parks.

4.9.3 General Development Policies

- a) Following the adoption of this Plan no further Hamlet boundary expansion or new hamlets will be considered during the life of this Plan;
- b) Residential development shall be generally by plan of subdivision. However, infilling or minor expansions within the Hamlet boundary through the creation of lots by severance may be permitted subject to the approval of the sewage and water services by the Township or its delegated authority;
- c) In addition to the requirements of the Planning Act, and Section 8.4 of this Plan an application for approval of a draft plan of subdivision within a Hamlet shall be

accompanied by:

- i) A current hydro-geological report based on test wells on the subject site, addressing existing conditions and the potential impact of the proposed subdivision on the available water supply in terms of quantity, quality and sustainable yield for both the proposed and existing wells. The report shall also assess the potential impact of proposed private sewage disposal systems on the groundwater supply in terms of bacterial and chemical parameters, as determined by the County and the Ministry of the Environment;
 - ii) A lot servicing plan, indicating the proposed location of all structures, drilled wells and the subsurface sewage disposal system envelopes, including a 100 percent replacement area for each in ground conventional Class 4 sewage disposal system;
 - iii) A report of the results of a soil sampling program that adequately represents the geology of the subdivision, and,
 - iv) An existing and final grading plan indicating elevations and lot drainage patterns.
- d) The creation of four or more residential lots may require the preparation of a hydro-geological study at the discretion and to the satisfaction of the Township and the County of Peterborough;
- e) While legally existing legal non-conforming uses are permitted in Hamlet areas, expansion of uses which are incompatible due to noise, odour or other emissions will be discouraged;
- f) The minimum lot size in a Hamlet shall not be less than that required for the safe and efficient operation of private individual services for sewage disposal and water on the site;
- g) New development shall be designed to maintain the historic rural character of the Hamlet areas. The built form and building materials should reflect this character. Council may use Site Plan control within the Hamlet areas to ensure that new development is compatible with the existing community;
- h) New small scale commercial or industrial uses and expansions to existing uses may be permitted provided that Council is satisfied that:
 - i) The proposed expansion is compatible with the character of the surrounding neighbourhood;

- ii) The gross floor area of the existing use and the proposed expansion shall not exceed 500 square metres;
 - iii) The use has frontage and direct access onto a public road;
 - iv) The use can be serviced with an appropriate water supply and an appropriate means of sewage disposal;
 - v) The use shall not have a negative impact on the enjoyment and privacy of neighbouring properties;
 - vi) Adequate parking and loading facilities and landscaping can be provided on the site; and,
 - vii) Fencing, landscaping, berming or a combination of these features shall be utilized to ensure that the use is adequately screened from existing and planned residential uses.
- i) The maximum size of a permitted non-residential use shall be 500 square metres of gross floor area and may require a hydro-geological study to the satisfaction of the Township and the County of Peterborough should sewage flows exceed 10,000 litres per day;
 - j) Where a proposed non-residential use abuts or is in close proximity to an existing residential use, fencing, landscaping or berming, or a combination of these features, shall be utilized to ensure that there is adequate screening between the uses;
 - k) Council will seek to improve the recreational facilities and programs available to residents within Hamlets. Funding for such improvements may be acquired through the sale of surplus municipal land, cash-in-lieu of parkland, community events or contributions. Continued community involvement in the operation of these facilities and programs is encouraged; and,
 - l) The establishment of a new permitted non-residential use or an expansion to an existing non-residential use shall be subject to Site Plan Control.

4.9.4 Site Specific Policies

- a) 1844 County Road 10
Part of Lot 12, Concession 10, Cavan Ward
(Cameron Subdivision - Ida)

Notwithstanding the provisions of Section 2.6, Section 4.9.3 (a) and Section 8.3 herein, the external boundaries of the Hamlet of Ida shall be expanded as they

apply to a portion of the lands in part of Lot 12, Concession 10 of the Cavan Ward, being Roll Number 1509-010-040-15500 and municipally known as 1844 County Road 10.

- b) 872 Sharpe Line
Part of Lot 12, Concession 11, Cavan Ward
(Stewart Severance - Ida)

Notwithstanding the provisions of Section 4.9.3 (a) and Section 8.3 herein, the external boundaries of the Hamlet of Ida shall be expanded as they apply to a portion of the lands in part of Lot 12, Concession 11 of the Cavan Ward, being Roll Number 1509-010-040-23000 and municipally known as 872 Sharpe Line.

5 COUNTRYSIDE AREAS

The lands within the Countryside Areas are those areas outside of defined settlement areas and the Natural Heritage System. The south-westerly quarter of the Township is within the Oak Ridges Moraine Plan Area. The policies in this section of the Plan are consistent with the Oak Ridges Moraine Plan and incorporate specific policies and designations approved by the Province for this area.

The Official Plan designates the Countryside Area of the Township into the following Land Use designations identified on Schedule A:

- Agricultural
- Rural
- Mineral Aggregate Extractive
- Rural Employment
- Recreational

Within the Agricultural, Rural and Mineral Aggregate Extractive designations there are sub-designations beginning with ORM which signify lands within the Oak Ridges Moraine Area as identified on Schedule A as follows:

- ORM – Prime Agricultural
- ORM – Rural
- ORM – Extractive

Within the Rural Employment designation there are sub-designations identified on Schedule A and special policies for:

- Commercial Entertainment
- Airport Employment
- North Monaghan Employment Area

5.1 AGRICULTURAL AREAS

The Agricultural designation applies to lands that are lands which have a high capability for agriculture. Lands that generally have soil Classes 1, 2 and 3 according to the Canada Land Inventory and are predominantly used for agriculture are in the Agricultural designation as identified on Schedule A.

Within the Oak Ridges Moraine Area lands that are classified as Class 1, 2, or 3, according to the Canada Land Inventory are designated ORM - Prime Agricultural.

5.1.1 Objectives

It is the objective of this designation to:

- a) Recognize agriculture as the primary activity and land use;
- b) Maintain and preserve the agricultural resource base of the Township and encourage the consolidation of agricultural farm parcels;
- c) Protect land suitable for agricultural production from fragmentation, development and land uses unrelated to agriculture;
- d) Promote the agricultural industry and associated activities and enhance their capacity to contribute to the economy of the Township;
- e) Preserve and promote the agricultural character of the Township and the maintenance of the natural countryside as an open space area; and,
- f) Provide for opportunities for further aggregate and possible mineral extraction in the Township.

5.1.2 Permitted Uses

The primary use of land in the Agricultural designation shall be agricultural uses as defined by the Provincial Policy Statement. Additional permitted uses are limited to:

- a) An accessory residential dwelling for full-time farm help;
- b) Archaeological activities;
- c) Existing public uses;
- d) Home – based industries;
- e) Small scale farm related commercial tourism establishments;
- f) Farm related industrial uses that directly service and support the agricultural industry and require locations in close proximity to farming operations;
- g) Forest, wildlife and fisheries management;
- h) Passive non-motorized recreational uses such as nature viewing and pedestrian trail activities;
- i) Kennels;
- j) Single-detached dwellings on existing lots;

- k) Transportation and utility facilities;
- l) Watershed management and flood and erosion control projects carried out or supervised by a public agency; and,
- m) Wayside pits and quarries and portable asphalt and concrete plants for public works subject to the requirements of the Ministry of Environment.
- n) *Outdoor Cannabis Cultivation* subject to a minimum separation distance of 300 metres from surrounding sensitive land uses. Notwithstanding Section 5.1.2(d) or Section 5.1.4(b) of the Official Plan, *Outdoor Cannabis Cultivation* shall not be permitted as or on a lot containing a home-based industry. Notwithstanding Section 5.1.4(c) or Section 5.1.2(e) of the Official Plan, *Outdoor Cannabis Cultivation* shall not be permitted on a lot containing a farm-related commercial tourism establishment.
- o) A *Cannabis Production Facility* subject to a Zoning By-law Amendment provided a minimum separation distance of 300 metres from surrounding sensitive land uses or a distance as determined by a Land Use Compatibility Assessment is maintained as required by Section 3.12 and 3.28.1 of this Official Plan. Notwithstanding Section 5.1.2(d) or Section 5.1.4(b) of the Official Plan, a *Cannabis Production Facility* shall not be permitted as, or on a lot containing a home-based industry. Notwithstanding section 5.1.4(c) or Section 5.1.2(e) of the Official Plan, a *Cannabis Production Facility* shall not be permitted on a lot containing a farm-related commercial tourism establishment.

All uses in the Agricultural designation shall be designed, located and managed to not detract from the primary role of the Agricultural designation.

5.1.3 Lot Creation

It is the intent of this Plan that agricultural lands are to be preserved. Severances are prohibited except in the following situations:

- a) Acquiring land for infrastructure purposes where the facility or corridor cannot be accommodated through a right-of-way or easement;
- b) Facilitating conveyances to public bodies or non-profit entities for natural heritage conservation provided it does not create a new lot for a residential dwelling;
- c) Lot adjustments in prime agricultural areas may be permitted for legal or technical reasons such as easements, corrections of deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new lot;
- d) Where the severed and retained lots are intended for agricultural uses and provided the minimum lot size is 40 hectares in areas;

- e) Existing and new agricultural-related uses, provided any new lot will be limited to the minimum size needed to accommodate the use; and,
- f) Where a residence is rendered surplus to a farming operation as a result of a farm consolidation provided the farm parcel is zoned to prohibit any further severances and the establishment of any residential dwelling. Such surplus residence must have been an existing use as of January 1, 2012.

5.1.4 General Development Policies

- a) The establishment of additional dwelling unit(s) on a commercial farm for bona fide farm help is permitted, provided the lands are appropriately zoned. Prior to considering an application for re-zoning, and/or site plan approval, Council shall be satisfied that the additional dwelling unit:
 - i) Is required for farm help as set out in a detailed submission addressing matters such as labour requirements related to the size and nature of the farm operation, and an assessment of the available residential accommodation on the farm;
 - ii) Will be located within the existing farm-building cluster;
 - iii) Can be serviced by appropriate sewage and water services;
 - iv) Will be designed and/or located to be compatible or otherwise blend in with the farm operation and;
 - v) Additional dwelling units shall not be severed from the farm holding.
- b) Home-based industries operated outside of a dwelling are permitted subject to Site Plan Control. Prior to approving a Site Plan Application, the Township shall be satisfied that, in addition to those criteria for home-based businesses, in Section 3.11 the following criteria shall apply:
 - i) The building housing the proposed use is located within the existing farm-building cluster and shall utilize a common driveway with the principal use of the property;
 - ii) The use does not occupy a gross floor area in excess of 200 square metres in an accessory building;
 - iii) The proposed use is set back from all lot lines by at least 30 metres;

- iv) Where permitted, open storage associated with the proposed use shall be screened from view and located within a fenced compound;
- v) The use has a limited number of employees; and,
- vi) Retail sales shall be limited to goods or products produced on the property.

The Implementing Zoning By-law shall further detail appropriate performance standards for home-based industries.

- c) Farm related commercial tourism establishments on farm properties are permitted subject to Site Plan Control. Prior to approving such an application, the Township shall be satisfied that:
 - i) The use is clearly associated with and located on a commercial farm;
 - ii) The retail component has a gross floor area of no more than 500 square metres;
 - iii) The majority of the products offered for sale, in terms of monetary value, are produced or manufactured on the farm property;
 - iv) The proposed use shall not have a negative impact on the enjoyment and privacy of neighbouring properties;
 - v) Adequate on-site parking facilities are provided for the use, in addition to the parking required for the principal use on the property, and such parking is provided in locations compatible with surrounding land uses;
 - vi) The proposed access to the site will not cause a traffic hazard;
 - vii) The proposed use can be serviced with an appropriate water supply and an appropriate means of sewage disposal;
 - viii) The proposed use enhances the rural and open space character of the Township through the preservation of older barns and/or the establishment of a built form that is compatible with the rural surroundings;

- ix) The building housing the proposed use is located within the existing farm-building cluster where possible and shall utilize a common driveway with the principal use of the property; and,
- x) The signage advertising the use is to be designed and located in accordance with the applicable by-laws, regulations and the Implementing Zoning By-law.

The Implementing Zoning By-law shall further detail appropriate performance standards for commercial tourism uses on farm properties.

- d) New and expanding major recreational uses such as golf courses or camp grounds shall not be permitted in the Agricultural designation;
- e) All new agricultural uses will be required to meet the Provincial Minimum Distance Separation Formula (MDS II). New or expanding agriculture-related or on-farm diversified uses will be subject to the Minimum Distance Separation Formulae as outlined in the Township Zoning By-law that implements this Plan;
- f) Any new lots created by consent will be required to meet (MDS) as outlined in Section 3.27;
- g) Any new lots created by consent will be required to meet provision of Section 3 of this Official Plan; and,
- h) New residential lots will not be permitted to establish within 150 metres of a pit above the ground water table or within 300 metres of a pit below the ground water table in accordance with the policies of Section 3.14.1 a) viii) herein.

5.1.5 ORM – Prime Agricultural

- a) The ORM - Prime Agricultural designation is a sub-category of the Agricultural designation. This designation includes prime agricultural lands in the Oak Ridges Moraine Area. The purpose of the ORM - Prime Agricultural designation is to protect land suitable for agriculture from scattered development and land uses unrelated to agriculture. Development policies for this sub-designation shall include the policies for the Agricultural designation except as noted below.

5.1.5.1 Permitted Uses

Notwithstanding the uses permitted in the Agricultural designation, the following uses are permitted in the ORM – Prime Agricultural designation.

- a) Agriculture, agriculture related and secondary uses;
- b) *Outdoor Cannabis* Cultivation subject to a minimum separation distance of 300

metres from surrounding sensitive land uses. Notwithstanding Section 5.1.5.1 (h) and Section 5.1.5.1 (i) of the Official Plan, *Outdoor Cannabis Cultivation* shall not be permitted as, or on a lot containing, a home-based business or a home-based industry. Notwithstanding Section 5.1.5.1 j) and Section 5.1.5.1 (k) of the Official Plan, *Outdoor Cannabis Cultivation* shall not be permitted on a lot containing a bed and breakfast establishment nor a farm vacation home

- c) *A Cannabis Production Facility* subject to a Zoning By-law Amendment providing a minimum separation distance of 300 metres from surrounding sensitive land uses or a distance as determined by a Land Use Compatibility Assessment is maintained as required by section 3.12 and 3.28.1 of this Official Plan. Notwithstanding Section 5.1.5.1(h) and Section 5.1.5.1(i) of the Official Plan, a *cannabis production facility* shall not be permitted as, or on a lot containing, a *home-based business* or a *home-based industry*. Notwithstanding Section 5.1.5.1(j) and Section 5.1.5.1(k) of the Official Plan, *outdoor cannabis cultivation* shall not be permitted on a lot containing a *bed and breakfast establishment* nor a *farm vacation home*.
- d) Forest, wildlife and fisheries management;
- e) Watershed management and flood and erosion control projects carried out or supervised by a public agency but only if they have been demonstrated to be necessary in the public interest after all alternatives have been considered;
- f) Transportation, infrastructure, and utilities, but only if the need for the project has been demonstrated and there is no reasonable alternative;
- g) Passive low intensity recreational uses, such as nature viewing and pedestrian trail activities;
- h) Archaeological activities;
- i) New single-detached dwellings and expansions to existing single-detached dwellings and accessory uses on existing lots of record if it is demonstrated that the impact of the expansion or alteration on the feature and its functions is minimized to the maximum extent possible.
- j) Home-based business as an accessory use;
- k) Small-scale home industry as an accessory use;
- l) Bed and breakfast establishments as an accessory use to a single-detached dwelling;
- m) Farm vacation homes as an accessory use within a single-detached dwelling;

- n) New agricultural operations, existing agricultural operations and expansions to existing agricultural buildings and structures and accessory uses if it is demonstrated that the impact of the expansion or alteration on the Natural Heritage System is minimized to the maximum extent possible.
- o) All of the uses permitted in the Natural Linkage Areas;
- p) Wayside pits;
- q) Agriculture-related uses;
- r) Small-scale commercial, industrial and institutional uses as described in Section 40 of the Oak Ridges Moraine Conservation Plan;
- s) Major recreational uses as described in Section 38 of the Oak Ridges Moraine Conservation Plan; and,
- t) Uses accessory to the foregoing.

5.1.5.2 Lot Creation

Lot creation in the ORM – Prime Agricultural designation shall be subject to the policies of Section 5.1.3.

5.1.6 Site Specific Policies

- a) 400 Stewart Line
Part of Lot 6 Concession 12, Cavan Ward (Century Wedding Barn)

In addition to the uses permitted in Section 5.1.2, small-scale on-farm diversified uses may be permitted. On farm diversified uses may include special events facilities. The on-farm diversified use must be secondary to the principal agricultural use of the property.

On farm diversified uses must be owned and directly involve the owner/operator of the farm operation and may include resident on-farm family members and/or have a limited number of full-time or seasonal employees in keeping with the scale of the use.

The buildings and structures housing the use must be located within the farm building cluster.

On farm diversified uses must:

- i) enhance the agriculture and rural character of the Township and, where possible, promote the preservation of historic buildings and structures and/or the establishment of built form that is compatible with the rural

surroundings;

- ii) be serviced with an appropriate water supply and means of sewage disposal;
 - iii) not have any adverse impacts on the enjoyment and privacy of neighbouring properties;
 - iv) not have an adverse effect on neighbouring wells; and
 - v) have adequate on-site parking facilities, in addition to the parking required for the principal use on the property. Such parking must be provided in locations compatible with surrounding land uses.
- b) 1657 Mount Pleasant Road
Part of Lot 22, Concession 13 (Cavan)
(Kennedy)

In addition to the uses permitted in Section 5.1.2, small-scale on-farm diversified uses may be permitted subject to the following:

- i) remains secondary to the principal agricultural uses of the property and are limited in area, up to 2% of a farm parcel, to a maximum of 1 hectare;
- ii) require that the buildings and structures housing the on-farm diversified use(s) are located within the existing farm building cluster;
- iii) must be compatible with surrounding land uses, in accordance with the policies of this Plan, and shall not conflict or interfere with the principal agricultural uses on the property or normal farm practices in the area;
- iv) permanently displace little-to-no agricultural land;
- v) require minimal site grading and/or drainage unless it improves conditions for agricultural production;
- vi) may be required to demonstrate that there is sufficient quality and quantity of water supply to serve the proposed use;
- vii) mitigate impacts to the site itself and surrounding agricultural operations, including but not limited to compaction, drainage, and trespassing;
- viii) meet the requirements of Section 3.27 (Minimum Distance Separation), 7.3 (Road Network) and 8.7 (Site Plan Control)

- ix) meet any other requirement deemed necessary by the Township of Cavan Monaghan, Peterborough County and/or comment agency;
- x) where there is more than one on-farm diversified use, the combined area of all uses shall not exceed the lot area criteria outlined above; and
- xi) the applicant must demonstrate that they are a bona-fide farmer by providing their Farm Business Registration number.

5.2 RURAL AREAS

The Rural designation represents soils within Classes 4 and higher according to the Canada Land Inventory of Soil Capability for Agriculture, and organic soils; Class 1 to 3 soils which are adjacent to the Classes listed above and form part of a large and contiguous block of poorer agricultural land and, areas where previous non-farm development and lot creation has effectively limited the future of intensive farm activity.

5.2.1 Objectives

It is the objective of this designation to:

- a) Protect land suitable for agricultural production from scattered development and land uses which are unrelated to agriculture;
- b) Direct limited non-farm growth to the Rural designation provided it will not interfere with or limit surrounding farm activity; and,
- c) Encourage rural economic activity that does not adversely impact agricultural uses and is compatible with rural residential uses.

5.2.2 Permitted Uses

The predominant use of land within the Rural designation shall include all agricultural uses outlined in Section 5.1.2 of this Plan. Limited residential uses, recreational uses and small-scale commercial or industrial uses such as the following are also permitted:

- a) Single dwelling houses on existing lots of record or lots created by a consent to a land severance are permitted provided they are compatible with adjacent land uses;
- b) Home-based businesses in residences and accessory buildings;
- c) Small-scale commercial and industrial uses that service the Countryside Areas;
- d) Hiking and cross-country ski trails which require a large land area;

- e) Bed and breakfast establishments and similar, small-scale accommodation which caters to tourists and travellers and is compatible with the rural character of the area; and,
- f) Forestry, reforestation and conservation.
- g) *Outdoor Cannabis Cultivation* subject to a minimum separation distance of 300 metres from surrounding sensitive land uses. Notwithstanding Section 5.2.2 (b) of the Official Plan *Outdoor Cannabis Cultivation* shall not be permitted as, or on a lot containing, a home-based business. Notwithstanding Section 5.2.2 (e) of the Official Plan, *Outdoor Cannabis Cultivation* shall not be permitted on a lot containing a bed and breakfast establishment nor any accommodation use catering to tourists and travellers.
- h) A *Cannabis Production Facility* subject to a Zoning By-law Amendment provided a minimum separation distance of 300 metres from surrounding sensitive land uses or a distance as determined by a Land Use Compatibility Assessment is maintained as required by Section 3.12 and 3.28.1 of this Official Plan. Notwithstanding Section 5.2.2 (b) of the Official Plan a *Cannabis Production Facility* shall not be permitted as, or on a lot containing, a home-based business. Notwithstanding Section 5.2.2 (e) of the Official Plan, a Cannabis Production Facility shall not be permitted on a lot containing a bed and breakfast establishment nor any accommodation use catering to tourists and travellers.

5.2.3 Lot Creation

It is the intent of this Plan that rural character be maintained. Severances are only permitted in accordance with the policies in Section 5.1.3 of this Plan.

