



HURON EAST

OFFICIAL PLAN

July 2003

County of Huron
Planning and Development Department

Consolidated April 2022
with OPA#11

MUNICIPALITY OF HURON EAST OFFICIAL PLAN CONSOLIDATION

This document is a consolidation of the Municipality of Huron East's Official Plan and subsequent amendments made thereto. This compilation is for convenience and administrative purposes and does not represent true copies of the amendments it contains. Any legal interpretation of this document should be verified with the Clerk.

Official Plan Amendment	Purpose	Local Adoption	County Adoption
	Original Huron East Official Plan	July 29, 2003	September 4, 2003
#1	Map Change Gravel Extraction (Handy Acres) Part of Lots 19 & 20, Concession 3, McKillop Ward, Municipality of Huron East from 'Agriculture' and 'Natural Environment' to 'Extractive Resources'	December 14, 2004	February 3, 2005
#2	Various Map and Text Changes 19 text (Agriculture, Larger Settlement Areas, Core Area commercial, Highway Commercial, Hamlets, Urban Natural Environment, Recreation, Land Division) 12 map changes (Seaforth, Tuckersmith, Grey, Brussels Wards); One map change in McKillop Ward deferred until completion of an expanded comprehensive review in accordance with the PPS	July 18, 2006	September 7, 2006
#3	Map Change Former Seaforth Public School Property (west limit of Seaforth Ward – end of Market St.) Change from 'Community Facility' to 'Residential'	October 23, 2007	November 28, 2007
#4	Text Change Addition of Highway Commercial Policy To allow a detached accessory residence on same lot as commercial use subject to a rezoning	May 20, 2008	July 2, 2008

Official Plan Amendment	Purpose	Local Adoption	County Adoption
#5	<p>Housekeeping Amendment</p> <ul style="list-style-type: none"> • 12 text changes (Basic Principles /Extractive Resources, Agriculture, Larger Settlement Areas, Extractive Resources, Land Division, Community Improvement) • 10 map changes (McKillop, Grey, Tuckersmith, Brussels) • many map changes related to Extractive Resources (Grey, McKillop, Tuckersmith) 	May 19, 2009	July 30, 2009
#6	<p>Map Change Extractive Resources/Mineral Aggregates (Kurtis Smith Extraction) To change the designation on Part of Lots 29 8 30, Concession 5, Grey Ward from Agriculture to Extractive Resources/Mineral Aggregates</p> <p>* Designation Change on Lot 30, Concession 5 deferred for further study</p>	July 3, 2012	August 17, 2012
#7	<p>Housekeeping Amendments</p> <ul style="list-style-type: none"> • Update surplus farm residence consent policies to be in line with the policies approved in the Huron County Official Plan • Add Policy to permit the surplus farm residence to apply to dwellings in an Extractive resource designation • Add policy and mapping to permit a two zone flood plain approach in Henfryn • Change designation on Part of Lot 17, Concession 11, McKillop Ward from Extractive Resources/Mineral Aggregates to Agriculture • Change designation on Part Lot 24, concession 1 from Community Facility to Residential 	May 6, 2014	June 11, 2014

Official Plan Amendment	Purpose	Local Adoption	County Adoption
#8	<p>Five Year Review</p> <ul style="list-style-type: none"> • Remove Minimum Distance Separation criteria from a surplus dwelling severance to a barn on a separately owned lot • Update Agricultural policies to be consistent with County Official Plan • Update natural environment and natural hazards policies • Policies added designating industrial land as an employment area and its removal • Added second residential unit policies in Urban Settlements • Policies added classifying Community Facilities as either Social and Administrative or Public Service • Community- Wide Policies Section with updated policies for infrastructure and cultural heritage resources • Source Water Protection policies and mapping added • Policy to re-create original 75 acre lots on Canada Company Road in McKillop Ward and policy to split 150 acres into 100 acre + 50 acre farm parcels in all Wards • Complete application requirements for all development applications • Update of flood plain mapping on all Schedules and updated Appendices where new information available <p><i>*Due to the number of changes as a result of OPA #8, amendments are not noted in the text of the Official Plan. The details of the amendment are available through the Municipality</i></p>	<p>May 17, 2016</p>	<p>July 6, 2016</p>
#9	<p>Map Change Extractive Resources to Agriculture To change the designation on Part Lot 30 as in Part 1 of RF 22R2270, Conc. 7 (McKillop Ward) from Extractive Resource (ER1) to Agriculture-Special Zone (AG1-43)</p>	<p>June 26, 2018</p>	<p>August 24, 2018</p>