5.2.4 ORM – Rural Areas

The ORM – Rural designation is a sub-category of the Rural designation. These lands are located within the Oak Ridges Moraine Area and have primarily class 4 and higher soils according to the Canada Land Inventory (CLI). The purpose of the ORM – Rural designation is to maintain the rural character of the area and to protect the lands from uncontrolled and scattered development.

A *Cannabis Production Facility* may be permitted subject to all applicable Official Plan policies and subject to a Zoning By-law Amendment to permit such use. A *Cannabis Production Facility* is only permitted within a fully enclosed building. Notwithstanding any other policy of the Official Plan, no outdoor storage shall be permitted in conjunction with a *Cannabis Production Facility*.

5.2.4.1 Permitted Uses

In addition to the uses permitted in the ORM – Prime Agricultural designation, the following uses are permitted in ORM – Rural designation subject to Part III and IV of the Oak Ridges Moraine Conservation Plan.

- a) all of the uses permitted in the Natural Linkage Areas;
- b) wayside pits;
- c) agriculture-related uses;
- d) small-scale commercial, industrial and institutional uses as described in Section 40 of the Oak Ridges Moraine Conservation Plan;
- e) uses accessory to the foregoing; and
- f) low intensity recreational uses.
- g) *Outdoor Cannabis Cultivation* subject to a minimum separation distance of 300 metres from surrounding sensitive land uses. Notwithstanding Section 5.2.5.1 (a) of the Official Plan, *Outdoor Cannabis Cultivation* shall not be permitted on a lot containing an agriculturally-related commercial use offering accommodations or catering to tourists and travellers.
- h) A *Cannabis Production Facility* subject to a Zoning By-law Amendment provided a minimum separation distance of 300 metres from surrounding sensitive land uses or a distance as determined by a Land Use Compatibility Assessment is maintained as required by Section 3.12 and 3.28.1 of this Official Plan. Notwithstanding Section 5.2.5.1 (a) of the Official Plan, a *Cannabis Production Facility* shall not be permitted on a lot containing an agriculturally-related commercial use offering accommodations or catering to tourists and travellers.

5.2.4.2 Lot Creation

Lot creation in the ORM – Rural designation shall be subject to the policies of Section 5.1.3.

5.2.5 General Development Policies

The following policies shall apply to development in the Rural designation and ORM – Rural designation.

5.2.5.1 Agriculturally-Related Uses

- a) An application for a small-scale agriculturally-related commercial or industrial use shall not be approved unless the proponent demonstrates that:
 - i) It is not feasible to locate the use in a settlement area; and,
 - ii) The buildings or structures will be planned, designed, and constructed so as not to adversely affect the rural character of the Countryside Area nor adversely impact the ecological integrity of the Oak Ridges Moraine.

5.2.5.2 Low Intensity Recreational Uses

- a) Low intensity recreational uses are recreational uses that have minimal impact on the natural environment, and require very little terrain or vegetation modification and few, if any, buildings or structures, including but not limited to the following:
 - i) Non-motorized trail uses;
 - ii) Natural heritage appreciation;
 - iii) Unserved camping on public and institutional land; and,
 - iv) Accessory uses.
- b) Small-scale structures accessory to low-intensity recreational uses, such as trails, boardwalks, foot bridges, fences, docks and picnic facilities, are permitted only if the proponent demonstrates that the adverse effects on the ecological integrity of the Oak Ridges Moraine will be kept to a minimum by:
 - i) Keeping disturbed areas to a minimum; and,
 - ii) Avoiding the most sensitive portions of the site, such as steep slopes, organic soils and significant portions of the habitat of endangered, rare or threatened species.

5.2.5.3 Major Recreational Uses

Major recreational uses are recreational uses that require large-scale modification of terrain, vegetation or both and usually also require large-scale buildings or structures, including but not limited to golf courses, serviced playing fields, shooting ranges, serviced campgrounds and ski hills.

These types of uses may be considered in the Rural designation only, subject to an Official Plan Amendment;

An application to establish or expand a major recreational use shall be accompanied by a vegetation management plan demonstrating that:

- i) The application of fertilizers, pesticides, herbicides and fungicides will be limited to sports field surfaces, golf fairways, tees, greens and landscaped areas around buildings and structures, and, in those locations, will be kept to a minimum;
- ii) Grass mixtures that require minimal watering and upkeep will be used for sports field surfaces and golf fairways; and,
- iii) Wherever possible, intermittent stream channels and drainage swales will be kept in a free-to-grow, low maintenance condition.

An application to establish or expand a major recreational use shall demonstrate that:

- i) The recreational activities on the site will be compatible with the natural character of the surrounding area and will be designed and located so as not to conflict with adjacent land uses; and,
- ii) New technologies relating to construction, grounds maintenance and water conservation will be explored and incorporated, as they become available, to help maintain, and where possible improve or restore the ecological integrity of the Oak Ridges Moraine.

5.2.6 Site Specific Policies

- a) 461 Highway 7A
Part of Lot 6, Concession 8 (Cavan) (Wiseman)

Notwithstanding the provisions of subsections 5.1.3 and 5.2.3, the creation of one (1) new non-farm residential lot, by consent (severance), may be considered from lands in part of Lot 6, Concession 8 (Cavan), being Property Assessment Roll Number 1509-030-253-00 and municipally known as 461 Highway 7A.

5.3 RECREATIONAL

Lands designated as Recreational on Schedule A are intended primarily for recreation, conservation, forestry or agricultural purposes. These lands are presently being used in some form of recreational activity or have recreational potential.

5.3.1 Objectives

It is the objective of this designation to:

- a) Identify areas where major recreation and cultural facilities may develop in the Township;
- b) Provide criteria on which to consider new major recreation facilities; and,
- c) Ensure that new major recreational uses are compatible with other lands uses, agriculture and the environment.

5.3.2 Permitted Uses

Uses permitted within the Recreation designation are primarily oriented to activities related to recreation and conservation. Uses may also include cultural or social retreats that focus on natural themes.

Uses may include, but shall not be limited to conservation, recreation, forestry, agriculture or similar uses, such as private or public parks, existing race tracks, golf courses, ski resorts, shooting ranges, limited lodges and associated recreational activities. Recreational activities shall be of an extensive nature such as hiking trails, camps, and may include accessory uses such as tent and trailer camps, lodges and chalets together with accessory uses which may include the residence of the owner or caretaker.

New Recreational uses will only be permitted through an amendment to the Official Plan.

5.3.3 General Development Policies

- a) An application to establish or expand a major recreational use shall be accompanied by a recreational plan demonstrating that:
 - i) Water use for maintenance or snow-making or both will be kept to a minimum;
 - ii) Grassed, watered and manicured areas will be limited to sports fields surfaces, golf fairways, tees and greens, and landscaped areas around buildings and structures;
 - iii) Crossings of intermittent and permanent streams will be kept to a minimum;
 - iv) Water-conserving technologies such as low flow toilets/shower heads, timed irrigation systems designed to reduce evaporation losses, and recycling of water from under greens will be used in club houses, restaurants, the irrigation of watering of sports field

surfaces, golf fairways, tees and greens, as well as for landscaped areas around buildings and structures; and,

- v) Stormwater treatment facilities will be used to capture and treat runoff from areas with impervious surfaces.
- b) The following may be required in support of any application to amend the Official Plan;
 - i) a justification for the proposed use which identifies any potential impacts on other similar uses in the Township or in adjacent municipalities;
 - ii) a traffic impact and site access analysis which addresses the additional vehicular traffic and turning movements generated by the proposed land-uses;
 - iii) an agricultural impact report including Minimum Distance Separation Formulae (MDS) as outlined in Section 3.27;
 - iv) a conceptual site development plan in support of an Official Plan amendment; and
 - v) a detailed site development plan in support of a Zoning By-law amendment.
- c) New Recreation development should be directed away from agricultural uses and prime agricultural lands. If development is proposed within such areas, the applicant will be required to justify the amendment to the Plan in terms of an assessment of need, land area requirements, and alternative locations;
- d) Review of an application to create a new Recreation designation shall include consideration of potential conflicts with adjacent uses. An assessment of compatibility may be required to identify potential impacts on surrounding uses;
- e) Review of such applications will include examination of proposed uses in terms of potential adverse effects associated with matters such as hours of operation, noise, lighting, and traffic generation. An assessment of compatibility may be required to determine the implications of such effects on surrounding land uses and to identify mitigative or remedial measures in situations of potential incompatibility;
- f) New Recreation uses will be encouraged to develop on the basis of private services, based on the conclusions of a detailed hydrogeologic report completed in accordance with the Guidelines of the Ministry of the Environment;

- g) Recreation development shall comply with the requirements of the Minimum Distance Separation Formulae (MDS) as outlined in Section 3.27;
- h) Recreation development shall conform to the following design, location, and performance criteria:
- i) Recommendations of the traffic impact and site access analysis, including the following matters:
 - number of access points
 - shared access
 - service roads
 - turning lanes
 - emergency routes
 - traffic control (signalization, signage)
 - ii) Adequate buffering, screening, and separation will be established where a Recreation use adjoins a residential or other sensitive land-use. In the interest of land-use compatibility, the Implementing Zoning By-law may establish setbacks from adjacent residential and other sensitive uses;
 - iii) All outdoor storage areas will be fenced and suitably screened from adjacent properties and adjoining streets. Temporary storage of materials without screening may be permitted for display or promotional purposes only, provided that vehicular movement is not restricted, designated fire routes are not impeded or blocked, and all parking requirements are met;
 - iv) Off-street parking, loading, and service areas shall be provided in such a manner that ensures vehicular movements are accommodated on the site and off of public roads; and,
 - v) The type, design, size, and location of signs related to Recreation uses will be subject to approval by the authorities having jurisdiction. The locations of signs will be identified on site development plans.

5.3.4 Site Specific Policies

- a) In addition to the uses permitted in Section 5.3.2, on lands in part of Lots 1 and 2, Concessions 13 and 14 of the Cavan Ward, a Buddhist temple, spiritual retreat centre and accessory uses such as overnight accommodation, meeting rooms, a private library and resource area, and dining facilities together with private parkland and gardens for persons attending the centre for spiritual or recreational

purposes, and accessory dwelling units for caretakers within the retreat centre shall be permitted.

- b) 2410 Lansdowne Street West
Part of Lot 3, Concession 12, North Monaghan Ward (Champions Gymnastics)

On lands in part of Lot 3, Concession 12 of the North Monaghan Ward, being Roll Number 1509-030-001-30400 and municipally known as 2410 Lansdowne Street West, only a gymnastics facility and an accessory single detached dwelling and associated office space shall be permitted.

Notwithstanding the provisions of Section 5.3.3(g) and Section 3.1(f), the use shall be permitted without the requirement of complying with the Minimum Distance Separation Formulae (MDS) as amended from time to time.

5.4 RURAL EMPLOYMENT AREAS

The Rural Employment designation is intended to provide opportunities for those uses which, by their nature may involve outdoor operations and generally provide goods and services to the rural community and businesses, are space intensive uses requiring limited water or sanitary services, or are transportation related uses in the vicinity of Highway 115 and the Peterborough Airport. This designation also recognizes existing employment uses outside of Millbrook, as shown on Schedule A of this Plan.

5.4.1 Objectives

The objectives of this designation are:

- a) To identify areas where existing Rural Employment uses exist;
- b) To provide opportunities for a variety of Rural Employment uses to meet the employment targets of this Plan; and,
- c) To ensure that Rural Employment uses are compatible with adjacent land uses, agriculture and the environment.

5.4.2 Permitted Uses

The uses permitted in the Rural Employment areas may include agriculturally related industrial uses, processing and storage of agricultural commodities, light manufacturing, processing of semi-manufactured goods, assembly of manufactured goods, warehousing, wholesale distribution centres, transportation terminals, accessory professional or business offices and research facilities.

A Cannabis Production Facility may be permitted subject to all applicable Official Plan policies and subject to a Zoning By-law Amendment to permit such use. A *Cannabis Production Facility* is only permitted within a fully enclosed building. Notwithstanding any other policy of the Official Plan, no outdoor storage shall be permitted in conjunction with a *Cannabis Production Facility*.

Commercial uses that are intended primarily to service Rural Employment Areas and must be located in proximity to those uses such as small scale restaurants, auto repair and rental operations and business service and supply operations shall also be permitted. These uses shall be limited to uses that generate less than 10,000 litres of domestic sewage effluent per day.

Accessory commercial uses will be permitted subject to appropriate provisions in the Implementing Zoning By-law. An essential residence for the owner, caretaker or security officials may be permitted subject to the inclusion of appropriate provisions in the Implementing Zoning By-law.

Existing commercial uses in this designation will be recognized and limited expansions to these uses shall be permitted.

5.4.3 General Development Policies

- a) Rural Employment uses shall be developed in such a manner that they maximize their proximity to major transportation corridors while having regard for sensitive land uses;
- b) Rural Employment uses will be encouraged to develop on the basis of private water and sewage disposal systems based on conclusions of a detailed hydrogeologic report completed in accordance with the Ministry of the Environment Guidelines including the Reasonable Use Guidelines except as described in 5.4;
- c) No use shall be permitted which, from its nature of operation or material used therein, is declared to have an adverse effect as defined by the Environmental Protection Act, R.S.O. 1990;
- d) The development of Rural Employment uses shall generally proceed by registered plans of subdivision or condominium. The division of land by consent, however, may be permitted provided that development does not preclude the future development of adjoining lands in accordance with the lot creation policies in Section 3.14 of this Plan;
- e) In considering the development or redevelopment of a Rural Employment site, the more intensive activities of this designation should generally be separated from adjoining sensitive land uses by a minimum of 90 metres;

- f) Outdoor storage, parking and loading areas shall be located and designed in a manner to provide visual screening from the travelling public and sensitive land uses.
- g) Any proposal for business development should be supported by a comprehensive analysis which demonstrates the need for the proposed development and proves it is compatible with that of existing development and with maintenance of the rural character of the surrounding area;
- h) Rural Employment developments shall have regard for and follow proper design, location and performance standards including the following:
- open storage shall not exceed 25% of the lot area;
 - landscaping and buffering shall be required to ensure visual compatibility with adjacent residential uses, Provincial Highways, or County Roads and fencing to ensure safety;
 - the number, location, spacing and design of vehicular access points from the road system to Rural Employment Areas shall be subject to the approval of the road authorities having jurisdiction;
 - off-street parking, loading and service areas shall be provided in such a manner so as to ensure accessibility at all times and shall be designed to ensure that all vehicular movements are accommodated on the site and not on public roads; and,
 - the type, sign and location of signs related to Employment Area will be controlled and should be incorporated into the overall landscaping plan for the development. The approval of signs shall be subject to the authorities having jurisdiction.
- i) It shall be a policy of this Plan that Rural Employment uses shall be zoned in a range of zones to permit the development of different employment areas, recognizing that certain uses must be buffered both from non-employment uses, and other employment uses. Regard shall be had for, among other matters, setbacks from property lines, appropriate off-street parking and loading requirements, landscaped open space, and, the control over the outside storage of goods and materials; and,
- j) Truck terminals, including the repair, storage and sale of commercial transport vehicles shall be located having direct access or close connection to an arterial road but not occupying high visibility sites adjacent to major entranceways to urban areas. Parking, loading and storage facilities shall be located at the rear of the lot, adequately screened from adjacent land uses, have a durable, dust free,

hard surface and suitable stormwater management facilities through zoning and site plan control.

5.4.4 Special Policy in Rural Employment Area – North Monaghan Employment Area

- a) Notwithstanding the provisions of this Plan to the contrary, the Rural Employment designation located on Whittington Drive may develop for employment uses on the basis of full municipal services provided by the City of Peterborough subject to the Township and the City entering into an agreement ensuring that the extension of services to this area shall not result in any consideration by the City of annexation of these lands. The Township will ensure that any costs to extend municipal sewage and water services to this area shall be borne by the benefitting property owners and not the other ratepayers in the Township.

5.4.5 Airport Employment – Area Specific Policies

- a) Notwithstanding the uses permitted elsewhere within the Rural Employment designation, the permitted uses within the Airport Employment designation shown on Schedule A shall be limited to:
 - i) Automotive, aircraft or recreational vehicle sales including accessory service uses;
 - ii) Business and professional offices;
 - iii) Data processing centres, research and development facilities;
 - iv) Manufacturing, assembling, processing, fabricating, warehousing and wholesaling in wholly enclosed buildings, excluding outdoor storage uses;
 - v) Restaurants;
 - vi) Service and Trade related uses within enclosed building;
 - vii) Maintenance and servicing of aircraft;
 - viii) Storage of cargo for the purposes of transfer between air and road modes of transport; and,
 - ix) Flight school.
- b) Open storage uses that attract birds and animals are prohibited in the Airport Employment designation; and,
- c) Prior to lands being developed in accordance with the land use designations on

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Note Sections Under Appeal

Schedule A, the Development Constraints related to the adjacent wetland features shall be addressed to the satisfaction of the Township and the Conservation Authority.

5.4.6 Commercial Entertainment – Area Specific Policies

The areas designated Commercial Entertainment on Schedule A recognize the existing commercial entertainment complex known as Kawartha Downs and Kawartha Slots and the surrounding lands in the community of Fraserville. This designation allows an expansion of the commercial entertainment uses and encourages a clustering of these uses in this location to provide a focus for this form of activity.

- a) Within the Commercial Entertainment designation the permitted uses shall include:
 - i) Motels, hotels;
 - ii) Meeting facilities;
 - iii) Convention facilities;
 - iv) Gaming facilities;
 - v) Theaters and entertainment auditoriums; and
 - vi) Recreation facilities and support uses and services such as parking, restaurants, and associated accessory uses.
- b) Other than the replacement or expansion of existing tracks, new racing facilities shall be prohibited.

Notwithstanding the above, the existing racing facilities for both the automobile and horse races shall be recognized as a permitted use. Expansion and improvement of the existing racing facilities shall be permitted subject to the necessary planning and regulatory approvals including site plan approval in accordance with policies of this Plan.

5.4.7 Site Specific Policies

Within the area delineated on Schedule A as being subject to these site specific policies no development shall be undertaken for such uses until the floodplain areas in relation to the subject property are the subject of further review and delineation. Furthermore, any Proponent or Applicant for development would have to provide evidence to the satisfaction of Otonabee Region Conservation Authority and The Corporation of the County of Peterborough that safe access for any of the Rural Employment uses (including Airport Employment uses) can be achieved.

5.5 MINERAL AGGREGATE EXTRACTIVE

This designation applies only to lands that are currently licensed for aggregate and mineral extraction by the Ministry of Natural Resources. The Mineral Aggregate Extractive designation is identified on Schedule A.

Lands within the Oak Ridges Moraine Area are designated as ORM – Extractive on Schedule A. Specific policies relating to these lands are also contained in this Section of the Plan.

5.5.1 Objectives

It is the objective of this designation to:

- a) Recognize existing pits and quarries and protect them from activities that would preclude or hinder their continued use or expansion;
- b) Ensure that new pits and quarries will not have a negative impact on significant natural heritage and hydrologic features and related ecological functions;
- c) Ensure that the haul routes used minimize impacts on adjacent uses and are located on roads of sufficient construction standards to accommodate the trucks hauling aggregate;
- d) Ensure that extractive activities are carried out in a manner that minimizes environmental and social impacts;
- e) Ensure that aggregate extraction operations are designed to minimize visual impacts on the open space character of the rural landscape; and,
- f) Ensure the progressive rehabilitation of pits and quarries to an appropriate after use.

5.5.2 Permitted Uses

Permitted uses on lands designated Mineral Aggregate Extractive are limited to:

- a) The extraction of stone, gravel, sand and other aggregates and associated operations such as crushing, screening, washing and aggregate storage;
- b) Agricultural operations;
- c) Essential transportation and utility facilities;
- d) Watershed management and flood and erosion control projects carried out or supervised by a public authority;

- e) Forestry and resource management uses;
- f) Archaeological activities;
- g) Low intensity recreation uses such as nature viewing and pedestrian trail activities; and,
- h) Wayside pits and quarries and portable asphalt plants.

The establishment of permanent concrete batching plants or asphalt plants on lands within the Mineral Aggregate Extractive designation is prohibited.

5.5.3 General Development Policies

- a) Wayside pits and quarries, portable asphalt plants and portable concrete plants used on public authority contracts shall be permitted, without the need for an Official Plan Amendment or Zoning By-law Amendment;
- b) Development of new aggregate uses or expansions to existing uses shall proceed by Official Plan Amendment only, subject to the following policies. When considering applications for new aggregate uses, preference shall be given to those areas identified as Significant Aggregate Resources on Schedule C;
- c) Notwithstanding subsection b) above, or any other policy of this Plan, no new aggregate operation or wayside pit, nor any expansion of an existing operation beyond existing approved limits shall be permitted in the Natural Core Area designation.
- d) In order to preserve the scenic beauty and amenity of the area, extractive operations will generally be restricted to areas that are not exposed to public view or can be substantially screened through berms and vegetation;
- e) Extractive operations will generally be prohibited within approximately 120 metres of any lands adjoining Millbrook or Hamlet Areas. Where a proposed extractive operation borders on other uses where land use compatibility issues may arise, Council at its discretion may require that the buffer area of 150 metres for a pit above the ground water table or 300 metres for a pit below the ground water table apply in accordance with the policies of Section 3.14.1 a) viii) herein;
- f) No pit shall be excavated so that the edge of extraction 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 aggregate uses;
- g) New extractive operations or expansions to existing operations shall not be permitted in Core Area of the Natural Heritage System;

- h) New residential lots will not be permitted within 150 metres of a pit above the ground water table or within 300 metres of a pit below the ground water table in accordance with the policies of Section 3.14.1 a) viii) herein;
- i) All extractive uses must satisfy the requirements of the Ministry of Environment as to water supply, disposal of liquid wastes and control of air pollution;
- j) Where aggregate extraction is permitted on lands designated Agricultural, agricultural rehabilitation of the site shall be carried out and substantially the same acreage and average soil capability for agriculture shall be restored following rehabilitation unless the depth of extraction or water table make agricultural rehabilitation impossible;
- k) Extractive operations including wayside pits and haul routes shall not conflict with the following criteria:
 - i) The protection of natural heritage and hydrologic features ecological, geological, historic and archaeological sites or areas;
 - ii) The protection of surface and groundwater resources;
 - iii) The maintenance of prime 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; and,
 - v) The preservation of the natural and cultural landscapes as much as possible during extraction and after rehabilitation.
- l) Extractive operations shall be screened while in progress and, where possible, 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;
 - iii) All plantings should be properly maintained to ensure continued survival and good growth rates; and

- iv) Where the existing forest is adequate to be considered as an effective screen along the perimeter of the site, no artificial berming or stock piling of overburden materials will be permitted within the forested area being used as a natural screen.
- m) A wayside pit shall be permitted in the Mineral Aggregate Extractive and Agricultural designations without an amendment to the Implementing Zoning By-law. An application for a wayside permit shall be accompanied by:
 - i) A site plan 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.
- n) The comments of the Township and neighbouring residents will be solicited on proposals for wayside permits;
- o) The opportunity to use mineral aggregate resources which would not be otherwise commercially developed, including abandoned pits and quarries, shall be considered prior to issuing a wayside permit; and,
- p) Where lands designated as Mineral Aggregate Extractive are no longer licensed for aggregate extraction, those lands shall be considered to be designated Agricultural. This Plan will be updated to reflect this change in designation during the next five-year review.

5.5.4 ORM – Extractive Areas

The ORM – Extractive designation recognizes existing aggregate operations within the Oak Ridges Moraine. The following policies shall apply to the establishment or enlargement of aggregate operations within the Oak Ridges Moraine as shown on Schedule A:

- a) New aggregate operations may be permitted in the ORM – Natural Linkage Area, ORM – Prime Agricultural and ORM – Rural designations and shall only be considered by an Official Plan Amendment application. In no circumstance shall a new aggregate operation or the expansion of an existing operation beyond approved boundaries be permitted in the ORM – Natural Core Area designation;
- b) Applications for mineral aggregate operations or wayside pits in the ORM – Natural Linkage Area designation shall not be approved unless the proponent demonstrates that:

- i) The quantity and quality of groundwater and surface water will be maintained and, where possible, improved or restored;
 - ii) The health, diversity, size and connectivity of Key Natural Heritage Features on the site or on adjacent land, will be maintained and, where possible, improved or restored;
 - iii) That as much of the site as possible will be rehabilitated;
 - iv) In the case of land in a prime agricultural area, by restoring the land so that it can be used for agriculture;
 - v) In all other cases, by establishing or restoring natural self-sustaining vegetation; and,
 - vi) If there are areas of natural and scientific interest (earth science) on the site or on adjacent land, that the geological or geomorphological attributes for which they were identified will be protected.
- c) In addition to the above requirements, applications for mineral aggregate operations and wayside pits in the ORM – Natural Linkage Area designation shall not be approved unless the proponent demonstrates:
 - i) There will be no extraction within 1.5 metres of the water table;
 - ii) The extraction of mineral aggregates from the site will be completed as quickly as possible; and,
 - iii) The entire site will be rehabilitated as quickly as possible, and in the case of a prime agricultural area, by restoring the land so that the average soil quality of each area is substantially returned to its previous level and in all other cases, by establishing or restoring natural self-sustaining vegetation.
- d) In order to maintain connectivity, when a mineral aggregate operation or wayside pit is located in the ORM – Natural Linkage Area designation, there shall at all times be an excluded area (which, for greater certainty, may contain both undisturbed land and land whose rehabilitation is complete) that:
 - i) Is at least 1.25 kilometres wide;
 - ii) Lies outside the active or unrehabilitated portions of the area being used; and,

- iii) Connects part of the ORM - Natural Linkage Area designation outside the mineral aggregate operation or wayside pit.
- e) An application for mineral aggregate operation or wayside pit in a Key Natural Heritage Feature as shown on Schedule B may only be approved provided:
 - i) The Key Natural Heritage Feature is occupied by young plantations or early successional habitat; and,
 - ii) The proponent demonstrates that:
 - The long-term ecological integrity of the site will be maintained, or where possible improved or restored;
 - The extraction of mineral aggregates from the area within the Key Natural Heritage Feature will be completed, and the area will be rehabilitated, as early as possible in the life of the operation; and,
 - The area from which mineral aggregates are extracted will be rehabilitated by establishing or restoring natural self-sustaining vegetation of equal or greater ecological value.
- f) An application for mineral aggregate operation or wayside pit in a Landform Conservation Area as shown on Schedule E shall not be approved unless the proponent demonstrates that:
 - i) The area from which the mineral aggregates are extracted will be rehabilitated to establish a landform character that blends in with the landform patterns of the adjacent lands; and,
 - ii) The long-term ecological integrity of the subject lands will be maintained, or where possible improved or restored.
- g) The Township shall work cooperatively with the aggregate industry to develop and implement comprehensive rehabilitation plans for the parts of the Oak Ridges Moraine that are affected by mineral aggregate operations; and,
- h) Mineral aggregate operations are exempt from the site alteration and Landform Conservation Area Policies in Section 6.7.3 of this Plan.

6 NATURAL HERITAGE SYSTEM

The Official Plan designates the natural areas within the Township into Land Use designations that recognize the natural heritage features within the Township, including the Oak Ridges Moraine and connecting linkages. The Natural Heritage System includes significant wildlife habitat, significant wetlands, significant woodlands, significant valley lands, areas of natural and scientific interest, buffer areas around these features and lands that link those areas.

The Natural Heritage System within the Township includes the following designations and sub-designations shown on Schedule A and A-1:

Natural Core Areas

Natural Linkage Areas

ORM - Natural Core Area

ORM - Natural Linkage Area

Lands adjacent to these areas as described in Table 1 may also form part of the Natural Heritage system.

The Natural Heritage System policies apply to lands in the Oak Ridges Moraine (ORM) Area and lands outside of that area. Unless otherwise specified, lands within the Natural Heritage System are subject to the same policies both within and outside of the Moraine.

The boundary of the Oak Ridges Moraine is fixed and cannot be changed by amendment to this Plan.

6.1 OBJECTIVES

The objectives of the Natural Heritage System policies are to:

- a) Establish a balanced relationship between development and the environment by preserving natural features and ecological systems;
- b) Maintain, improve and where possible, restore the health, diversity, size and connectivity of natural heritage features, hydrologically sensitive features and related ecological functions;
- c) Maintain natural stream form and flow characteristics and the integrity and quality of watercourses;
- d) Ensure that only land uses that maintain, improve or restore the ecological and hydrological functions of the Natural Heritage System are permitted;

- e) Ensure that the Natural Heritage System is maintained as a series of inter-connected natural features for the benefit of present and future generations;
- f) Encourage the acquisition of land that is the site of significant natural heritage features by public authorities for conservation purposes;
- g) Provide the policies to properly assess development applications located in close proximity to natural heritage features;
- h) Ensure that development is appropriately set back from significant natural heritage features;
- i) Eliminate the potential for the loss or fragmentation of significant wetlands and the habitats and ecological functions they provide;
- j) Provide opportunities, where appropriate, for passive outdoor recreational activities; and,
- k) Prevent development on hazardous lands including floodplains and organic soils.

6.2 GENERAL DEVELOPMENT POLICIES

- a) Where any land within the Natural Heritage System is held under private ownership, this Plan shall not be construed as implying that such areas are free and open to the general public or will be purchased by any Township or other public agency;
- b) Additional information regarding natural heritage features and hydrologically sensitive features may become available through detailed evaluation of development applications or further study. The incorporation of additional natural heritage features may be undertaken when this Plan is updated;
- c) The Township will pursue a variety of mechanisms to achieve the preservation of woodlands, such as the preparation of forest management plans, conservation easements, municipal purchase, parkland dedication, gratuitous dedication, and density transfer;
- d) Development will not be approved where an approved Environmental Impact Study, Natural Heritage Evaluation or a Hydrological Evaluation identifies unacceptable negative impacts on the natural heritage system. The EIS may identify a vegetation protection zone which:
 - i) Is of sufficient width to protect the Key Natural Heritage Feature or Key Hydrologic Feature and its functions from the impacts of the proposed change and associated activities that may occur

before, during and after, construction, and where possible, restore or enhance the feature and/or its function; and,

- ii) Is established to achieve, and be maintained as natural self-sustaining vegetation.
- e) All existing, expanded or new infrastructure subject to and approved under the Canadian Environmental Assessment Act, the Environmental Assessment Act, the Planning Act, the Aggregate Resources Act, the Telecommunications Act or by the National or Ontario Energy Boards, or which receives a similar environmental approval, is permitted within the Natural Heritage System designation subject to the policies of this section and provided it meets one of the following two objectives:
- i) It supports agriculture, recreation and tourism, rural settlement areas, resource use or the rural economic activity that exists and is permitted; or,
 - ii) It serves the significant growth and economic development expected in Southern Ontario by providing for the appropriate infrastructure connections among urban growth centres and between these centres and Ontario's borders.
- f) Stormwater management ponds are prohibited in Key Natural Heritage Features or Key Hydrologic Features or their vegetation protection zones. Naturalized stormwater management ponds are permitted within 120 metres of a key hydrologic feature provided they are located outside of the floodplain, a minimum of 30 metres away from the edge of the river/stream and in the vegetation protection zones of any abutting Key Natural Heritage Features or Key Hydrologic Features.

6.3 NATURAL CORE AREAS

Natural Core Areas include areas with the highest concentration of sensitive and/or significant natural features and functions. Lands that are within the Oak Ridges Moraine established by the Province of Ontario are identified as the ORM – Natural Core Area designation on Schedules A and A-1. These areas are to be managed as a connected and integrated natural heritage system recognizing the functional inter-relationships between them.

This designation also applies to lands that form a natural 30 metre vegetative protective buffer zone for significant natural heritage features. The vegetation protection zone is measured from the outside boundary of the Key Natural Heritage or Key Hydrologic Feature.

The Natural Core Areas include the following Key Natural Heritage Features and Key Hydrologic Features:

- Significant habitat of endangered species, threatened species and special concern species;
- Fish habitat and fish spawning area;
- Wetlands;
- Life Science Areas of Natural and Scientific Interest (ANSIs);
- Significant valleylands
- Earth Science Areas of Natural and Scientific Interest (ANSI);
- Significant woodlands;
- Significant wildlife habitat;
- Sand barrens, savannahs and tall grass prairies; and alvars;
- Permanent and intermittent streams;
- Lakes;
- Seepage areas and springs, and wetlands; and,
- A 30 metre vegetative buffer around these features.

Certain significant Natural Heritage Features are shown in greater detail on Schedules B and B-1 to this Plan.

6.3.1 Objectives

It is the objective of this designation to:

- a) Prohibit development or site alteration within Key Natural Heritage Features and Key Hydrologic Features; and,
- b) Preserve and maintain the environmental features and functions of the 30 metre vegetative protective buffer area.

6.3.2 Permitted Uses

The permitted use of land in the Natural Core Areas designation on Schedules A and A-1 shall include:

- a) Existing agricultural operations;
- b) Forest, wildlife and fisheries management;

- c) Watershed management and flood and erosion control projects carried out or supervised by a public agency but only if they have been demonstrated to be necessary in the public interest after all alternatives have been considered;
- d) Transportation, infrastructure, and utilities, but only if the need for the project has been demonstrated and there is no reasonable alternative;
- e) Passive low intensity recreational uses, such as nature viewing and pedestrian trail activities;
- f) Archaeological activities;
- g) Single-detached dwellings and accessory uses on existing lots of record if it is demonstrated that:
 - i) There is no alternative and the expansion, alteration or establishment is directed away from the feature to the maximum extent possible;
 - ii) The impact of the expansion or alteration on the feature and its functions is minimized to the maximum extent possible; and,
 - iii) The expansion or alteration is not located in a floodplain or erosion hazard area.
- h) Home-based business as an accessory use; and,
- i) Existing agricultural operations and expansions to existing agricultural buildings and structures and accessory uses within Key Natural Heritage Features and Key Hydrologic Features if it is demonstrated that:
 - i) There is no alternative and the expansion, alteration or establishment is directed away from the feature to the maximum extent possible; and,
 - ii) The impact of the expansion or alteration on the feature and its functions is minimized to the maximum extent possible.

6.3.3 General Development Policies

- a) On lands within the Natural Core Area designations, every Planning Act application or site alteration shall be supported by an Environmental Impact Study (EIS) that identifies planning, design and construction practices that ensure that no buildings or other site alterations will impede the movement of plants and animals among Key Natural Heritage Features, Hydrologically Sensitive Features and adjacent lands. The Township may exempt minor expansions to existing buildings and structures from this requirement in its Implementing Zoning By-law and Site Plan Control By-law; and,
- b) Notwithstanding any other policy of this Plan, no new aggregate operation or wayside pit, nor any expansion of an existing operation beyond existing approved limits shall be permitted in the Natural Core Area designation.

6.3.4 Site Specific Policies

The area delineated on Schedule A as being subject to these site specific policies shall be subject to further review and evaluation. The objective of such review and evaluation would be the further refinement and delineation of any boundary adjustment southerly for the Rural Employment and Airport Employment area destinations, and also a refinement or more particular delineation of the boundary of the Natural Core Area and its subject depiction either northerly or north-easterly in relation to the subject property. The policies of Section 6.3 of the Natural Core Area of the Township of Cavan Monaghan shall apply to these lands in the interim.

Save and except for approved access route(s), there shall be no development of these lands. The existing Hazard Land (H) zoning shall remain in effect, until review and evaluation determines the extent of zoning revisions, if applicable.

6.4 NATURAL LINKAGE AREA

This designation applies to lands forming a 120 metre vegetative protective buffer zone for Key Natural Heritage Features lands in the Natural Heritage System. This designation forms part of a central corridor system that supports or has the potential to support movement of plants and animals and provide linkages to natural heritage features. Lands within the Oak Ridges Moraine Area are designated as ORM – Natural Linkage Area on Schedules A and A-1.

6.4.1 Objectives

It is the objective of this designation to:

- a) Preserve and maintain the environmental features and functions of the linkages;

- b) Continue with stewardship, remediation and appropriate park and trail initiatives which maintain and enhance the ecological features and functions found in these linkages; and,
- c) Prohibit development within other significant natural heritage and hydrologic features unless it is demonstrated through an EIS approved by the Township in consultation with the appropriate Conservation Authority that there will be no negative impacts on the feature or their related ecological function.

6.4.2 Permitted Uses

The permitted uses in the Natural Linkage Area designation shown on Schedules A and A-1 shall be:

- a) Agriculture, agriculture related and secondary uses;
- b) Forest, wildlife and fisheries management;
- c) Watershed management and flood and erosion control projects carried out or supervised by a public agency but only if they have been demonstrated to be necessary in the public interest after all alternatives have been considered;
- d) Transportation, infrastructure, and utilities, but only if the need for the project has been demonstrated and there is no reasonable alternative;
- e) Passive low intensity recreational uses, such as nature viewing and pedestrian trail activities;
- f) Archaeological activities;
- g) Single-detached dwellings and accessory uses on existing lots of record if it is demonstrated that:
 - i) There is no alternative and the expansion, alteration or establishment is directed away from the feature to the maximum extent possible;
 - ii) The impact of the expansion or alteration on the feature and its functions is minimized to the maximum extent possible; and,
 - iii) The expansion or alteration is not located in a flood plain or erosion hazard areas.
- h) Home-based business as an accessory use;
- i) Small-scale home industry as an accessory use;

- j) Bed and breakfast establishments as an accessory use to a single-detached dwelling;
- k) Farm vacation homes as an accessory use within a single-detached dwelling;
- l) Existing agricultural operations and expansions to existing agricultural buildings and structures and accessory uses if it is demonstrated that:
 - i) There is no alternative and the expansion, alteration or establishment is directed away from the feature to the maximum extent possible; and,
 - ii) The impact of the expansion or alteration on the feature and its functions is minimized to the maximum extent possible.
- m) New aggregate operations and wayside pits by Official Plan Amendment only as outlined in Section 5.5.3.

6.4.3 General Development Policies

- a) The Natural Linkage Areas are intended to provide a natural buffer from key natural heritage features and a linkage between these features in the Township. Development in this designation shall only be permitted where the vegetative buffer and connectivity for which the area has been designated is preserved.
- b) Where development is proposed in the Natural Linkage Areas the Township may require the proponent to complete an Environmental Impact Study (EIS) in accordance with Section 3.7 of this Plan in order to ensure that the Linkage function will be preserved and enhanced as the result of the proposed development. Small-scale developments may be exempted from requiring an EIS through the pre-consultation process described in this Plan where staff is satisfied that the proposal will not adversely impact the Objectives of the designation.
- c) The extent of the Natural Linkage Area designation may be determined through the completion of an EIS completed to the satisfaction of the Township in consultation with the Conservation Authority. Where the study identifies that a smaller Natural Linkage Area is sufficient to satisfy the objectives of this section and the other policies of this Plan, the policies of the abutting designation may apply to the lands.

6.5 EXISTING USES IN OAK RIDGES MORaine

- a) Nothing in this Plan or the Implementing Zoning By-law shall prevent the use of any land, building or structure for a purpose prohibited by this Plan, if the land, building or structure was lawfully used for that purpose on November 15, 2001

and continues to be used for that purpose;

- b) Nothing in this Plan applies to prevent the erection or use for a purpose prohibited by this Plan of a building or structure for which a permit has been issued under subsection 8(2) of the Building Code Act, 1992 on or before November 15, 2001 provided the permit has not been revoked under subsection 8(10) of the Building Code Act, 1992, and the building or structure when erected is used and continues to be used for the purpose for which it was erected;
- c) Nothing in this Plan applies to prevent the expansion of a building or structure that existed legally on November 15, 2001 on lands that are located no closer than 120 metres from a Key Natural Heritage Feature or a Hydrologically Sensitive Feature provided:
 - i) The use of the building or structure, once expanded, will be the same as, the use of the building or structure on November 15, 2001; and,
 - ii) If the expansion results in a change of use, such use is permitted in the Implementing Zoning By-law.
- d) If the lands on which the expansion is proposed are located closer than 120 metres from the boundary of a Key Natural Heritage Feature or within a Key Natural Heritage Feature, such development is subject to Section 6.8.4 of this Plan;
- e) Nothing in this Plan applies to prevent the reconstruction of any building or structure that lawfully existed on November 15, 2001, that is damaged or destroyed by causes beyond the owner's control provided the ground floor area of the reconstructed building or structure is within the outside limits of the building or structure that existed on November 15, 2001 and provided the use of the building or structure, once reconstructed, will be the same as the use of the building or structure on November 15, 2001;
- f) Nothing in this Plan applies to prevent the conversion of a legally existing use to a similar use. An amendment to the Implementing Zoning By-law to permit any other use not identified in the by-law will be required and will only be approved if it can be demonstrated that the conversion will bring the use into closer conformity with the requirements of the Official Plan and will not adversely affect the ecological integrity of the Oak Ridges Moraine;
- g) If an existing use has adverse effects on the ecological integrity of the Oak Ridges Moraine, any Planning Act application to expand the building, structure or use or to convert the existing use to a similar use may be considered provided the approval, if granted, will bring the use into closer conformity with the requirements of the Official Plan; and,

- h) Nothing in this Plan applies to prevent the use, erection or location of a single-detached dwelling on a lot that existed on November 15, 2001 provided:
 - i) The proposed dwelling is located on an open public road allowance maintained on a year round basis;
 - ii) The use, erection and location would have been permitted by the applicable Zoning By-law on November 15, 2001; and,
 - iii) If the lands on which the dwelling is proposed are located within 120 metres of a Key Natural Heritage Feature, the development complies with Development Criteria outlined in this Plan.

6.6 ACCESSORY USE

- a) Nothing in this Plan shall prevent the following accessory agricultural uses provided such uses comply with Sections 6.7.1 through to 6.7.4. Lands in Proximity to Key Natural Heritage Features, of this Plan:
 - i) Construction of buildings and structures that are farm-related and required for a legally existing farm operation; and,
 - ii) Roadside sale of produce from a legally existing farm operation.

6.7 GENERAL DEVELOPMENT CRITERIA

The following Development Criteria will be applied to applications for development within the Natural Heritage System, including the Oak Ridges Moraine Area.