Official Plan Amendment	Purpose	Local Adoption	County Adoption
#10	<p>The subject lands are located at the northeast end of Seaforth and have a total area of approximately 3.2 hectares (8 acres). The applicant proposes to develop a residential subdivision on the subject lands which permits a range of units; between 15 to 21 single detached dwelling units and between 27 to 45 multiple attached units. The subdivision will include a stormwater management facility and a future development block which will accommodate a temporary road connection. The proposed access will be from Briarhill Road. The development is proposed in three phases.</p> <p>The Official Plan Amendment changes the designation of the subject lands from Urban to Residential and requests a Special Policy Area which permits a maximum number of multiple attached units per building of 7 (seven) when the Huron East Official Plan currently limits to 4 (four).</p>	July 2, 2019	September 4, 2019
#11	<p>The purpose of this amendment is to add policies to the Huron East Official Plan to increase residential units for medium density, amend the Minimum Distance Separation policies, and revise the wording of Garden Suites and correct the land use designation on specific properties in the settlement area of Cranbrook. A summary of the proposed changes are: Policies regarding Minimum Distance Separation from livestock barns to cemeteries and if the single distances or double distance apply to a new or expanding livestock barn; Addition of policies stating the MDS shall be applied to new or expanding livestock barns from Agricultural Commercial or Industrial properties; Revision to the Garden Suites policy in the Agriculture section to amend wording regarding servicing; and permit up to six (6) units in a multiple attached dwelling within a residential area of medium density.</p>	April 14, 2021	April 27, 2021

CORPORATION OF THE MUNICIPALITY OF HURON EAST

BY-LAW # 55 -2003

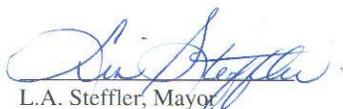
“Being a By-law to adopt an Official Plan for the Municipality of Huron East”

WHEREAS the Planning Act, R.S.O. 1990, Section 17 (22) as amended, provides that when the requirements of subsection (15) to (21), as appropriate, have been met and the council is satisfied that the plan as finally prepared is suitable for adoption, the council may be by-law adopt all or part of the plan and, unless the plan is exempt from approval, submit if for approval.

NOW THEREFORE, the Council of the Corporation of the Municipality of Huron East, in accordance with subsection 17(22) of the Planning Act, R.S.O. 1990, hereby enacts as follows:

1. An Official Plan for the Municipality of Huron East consisting of the attached maps and explanatory text is hereby adopted.
2. That the Clerk is hereby authorized and directed to make application to the County of Huron for approval of the aforementioned Official Plan for the Municipality of Huron East.
3. The Official Plan for the former Town of Seaforth and all amendments thereto, is repealed when this by-law comes into force and takes effect.
4. The Municipality of Huron East hereby directs the County of Huron to repeal the following Secondary Plans when this by-law comes into force and takes effect:
 - the former Village of Brussels Secondary Plan and all amendments thereto, and
 - the former Township of Grey Secondary Plan and all amendments thereto, and
 - the former Township of McKillop Secondary Plan and all amendments thereto, and
 - the former Township of Tuckersmith Secondary Plan and all amendments thereto.
5. This by-law shall come into force and take effect on the day of final passing thereof.

Read a First time	July 29 th , 2003
Read a Second time	July 29 th , 2003
Read a third time and finally Passed	July 29 th , 2003


L.A. Steffler, Mayor


J. R. McLachlan, Clerk



**COUNTY OF HURON
HEALTH AND PLANNING COMMITTEE
August 5, 2003**

9. Official Plans and Amendments

a) Huron East Official Plan

The Council of the Municipality of Huron East adopted its new Official Plan on July 29, 2003, under Section 17 of the Planning Act. County approval is required for local Official Plans. Cindy Fisher, Senior Planner, and Carol Leeming, Planner, submitted the attached report (Appendix D).