6.7.1 Key Natural Heritage and Hydrologically Sensitive Features

- a) Key natural heritage features relate to wetlands, significant portions of the habitat of endangered, rare and threatened species, fish habitat, significant valleylands, significant woodlands, areas of natural and scientific interest (ANSI - Life Science and Earth Science), sand barrens, savannahs and tall grass prairies and significant wildlife habitat. Hydrologically sensitive features relate to permanent and intermittent streams, wetlands, kettle lakes and seepage areas and springs;
- b) The general location of Key Natural Heritage Features and Hydrologically Sensitive Features are shown on Schedules B and B-1. Schedules B and B-1 do not include significant wildlife habitat, significant portions of the habitat of endangered, rare and threatened species, seepage areas, significant valleylands and springs. These features shall either be identified on a site-by-site basis or through the appropriate study such as a natural heritage or hydrological evaluation prior to undertaking any development or site alteration;

- c) Where site specific studies or updated information for the Province of Ontario results in refinements to the boundary or extent of Key Natural Heritage Feature or its related minimum vegetation protection zone, such refinement shall not require an amendment to this Plan. However, where such refinement of the boundary or extent of the feature is proposed for a wetland, area of natural and scientific interest and/or significant portions of the habitat of endangered, rare and threatened species or fish habitat, or their related minimum vegetation protection zones, then formal confirmation of the refinement is required from the Ministry of Natural Resources (Ontario) and in the case of fish habitat, with the Department of Fisheries and Oceans (Canada) or its delegate, prior to any development or site alteration;
- d) In addition, where the refinement results in greater minimum vegetation protection zone than is required by the policies of this Plan, the greater standard shall be used. All development and site alteration shall be prohibited within the greater minimum vegetation protection zone as established;
- e) Development and site alteration shall be prohibited within Key Natural Heritage Features and Hydrologically Sensitive Features and their related minimum vegetation protection zone as identified by Table 1. Notwithstanding, conservation and resource management, transportation, infrastructure, utilities, (but only if the need for the project has been demonstrated and there is no reasonable alternative) and low intensity recreational uses may be permitted;
- f) New agricultural uses and/or agriculturally related uses shall not be permitted within a Key Natural Heritage Feature and/or a Hydrologically Sensitive Feature and their associated minimum vegetation protection zone;
- g) An application for development or site alteration shall be accompanied by a natural heritage evaluation in the following circumstances if the development or site alteration is proposed within the minimum area of influence that relates to a Key Natural Heritage Feature or Hydrologically Sensitive Feature;
- h) A natural heritage or hydrological evaluation shall:
 - i) Demonstrate that the development or site alteration applied for will have no adverse effect on the Key Natural Heritage Feature or Hydrologically Sensitive Feature, or on the related ecological and hydrological functions;
 - ii) Identify planning, design and construction practices that will maintain and, where possible, improve or restore the health, diversity and size of the Key Natural Heritage Features and Hydrologically Sensitive Features and connectivity with other key natural heritage and/or hydrological features;

- iii) Demonstrate how connectivity within and between Key Natural Heritage Features will be maintained and, where possible, improved or restored before, during and after construction;
 - iv) Determine whether the minimum vegetation protection zone is sufficient to protect the features and its functions, and if not, specify the dimensions of the required minimum vegetation protection zone and provide for the maintenance and, where possible, improvement or restoration of natural self-sustaining vegetation within it;
 - v) Where a minimum vegetation protection zone is not specified in Table 1, determine whether such a protection zone is required and if so, provide the appropriate dimensions to protect, improve or restore the Key Natural Heritage Feature;
 - vi) In the case of Key Natural Heritage Feature that is fish habitat, ensure compliance with the requirements of the Department of Fisheries and Oceans;
 - vii) An evaluation may result in the minimum vegetation protection zone greater than that shown in Table 1; and,
 - viii) Ensure that scientific data changes be transferred to the Province and/or upper-tier municipality or other relevant stakeholders taking into account GIS standards, to ensure changes are incorporated into the long-term monitoring of the Plan Area.
- i) When determining the minimum vegetation protection zone for Life Science ANSI's, the natural heritage evaluation shall include, without limitation, an analysis of land use, soil type, slope class and vegetation type, using criteria established by the Government of Ontario, as amended from time to time; and,
 - j) Notwithstanding any other policy in this Plan, the construction of buildings or structures within a significant wetland is not permitted. In addition, no development is permitted on lands that are deemed to be hazardous, unless specific permission is obtained from the applicable Conservation Authority.

Table 1: Key Natural Heritage Features, Hydrologically Sensitive Features and Areas of Natural and Scientific Interest - Minimum Areas of Influence and Minimum Vegetation Protection Zones			
Item	Feature	Minimum Area of Influence	Minimum Vegetation Protection Zone
1.	Wetlands	All land within 120 metres of any part of feature	All land within 30 metres of any part of feature, subject to Section 6.7.1 (g) and (h) if a natural heritage evaluation is required
2.	Significant portions of habitat of endangered, rare and threatened species	All land within 120 metres of any part of feature	As determined by a natural heritage evaluation carried out under Section 6.7.1 (g) and (h)
3.	Fish habitat	All land within 120 metres of any part of feature	All land within 30 metres of any part of feature, subject to Section 6.7.1 (g) and (h) if a natural heritage evaluation is required
4.	Areas of Natural and Scientific Interest (Life Science)	All land within 120 metres of any part of feature	As determined by Natural Heritage Evaluation carried out under Section 6.7.1 (g) and (h)
5.	Areas of Natural and Scientific Interest (Earth Science)	All land within 50 metres of any part of feature	As determined by an Earth Science Heritage Evaluation carried out under Section 6.7.1 (g) and (h)
6.	Significant valleylands	All land within 120 metres of stable top of bank	All land within 30 metres of stable top of bank, subject to Section 6.7.1 (g) and (h) if a natural heritage evaluation is required
7.	Significant woodlands	All land within 120 metres of any part of feature	All land within 30 metres of the base of outermost tree trunks within the woodland, subject to Section 6.7.1 (g) and (h) if a natural heritage evaluation is required

Table 1: Key Natural Heritage Features, Hydrologically Sensitive Features and Areas of Natural and Scientific Interest - Minimum Areas of Influence and Minimum Vegetation Protection Zones			
9.	Kettle Lakes	All land within 120 metres of the surface catchment area	All land within the surface catchment area or within 30 metres of any part of feature, whichever is greater, subject to Section 6.7.1 (g) and (h) if a hydrological evaluation is required
10.	Permanent and intermittent streams	All land within 120 metres of meander belt	All land within 30 metres of meander belt, subject to Section 6.7.1 (g) and (h) if a hydrological evaluation is required
11.	Seepage areas and springs	All land within 120 metres of any part of feature	All land within 30 metres of any part of feature, subject to clause 6.7.1 (g) and (h) if a hydrological evaluation is required
12.	Sand barrens, savannahs and tallgrass prairies	All lands within 120 metres of any part of feature	All lands within 30 metres of any part of feature, subject to Section 6.7.1 (g) and (h) if a natural heritage evaluation is required.

6.7.2 Areas of High Aquifer Vulnerability Policies

- a) Aquifer vulnerability refers to the susceptibility of the groundwater aquifer to contamination from both human and natural sources. Areas of High Aquifer Vulnerability are shown on Schedule D;
- b) Council shall consider impacts on Areas of High Aquifer Vulnerability when new development or site alteration is proposed. The following uses are prohibited on the lands identified as High Aquifer Vulnerability on Schedule D:
 - i) Generation and storage of hazardous waste or liquid industrial waste;
 - ii) Waste disposal sites and facilities, organic soil conditioning sites, and snow storage and disposal facilities;
 - iii) Underground and above-ground storage tanks that are not equipped with an approved secondary containment device; and,

- iv) Storage of contaminants listed in Schedule 3 (Severely Toxic Contaminants) to Regulation 347 of the Revised Regulations of Ontario, 1990.
- c) The discharge or spreading of bio-solids that do not originate from agricultural operations in the geographic County of Peterborough shall not be permitted in Areas of High Aquifer Vulnerability.

6.7.3 Landform Conservation Area Policies

- a) Landform Conservation Areas are areas consisting of steep slopes, kames, kettles, ravines and ridges and representative landforms that shall be protected for their contribution to the ecological integrity and hydrological function of the Moraine. Landform Conservation Areas within the Oak Ridges Moraine (Categories 1 and 2) are shown on Schedule E;
- b) Council shall consider impacts on landform conservation areas when new development or site alteration is proposed;
- c) An application for development or site alteration on lands identified as a Landform Conservation Area - Category 1 or 2 shall identify planning, design and construction practices that will keep disturbance to landform character to a minimum including:
 - i) Maintaining significant landform features such as steep slopes, kames, kettles, ravines and ridges in their natural undisturbed form; and,
 - ii) Limiting the portion of the net developable area of the site in accordance with the following:

Criteria	Category 1	Category 2
Maximum net developable area of the site that is disturbed	25 percent	50 percent
Maximum net developable area of the site with impervious surfaces	15 percent	20 percent

- d) An application for major development with respect to land in a Landform Conservation Area shall be accompanied by a Landform Conservation Plan that shows:
 - i) Elevation contours in sufficient detail to show the basic topographic character of the site, with an interval of not more than 2 metres;

- ii) Analysis of the site by slope type;
 - iii) Significant landform features such as kames, kettles, ravines and ridges; and,
 - iv) All water bodies including intermittent streams and ponds.
- e) The landform conservation plan shall also include a development strategy that identifies appropriate site planning, design and construction practices to minimize disruption to landform character including:
 - i) Retention of significant landform features in an open, undisturbed form;
 - ii) Road alignment and building placement to minimum grading requirements;
 - iii) Concentration of development on portions of the site that are not significant;
 - iv) Use of innovative building design to minimize grading requirements; and,
 - v) Use of selective grading techniques.
- f) An application for development or site alteration that does not constitute major development in a Landform Conservation Area shall be accompanied by a site plan that:
 - i) Identifies the areas within which all building, grading and related construction will occur;
 - ii) Demonstrates that buildings and structures will be located within the areas referred to in Clause i) so as to minimize the amount of site alteration required; and,
 - iii) Provides for the protection of areas of natural and scientific interest (Earth Science) in accordance with Subsection g).
- g) An application for development or site alteration with respect to land in an Area of Natural and Scientific Interest (Earth Science) or the related minimum area of influence shall be accompanied by an earth science heritage evaluation that:
 - i) Identifies planning, design and construction practices that will ensure protection of the geological or geomorphological

attributes for which the Area of Natural and Scientific Interest was identified; and,

- ii) Determines whether a minimum vegetation protection zone is required, and if so, specifies the dimensions of that zone and provides for the maintenance and, where possible, improvement or restoration of natural self-sustaining vegetation within it.

6.7.4 Lands In Proximity of a Key Natural Heritage Feature and Hydrologically Sensitive Feature

- a) In accordance with the Existing Uses policies in Section 6.5 development or site alteration may be permitted within 120 metres of a Key Natural Heritage Feature or Hydrologically Sensitive Feature, subject to the provisions of the Implementing Zoning By-law and shall be subject to Site Plan Control. When considering development proposals within this area Council will ensure that:
 - i) The development will be set back from the boundaries of a Key Natural Heritage Feature as far as possible;
 - ii) No other reasonable opportunities to site the development on the lot are available; and,
 - iii) The development will not have an adverse impact on the ecological integrity of the Natural Heritage System and the Oak Ridges Moraine.
- b) In order to implement this policy, the Implementing Zoning By-law will:
 - i) Permit the minor expansion of buildings and structures that which existed legally on November 15, 2001;
 - ii) Permit the development of minor accessory buildings and structures to a single-detached dwelling provided the building or structure is located in close proximity to the single-detached dwelling on the lot; and,
 - iii) Place all lands identified as having Key Natural Heritage Features or Hydrologically Sensitive Features and the minimum vegetative buffer area around those lands in a zone that does not permit development.
- c) When applying Site Plan Control to implement this policy, the Township may:
 - i) Require the preservation, maintenance or establishment of vegetation buffers to mitigate the potential impact of the

development and enhance the natural features and functions of the moraine ecosystem;

- ii) Limit grading and the alteration of the natural landscape within the Oak Ridges Moraine Area to implement the provisions of this Plan in Landform Conservation Areas; and,
- iii) Require greater setbacks, landscaped open space, less lot coverage or other limitations that exceed the minimum requirements of the Implementing Zoning By-law in order to maintain or enhance the ecological integrity of the Natural Heritage System including the Oak Ridges Moraine.

6.7.5 Lot Creation Policies for Natural Heritage System

- a) In addition to the lot creation policies of this Plan in the Natural Heritage System a lot may be created subject to the policies of this Plan and under the following conditions:
 - i) Severances of 40 hectare parcels or greater may be permitted only if the subject properties have previously merged in title under the current ownership, a surplus residence was not previously severed from the lot, and the severance follows the original lot lines or original half lot lines and the retained portion has an area of at least 40 hectares;
 - ii) Allowing land acquisition for transportation, infrastructure and utilities, but only if the need for the project has been demonstrated and there is no reasonable alternative;
 - iii) The addition of adjacent land to an existing lot, but only if the adjustment does not result in the creation of any remnant or new lot that is undersized for the purpose for which it is being or may be used;
 - iv) Facilitating conveyances to public bodies or non-profit entities for natural heritage conservation; and,
 - v) Severance from each other of the parts of a lot that are devoted to different uses, but only if uses are legally established at the time of the application for severance.
- b) A lot may be created subject to Section 6.7.5 a) and under the following conditions:
 - i) The provisions of Section 3.14 of this Plan are satisfied;

- ii) A lot may only be created if there is enough net developable area on both the severed lot and the retained lot to accommodate the proposed uses, buildings, structures and accessory uses without encroachment into Key Natural Heritage Features or Hydrologically Sensitive Features;
- iii) When a lot is created, the Township shall enter into a site plan agreement or other agreement with the proponent to establish conditions requiring that natural self-sustaining vegetation be maintained or restored in order to ensure the long-term protection of any Key Natural Heritage Features or Hydrologically Sensitive Features on the lot;
- iv) New lots shall not be created within or partially within a minimum vegetation protection zone of a Key Natural Heritage Feature and/or a Hydrologically Sensitive Feature;
- v) New estate residential subdivisions shall not be permitted;
- vi) A lot shall not be permitted that would extend or promote strip development; and,
- vii) Any application to create new lots must include a report demonstrating that the application is in conformity with the requirements of this Plan.

6.7.6 Oak Ridges Moraine Infrastructure Policies

- a) Transportation, infrastructure and utility uses are only permitted within the Natural Heritage System if the appropriate study has been undertaken that demonstrates both need and that there is no reasonable alternative to the undertaking. An undertaking for a transportation, infrastructure or utility use is required to demonstrate that the requirements of this Plan for protecting the ecological and hydrological integrity of the Oak Ridges Moraine have been fulfilled;
- b) In most cases, these undertakings will demonstrate conformity with this Plan through the completion of an Environmental Assessment. If an Environmental Assessment process does not apply, then the requirements of this Plan will be met through the Planning Act, Condominium Act, any Municipal Act processes, or other applicable approval process;
- c) Transportation, infrastructure and utility uses are defined in Appendix 1 to include:
 - i) Public highways;

- ii) Transit lines, railways and related facilities;
 - iii) Gas and oil pipelines;
 - iv) Sewage and water service systems and lines and stormwater management facilities;
 - v) Power transmission lines;
 - vi) Telecommunications lines and facilities, including broadcasting towers;
 - vii) Bridges, interchanges, stations and other structures, above and below ground, that are required for the construction, operation or use of the facilities listed in clauses (a) to (f); and,
 - viii) Rights of way required for the facilities listed in clauses (i) to (vii).
- d) A proposal for a transportation, infrastructure or utility use in the Natural Linkage Area and Natural Core Area designations shall not be approved unless:
- i) The need for the project has been demonstrated and there is no reasonable alternative; and
 - ii) The proponent demonstrates that the following requirements will be satisfied, to the greatest extent possible while also meeting all applicable safety standards:
 - The area of construction disturbance will be kept to a minimum;
 - Right-of-way widths will be kept to the minimum that is consistent with meeting other objectives such as stormwater management and with locating as many transportation, infrastructure, and utility uses within a single corridor as possible;
 - The project will allow for wildlife movement;
 - Lighting will be focused downwards and away from Core areas; and,
 - The planning, design and construction practices adopted will keep any adverse effects on the ecological integrity of the Plan Area to a minimum.

- iii) In addition to subsection i) and ii) above, if the proposal is located in the Natural Core Area designation, the proponent shall demonstrate that:
 - The project does not include and will not in the future require a highway interchange or a transit or railway station in the Natural Core Area; and,
 - The project is located as close to the edge of the Natural Core Area as possible.
- e) Except as permitted in sub-section (f) below, with respect to land in a Key Natural Heritage Feature or a Hydrologically Sensitive Feature, all new transportation, infrastructure and utility uses and all upgrading or extension of existing transportation, infrastructure and utilities uses, including the opening of a road within an unopened road allowance, are prohibited;
- f) Transportation, infrastructure, and utility uses may be permitted to cross a Key Natural Heritage Feature or Hydrologically Sensitive Feature if the proponent demonstrates that:
 - i) The need for the project has been demonstrated and there is no reasonable alternative;
 - ii) The planning, design and construction practices adopted will keep any adverse effects on the ecological integrity of the Natural Heritage System to a minimum;
 - iii) The design practices adopted will maintain, and where possible improve or restore, key ecological and recreational linkages;
 - iv) The landscape design will be adapted to the circumstances for the site and use native plant species as much as possible, especially along rights of way;
 - v) The long-term landscape management approaches adopted will maintain, and where possible improve or restore, the health, diversity, size and connectivity of the Key Natural Heritage Feature or Hydrologically Sensitive Feature; and,
 - vi) Service and utility trenches for transportation, infrastructure and utilities shall be planned, designed and constructed so as to keep disruption of the natural groundwater flow to a minimum.

6.7.7 Stormwater Management

In addition to those general development criteria in Section 3.20, within the Oak Ridges Moraine the following policies shall also apply:

- a) Despite anything else in this Plan, new stormwater management ponds are prohibited in Key Natural Heritage Features and Hydrologically Sensitive Features and floodplains;
- b) A proposal for major development shall be accompanied by a Stormwater Management Plan in accordance with the stormwater management policies of Section 3.20 of this Plan;
- c) The objectives of a Stormwater Management Plan are to:
 - i) Maintain groundwater quality and flow and stream base flow;
 - ii) Protect water quality;
 - iii) Protect aquatic species and their habitat;
 - iv) Prevent increases in stream channel erosion; and,
 - v) Prevent any increase in flood risk.
- d) Despite anything else in this Plan, new rapid infiltration basins and new rapid infiltration columns are prohibited in the Oak Ridges Moraine Area.

7 TRANSPORTATION AND INFRASTRUCTURE

These policies deal with development of roadways, utilities and other public works in the Township and apply to all lands in the Township.

7.1 OBJECTIVES

The objectives of these policies are to:

- a) Facilitate the movement of people and goods within the Township and to and from adjacent municipalities by means of a safe, integrated and balanced transportation system;
- b) Establish an integrated transportation system that safely and efficiently accommodates various modes of transportation including automobiles, trucks, public transit, cycling and walking;
- c) Develop a transportation system that protects transportation corridors and air transportation and is compatible with and supportive of future land uses;
- d) Encourage the use of public transit, cycling and walking as sustainable, energy efficient, affordable and accessible forms of travel;
- e) Ensure that new roads in urban settlement areas are constructed safely, designed in a manner that helps to distribute car and truck traffic evenly;
- f) Encourage bicycle and pedestrian paths to generally be separated from the roadway on existing and proposed Township roads and utility corridors, parks and green spaces;
- g) Ensure that appropriate right-of-way widths for all existing and proposed roads are provided in accordance with the Planning Act; and,
- h) Protect the future operation and expansion of the Peterborough Airport.

7.2 GENERAL DEVELOPMENT POLICIES

- 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) Blasting, 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) Finished slopes should be graded not greater than a 3 to 1 slope and planted; large cuts should be terraced to minimize surface erosion and slope failure;
 - iii) Site rehabilitation should use native species of vegetation and blend into the surrounding landscape;
 - iv) Vegetation screens should be used where feasible;
 - v) Transportation and utility structures should be sited and designed to minimize visual impact;
 - vi) A development setback from the top of bank for utility structures will be required to minimize visual impacts;
 - vii) The visual impact of utility structures should be minimized by siting, structural design, coloration and landscape planting to minimize the impact on the rural environment; and,
 - viii) The Township road standards may be modified to accommodate environmental or natural feature preservation.
- b) A transportation study will be prepared to address both the impact of any new development upon the provincial highway system and County roads, as well as any associated highway improvements that are required prior to the approval of any secondary plans or plans of subdivision.

7.2.1 Roadways

- a) The Transportation System is shown on Schedules A and A-1. The Transportation System includes roads, trails, railways, and the airport;
- b) Roads have been classified on the basis of function and design, comprising local arterial roads, collector roads and transit service. An Official Plan Amendment is required to change the classification of a road on Schedules A and A-1;
- c) The location of new arterial and collector roads are approximate. The exact alignment shall be determined either through municipal studies or the consideration of development applications;
- d) The Township will not open or maintain roadways, that are not constructed to municipal standards;
- e) New roads and utilities shall be permitted in all designations subject to the justification requirements of this Plan where within or adjacent to a Key Natural Heritage Feature or a Hydrologically Sensitive Feature;

- f) The Township in conjunction with the County of Peterborough will endeavour where feasible to reserve or obtain the necessary rights-of-ways indicated in this Plan. Privately owned land required to meet the desired right-of-way widths shall generally be acquired by the Township through dedication as a condition of subdivision, condominium, land severance or site plan approval;
- g) Transportation uses may be permitted to cross a Key Natural Heritage Feature or a Hydrologically Sensitive Feature if the proponent demonstrates that:
 - i) The need for the project has been demonstrated and there is no reasonable alternative (to be determined through Environmental Assessment process, Planning Act or local improvement provisions of the Municipal Act);
 - ii) The planning, design and construction practices adopted will keep any adverse effects on the ecological integrity of the Oak Ridges Moraine to a minimum;
 - iii) The design practices adopted will maintain, and where possible improve or restore, ecological and recreational linkages, including the trail system;
 - iv) The landscape design will be adapted to the circumstances of the site and use native plant species as much as possible, especially along rights-of-way;
 - v) The long term landscape management approaches adopted will maintain, and where possible improve or restore, the health, diversity, size and connectivity of the natural heritage feature or hydrologically sensitive feature; and,
 - vi) The provisions of Section 6.7.6 are met.
- h) Service and utility trenches for transportation uses shall be planned, designed and constructed so as to minimize disruption of the natural groundwater flow;
- i) In addition to all applicable municipal requirements, all development within 400 metres of provincial Highway 7 and 7A and Highway 7/115 and will be subject to the safety and geometric requirements and permits of the Ministry of Transportation;
- j) Permits from the Ministry of Transportation are required for any new buildings, or site alterations or entrances within 45 metres of the highway property line and within a radius of 180 metres of the centre point of the intersection of a road and Highway 7A and 395 metres of the centre point of the intersection of a road and Highways 7/115; and,

- k) Permits may be required for uses which cause persons to congregate in large numbers within 800 metres of any limit of any provincial highway.

7.2.2 Infrastructure

- a) The location and construction of infrastructure and expansions, extensions, operations and maintenance of infrastructure are subject to the following:
 - i) Planning, design and construction practices shall minimize, wherever possible, the amount of the Natural Heritage System, traversed and/or occupied by such infrastructure;
 - ii) Planning, design and construction practices shall minimize, wherever possible, the negative impacts and disturbance of the existing landscape, including, but not limited to, impacts caused by light intrusions, noise and road salt;
 - iii) New or expanding infrastructure shall avoid Key Natural Heritage Features or Key Hydrologic Features unless need has been demonstrated and it has been established that there is no reasonable alternative;
 - iv) Where infrastructure does cross the Natural Heritage System or intrude into or result in the loss of a Key Natural Heritage Feature or Key Hydrologic Feature, including related landform features, planning, design and construction practices shall minimize negative impacts and disturbance on the features or their related functions and where reasonable, maintain or improve connectivity; and,
 - v) Infrastructure serving the agricultural sector, such as agricultural irrigation systems, may need certain elements to be located within the vegetation protection zone of a Key Natural Heritage Feature or Key Hydrologic Feature. In such instances, these elements of the infrastructure may be established within the feature itself or its associated vegetation protection zone but all reasonable efforts shall be made to keep such infrastructure out of Key Natural Heritage Features or Key Hydrologic Features or the vegetation protection zones.

7.3 ROAD NETWORK

- a) Roads in the Township will be classified and maintained on the basis of their function and design as arterial roads, collector roads, local roads and private roads. The right-of-way width for a public road shall allow for the placement of utilities, municipal services, high occupancy vehicle lanes, cycling lanes, sidewalks and landscaped boulevards where required;
- b) Existing collector and arterial roads are shown on Schedules A and A-1. Local roads will develop through Plans of Subdivision;
- c) Council may stop up and close existing local roads and road related facilities subject to the provisions of the Municipal Act, 2001, as amended without the need to amend the Official Plan;
- d) Where the Township does not have title to a municipal road it will endeavor to acquire title through road dedication as a condition of development, trading the surveyed right-of-way for the lands on which the road has been forced or through land purchase where the roadway is required.
- e) All Township Roads within the Countryside Areas of the Township shall have a minimum 20 metres 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; and,
- f) 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.

7.3.1 Private Roads

- a) Private roads are lanes, mutual driveways, roads or right-of-ways maintained by private individuals or condominium corporations. New development on private roads will be restricted to a plan of condominium;
- b) New building lot creation by severance or subdivision will not be permitted on private roads; and,
- c) Prior to the Township assuming any private road, it must be brought up to a municipal standard. The cost of bringing such road up to municipal standards shall not be borne by the Township. In addition, prior to assuming a private road, the Township shall consider whether the costs of maintaining the road will be off-set by increased assessment.

7.3.2 Arterial Roads

- a) Arterial roads are under the jurisdiction of the Ministry of Transportation, the County of Peterborough or the Township. Arterial roads are designed to accommodate transportation needs within the Township and to other municipalities.
 - i) Major Arterials are designed to accommodate the movement of moderate volumes of traffic at moderate speeds from part of the Region to another. These roads generally intersect with other arterial roads and collector roads. Major arterial roads shall have a right-of-way width of 30-36 metres; and
 - ii) Minor Arterials are designed to accommodate the movement of lower volumes of traffic at slower speeds over relatively short distances. Minor Arterial roads shall have a right-of-way width of 26-30 metres.
- b) Subject to the requirements of the road authority having jurisdiction, arterial roads shall be designed in accordance with the following principles:
 - i) Provide full continuous movements;
 - ii) Limit private access;
 - iii) Provide for public transit vehicles and transit stops;
 - iv) Provide sidewalks on both sides; and,
 - v) Provide for cycling lanes where possible.
- c) In all areas, new access shall only be permitted subject to the approval of the authority having jurisdiction.
- d) Truck traffic is expected to use Arterial Roads and may be discouraged from using Collector and/or Local Roads;
- e) The right of way and access spacing shall apply to the arterial roads shown on Schedules A and A-1. However, if the intent of this Plan is adhered to, and a study has shown that such provisions are impractical and cannot be implemented precisely, the authority having jurisdiction on such roads may deviate from these provisions without the need for an amendment to this Plan. In addition, these requirements shall not apply to arterial roads within Millbrook Urban Settlement Area and Hamlets;
- f) Sight triangles shall be provided in accordance with the standards of the authority

having jurisdiction on the roads;

- i) Intersections between local roads and arterial roads - 15 metres by 15 metres; and,
 - ii) Intersections between arterial roads and arterial roads – 30 metres by 30 metres.
- g) It is a policy of this Plan that new septic tank tile fields be setback a minimum of 10 metres from all road allowances to protect the County and Township from relocation costs during any road rebuilding operations.

7.3.3. Collector Roads

- a) Collector roads are under the jurisdiction of the Township and are designed to move moderate volumes of traffic over short distances within a particular area of the Township. The primary function of a collector road is to collect and distribute traffic among local roads, collector roads, arterial roads and major traffic generators; and,
- b) Collector roads shall be designed in accordance with the following principles:
 - i) Provide reasonable continuous movements;
 - ii) Minimize the number of private accesses;
 - iii) Incorporate methods to prevent speeding without compromising continuous movement;
 - iv) Provide sidewalks on both sides;
 - v) Provide for cycling lanes where possible; and,
 - vi) Have a right-of-way width between 23 and 26 metres.

7.3.4 Local Roads

- a) Local Collector roads are under the jurisdiction of the Township and are designed to carry lower volumes of traffic and to facilitate access to individual properties;
- b) Local roads shall be designed according to the following principles:
 - i) have a right-of-way width of 20 metres; and,
 - ii) sidewalks on both sides of local roads in Millbrook Settlement Area are required. In Hamlets, sidewalks on one side of the road will be required.

- c) Council may permit a narrower right-of-way width where it is not necessary to have a 20 metres right-of-way to contain roads and utilities;
- d) Council may close any local roads or bridges in accordance with the Municipal Act, without the need to amend the Official Plan; and,
- e) In Settlement Area and Hamlets local roads may be constructed to a modified urban standard to encourage natural infiltration.

7.3.5 Design Guidelines

- a) Road designs shall include well-designed streetscape features, incorporating, among other things: street tree planting, street lighting and furnishings, sidewalk and boulevard treatments, a variety of paving materials, and where appropriate, bicycle lanes, community mailboxes and future transit shelters;
- b) Road designs may incorporate traffic calming techniques such as narrower rights-of-way, traffic circles and speed control devices, where appropriate, to promote a safer pedestrian environment and/or to maintain vehicles within designated speed limits. The Township will consider alternative standards for public road rights-of-way to achieve urban design objectives in certain areas of the municipality;
- c) The design of roads shall incorporate a high quality of urban design standards. On this basis:
 - i) Road rights-of-way shall be designed to secure a separation of vehicles and pedestrians and should provide an appropriate sidewalk for pedestrian use;
 - ii) On collector and arterial roads, a suitable boulevard shall be provided to separate the road curb from the sidewalk and such boulevard shall include hard and/or soft landscape materials, street trees and pedestrian-level street lights, where appropriate;
 - iii) Where medians are provided within the road rights-of-way, it is encouraged to include hard and/or soft landscape materials in such medians, where appropriate;
 - iv) A regularized pattern of street tree planting shall be encouraged along all roads and the Township shall establish minimum planting standards and species types;

- v) The number and location of access points onto the public road system shall be minimized by encouraging common access points to be shared by adjacent development;
 - vi) Street lighting shall, where appropriate incorporate pedestrian-level lighting to maintain pedestrian safety;
 - vii) Street lighting that reduces energy consumption and directs light away from the night sky and adjacent uses shall be encouraged;
 - viii) Services and utilities shall be encouraged to locate underground in a common trench, where possible, to maintain a pleasant visual environment along public roads;
 - ix) Above-ground utility service providers shall be encouraged to co-operate with the Township in identifying locations which minimize the visual impacts of such equipment and facilities where located within the public road rights-of-way; and,
 - x) Development of employment lands over a floor area threshold of 560 square metres shall include the installation of bicycle racks and sidewalk connections between building and municipal sidewalks, and to consider providing interior employee change rooms and showers.
- d) Streetscape features located within public rights-of-way, such as lighting fixtures, directional and street signs, parking meters, transit shelters, and street furniture shall be complementary in their design and located in an integrated manner so as to avoid visual clutter;
 - e) Gateway features shall be established at strategic locations within the Township and may include specialized boulevards, landscape medians, decorative street lightings, and/or decorative signage treatments; and,
 - f) Trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers, transit shelters, and bicycle parking facilities that are considered to be “sustainable design elements” for the purposes of Section 41 (4)(2) (e) of the Planning Act shall be established within a municipal right-of-way as a condition of Site Plan Approval.

7.4 PEDESTRIAN AND CYCLING ROUTES AND FACILITIES

- a) The Township will plan and where possible develop an interconnected system of cycling and walking routes providing access to major activity and employment areas throughout the Township. Development of such a trail system will occur

- through land acquisition, easements and rights-of-way;
- b) Development of a continuous trail through the Township linking the Oak Ridges trail and Settlement Areas is recognized as a priority for the Township;
 - c) Where required and feasible, Township Road shoulders may be adapted to provide safer travel for bicycles between Settlement Areas and other major activity nodes;
 - d) To plan for and encourage walking and cycling, Council shall:
 - i) Ensure that high quality pedestrian infrastructure and way finding signage is established at key locations either as a condition of development approval or by the Township as part of its annual capital works program;
 - ii) Ensure that high quality cycling infrastructure is established throughout the Township including at all commercial, industrial and community facilities either as a condition of development approval or by the Township as part of its annual capital works program;
 - iii) Provide convenient and highly accessible locations for visitors to park cars to access the pedestrian and cycling system and improved public transit;
 - iv) Consider the provision of safe and convenient cycling and walking routes in the review of all new development and redevelopment applications;
 - v) Require the provision of sidewalks in the Millbrook Settlement Area and Hamlets, where appropriate;
 - vi) Provide for bicycle lanes wherever possible in the construction or reconstruction of roads and bridges;
 - vii) Encourage and support measures which will provide for barrier-free design of pedestrian facilities;
 - viii) Ensure that lands for bicycle/pedestrian paths are included with the land requirements for roads;
 - ix) Ensure that the rights and privacy of adjacent properties are factored into the design process for pedestrian and cycling routes;

- x) Require the provision of bicycle stands as a condition of approval of site plan applications; and,
 - xi) Ensure that all pedestrian and cycling routes are designed to be safe.
- e) Sidewalks and/or multi-use trails shall be provided through all new commercial, industrial and institutional developments and through all new residential developments proposing 12 or more units; and,
- f) Pedestrian and cycling infrastructure shall be established throughout the Township including at all commercial, industrial, institutional, and community facilities as a condition of approval or by the Township as part of its annual capital works program.

7.5 PETERBOROUGH AIRPORT

- a) The Township supports the on-going operation, development and expansion of the Peterborough Airport. Land use decisions within the area affected by airport operations will be subject to the following:
 - i) Land uses that could potentially restrict the logical and orderly expansion of the airport will not be permitted;
 - ii) Development that is sensitive to noise will not be permitted within the 25 NEF contour, as amended from time to time;
 - iii) Employment uses that will complement and support the airport will be encouraged to locate in close proximity; and,
 - iv) Building heights will be limited in accordance with Federal height restrictions associated with the airport.
 - v) New residential development and other sensitive land uses will not be permitted in areas near airports with Noise Exposure Forecast (NEF) or Noise Exposure Projection (NEP) level above 30, as set out on maps (as revised from time to time) approved by Transport Canada. However, redevelopment of existing residential uses and other sensitive land uses or infilling of residential and other sensitive land uses may be considered above 30 NEF/NEP if it has been demonstrated that there will be no negative impacts on the long term function of the airport.
- b) The Township's comprehensive Zoning By-law will be amended to include airport related land use and height restrictions to implement this Plan; and

- c) Development of the Peterborough Airport lands is subject to Federal jurisdiction and agreements between the City of Peterborough and the Township. Development within the Airport Employment designation shown on Schedule A shall be principally for airport and aeronautics related uses. The Airport Master Plan shall be considered when reviewing applications in the vicinity of the Airport.

7.6 PUBLIC TRANSIT

- a) The Township in consultation with the County of Peterborough and the Ministry of Transportation will continue to support fully accessible public transit service particularly for service nodes and corridors in new development areas; and,
- b) The Township will continue to support inter-regional transit lines and GO bus service in the community.

7.7 PARKING

- a) Adequate off-street parking and loading facilities are required for all new development. All parking areas shall be designed to:
 - i) Minimize conflict with traffic on arterial roads;
 - ii) Provide parking for the physically handicapped;
 - iii) Provide landscape screening along street frontages; and,
 - iv) Points of ingress/egress shall be limited in number and sharing of access points will be encouraged.
- b) The Township will endeavour to provide off-street parking to serve the downtown of Millbrook, and major parks and community facilities. In this regard, Council may:
 - i) Operate municipal parking lots or structures on properties the Township owns, acquires and/or leases, and provide direction for establishing new lots and structures;
 - ii) Establish areas where payment of cash-in-lieu of required parking may be accepted. A reserve fund may be established to be used for the improvement or expansion of public parking facilities; and,
 - iii) Use, or authorize the use of vacant lands for parking on a temporary basis, where such parking is needed and desirable.
- c) The Township shall review off-street and on-street parking regulations to reflect

evolving patterns of automobile use. Reduced parking requirements may be considered where sufficient public off-street and on-street parking facilities exist. In addition, parking requirements may be reduced if the uses on the lot each require parking at different times of the day. Opportunities for the sharing of parking in mixed-use development will be considered during the review of a development application; and,

- d) Within the Community Core Area in Millbrook, Council may reduce certain parking requirements such as the number of spaces or the amount of cash-in-lieu of parking. In addition, Council may consider entering into agreements to permit exclusive use of municipal parking spaces for new residential uses.

7.8 MUNICIPAL WATER AND WASTEWATER SERVICES

It is the policy of this Plan that:

- a) All development in Millbrook shall be connected to municipal water and wastewater systems unless exempted by the policies of this Plan and the County Official Plan;
- b) Development will be staged in Millbrook based on the ability and financial capability of the Township or other financing arrangements to provide municipal water and wastewater services in accordance with its approved Development Charges By-laws or other financial planning policies or tools;
- c) The allocation of municipal water and wastewater system capacities through the development approvals process will be based upon a policy adopted by Council which ensures the timely and efficient use of these services and implementation of the policies of this Plan;
- d) The Township will not commit capacity to a property until a development agreement between the Township and property owner is in place and executed;
- e) Council will allocate servicing capacity in a manner that will ensure a range and mix of housing in accordance with the provisions of this Plan and ensure sufficient uncommitted capacity to meet the target population to employment ratios outlined in this Plan; and,
- f) Council will encourage the use of water saving fixtures and recycling in all developments connected to municipal services.

7.8.1 Sewage Treatment

The Otonabee River is a tributary to the Trent River which discharges into the Bay of Quinte. The loading of phosphorus from the Township of Cavan Monaghan is limited by the Bay of Quinte Remedial Action Plan (September 1993). The Remedial Action Plan

caps phosphorus loading from existing wastewater treatment plants (WWTP) at their existing approved limits. The sewage treatment plant for Cavan Monaghan, located in Millbrook, has an existing phosphorus loading of 0.57 kg per day. This is based on the plant's Certificate of Approval (CofA).

The Township's plan is to establish a new WWTP to service Millbrook to maximize the permitted total 0.57 kg per day loading.

When the Millbrook sewage treatment plant is expanded it should provide capacity for 1,000 residential equivalent units. When considering allocation of capacity, Council shall maintain a 20 percent reserve of available capacity for non-residential uses.

Allocation of services for employment uses shall be done at the site plan approval stage of development and only upon the posting of sufficient securities to ensure that servicing costs will be recovered. Council shall establish a lapsing date for servicing allocation in site plan agreements. Servicing allocations will normally be provided for up to two years.

Employment uses shall consist of low water users or 'dry industries' that generate only domestic sewage effluent rather than industrial wastewater as effluent.

Allocation of services for residential uses shall be done upon completion of subdivision, consent, condominium or, in the case of multiple dwellings, site plan agreements and only upon the posting of sufficient securities to ensure that servicing costs will be recovered. In allocating servicing capacity, Council will ensure that the housing targets identified in Section 2.1.2 are achieved so that a range and mix of housing is available to the market in each stage of development. Council or the approval authority may establish a lapsing date for draft plan approval conditions to ensure that sewage capacity is available and development takes place in a timely manner.

Existing uses will be encouraged to connect to full municipal services and will be required to pay their fair share of the costs of those services.

7.8.2 Water Supply

The Township of Cavan Monaghan currently has one municipal water supply located in Millbrook. It is the intent of the municipality to continue to operate a municipal water system from one water supply.

While the Millbrook Municipal Well System is currently the only municipal water supply in the Township, the Trent Source Protection Plan identified a second Municipal Well System in the Township which is referred to as the *planned* Lansdowne Well System. Both systems are identified on Schedules 'C' and 'D' to the Official Plan and the relevant policies of this plan including Section 3.19 apply.

The impact of taking additional water from the Millbrook water supply will be monitored by the operator of the system in accordance with the requirements of the Ministry of Environment and the Township. Should monitoring indicate that an unacceptable level of impact is occurring, Council shall review the servicing strategy and growth targets outlined in this Plan.

At the present time, there are a number of properties in Millbrook that utilize private wells. Over the period of this Plan the use of private wells in Millbrook should cease to exist. Those private wells should be properly decommissioned in accordance with the requirements of the Ministry of the Environment and all development should be serviced with full municipal services including water supply and sewage disposal services.

7.9 UTILITIES

Utilities include water supply plants, water pollution control plants, electricity generating stations, hydro transformer stations, hydro corridors, pipeline corridors, telephone facilities and gas facilities.

- a) The location of new utility facilities and/or corridors is generally permitted within any land use designation provided:
 - i) Proposed utility development satisfies the policies for infrastructure development in Sections 6.2 e) and 6.7.6 within the Natural Heritage System;
 - ii) Such facilities do not adversely impact any adjacent use;
 - iii) New utility corridors are located adjacent to existing utility and/or transportation corridors, wherever possible;
 - iv) Communication towers for radio, cable TV and phone transmissions are not located within or adjacent to any residential area; and,
 - v) New electrical generating stations proposed by private corporations shall only be permitted by amendment to this Plan and shall be subject to all applicable provincial approvals unless such uses are exempt from Planning Act approvals through the provisions of the Environmental Assessment Act.
- b) Telephone switching stations, hydro transformer stations or sub-stations and similar facilities that are required to be located in residential areas or settlement areas shall incorporate architectural and landscaping features consistent with the appearance of adjacent uses;

- c) To improve the visual appearance of the streetscape, utilities such as hydro, telephone and cable television shall be provided in-ground within all new development and where feasible, within the road allowances abutting the external limit of the new development. In the case of redevelopment, conversion of overhead service to in-ground service shall be installed wherever technically and economically feasible;
- d) Subject to approval of Ontario Hydro, the Township encourages the use of lands within power transmission corridors for:
 - i) Recreational uses such as hiking trails and bicycle paths;
 - ii) Market or allotment gardens;
 - iii) Agricultural cultivation; and,
 - iv) Other uses compatible with adjacent land uses and consistent with the intent and policies of this Plan.
- e) In the planning of any major new utility or corridor, including expansions, the proponent shall satisfy the Township with respect to possible impacts as it relates to environmental, economic, social, cultural, transportation and other concerns as determined by the Township. The proponent may be required to enter into an agreement with the Township, which includes but is not limited to such matters as compensation and mitigation of adverse impacts.