The Huron East Official Plan applies to all lands within Huron East, and is a statement of where and how development should take place within the municipality. The Official Plan is a statement of goals, objectives and policies for land use and related matters. This Official Plan replaces the existing Official Plan for the former Town of Seaforth and the Secondary Plans for the former Village of Brussels and the Townships of Grey, McKillop and Tuckersmith.

The Huron East Official Plan conforms with the County of Huron Official Plan and with the Provincial Policy Statement.

It is recommended that the Huron East Official Plan be approved and that the notice of decision be circulated.

It is recommended that the following by-laws be repealed by by-law:

By-law No. 71, 1974 and all amendments thereto (Village of Brussels Secondary Plan)
By-law No. 33, 1975 and all amendments thereto (Grey Township Secondary Plan)
By-law No. 67, 1986 and all amendments thereto (McKillop Township Secondary Plan)
By-law No. 40, 1983 and all amendments thereto (Tuckersmith Township Secondary Plan).

Moved by B. MacLellan

Seconded by N. Fairles

That the recommendations be approved.

CARRIED

I, Barbara A. Leamen, County Clerk of the Corporation of the County of Huron, do hereby certify that this is a true copy of the Health and Planning Committee Minutes - Section 9 (a) of August 5, 2003 passed by the Session of County Council on September 4, 2003.

Oct 24, 2003
Date

Barb Leamen
County Clerk

Table of Contents		
Section		Page
1	INTRODUCTION	6
2	PURPOSE	6
3	BASIC PRINCIPLES OF THE PLAN	8
LAND DESIGNATIONS		
4	AGRICULTURE	11
	4.1 Introduction	
	4.2 Definition	
	4.3 Goals	
	4.4 Policies and Actions	
5	NATURAL ENVIRONMENT	17
	5.1 Introduction	
	5.2 Definition	
	5.3 Goals	
	5.4 Policies and Actions	
	5.4.1 Designations	
	5.4.2 Watershed Management	
	5.4.3 Groundwater Protection	
	5.4.4 Source Water Protection	
	5.4.5 Community Stewardship	
	5.4.6 Protection of Natural Environment Features	
	5.4.7 Use of Existing Woodland Lots	
	5.4.8 Adjacent Lands	
	5.4.9 Watercourses and Fish Habitat	
	5.4.10 Extractive Resources	
	5.4.11 Environmental Impact Study	
6	URBAN SETTLEMENTS	24
	6.1 Introduction	
	6.2 Definition	
	6.3 General Urban Settlement Goals	
	6.4 General Urban Settlement Area Policies	25
	6.4.1 Growth Allocation	
	6.4.2 Intensification	
	6.4.3 Accessibility and Universal Design	
	6.4.4 Affordable Housing	
	6.4.5 Contiguous Development within Settlement Areas	
	6.4.6 Development Adjacent to Settlement Areas	
	6.4.7 Expansion of Settlement Areas	
	6.4.8 Designation of Employment Areas	
	6.4.9 Expansion of Employment Areas	
	6.4.10 Removal of Land from Employment Areas	
	6.5 Primary Settlement Area –Seaforth (& Bridges), Brussels, Vanastra	29
	6.5.1 Introduction	
	6.5.2 Goals	
	6.5.3 Policies and Actions	
	6.5.3.1 Residential	
	6.5.3.2 Commercial- Primary Settlement Areas	
	6.5.3.3 Industrial	