7.10 COMMUNITY FACILITIES AND SERVICES

- a) Community facilities include schools, libraries, art and cultural facilities, post offices, places of worship, cemeteries, fire and police stations, daycare centres, community centres, and other recreational facilities that are designed to meet the educational, social, recreational and cultural needs of Township residents;
- b) Schools are encouraged to be built to serve the surrounding neighbourhood and/or catchment area. New schools are to be planned and sites reserved as part of the planning process for the establishment of new neighbourhoods;
- c) Institutions and community facilities are encouraged to locate in close proximity to centres of activity to enable joint use of facilities. Wherever possible, civic open space areas shall be provided and incorporated in the planning and design of these facilities;
- d) Post offices, places of worship, cemeteries, community centres, fire and police stations, libraries, art and cultural facilities are encouraged to locate in Settlement Areas to enable easy accessibility by the majority of the population and, where possible, to utilize full municipal services. Community facilities are subject to the

policies of the land use designations where these facilities are located;

- e) Daycare centres may be incorporated within any existing place of worship, public or private school, or public assembly hall provided each site can demonstrate the ability to accommodate the additional use. Private home day care facilities shall be subject to the Official Plan provisions governing home-based businesses. All day care facilities shall conform to applicable provincial legislation;
- f) When the population of the Township approaches 10,000 persons, the Township shall undertake a review of the Parks and Recreation Master Plan to review the need to upgrade recreational facilities and programs to meet the needs of a growing population; and,
- g) To ensure that individual municipal services are provided in a manner that meets the needs of Township residents, facility strategies that deal with service areas shall be prepared to serve as a guide for the provision of services to a growing and changing population. In addition, Council shall ensure that the School Boards are an integral part of the planning process so that the provision of schools keeps pace with projected demand.
- h) New developments including single buildings and renovations to existing buildings shall utilize water saving design and fixtures to reduce generation of waste water.

8. IMPLEMENTATION

The implementation section contains policies pertaining to the administration and implementation of the Official Plan. The Planning Act contains a number of tools that are intended to be used by municipalities to administer and implement an Official Plan. This section of the Plan contains the policies that set out how these tools are to be utilized by Council to meet the goals and objectives of this Plan.

8.1 OFFICIAL PLAN REVIEW PROCESS

The Official Plan will serve as the basis for managing change in the Township until 2031. Council shall hold a public meeting at least once every 5 years from the date of approval of this Official Plan to consider the need for a complete review of the Official Plan or any significant components of it.

8.2 AMENDMENTS TO THE PLAN

- a) This Plan should only be amended when the policies of this Plan have been found not to address issues, or alternatively, issues have been raised with respect to site-specific proposals that must be addressed in a comprehensive manner. Any amendment shall conform to the overall intent of the Official Plan as set out in the Strategic Directions and policies of the Plan;
- b) Privately initiated amendments prior to the 5 year review of this Plan are generally discouraged. However, if a request for an amendment is received, Council may consider such a request, which must include sufficient information and justification to enable the requested amendment to be evaluated as per the requirements of Section 8.4. The following general criteria shall apply to the review of all Official Plan Amendment applications and the proponent of an amendment may be required to submit reports from qualified professionals to address such matters, including but not necessarily limited to:
 - i) Conformity to the strategic directions and policies of this Plan;
 - ii) Suitability of the location of the proposed use;
 - iii) Compatibility with existing and planned land uses in the surrounding area;
 - iv) The impact on the natural environment having regard for natural heritage features and hydrologic features;
 - v) Need for the proposed use;
 - vi) Availability of supporting capital works and services;

- vii) Fiscal impact on municipal capital works and services;
 - viii) Comments of public agencies;
 - ix) Any other specific requirements of Council; and
 - x) In the case of lands within identified vulnerable areas, demonstration of how the proposal conforms to the policies of Section 3.19 where applicable.
- c) The following changes may be made to the Official Plan and Zoning by-law without an amendment:
 - i) Changes or corrections to wording or reference errors;
 - ii) Alterations in the numbering and arrangement of any provisions;
 - iii) Adjustments to base information on any Schedule; and,
 - iv) Minor adjustments to land use boundaries subject to Section 9.1.
- d) If a request for an amendment is received to change the land use designation or zone from an Agricultural or Rural land use designation or zone to a designation or zone which will permit development, the amendment will be required to meet Minimum Distance Separation Formulae (MDS) as outlined in Section 3.27.

Amendments to rezone or redesignate land already zoned or designated for a non-agricultural use, shall only need to meet the (MDS I) setbacks if the amendment(s) will permit a more sensitive land use than existed before.

8.3 SETTLEMENT AREA EXPANSIONS

The external boundaries of the Settlement Area and Hamlet designations as shown on the Schedules to this Plan are fixed and inflexible. Expansions to these areas are not permitted by the policies of and within the life of this Plan unless a comprehensive Official Plan Review is undertaken by Council. **(Subject to an appeal with respect to the policies applicable to Special Study Area 1 as identified on Schedule A.)**

The expansion of any Settlement Area through an Official Plan Amendment shall only be considered at the time of a comprehensive review of this Official Plan. Further expansions of Settlement Areas within the Township will not be considered unless and until appropriate studies have been completed including a consideration of settlement expansion in the SSA-1 in accordance with section 2.6. In considering the expansion of Settlement Areas, Council shall be satisfied that:

- a) A sufficient opportunity for growth is not available through intensification, redevelopment and within existing designated growth areas to accommodate growth projections over the identified planning horizon;
- b) The infrastructure and public service facilities that are planned or available are suitable for the development over the long term and protect the public health and safety of the Municipality;
- c) In Agricultural areas:
 - i) The lands do not comprise specialty crop areas;
 - ii) There is no reasonable alternatives to avoid prime agricultural areas; and,
 - iii) There are no reasonable alternatives of lower priority agricultural lands in prime agricultural areas.
- d) Impacts from new or expanding Settlement Areas on agricultural operations which are adjacent or close to the Settlement Area are mitigated to the extent possible.

8.4 COMPLETE APPLICATION

- a) In accordance with the provisions of subsections 22(6.1) and 34(10.4) of the Planning Act, any application submitted to the Township in support of a development proposal must be deemed to be a complete application and be accompanied by the appropriate fee, before any processing will begin. Any required background reports, studies documents and materials must be prepared and submitted to the satisfaction of the Township;
- b) Should it be determined through the review process, that the submission is incomplete, inadequate or further issues need to be addressed, additional information may be required. The authority to deem an application complete may be delegated by Council to staff by by-law;
- c) To be considered complete under the Planning Act, Official Plan Amendment, Minor Variance, Site Plan and Zoning By-law Amendment applications and Building Permit applications must be accompanied by the following:
 - i) A completed application form(s);
 - ii) Any information or material prescribed by the Planning Act and relevant Ontario Regulations;

- iii) Any application within an identified vulnerable area shall be accompanied by a Notice under Section 59(2) of the Clean Water Act, 2006, as amended, and must conform to the policies of Section 3.2.2 where applicable; and
 - iv) Prescribed application fee(s).
 - d) In addition to the requirements specified above, this section sets out the supplementary information or material in the form of studies that are required in support of an application for Official Plan Amendment or Zoning By-law Amendment. Some of the studies identified below may also be requested in order to allow for the proper evaluation of an application for Site Plan Approval;
 - e) The supplementary information requirements may include, but shall not be limited, to the following reports or studies. The description of such study or report is intended to be general and not exhaustive:
 - i) Land Use Planning Report - The intent of such a report is to describe the proposal in detail and provide a planning opinion, including but not limited to how the proposal will conform to the Goals and Objectives and Strategic Directions of this Plan;
 - ii) Market Impact Study - This assessment determines whether a proposal for commercial development can proceed on the basis of market demand without having a negative impact on the planned function of the commercial designations contained in the Plan;
 - iii) Agricultural Impact Assessment (AIA) - The intent of such an assessment is to determine the need for the proposed development, demonstrate that there are no other reasonable alternatives outside the prime agricultural areas or on lands with lower agricultural potential and that the development will not have an impact on the efficient and logical expansion of nearby urban areas.;
 - iv) Environmental Impact Study (EIS) - The purpose, intent, and content of such a study is set out in Section 3.7 of this Plan;
 - v) Hydro-geological Assessment - Such an assessment will be required to support development on private or partial services;
 - vi) Stormwater Management Report - Such an assessment provides recommendations on stormwater quality and quantity that ensures that post-development peak flows will not be greater than predevelopment flows, as well as addressing

possible impacts on watershed flow regimes and identifying site management measures required during construction;

- vii) Servicing Study - The purpose of such a study is to identify specific sanitary and water supply needs for individual development proposals;
- viii) Traffic Impact Assessment - Such an assessment may be required to determine what impact a development proposal will have on roads adjacent to a proposed development and roads in the general area;
- ix) Archaeological Assessment - Such an assessment determines the existence of archaeological remnants requiring preservation, excavation or protection;
- x) Cultural Heritage Impact Statement - The intent of the study is to determine what impacts the development will have on the identified or significant cultural heritage resource and whether the application will conform to the Goals and Objectives and Strategic Directions of this Plan;
- xi) Tree Preservation Plan/Study - The intent of such a Plan/Study is to inventory trees on a development site and make recommendations on how trees can be retained and/or replanted as a condition of development;
- xii) Environmental Site Assessment (Phase I and II) - The intent of a Phase I study is to determine whether or not a property is contaminated. In the event that a Phase I investigation shows evidence of contamination, a Phase II investigation that includes matters such as surface and subsurface soil sampling and groundwater and surface water sampling is required;
- xiii) Land Use Compatibility Assessment - The intent of such an assessment is to describe and review the potential impacts of proposed sensitive land uses on existing industrial uses or the impacts of new, existing or expanding industrial uses on proposed sensitive land uses in terms of noise, dust, odour and similar items in accordance with Ministry of Environment Guidelines. Such an assessment may include a Noise Impact and Vibration Study.

The requirements for a Land Use Compatibility Assessment shall also apply to the siting of a new or expanding *Cannabis*

Production Facility and/or the establishment of sensitive land uses in proximity of any existing *Cannabis Production Facility*.

Where a Land Use Compatibility Assessment is required for a new or expanding *Cannabis Production Facility*, such study shall also include a Light Mitigation Plan. A Light Mitigation Plan, as prepared by a Licensed Professional Engineer, shall fully describe the proposed light mitigation measures and demonstrate that the proposed Cannabis Production Facility will not cause light pollution, including sky glow or light trespass, onto neighbouring properties. In addition, the proponent will also submit a Contingency Light Pollution Mitigation Plan, prepared by a Licensed Engineer that provides for additional mitigation measures in the event of substantiated future complaints after the use has been established. Conditions that would trigger the additional mitigation measures will be established as part of the Site Plan Control process;

- xiv) Noise Impact and Vibration Study - The intent of this study is to identify noise and vibration mitigation requirements proposed for development involving sensitive land uses that are adjacent to or in proximity to an airport, highway, arterial road, industrial use, *Cannabis Production Facility*, or railway;
- xv) Species at Risk Assessment - The purpose of the Species at Risk Study is to identify if the lands to be developed are habitat for rare, endangered or vulnerable species as may be defined from time to time by the Federal or Provincial authorities;
- xvi) Municipal Financial Impact Report – The purpose of the report is to calculate the financial impact of a proposal on the Municipality and the tax-payers. The report shall address capital and operating costs including life-cycle and replacement costs and liability; and,
- xvii) Floodplain Analysis – the purpose of the report is to assess the increased flood potential on and off site.
- xviii) Air Quality Study – the purpose of an Air Quality Study is to address the potential airborne contaminants of a proposed Cannabis Production Facility and establish a minimum separation distance between the proposed cannabis use and surrounding sensitive land uses. Potential airborne contaminants to be addressed include but are not limited to odour, chemicals and particulate matter constituents generated

by a proposed Cannabis Production Facility, any associated agriculture-related use, or any expansion thereto.

The Air Quality Study shall be prepared by a Licensed Professional Engineer in accordance with the following requirements:

- 1) The Air Quality Study shall provide a detailed odour inventory and mitigation plan that fully describes the proposed air filtration and odour control systems as well as other mitigation measures that will be used to control odour.
 - 2) The Air Quality Study shall include atmospheric dispersion modelling predictions that show odour and contaminant concentration predictions along the property line and shall extend outward 5 kilometres from the facility into the surrounding community.
 - 3) The Air Quality Study shall include a review of the impacts of other nearby Cannabis Production Facilities within the area and comment on the potential cumulative adverse effects.
 - 4) In addition to sub-sections (1)(2) and (3) above, and to minimize the likelihood of adverse effects, the Air Quality Study should target a sensitive receptor impact of two odour units, however the Township may also consider other odour impact predictions. An electronic copy of the atmospheric dispersion model files used in the Air Quality Study shall be included with the submission.
 - 5) In addition to the above, the proponent of the proposed Cannabis Production Facility shall also submit a Contingency Odour Mitigation Plan, prepared by a Licensed Professional Engineer that considers additional air filtration systems and provides for additional mitigation measures in the event of substantiated future complaints after the use has been established. Conditions that would trigger the additional mitigation measures will be established as part of the Site Plan Control process.
- xix) Waste Management Plan – A Waste Management Plan shall provide information on the waste by-product and effluent generated as a result of a *Cannabis Production Facility* along with a management plan for how such waste will be treated and stored on the lot before being disposed and/or hauled away.

- f) The list of information or material specified in this section is not intended to be exhaustive. Other information or material may be required by the Township, in consultation with the County, and other applicable agencies, in response to a particular development proposal. All studies shall be:
 - i) Carried out by qualified professional consultants retained by and at the expense of the proponent. The Township shall require peer reviews of the studies by an appropriate public agency or by a professional consultant retained by the Township at the proponent's expense; or
 - ii) Carried out by a qualified professional consultant retained by the Township at the expense of the proponent.
- g) All study recommendations shall be implemented by the proponent to the satisfaction of the Township, the County, and other applicable agencies.
- h) If an application is submitted and no decision is made with respect to a complete application within: 60 days for Site Plan Control applications; 90 days for zoning by-law amendment application and 120 days for Official Plan Amendments and Official Plan and Zoning Bylaw Amendments, applicants may be entitled to a pro-rated refund as outlined in the User Fees and Charges Bylaw.

8.5 PRE-CONSULTATION

Prior to the submission of any development application for which the Township is the approval authority, proponents shall consult with the Township in accordance with the provisions of this Plan and the Township's Pre-consultation By-law. The County of Peterborough is encouraged to participate in the Township's pre-consultation process as appropriate. The pre-consultation process is intended to address the requirements for a complete application and may require the applicant to go through the pre-application process and/or more than one pre-consultation meeting involving other agencies and Township Departments.

Where development proposals are located within 1.0 km of the City of Peterborough the proponents shall also consult with the City.

8.6 ZONING BY-LAW

This Plan shall be implemented by a comprehensive Zoning By-law adopted under Section 34 of the Planning Act. The Implementing By-law shall conform with and give effect to the provisions of this Plan.

Until such time as the Zoning By-law is revised or a new Zoning By-law is enacted, the existing Zoning By-law shall remain in effect. However, any Amendment to the existing By-law shall be in conformity with this Plan.

8.6.1 Temporary Uses

- a) Council may pass a By-law as provided for under Section 39 of the Planning Act to allow the temporary use of lands that do not comply with the Land Use designations in this Plan;
- b) Temporary uses may be authorized for a specific time period up to three years and where it is considered inappropriate by the Township to permit the proposed use on a permanent or continuing basis and where alternatives such as relocation are not practical. Subsequent By-laws granting extensions of up to three years may be passed. However, once the By-law has lapsed, the use must cease or otherwise will be viewed as contravening the Implementing Zoning By-law;
- c) Temporary Use By-laws for garden suites, where permitted by this Plan, may be enacted for up to 20 years and may be extended for up to 3 years;
- d) Prior to the approval of a Temporary Use By-law, Council shall be satisfied that:
 - i) The temporary use does not require major capital investment or alteration to the existing landscape;
 - ii) The proposed use is compatible with surrounding land uses;
 - iii) The proposed use does not require the extension of municipal services;
 - iv) The developer has entered into an agreement with the Township specifying the conditions under which the use may be permitted;
 - v) The By-law shall specify a maximum time period for which the use may be permitted;
 - vi) The proposed use will not cause traffic hazards or an unacceptable level of congestion on surrounding roads;
 - vii) Parking facilities required by the proposed use will be provided entirely on-site;
 - viii) The proposed use will not have a negative impact on natural heritage features and hydrologic features; and,

- ix) The proposed use shall generally be in the public interest.
- e) Generally, Council will not permit the extension of any temporary use by-law beyond a period of 10 years.

8.6.2 Holding Provisions

- a) Council and delegated Township Staff may utilize Holding provisions as provided for under Section 36 of the Planning Act to establish zoning provisions prior to completing technical, administrative, or financial aspects of the development. Where Council or delegated Township Staff uses a Holding provision, the use of land may be restricted to existing uses until one or more of the following conditions have been fulfilled:
 - i) A Site Plan Agreement or Subdivision Agreement as may be required has been completed between the Township and the developer;
 - ii) All engineering plans and arrangements with respect to services and municipal works including roads have been completed;
 - iii) All technical studies have been submitted;
 - iv) The financial requirements of the Township have been satisfied;
 - v) All measures to protect natural areas have been implemented;
 - vi) An archaeological assessment, to the satisfaction of the Province, has been undertaken by an archaeologist licensed under the Ontario Heritage Act, and any significant archaeological resources have been conserved by removal and documentation, or preservation on site, to the satisfaction of the Province; and,
 - vii) Site contamination or other environmental constraints have been appropriately addressed.

8.6.3 Interim Control By-laws

- a) In accordance with Section 38 of the Planning Act, Interim Control By-laws may be passed to limit the use of lands, buildings or structures in an area where Council has directed that a land use planning study be undertaken.

8.6.4 Non-Conforming Uses

- a) As a general rule, existing uses that do not conform to the designations and

policies of this Plan should gradually be phased out so that the affected land use may change to a use that is in conformity with the Official Plan and the intent of the Implementing Zoning By-law. In some instances, it may also be appropriate and practical to allow the replacement, extension or enlargement of non-conforming uses to avoid unnecessary hardship. Council should, therefore, have regard for the following principles:

- i) The feasibility of acquiring the property for holding, sale, lease or development by the Township for a more appropriate permitted use; and,
 - ii) The possibility of relocating the non-conforming use to another site.
- b) If the property cannot be acquired or a building relocated, the Council may, without an amendment to this Plan, consider passing a Zoning By-law Amendment pursuant to the Planning Act to allow for an extension to a non-conforming use. Prior to such approval, Council shall be satisfied that:
 - i) The size of the extension or enlargement of the established use is in proportion to the size of the use as it existed at the date of the enactment of the Implementing Zoning By-law;
 - ii) The proposed extension is compatible with the character of the surrounding area and does not generate noise, vibration, fumes, dust, smoke, odours, lighting and traffic so as to create a public nuisance or health hazard;
 - iii) The proposed extension will not prejudice the long-term intent of or the orderly development contemplated by the provisions and designations contained in this Plan;
 - iv) Site planning and design will minimize the impact of the proposed extension on neighbouring conforming uses and includes, where appropriate, measures such as fencing, landscaping, and setbacks through the use of Site Plan Control;
 - v) Adequate water and wastewater servicing is available; and,
 - vi) Access or parking conditions in the vicinity will not be impacted.
- c) With respect to Source Water Protection, the Township may consider acquiring land located in the most vulnerable areas, as shown on Schedules 'C' and 'D' in consideration of the following criteria:

the nature of any existing and potential future significant drinking water threats;

The availability of the lands for purchase; and,

The availability of funds and financial feasibility.

Such acquisitions must be monitored in accordance with Section 3.19.

8.6.5 Non-Complying Buildings, Structures or Lots

- a) A non-complying building, structure or lot is one which does not comply with the regulations and performance standards of the Implementing Zoning By-law.
- b) A non-complying building or structure may be enlarged, repaired or renovated provided that the enlargement, repair or renovation:
 - i) Does not further increase a situation of non-compliance;
 - ii) Complies with all other applicable provisions of this Plan and the Implementing Zoning By-law;
 - iii) Does not increase the amount of floor area in a required yard or setback area;
 - iv) Will not pose a threat to public health or safety;
 - v) Complies with the applicable policies and provisions of the relevant Conservation Authority; and
 - vi) Complies with the applicable Source Water Protection policies of Section 3.19 of this Plan, where applicable.
- c) A non-complying lot in existence prior to the effective date of the Implementing Zoning By-law that does not meet the lot area and/or lot frontage requirements contained within the Implementing Zoning By-law, may be used and buildings thereon may be erected, enlarged, repaired or renovated provided the use conforms with the applicable policies of this Plan and the Implementing Zoning By-law, and the buildings or structures comply with all of the other provisions of the Implementing Zoning By-law;
- d) Notwithstanding this section to the contrary, within the Oak Ridges Moraine Area, the expansion of an existing building or structure on the same lot or expansion of an existing institutional use or the conversion of an existing use to a similar use that legally existed on November 15, 2001, may only be considered if:

- i) The proponent demonstrates that the criteria of Section 8.6.5 b) can be satisfied;
 - ii) There will be no change in use; and
 - iii) The proponent demonstrates that the expansion will not adversely affect the ecological integrity of the Oak Ridges Moraine.
- e) Nothing in this Plan shall prevent the reconstruction within a reasonable time frame, within the same location and dimensions, of an existing building or structure that legally existed on January 1, 2012 that is damaged or destroyed by causes beyond the owner's control, and the reconstructed building or structure shall be deemed to be an existing building or structure if there is no change in use and no intensification of the use; and,
- f) If an existing use has adverse effects on the ecological integrity of the Natural Heritage System or any Natural Heritage Feature, any application to expand the building, structure or use or to convert the existing uses to a similar use shall be considered with the objective of bringing the use into closer conformity with this Plan.

8.7 SITE PLAN CONTROL

- a) Pursuant to the Planning Act, the Township designates all of the land within the Township boundary as outlined on Schedule A as a Site Plan Control Area. All development shall be subject to Site Plan Control, with the following exceptions:
 - i) Any building or structure owned or operated by the Township, the County of Peterborough, a Conservation Authority, the Government of Ontario or the Government of Canada;
 - ii) Any structure erected for the purposes of flood or erosion control;
 - iii) Any permitted agricultural buildings or structures that are used for farming operations and which by their nature do not directly serve the public and/or do not charge public fees, except a building used only for agricultural uses. Agricultural buildings or structures associated with a *Cannabis Production Facility* shall not be exempt from site plan control;
 - iv) Any temporary structure as defined by the Ontario Building Code;

- v) A residential building containing less than three dwelling units, except those dwellings designated under the Ontario Heritage Act;
 - vi) Alterations to buildings or structures which do not alter the nature of the existing use;
 - vii) Aggregate extraction activities which do not include permanent buildings or structures; and,
 - viii) Any expansion or enlargement of a building or structure that is less than 20 square metres or less than 10 percent of the total floor area of the building, whichever is less.
- b) Notwithstanding the above agricultural buildings or structures and residential buildings containing less than three dwelling units may be subject to site plan control for the purposes of implementing requirements from an Environmental Impact Study, a cultural heritage evaluation, a natural heritage evaluation or a hydrological evaluation. Agricultural buildings and structures used in association with a *Cannabis Production Facility* shall be subject to site plan control;
- c) The Township will require the owner of lands proposed for development under site plan control to enter into one or more agreements pursuant to the Planning Act to address all matters contained therein, including appropriate conditions of approval;
- d) The intent of a site plan agreement is to ensure that any proposed development is designed to be compatible with adjacent development, appropriately serviced and accessed and otherwise in conformity with the intent of this Plan. Any required site plan agreement shall deal with the following, as appropriate:
 - i) Road widenings;
 - ii) Location of vehicular access points;
 - iii) Loading, parking and driveway locations;
 - iv) The surfacing of loading, parking and driveway areas;
 - v) The location and design of walkways and walkway ramps;
 - vi) The location, massing and conceptual design of any buildings and structures;
 - vii) The location and type of lighting and landscaping;

- viii) The location and type of garbage storage;
 - ix) The location and nature of easements;
 - x) The grade and elevation of the land;
 - xi) The type and location of storm, surface and wastewater disposal facilities;
 - xii) The location and type of snow removal facilities;
 - xiii) The location of any natural heritage features and hazardous land; and,
 - xiv) Appropriate areas of outside storage.
- e) As part of the submission the Township requires the owner to demonstrate how the proposed design and the site and buildings:
 - i) Implements the Urban Design Guidelines of the Township;
 - ii) In the Settlement Area, contributes to compact, urban and pedestrian-oriented form and function that enhances pedestrian and transit accessibility;
 - iii) Safely addresses vehicular traffic impacts;
 - iv) Implements sustainable development objectives including protection of the natural heritage system, energy efficiency, minimizing light pollution and water consumption, stormwater management controls, tree planting and other enhancements to the natural environment;
 - v) Protects, enhances or restores the Township's built cultural heritage;
 - vi) Integrates with surrounding ultimate land uses and addresses impacts due to noise, traffic, overshadowing, and wind effects;
 - vii) Provides landscaped areas and amenities consistent with the context of the planned land uses and the Township's landscaping design and amenity requirements;
 - viii) Makes appropriate provision for sequential staging of services including the construction of infrastructure to service the site; and,

- ix) Implements any other relevant policies of this Plan.

8.8 PUBLIC MEETINGS

- a) It is a policy of this Plan that public participation be an integral component of any land use planning process. On this basis, before making any planning decision, Council shall be satisfied that:
 - i) Public notice in accordance with the Planning Act has been given;
 - ii) Enough information to enable a person to reasonably understand the nature of the proposal and its impacts is available prior to any public meeting; and,
 - iii) All public and agency comments have been assessed and analyzed by staff.
- b) Proponents shall be encouraged to pre-consult with neighbouring landowners to obtain their views before a formal application is submitted;
- c) Public Open Houses shall be required for major municipally initiated planning programs and studies, such as Secondary Plans and Zoning By-law reviews;
- d) Council may eliminate notice to the public and a public meeting for a minor Official Plan Amendment that:
 - i) Changes the numbers of sections or the order of sections in the Plan, but does not add or delete sections;
 - ii) Consolidates previously approved Official Plan Amendments in a new document without altering any approved policies or maps;
 - iii) Corrects grammatical or typographical errors in the Plan that do not affect the intent of the policies or maps; and,
 - iv) Reword policies or re-illustrates mapping to clarify the intent and purpose of the Plan or make it easier to understand without affecting the intent or purpose of the policies or maps.
- e) In all other instances, notification to the residents of the Township of public meetings held by Council shall be given in accordance with the procedures of the Planning Act.

8.9 MAINTENANCE AND OCCUPANCY BY-LAWS

- a) Council shall update or enact a Property Standards By-law in accordance with the Building Code Act, 1992 regarding minimum standards for the following:
 - i) The physical condition of buildings and structures;
 - ii) The physical condition of lands;
 - iii) The adequacy of sanitation; and,
 - iv) The fitness of buildings and structures for occupancy.
- b) The By-law may require that substandard properties be repaired and maintained to comply with the standards, prohibit the use of substandard property, and require the demolition and clearing of such property which the owner does not intend to repair and maintain. Upon passing a Property Standards By-law, Council shall appoint a Property Standards Officer who will be responsible for administering and enforcing the By-law. Council shall also appoint a Property Standards Committee for the purpose of hearing appeals against an order issued by the Property Standards Officer.

8.10 COMMUNITY IMPROVEMENT

Community Improvement may be generally defined as encompassing all those activities, both public and private, that maintain, rehabilitate and redevelop the existing physical environment to accommodate the social and economic priorities within the community. These activities will improve the general appearance and economic viability of a Community Improvement Area.

Community Improvement Plans identify the specific projects that need to be carried out in a particular area to improve the quality of life and the built environment in an area. Community Improvement Areas may be established by Council and designated by by-law, in accordance with the provisions of the *Planning Act*.

The Community Improvement Areas within the Township of Cavan Monaghan are identified on Schedule A. Three Community Improvement Areas have been identified as follows:

1. Downtown – Lands designated Community Core in this Official Plan which are within downtown Millbrook;
2. Urban Fringe – Lands within the designated settlement area of Millbrook as identified in this Official Plan which are outside of the Downtown CIP area; and
3. Rural – All lands within the Township that are outside of the Downtown and Urban Fringe CIP Areas, including the rural hamlets.

8.10.1 Objectives

- a) Maintain or improve municipal services, public utilities and social and recreational facilities;
- b) Improve conditions in older, residential neighbourhoods;
- c) Promote the renewal of older housing stock together with improving the range and diversity of housing options;
- d) Promote the revitalization and intensification in the downtown business area;
- e) Undertake significant improvements to the Mill Pond area;
- f) Promote the revitalization and redevelopment of existing commercial and industrial areas;
- g) Promote the growth, improvement and innovation of on-farm diversified uses, agricultural-related businesses, agri-tourism opportunities;
- h) Undertake significant improvements to the Mill Pond area;
- i) Improve parking facilities in the downtown business area;
- j) Improve stormwater management and treatment;
- k) Encourage investment and improvement in the maintenance and rehabilitation of existing commercial, industrial, institutional and residential buildings and structures and the development of existing vacant employment lands;
- l) Establish programs that identify and support economic, land development and housing supply needs throughout the Township;
- m) Encourage the preservation and maintenance of cultural heritage assets, and;
- n) Support the adoption and implementation of sustainable development practices and features.

8.10.2 Criteria for Designation

- a) The area contains a number of buildings in need of maintenance, repair or rehabilitation due to age, appearance and inability to meet current energy efficiency and structural standards; or,
- b) There are deficiencies in the sanitary sewer, water or stormwater systems in the area; or,

- c) There are deficiencies in the road network and associated infrastructure in the area including parking facilities and signage; or,
- d) There is a lack of appropriate parkland and other recreational facilities within the area; or,
- e) The potential exists to achieve economic growth in an area as a result of building improvement, repair and/or replacement; or,
- f) A number of environmental problems such as soil contamination exist in the area; or,
- g) There are a number of screening, buffering, streetscaping or landscaping deficiencies in the area; or
- h) There are cultural heritage resources in an area warranting protection and/or enhancement; or
- i) There are poor drainage conditions such as flooding, ponding in low lying and flat areas and inadequate ditching; or
- j) Inadequate supply of mixed housing types or housing stock; or
- k) Inadequate supply of available land to accommodate commercial or industrial development or building expansion.

8.10.3 Community Improvement Area Designation

- a) On the basis of Section 8.10.2, this Plan establishes the following Community Improvement Areas:
 - Community Core Area of Millbrook;
 - Urban Fringe Area of Millbrook; and,
 - Rural Area of the Township
- b) Council may by by-law establish other Community Improvement Plan Areas as appropriate, in accordance with 8.10.2 of this Plan.

8.10.4 Phasing

- a) In the phasing of community improvements it is the policy of Council to:
 - i) Integrate community improvement projects into other municipal improvement programs;

- ii) Determine specific community improvement project priorities and the budget allocation as part of the municipal budgeting process; and,
- iii) Undertake improvements in the community improvement project areas based on the number and severity of the deficiencies, the benefits of the improvement to the project area and the Township, the degree of municipal commitment and public support for the project, and the financial resources available.

8.10.5 Consultation with County of Peterborough

- a) The Township will consult with the County of Peterborough when community improvement project plans are being prepared to ensure the co-ordination of improvements to sewer, water, and other County services with municipal improvements. Where possible, the Township may create partnerships for Community Improvement Programs and funding.

8.11 CAPITAL WORKS PROGRAM

Council shall prepare a Capital Works Plan that shall be in conformity with this Plan. The intent of the Capital Works Plan will be to determine what short term and long term capital works expenditures will be required to implement the goals and objectives of this Plan.

8.12 PARKLAND DEDICATION

- a) It is Council's policy to require that, as a condition of development or redevelopment or the approval of a plan of subdivision of land or consent in the Township, land shall be conveyed or dedicated to the Township for park or other public recreational purposes or cash-in-lieu. All parkland conveyed to the Township shall be free of all encumbrances and hazards such as flooding. In addition, all land to be conveyed shall not be contaminated;
- b) The conveyance or dedication of land to the Township for park or other public recreational purposes shall be in accordance with the following:
 - i) For residential development, redevelopment or plans of subdivision providing for low, medium and/or high density uses, conveyance or dedication shall be either equal to 5 percent of the land proposed for development, redevelopment or subdivision or 1.0 hectare per 600 dwelling units, whichever is greater;

- ii) For industrial or commercial development, redevelopment or subdivision, a conveyance or dedication based on 2 percent of the land;
 - iii) For mixed-use development, conveyance or dedication requirements will only apply to the residential portion of the development proposal in the amount equal to 1.0 hectare per 600 dwelling units. However, in no instance shall the contribution be less than 2 percent of the land area or the equivalent cash-in-lieu value;
 - iv) For conversion of non-residential buildings to residential uses, dedication will be in accordance with Subsection (a) with appropriate credit to be made for any previous dedication; and,
 - v) For residential plans of subdivision, the standard of 1.0 hectare per 600 dwelling units may be applied to blocks within the plan of subdivision, provided such blocks are excluded from the calculation for the 5 percent of the land proposed for subdivision.
- c) Council may waive the land conveyance requirement in favour of cash-in-lieu of parkland dedication or require a combination of cash and land where:
 - i) The amount of land required for parkland dedication consumes more than 10 percent of the site area thereby rendering the site undevelopable; or
 - ii) The amount of land required for parkland dedication does not result in a sufficient area for park development; or
 - iii) The dedication of land is not deemed necessary.
- d) In all cases, the value of the land shall be determined in accordance with the provisions of the Planning Act;
- e) Valley lands, lands required for drainage purposes or stormwater management, lands susceptible to flooding or otherwise unsuitable for development will not be accepted as statutory parkland dedication;
- f) Lands to be dedicated for park purposes shall be in a condition acceptable to the Township. The timing of such conveyance shall be determined by the Township; and,
- g) Where a development or redevelopment proposal includes non-developable land or land designated as part of the Natural Heritage System, Council may request

that such land be dedicated to the Township. However, these lands will not be included as part of the parkland dedication.

8.13 MONITORING

- a) Following approval of this Plan, Township Staff shall prepare an annual report outlining how the Plan is being implemented. This report shall include:
 - i) The number of lots created in each land use designation;
 - ii) The proportion of lots created in Millbrook, in relation to the Hamlets and Countryside Area;
 - iii) The number of building permits issued for residential, industrial, institutional and commercial buildings;
 - iv) A summary of applications for rezoning;
 - v) A summary of applications to amend this Plan;
 - vi) An assessment of the remaining capacity in the sewage treatment plant and water supply system;
 - vii) A summary of major capital costs related to development and the financial impact to the Township;
 - viii) Population growth in the Township; and,
 - ix) The costs of any changes in the level of services provided by the Township as the result of development.
- b) In addition, the report shall outline policy and mapping interpretation issues that may have arisen through the implementation of the Plan.

9 INTREPRETATION

This Plan is a statement of policy. It sets out Council's land use policy direction, however, some flexibility in interpretation may be permitted provided that the intent is maintained. The Official Plan is more than a set of individual goals, objectives and policies. The Plan is intended to be read in its entirety and the relevant policies are to be applied to each situation. While specific policies sometimes refer to other policies, these cross-references do not take away from the need to read the Official Plan as a whole.

9.1 LAND USE DESIGNATION BOUNDARIES

The boundaries between land uses designated on the Schedules to this Plan are approximate except where they meet with roads, railway lines, rivers, pipeline routes, transmission lines, lot lines or other clearly defined physical features and in these cases, are not open to flexible interpretation. Where the general intent of the document is maintained, minor adjustments to boundaries will not require an amendment to this Plan.

It is recognized that the boundaries of the Agricultural, Rural and the Natural Heritage System designations may be imprecise and subject to change. The Township shall determine the extent of these areas on a site-by-site basis when considering development proposals, in consultation with the appropriate agencies. Any minor refinement to the Natural Heritage System designation shall not require an amendment to this Plan. Any change in a wetland boundary requires the approval of the Ministry of Natural Resources.

Where the boundaries of a natural heritage feature are revised, the land use designations boundaries shall also be revised accordingly. Where the extent of the natural feature and associated buffer area reduces the amount of land within the Natural Heritage System designation, the designation of the abutting designation shall apply.

Where a lot is within more than one designation on the Schedules to this Plan, each portion of the lot shall be used in accordance with the applicable policies of that designation.

9.2 ROAD LOCATIONS

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

9.3 ACCESSORY USES

Whenever a use is permitted in a land use designation, it is intended that uses, buildings or structures normally incidental, and accessory to that use are also permitted.

APPENDIX 1

ACCESSORY

A use, separate building or structure, which is incidental, subordinate, exclusively devoted to and located on the same lot as the principle use, building or structure but not including a building or structure which is used as a dwelling unless specifically permitted.

ADVERSE EFFECTS

As defined in the Environmental Protection Act, means one or more of: Impairment of the quality of the natural environment for any use that can be made of it; injury or damage to property or plant or animal life; harm or material discomfort to any person; an adverse effect on the health of any person; impairment of the safety of any person; rendering any property or plant or animal life unfit for human use; loss of enjoyment of normal use of property; and interference with normal conduct of business.

AFFORDABLE

- a) in the case of ownership housing, the least expensive of housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low and moderate income households; or housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area;
- b) in the case of rental housing, the least expensive of: a unit for which the rent does not exceed 30 percent of gross annual household income for low and moderate income households; or a unit for which the rent is at or below the average market rent of a unit in the regional market area.

AGRICULTURAL USES

- a) growing crops, including nursery and horticultural crops;
- b) raising livestock and other animals, including poultry and fish, for food and fur;
- c) aquaculture; and
- d) agro-forestry and maple syrup production.

AGRICULTURE-RELATED USES

Means farm related commercial and industrial uses that are,

- a) small-scale;

- b) directly related to a farm operation; and
- c) required in close proximity to the farm operation.

AGRICULTURAL SOURCE MATERIAL

Means a variety of materials that may be sources of nutrients or pathogens such as:

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

ANIMAL AGRICULTURE

Means growing, producing and raising farm animals including, not limiting,

- a) livestock, including equines, poultry and ratites;
- b) fur-bearing animals;
- c) bees;
- d) cultured fish;
- e) deer and elk; and
- f) game animals and birds.

AQUIFER

Any subsurface material that holds a relatively large quantity of groundwater and is able to transmit that water readily.

AQUIFER VULNERABILITY

An aquifer's intrinsic susceptibility, as a function of the thickness and permeability of overlying layers, to contamination from both human and natural impact on water quality.

ARCHAEOLOGICAL RESOURCES

Includes artifacts, archaeological sites and marine archaeological sites. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the Ontario Heritage Act.

AREAS OF ARCHAEOLOGICAL POTENTIAL

Areas with the likelihood to contain archaeological resources. Criteria for determining archaeological potential are established by the Province, but municipal approaches which achieve the same objectives may also be used. Archaeological potential is confirmed through archaeological fieldwork undertaken in accordance with the Ontario Heritage Act.

AREAS OF NATURAL AND SCIENTIFIC INTEREST (ANSI)

Areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education as determined by the Ontario Ministry of Natural Resources.

BED AND BREAKFAST ESTABLISHMENT

An establishment that provides sleeping accommodation (including breakfast and other meals, services, facilities and amenities for the exclusive use of guests) for the traveling or vacationing public in up to three guest rooms within a single dwelling that is the principal residence of the proprietor of the establishment.

BROWNFIELD SITES

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

BUILT BOUNDARY

Limits of the developed urban area as defined by the Minister of Public Infrastructure Renewal.

BUILT HERITAGE RESOURCES

One or more significant buildings, structures, monuments, installations or remains associated with architectural, cultural, social, political, economic or military history and identified as being important to a community. These resources may be identified through designation or heritage conservation easement under the Ontario Heritage Act, or listed by local, provincial or federal jurisdictions.

BUILT-UP AREA

All land within the built boundary.

CANNABIS

A genus of flowering plants in the family Cannabaceae. Synonyms include but are not limited to marijuana, and marihuana. This definition does not include the industrial or agricultural production of hemp (a source of foodstuffs (hemp milk, hemp seed, hemp oil), fiber and biofuels).

CANNABIS PRODUCTION FACILITY

Any building or structure used for cultivation, producing, packaging, testing, processing, destroying, storing or distribution of *cannabis* authorized by a license issued by Health Canada pursuant to the *Cannabis* Regulations SOR/2018-144, to the *Cannabis* Act, SC 2018, c 16, the Controlled Drugs and Substances Act, SC 1996, c 19 and the Food and Drugs Act, RSC 1985, c F-27, as amended from time to time, or any successors thereto. *Cannabis* processing is permitted only as an agriculture-related use to the primary cultivation function of a *Cannabis Production Facility*.

CARRYING CAPACITY

The level of development density or use an environment is able to support without suffering undesirable or irreversible degradation.

COMMUNITY INFRASTRUCTURE

Refers to lands, buildings, and structures that support the quality of life for people and communities by providing public services for health, education, recreation, socio-cultural activities, security and safety, and affordable housing.

CONNECTIVITY

The degree to which key natural heritage features are connected to one another by links such as plant and animal movement corridors, hydrological and nutrient cycling, genetic transfer, and energy flows through food webs.

CONSERVED

The identification, protection, use and/or management of cultural heritage and archaeological resources in such a way that their heritage values, attributes and integrity are retained. This may be addressed through a conservation plan or heritage impact assessment.

CONSTRAINT

Any feature or condition of the built or natural environment that poses an obstacle to land use planning.

COUNTRYSIDE AREAS

An agricultural and rural transition and buffer between the Natural Core Areas and Natural Linkage Areas and the urbanized Settlement Area. Prime agricultural areas as well as natural features are protected. Most of the uses typically allowed in agricultural and other rural areas are allowed here. Within the Countryside Areas, the Oak Ridges Moraine Land Use Designation Map also identifies and delineates Rural Settlements. These are existing hamlets or similar small, generally long established communities, that are identified in official plans.

CULTURAL HERITAGE LANDSCAPE

A defined geographical area of heritage significance which has been modified by human activities and is valued by a community. It involves a grouping(s) of individual heritage features such as structures, spaces, archaeological sites and natural elements, which together form a significant type of heritage form, distinctive from that of its constituent elements or parts. Examples may include, but are not limited to, heritage conservation districts designated under the Ontario Heritage Act; and villages, parks, gardens, battlefields, main streets and neighborhoods, cemeteries, trail ways and industrial complexes of cultural heritage value.

DEPOSITS OF MINERAL AGGREGATE RESOURCES

An area of identified mineral aggregate resources, as delineated in Aggregate Resource Inventory Papers or comprehensive studies prepared using evaluation procedures established by the Province for surficial and bedrock resources, as amended from time to time, that has a sufficient quantity and quality to warrant present or future extraction.

DESIGNATED GREENFIELD AREA

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

DESIGNATED GROWTH AREAS

Lands within settlement areas designated in an official plan for growth over the long-term planning horizon, but which have not yet been fully developed.

DESIGNATED VULNERABLE AREA

Areas defined as vulnerable, in accordance with provincial standards, by virtue of their importance as a drinking water source that may be impacted by activities or events.

DEVELOPMENT

The creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the Planning Act, but does not include: activities that create or maintain infrastructure authorized under an Environmental Assessment Process; works subject to the Drainage Act; or underground or surface mining of minerals or advanced exploration on mining lands in significant areas of mineral potential in Ecoregion 5E, where advanced exploration has the same meaning as under the Mining Act.