6.6	Secondary and Tertiary Settlement Areas - Egmondville, Harpurhey, Ethel, Cranbrook, Henfryn, Graham Survey, Winthrop; parts of the settlements of Brucefield, Kippen, Walton, St. Columban,, Dublin, South of Clinton	42
	6.6.1 Introduction	
	6.6.2 Goals	
	6.6.3 Policies and Actions	
6.7	Mobile Home Parks	44
	6.7.1 Introduction	
	6.7.2 Goals	
	6.7.3 Policies and Actions	
6.8	Community Facilities	45
	6.8.1 Introduction	
	6.8.2 Definitions	
	6.8.3 Goals	
	6.8.4 Policies and Actions	
6.9	Urban Natural Environment and Open Space	48
	6.9.1 Introduction	
	6.9.2 Definitions	
	6.9.3 Goals	
	6.9.4 Policies and Actions	
7	RECREATIONAL	51
	7.1 Introduction	
	7.2 Definitions	
	7.3 Goals	
	7.4 Policies and Actions	
8	EXTRACTIVE RESOURCES	53
	8.1 Introduction	
	8.2 Definitions	
	8.3 Goals	
	8.4 Policies and Actions	
9	COMMUNITY-WIDE POLICIES	60
	9.1 Infrastructure and Servicing	
	9.1.1 Definitions	
	9.1.2 Goals	
	9.1.3 Policies and Actions	
	9.1.4 Roads	
	9.1.5 Waste Management	
	9.1.6 Storm Water Management	
	9.1.7 Development Adjacent to Railways	
	9.1.8 Wind Energy and Solar Energy	
	9.2 Cultural Heritage Resources	65
	9.2.1 Definitions	
	9.2.2 Goals	
	9.2.3 Policies and Actions	
	9.2.4 Archaeological Resources	
	9.3 Economic Development	70
	9.3.1 Definitions	

	9.3.2 Goals	
	9.3.3 Policies and Actions	
9.4	Source Water Protection	72
9.5	Natural Hazards & Flood Plains	73
	9.5.1 Goals	
	9.5.2 Definitions	
	9.5.3 General Natural Hazard Policies	
	9.5.4. Flood Plain Approaches	
	9.5.5 Flood Prone Lands	
9.6	Community Improvement	78
	9.6.1 Definitions	
	9.6.2 Goals	
	9.6.3 Policies for Community Improvement	
	9.6.4 Actions	
	9.6.5 Phasing of Community Improvement Projects	
10	LAND DIVISION / CONSENT (Severance)	80
10.1	Jurisdiction and Definition	
10.2	General Policies and Actions	
10.3	Specific Policies and Actions	
	10.3.1 Agriculture	
	10.3.2 Natural Environment	
	10.3.3 Urban Settlements	
	10.3.4 Recreational	
	10.3.5 Community Facilities	
	10.3.6 Extractive Resources	
11	IMPLEMENTATION AND INTERPRETATION	85
11.1	Introduction	
	11.1.1 General Implementation	
	11.1.2 Non-Conforming Uses	
	11.1.3 Non-Complying Uses	
	11.1.4 Holding Zones	
	11.1.5 Temporary Use By-laws	
	11.1.6 Special Zones	
	11.1.7 Defined Areas	
	11.1.8 Site Plan Control	
	11.1.9 Accessibility	
	11.1.10 Municipal Drains	
	11.1.11 Flood Plain	
	11.1.12 Accessory Uses	
	11.1.13 Municipal Maintenance and Occupancy Standards	
	11.1.14 Noise and Vibration	
	11.1.15 Public Participation	
	11.1.16 Review and Amendments	
	11.1.17 Application Review – Contaminated Sites	
	11.1.18 Conflict Management	
	11.1.19 Complete Application Requirements	
	11.1.20 Zoning with Conditions	
11.2	Interpretation	91
	11.2.1 General Interpretation	
	11.2.2 Interpretation of the Natural Environment Designation	
	11.2.3 Appendices and Background Maps	

**SCHEDULES, APPENDICES AND BACKGROUND MAPS
TO HURON EAST OFFICIAL PLAN****SCHEDULE “A” – HURON EAST LOCATION MAPS****SCHEDULES “B” – LAND USE MAPS LIST**

Huron East

Grey Ward

McKillop Ward

Tuckersmith Ward

Brussels Ward and Part of Grey Ward

Grey Ward maps include:

- Cranbrook
- Ethel
- Henfryn
- Molesworth
- Walton (shared with McKillop Ward map)

McKillop Ward maps include:

- Dublin
- St. Columban
- Walton (shared with Grey Ward map)
- Winthrop

Seaforth Ward

Tuckersmith Ward maps include:

- Brucefield
- Kippen
- Egmondville
- Harpurhey
- South of Clinton
- Vanastra

SCHEDULES “C” - ROADS PLAN MAP LIST

- Brussels Ward and part of Grey Ward
- Grey Ward
- McKillop Ward
- Seaforth Ward
- Tuckersmith Ward

**SCHEDULE “D” – NATURAL HAZARD AND CONSERVATION AUTHORITY REGULATED LANDS
MAP – Showing Known Sinkholes****APPENDICES TO HURON EAST OFFICIAL PLAN**

1. The Heritage Conservation District Map – Seaforth Ward
2. Designated Heritage Properties List
3. One Zone Concept and Two-Zone Floodway-Flood Fringe Concept Diagrams
4. Municipal Wellhead Protection Areas
5. Aggregate Resource Inventory Plan

BACKGROUND MAPS TO THE OFFICIAL PLAN

1. Wetlands (Provincially and Locally Significant)
2. Significant Woodlands
3. Significant Wildlife Habitat
4. Significant Earth Science ANSI (Provincially and Locally Significant) and Significant Valley Lands
5. Watershed Boundaries and Aquatic Habitat Features
6. Landscape Connections and Restoration Potential showing Marginal Lands

SECTION 1 INTRODUCTION

The following text and maps, noted as Schedules “A”, “B”, “C” and “D” shall constitute the Official Plan for the Municipality of Huron East. The limits of this Plan are coincident with the corporate boundaries of Huron East. This Plan conforms to the Huron County Official Plan ; is consistent with the Provincial Policy Statement 2014; and must be approved by Huron County in accordance with the *Planning Act*, (RSO 1990), as amended.

The Policies and Actions stated in this Official Plan are intended to operate within those already established in the Huron County Official Plan. It is not the intention of this Official Plan to, either directly or indirectly, alter any of the major policy directions established in the Huron County Official Plan. This Plan reinforces and refines basic Huron County planning policies within the context of Huron East.

This Plan is a comprehensive revision and consolidation of the Secondary Plans for the former Municipalities (Village of Brussels, Town of Seaforth and Townships of Grey, McKillop and Tuckersmith) which now make up the Municipality of Huron East.

Within Huron East, the County Land Use Plan identifies the settlements of Seaforth and Brussels as major urban centres. The former Townships of Grey, McKillop and Tuckersmith are shown on the County Land Use Plan as rural and predominantly agricultural. The Hamlets and Villages of Huron East are recognized as urban settlements within the former townships. The values, directions, policies and actions of the Huron County Official Plan are broad and generalized. More specific land use planning is developed through this Huron East Official Plan.

This Plan replaces all previous Plans and amendments and will function as the ‘Official Plan’ of the Municipality of Huron East under the meaning of the *Planning Act*, (RSO 1990).

SECTION 2 PURPOSE

Following the Municipal boundary restructuring in 2001, the Municipality of Huron East established one, Official Plan.

The Plan assists the community in looking at the physical resources, the economic conditions, its ambitions and the effect of these on the future. The Plan then tries to marshal implementation forces such as public works, incentives, policy directions and legislation in an attempt to achieve a desired future.

The public was engaged in the preparation of this Plan. Public forums were held to discuss the community’s vision for the future of Huron East. It is the intention that this Plan will be changed to reflect current conditions both by the refinement of policies and programs set out in the Plan and by the addition of new sections to make the Plan more comprehensive.

Planning is a continuous process. It is intended that Huron East Council and residents will review this Plan at least every 5 years at a public planning workshop. Any changes will become amendments to this Official Plan.

A major update of the Huron East Official Plan was undertaken in 2016 to ensure the policies of this Plan remain consistent with the changes to the Huron County Official Plan (2013 & 2015) and the Provincial Policy Statement (2014).

As noted above, this Plan begins the detailed process of local planning for Huron East. This process is built on the County Plan and its policies.

This Plan provides guidance to the Municipality of Huron East staff and Council. It is also intended to give guidance to Huron County’s staff, Planning Committee and Council, as they continue to administer and to plan for Huron East under powers conferred upon them. The Plan provides a framework within which private and public development proposals and actions are made.