DWELLING UNIT

One or more habitable rooms, occupied or capable of being occupied as an independent and separate housekeeping establishment, in which separate kitchen and sanitary facilities are provided for the exclusive use of the occupants.

EARTH SCIENCE VALUES

Values that relate to the geological, soil and landform features of the environment.

ECOLOGICAL FEATURES

Naturally occurring land, water and biotic features that contribute to ecological integrity.

ECOLOGICAL FUNCTIONS

The natural processes, products or services that living and non-living environments provide or perform within or between species, ecosystems and landscapes, including hydrological functions and biological, physical, chemical and socio-economic interactions.

ECOLOGICAL INTEGRITY

Includes hydrological integrity, means the condition of ecosystems in which,

- a) the structure, composition and function of the ecosystems are unimpaired by stresses from human activity;
- b) natural ecological processes are intact and self-sustaining, and
- c) the ecosystems evolve naturally.

EMPLOYMENT AREA

Designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities.

ENERGY SYSTEMS

Sources of energy or energy conversion processes that significantly reduce the amount of harmful emissions to the environment (air, earth and water) when compared to conventional energy systems.

FARM VACATION HOME

Establishment that provides sleeping accommodation (including participation in farm activities, meals, services, facilities and amenities for the exclusive use of guests) for the travelling or vacationing public in up to three guest rooms within a single dwelling that is located on a farm and is the principal residence of the proprietor of the establishment.

FISH HABITAT

As defined in the Fisheries Act, c. F-14, means spawning grounds and nursery, rearing, food supply, and migration areas on which fish depend directly or indirectly in order to carry out their life processes.

FLOOD PLAIN

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

FLOODPROOFING STANDARD

The combination of measures incorporated into the basic design and/or construction of buildings, structures, or properties to reduce or eliminate flooding hazards, wave uprush and other water-related hazards along the shorelines.

FLOOR AREA

A quantity expressing the two-dimensional size of a defined part of a room, storey or level of a building.

GARDEN SUITE

A one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable.

GROUNDWATER FEATURE

Refers to water-related features in the earth's subsurface, including recharge/discharge areas, water tables, aquifers and unsaturated zones that can be defined by surface and subsurface hydro-geologic investigations.

GROUNDWATER RECHARGE

The replenishment of subsurface water, (a) resulting from natural processes, such as the infiltration of rainfall and snowmelt and the seepage of surface water from lakes, streams and wetlands, and(b) resulting from human intervention, such as the use of stormwater management systems.

HABITAT

The local environment of an organism from which it gains its resources. Habitat is often variable in size, content, and location, changing with the organism's life cycle.

HABITAT CORRIDOR

A belt or zone representing a habitat system (one or several related habitat types), such as a stream valley.

HERITAGE ATTRIBUTES

The principal features, characteristics, context and appearance that contribute to the cultural heritage significance of a protected heritage property.

HOME-BASED BUSINESS

Means an occupation that,

- a) involves providing personal or professional services or producing custom or artisanal products;
- b) is carried on as a small-scale accessory use within a single dwelling by one or more of its residents; and
- c) does not include uses such as an auto repair or paint shop or furniture stripping.

HOME-BASED INDUSTRY

Means a business that,

- a) is carried on as a small-scale use that is accessory to a single dwelling or agricultural operation by one or more of its residents and a limited number of employees;
- b) provides a service such as carpentry, metalworking, welding, electrical work or blacksmithing, primarily to the farming community;

- c) may be carried on in whole or in part in an accessory building; and
- d) does not include uses such as an auto repair or paint shop or furniture stripping.

HYDROLOGICAL FEATURES

Means:

- a) permanent and intermittent streams;
- b) wetlands;
- c) kettle lakes and their surface catchment areas;
- d) seepage areas and springs and recharges areas; and
- e) aquifers and recharge areas.

HYDROLOGIC FUNCTION

The functions of the hydrological cycle that include the occurrence, circulation, distribution and chemical and physical properties of water on the surface of the land, in the soil and underlying rocks, and in the atmosphere, and water's interaction with the environment including its relation to living things.

HYDROLOGICAL INTEGRITY

The condition of ecosystems in which hydrological features and hydrological functions are unimpaired by stresses from human activity.

IMPERVIOUS SURFACE

A surface that does not permit the infiltration of water, such as a rooftop, sidewalk, paved roadway, driveway or parking lot.

INDIVIDUAL ON-SITE SEWAGE SERVICES

Individual, autonomous sewage disposal systems within the meaning of s.8.1.2, O.Reg. 403/97, under the Building Code Act, 1992 that are owned, operated and managed by the owner of the property upon which the system is located.

INDIVIDUAL ON-SITE WATER SERVICES

Individual, autonomous water supply systems that are owned, operated and managed by the owner of the property upon which the system is located.

INFILLING

The creation of up to three residential lots in a Settlement area between existing residential lots not more than 100 metres apart on the same side of a public municipal roadway as of the date of approval of this Plan.

INFRASTRUCTURE

Physical structures (facilities and corridors) that form the foundation for development. Infrastructure includes: sewage and water systems, septage treatment systems, waste management systems, electric power generation and transmission, communications/telecommunications, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities.

INTENSIFICATION

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

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

KETTLE LAKE

A depression formed by glacial action and permanently filled with water.

LAKE

Includes,

- a) a body of surface water that;
 - (i) results from human activities; and
 - (ii) directly influences or is directly influenced by ground water, and
- b) an area of land that was covered by a body of water described in clause (a) or a lake on the day this subsection came into force, but does not include,
- c) a body of water described in clause (a) or a lake, if the body of water or lake is less than one hectare in area, or
- d) an area of land described in clause (b), if the body of water described in clause

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(a) or lake that covered the area of land on the day this subsection came into force was, in total, less than one hectare in area on that day.

LANDS

Surface land not enclosed in a building, land covered by water and all subsoil, or any combination or part thereof; (“terrain”).

LANDFORM CONSERVATION AREA

A landform conservation area as described in section 30 of the Oak Ridges Moraine.

LANDFORM FEATURES

Distinctive physical attributes of land such as slope, shape, elevation and relief.

LAND HOLDING

A conveyable parcel of land held in distinct ownership from abutting parcels as of January 1, 2012.

LOW AND MODERATE INCOME HOUSEHOLDS

In the case of ownership housing, households with incomes in the lowest 60 percent of the income distribution for the regional market area; or in the case of rental housing, households with incomes in the lowest 60 percent of the income distribution for renter households for the regional market area.

MAJOR DEVELOPMENT

Means development consisting of,

- a) the creation of four or more additional lots;
- b) the construction of a building or buildings with a ground floor area of 500 m² or more; or
- c) the establishment of a major recreational use as described in section 38.

MINERAL AGGREGATE

Gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the Aggregate Resources Act, but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, talc, wollastonite, or other material prescribed under that Act.

MINERAL AGGREGATE RESOURCES

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

MINIMUM DISTANCE SEPARATION FORMULAE

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

MUNICIPAL WATER AND WASTEWATER SYSTEMS

Municipal water systems are all or part of a drinking water system –

- a) that is owned by a municipality or by a municipal service board established under section 195 of the Municipal Act, 2001;
- b) that is owned by a corporation established under section 203 of the Municipal Act, 2001;
- c) from which a municipality obtains or will obtain water under the terms of a contract between the municipality and the owner of the system; or
- d) that is in a prescribed class of municipal drinking-water systems as defined in regulation under the Safe Drinking Water Act, 2002; and,
- e) municipal wastewater systems are any sewage works owned or operated by a municipality.

NATURAL CORE AREAS

Protect those lands with the greatest concentrations of key natural heritage features which are critical to maintaining the integrity of the Moraine as a whole. Only existing uses and very restricted new resource management, agricultural, low intensity recreational, home businesses, transportation and utility uses are allowed in these areas.

NATURAL LINKAGE AREAS

Protect critical natural and open space linkages between the Natural Core Areas and along rivers and streams. The only uses that are allowed are those allowed in Natural Core Areas, plus some aggregate resource operations.

NATURAL HERITAGE FEATURES AND AREAS

Features and areas, including significant wetlands, significant coastal wetlands, fish habitat, significant woodlands south and east of the Canadian Shield, significant valleylands south and east of the Canadian Shield, significant habitat of endangered species and threatened species, significant wildlife habitat, and significant areas of natural and scientific interest, which are important for their environmental and social values as a legacy of the natural landscapes of an area.

NATURAL HERITAGE SYSTEM

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

NEGATIVE IMPACTS

Degradation to the quality and quantity of water, sensitive surface water features and sensitive ground water features, and their related hydrologic functions, due to single, multiple or successive development or site alteration activities;

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

NET DEVELOPABLE AREA

The area of a lot or site, less any area that is within a key natural heritage feature or a hydrologically sensitive feature.

NEW MULTIPLE LOTS AND UNITS FOR RESIDENTIAL DEVELOPMENT

The creation of four or more additional units or lots through either plan of subdivision, consent or plan of condominium.

NON-AGRICULTURAL SOURCE MATERIAL

Means a variety of materials that may be sources of nutrients or pathogens and are intended to be applied to land as nutrients, but are not necessarily produced on a farm. Such materials may include pulp and paper biosolids; sewage biosolids; anaerobic digestion output; and, materials from dairy product or animal food manufacturing.

OPEN SPACE

Term applied to undeveloped land, usually land designated for parks, greenbelts, water features, nature preserves and the like.

OUTDOOR CANNABIS CULTIVATION

The growing of *cannabis* as an outdoor crop as authorized by a licence issued by Health Canada pursuant to the *Cannabis* Regulations SOR/2018-144, to the *Cannabis* Act, SC 2018, c 16, the Controlled Drugs and Substances Act, SC 1996, c 19 and the Food and Drugs Act, RSC 1985, c F-27, as amended from time to time, or any successors thereto.

PARTIAL SERVICES

Municipal sewage services or private communal sewage services and individual on-site water services; or municipal water services or private communal water services and individual on-site sewage services.

PRIME AGRICULTURAL AREA

Areas where prime agricultural lands predominate. This includes areas of prime agricultural lands and associated Canada Land Inventory Class 4-7 soils, and additional areas where there is a local concentration of farms which exhibit characteristics of ongoing agriculture. Prime agricultural areas may be identified by the Ontario Ministry of Agriculture, Food, and Rural Affairs using evaluation procedures established by the Province as amended from time to time, or may also be identified through an alternative agricultural land evaluation system approved by the Province. For the purposes of this definition: Prime agricultural land includes specialty crop areas and/or Canada Land Inventory Classes 1,2 and 3 soils, in this order of priority for protection.

PROTECTED HERITAGE PROPERTY

Real property designated under Parts IV, V or VI of the Ontario Heritage Act; heritage conservation easement property under Parts II or IV of the Ontario Heritage Act; and property that is the subject of a covenant or agreement between the owner of a property and a conservation body or level of government, registered on title and executed with the primary purpose of preserving, conserving and maintaining a cultural heritage feature or resource, or preventing its destruction, demolition or loss.

Land, buildings and structures for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health and educational programs, and cultural services. Public service facilities do not include infrastructure.

QUALITY AND QUANTITY OF WATER

Is measured by indicators such as minimum base flow, depth to water table, aquifer pressure, oxygen levels, suspended solids, temperature, bacteria, nutrients and hazardous contaminants, and hydrologic regime;

RECREATION

Leisure time activity undertaken in built or natural settings for purposes of physical activity, health benefits, sport participation and skill development, personal enjoyment, positive social interaction and the achievement of human potential.

REDEVELOPMENT

The creation of new units, uses or lots on previously developed land in existing communities, including brownfield sites.

RENEWABLE ENERGY SYSTEMS

The production of electrical power from an energy source that is renewed by natural processes including, but not limited to, wind, water, a biomass resource or product, or solar and geothermal energy.

RESIDENTIAL INTENSIFICATION

Intensification of a property, site or area which results in a net increase in residential units or accommodation and includes: redevelopment, including the redevelopment of brownfield sites; the development of vacant or underutilized lots within previously developed areas; infill development; the conversion or expansion of existing industrial, commercial and institutional buildings for residential use; and the conversion or expansion of existing residential buildings to create new residential units or accommodation, including accessory apartments, secondary suites and rooming houses.

RETIREMENT HOME

Means a building in which,

- a) Accommodation is provided, mainly for retired persons;
- b) Common kitchen and dining facilities are provided for the residents; and

- c) Common lounges, recreation rooms and health care facilities may also be provided for the residents.

RIVER, STREAM AND SMALL INLAND LAKE SYSTEMS

All watercourses, rivers, streams, and small inland lakes or water bodies that have a measurable or predictable response to a single runoff event.

RURAL AREAS

Lands in the rural area which are located outside settlement areas and which are outside prime agricultural areas.

SAND BARRENS

Land (not including land that is being used for agricultural purposes and no longer exhibits sand barrens characteristics) that,(a) has sparse or patchy vegetation that is dominated by plants that are,(i) adapted to severe drought and low nutrient levels, and(ii) maintained by severe environmental limitations such as drought, low nutrient levels and periodic disturbances such as fire,(b) has less than 25 per cent tree cover,(c) has sandy soils (other than shorelines) exposed by natural erosion, depositional process or both, and(d) has been further identified, by the Ministry of Natural Resources or by any other person, according to evaluation procedures established by the Ministry of Natural Resources, as amended from time to time.

SAVANNAH

Land (not including land that is being used for agricultural purposes and no longer exhibits savannah characteristics) that,

- (a) has vegetation with a significant component of non-woody plants, including tallgrass prairie species that are maintained by seasonal drought, periodic disturbances such as fire, or both,
- (b) has from 25 per cent to 60 per cent tree cover,
- (c) has mineral soils, and
- (d) has been further identified, by the Ministry of Natural Resources or by any other person, according to evaluation procedures established by the Ministry of Natural Resources, as amended from time to time.

SECONDARY USES

Uses secondary to the principal use of the property, including but not limited to, home occupations, home industries, and uses that produce value-added agricultural products from the farm operation on the property.

SELF-SUSTAINING VEGETATION

Vegetation dominated by plants that can grow and persist without direct human management, protection, or tending.

SENSITIVE

In regard to surface water features and ground water features, means areas that are particularly susceptible to impacts from activities or events including, but not limited to, water withdrawals, and additions of pollutants.

SENSITIVE LAND USES

Buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. Sensitive land uses may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities.

SETTLEMENT AREA

Urban areas and rural settlement areas within municipalities (such as cities, towns, villages and hamlets) that are: built up areas where development is concentrated and which have a mix of land uses; and lands which have been designated in an official plan for development over the long term planning horizon. In cases where land in designated growth areas is not available, the settlement area may be no larger than the area where development is concentrated.

SIGNIFICANT

Means:

- a) in regard to wetlands, coastal wetlands and areas of natural and scientific interest, an area identified as provincially significant by the Ontario Ministry of Natural Resources using evaluation procedures established by the Province, as amended from time to time;
- b) in regard to the habitat of endangered species and threatened species, means the habitat, as approved by the Ontario Ministry of Natural Resources, that is necessary for the maintenance, survival, and/or the recovery of naturally occurring or reintroduced populations of endangered species or threatened

species, and where those areas of occurrence are occupied or habitually occupied by the species during all or any part(s) of its life cycle;

- c) in regard to woodlands, an area which is ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history;
- d) in regard to other features and areas, ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or natural heritage system;
- e) in regard to mineral potential, means an area identified as provincially significant through comprehensive studies prepared using evaluation procedures established by the Province, as amended from time to time, such as the Provincially Significant Mineral Potential Index;
- f) in regard to potential for petroleum resources, means an area identified as provincially significant through comprehensive studies prepared using evaluation procedures established by the Province, as amended from time to time; and
- g) in regard to cultural heritage and archaeology, resources that are valued for the important contribution they make to our understanding of the history of a place, an event, or a people.

Criteria for determining significance for the resources identified in sections (c)-(g) are recommended by the Province, but municipal approaches that achieve or exceed the same objective may also be used. While some significant resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation.

SIGNIFICANT DRINKING WATER THREAT

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

SIGNIFICANT DRINKING WATER THREAT, EXISTING

- a) An activity that has been engaged in prior to January 1, 2015;
- b) An agricultural activity (as defined by the Trent Source Protection Plan) that has been engaged in at some time since January 1, 2005;
- c) An activity that is related to a development proposal where an application was made under the Planning Act, Condominium Act, or Building Code Act prior to January 1, 2015; or

- d) An activity that is related to an application made for the issuance or amendment of a prescribed instrument prior to January 1, 2015.

SIGNIFICANT DRINKING WATER THREAT, EXPANSION

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

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

SIGNIFICANT DRINKING WATER THREAT, FUTURE

An activity that is to commence after January 1, 2015 and is not an existing activity.

SINGLE DWELLING

A building containing only one dwelling unit.

SPECIAL POLICY AREA

An area within a community that has historically existed in the flood plain and where site-specific policies, approved by both the Ministers of Natural Resources and Municipal Affairs and Housing, are intended to provide for the continued viability of existing uses (which are generally on a small scale) and address the significant social and economic hardships to the community that would result from strict adherence to provincial policies concerning development. The Province establishes the criteria and procedures for approval;

- a) A Special Policy Area is not intended to allow for new or intensified development and site alteration, if a community has feasible opportunities for development outside the flood plain.

SPECIAL TREE STATUS

An individual not classed as a plus tree but preserved for its genetical interest or value, e. g. because of its unusual habit of growth, for its special origin or other historical interest, or for its notable age and/or size.

SUBWATERSHED

An area that is drained by a tributary or some defined portion of a stream.

SURFACE WATER FEATURE

Refers to water-related features on the earth's surface, including headwaters, rivers, stream channels, inland lakes, seepage areas, recharge/discharge areas, springs, wetlands, and associated riparian lands that can be defined by their soil moisture, soil type, vegetation or topographic characteristics.

SUSTAINABLE

When used with respect to a natural resource, means that the natural resource is able to support a particular use or activity without being adversely affected.

TALLGRASS PRAIRIE

Land (not including land that is being used for agricultural purposes and no longer exhibits tallgrass prairie characteristics) that,

- a) has vegetation dominated by non-woody plants, including tallgrass prairie species that are maintained by seasonal drought, periodic disturbances such as fire, or both,
- b) has less than 25 per cent tree cover,
- c) has mineral soils, and
- d) has been further identified, by the Ministry of Natural Resources or by any other person, according to evaluation procedures established by the Ministry of Natural Resources, as amended from time to time.

TRANSPORT PATHWAY

Means a condition of land resulting from human activity that increases the vulnerability of a raw water supply of a drinking water system contained in the Trent Source Protection Plan. Transport pathways may include, but are not limited to, the following for groundwater systems: wells or boreholes, unused or abandoned wells, pits and quarries, mines, construction activities involving deep excavations (such as building foundations, basements, parking garages), underground storm sewer, and sanitary sewer & water distribution system infrastructure. For surface water systems transport pathways include but are not limited to: storm drainage infrastructure (e.g. storm sewer lines, culverts, ditches), and tile drains.

TRANSPORTATION SYSTEM

A system consisting of corridors and rights-of-way for the movement of people and goods, and associated transportation facilities including transit stops and stations, cycle lanes, bus lanes, high occupancy vehicle lanes, rail facilities, park-and-ride lots, service centres, rest stops, vehicle inspection stations, inter-modal terminals, harbours, and associated facilities such as storage and maintenance. (Provincial Policy Statement, 2005).

WASTE DISPOSAL SITE

Means,

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

WASTE MANAGEMENT SYSTEM

Any facilities or equipment used in, and any operations carried out for, the management of waste including the collection, handling, transportation, storage, processing or disposal of waste, and may include one or more waste disposal sites.

WATER

The surface water and ground water, or either of them.

WATERSHED

An area that is drained by a lake or river, and its tributaries.

WATERSHED PLAN

Provides a framework for integrated decision-making for the management of human activities, land, water, aquatic life and aquatic resources within a watershed. It includes matters such as a water budget and conservation plan; land and water use management strategies; an environmental monitoring plan; requirements for the use of environmental management practices and programs; criteria for evaluating the protection of water quality and quantity, and hydrologic features and functions; and targets for the protection and restoration of riparian areas.

WELLHEAD PROTECTION AREA

Means the vulnerable area delineated around groundwater wells that supply municipal drinking water systems and is comprised of subareas. The WHPA-A (subarea) is the area that is closest to the municipal wellhead and is considered the most vulnerable area due to its proximity to the municipal wellheads.

WETLAND

Land such as a swamp, marsh, bog or fen (not including land that is being used for agricultural purposes and no longer exhibits wetland characteristics) that,

- a) is seasonally or permanently covered by shallow water or has the water table close to or at the surface,
- b) has hydric soils and vegetation dominated by hydrophytic or water-tolerant plants, and
- c) has been further identified, by the Ministry of Natural Resources or by any other person, according to evaluation procedures established by the Ministry of Natural Resources, as amended from time to time.

WILDLIFE HABITAT

Means land that,

- a) is an area where plants, animals and other organisms live or have the potential to live and find adequate amounts of food, water, shelter and space to sustain their population, including an area where a species concentrates at a vulnerable point in its annual or life cycle and an area that is important to a migratory or non-migratory species, and
- b) has been further identified, by the Ministry of Natural Resources or by any other person, according to evaluation procedures established by the Ministry of Natural Resources, as amended from time to time.

WOODLAND

A treed area, woodlot or forested area, other than a cultivated fruit or nut orchard or a plantation established for the purpose of producing Christmas trees.

VULNERABLE AREA

Means areas around municipal drinking water sources where activities may be a significant drinking water threat now or in the future. These areas are shown on the applicable Official Plan Schedules.