It is the intent of this Plan that development will be permitted only when it has been established that such development fulfills the goals and policies of this Plan.

In summary, the purposes of this Plan are to:

- a) create a vision of the future for Huron East which is agreed upon generally by the community and in which the community takes an

- active role in developing;
- b) create a forum for community involvement in the design, implementation and review of the Plan's goals and Policies and Actions;
- c) create a land use pattern that insures the compatibility of different types of land uses;
- d) ensure that future development of Huron East is related to the Planning goals and Policies and Actions laid out in both this Official Plan and the Huron County Official Plan;
- e) provide for the necessary capital works programs and Municipal legislation to implement the Plan's goals;
- f) encourage development to occur in an environmentally sound manner;
- g) provide liaison amongst agencies and Municipal, County and Provincial levels of government in order to implement the Plan's goals;
- h) provide guidance for development proposals and land use decisions.

SECTION 3 BASIC PRINCIPLES OF THE PLAN

While specific goals and objectives associated with various land use designations of Huron East (e.g. agricultural, residential, commercial, industrial) are identified in later sections of this Plan, there are a number of general principles that should be stated at the outset to serve as a framework for the Plan:

1. To achieve a level of growth that sustains a vibrant community, that offers economic opportunities and a variety of lifestyles, and that meets the social and recreational needs of the residents, both in the present and in the future.
2. To promote the long-term future of agriculture by protecting the land base and promoting an environment conducive to an integrated agricultural community and economy.
3. To manage growth and land use in a manner that makes efficient use of infrastructure and other services and that makes efficient use of the taxpayer's investment in public projects and services.
4. To manage growth and land use in a manner that protects and enhances the environment, landscape, and cultural heritage which characterizes Huron East.

3.1 Agriculture

The basic principles of this Plan revolve around the recognition and reinforcement of the rural areas (Grey, McKillop and Tuckersmith Wards) of the Municipality of Huron East as an agricultural community. To achieve and secure the long-term future of agriculture, the land use plan is a key tool. Actions by a wide array of government ministries and agencies, private groups and organizations, and decisions of the private sector must also support this Plan. Primarily, however, it is implemented by the numerous individual decisions of the residents of the Municipality.

Agriculture and farm composition are changing rapidly. The land use plan is a key tool to achieve and secure the long-term future of agriculture. Agriculture land uses will be given priority over uses which are not primarily related to agriculture within the Agriculture designation in the Municipality. Development and redevelopment that is compatible with the rural

landscape and that can be sustained by rural infrastructure and public service facilities should be promoted.

Protecting the long-term future and flexibility of agriculture is a fundamental principle of the Plan; facilitating agriculture-related uses and on-farm diversified uses (such as agri-tourism, home industries and occupations); and promoting an environment conducive to an integrated agricultural community.

3.2 Natural Environment

Huron East's natural environment consists of watercourses, wetlands, woodlots, ANSI's, valleylands and other environmentally sensitive areas. Over time, land use activities and land clearing practices have resulted in natural environment areas that are often of poor health and lacking resilience and linkages. In 2002, an average of 10% of the Municipality's land area was covered by forest or natural environment. Huron East has a target to increase natural environment and forest coverage to 15% by replanting marginal agricultural land in trees.

Protecting remaining natural areas and re-establishing vegetation corridors along major water courses is necessary to limit erosion by wind and water, to provide water retention and recharge areas, to provide wildlife habitat, and to create an aesthetic and functional balance between Agriculture uses and natural ecosystems.

The basic principles for natural environment support protection, restoration and enhancement of the ecosystem. Protecting remaining natural areas, and re-establishing vegetation corridors along watercourses is necessary to:

- Limit erosion by wind and water
- Provide water retention and recharge areas
- Provide wildlife habitat
- Create an aesthetic and functional balance between agricultural uses of the land and natural ecosystems

Natural Environment areas consist of the following natural features:

- Wetlands
- Woodlands
- Rivers and streams
- Valley lands
- Environmentally sensitive areas (ESAs), including:

- life science areas of natural and scientific interest (ANSIs);
- habitat for threatened or endangered species;
- wildlife habitat;
- earth science areas of natural and scientific interest (ANSIs).

3.3 Urban Settlements

Huron East has a system of urban settlements including towns, villages and hamlets. These urban places provide a variety of residential, commercial, industrial and community facility functions. With their pleasing aesthetic qualities, they are residential and social centres, which provide local commercial and community facility services and industrial opportunities. They provide a place of retirement for the farm community and nearby regional centres.

Although some of the settlement areas are very small by urban standards, they provide an important focal point, a sense of history and a number of services. They are an integral part of rural society.

Evolving demographic trends, the desire of people to live, work and retire to small communities, and availability of servicing influences where future development will be directed within Huron East. These factors will continue to see Brussels, Seaforth, Vanastra, and the lands to the south of Seaforth (The Bridges) as the primary focus of urban development. New residential development proposed outside of these areas will be directed to lands already designated in existing villages and hamlets.

The basic principles of the Urban Settlement Section of this plan are:

- To promote the development of urban places based on their level of servicing;
- To develop in a manner consistent with the community's present character as a commercial and social focal point for the surrounding agricultural community, and as a residential area for those people who wish to live in a rural agricultural community;
- To recognize existing urban development adjacent to the urban settlements of Clinton, and Seaforth, and along the highways. Expansion of these urban designated areas will be based on the availability of public water and sewer and a demonstrated need for the urban

use and the prevention of fringe or sprawl development patterns.

- To recognize the existing mobile home parks—two in the Tuckersmith Ward and one in the Brussels Ward. Mobile homes are encouraged to locate in mobile home parks;
- To direct non-farm uses to locate in urban settlement areas, or land adjacent to these areas, to minimize land use conflicts with the agricultural area. The location of such uses will be based upon the compatibility with surrounding land uses within the urban area;
- To create high quality urban spaces with high standards of design through site plan control;
- To encourage infill and re-development within existing urban settlements; and
- To provide urban open space and areas for recreational use that serves the needs of the residents at the neighbourhood, community and regional level.
- To promote development that is accessible and enhances Huron East's status as an age-friendly community.

3.4 Recreational

The basic principle for recreational land use in Huron East is to recognize the existing recreational developments.

This Plan recognizes Family Paradise Campground on Lot 13 and Part Lot 12, Concession 12 (McKillop Ward), the Seaforth Golf Course on Part Lot 8 and 9, Concession 2 HRS, (Tuckersmith Ward), the Cranbrook Golf Course on Park Lots 7-9, Plan 207, Cranbrook (Grey Ward) and the Walton Motocross on South ½ of Lot 3 & 4, Concession 17, (Grey Ward) as major established recreational uses in the Municipality. Recreational policies for expansion of these existing uses have been included.

Proposals for new recreational uses shall be reviewed by the public meeting process, and by amendment to the Official Plan and Zoning By-law.

Although the pastoral countryside, the Maitland and Bayfield Rivers and the wooded areas hold some potential for recreational use, for the present, local recreational needs appear to be met.

New recreational proposals would need to be carefully assessed regarding their potential impact on the surrounding agricultural area and the natural environment.

3.5 Extractive Resources

Extractive Resources / Mineral Aggregates are a limited resource in Huron East with the majority of extractive resources / mineral aggregate operations located in the northern part of the Municipality. This resource is non-renewable; therefore it is a priority to ensure its protection.

The extraction of sand and gravel can have social and environmental impacts on the environment. Hence, such operations should be developed in such a way so as to minimize these impacts and be rehabilitated after use.

A basic principle of this plan is to ensure that sand and gravel deposits are protected for future use, developed in an appropriate manner which limits their impact on surrounding areas, conserved through recycling of existing aggregates, and that the land is rehabilitated for other productive uses when the resource has been used. (OPA #5)

3.6 Community-Wide Policies

The policies contained within this section apply to the entire community and are not specific to designated areas of land.

Infrastructure and servicing are fundamental to sustaining and encouraging economic development in Huron East.

A range of services and infrastructure such as water, sewage, roads, utility lines and waste management should be consistent with the needs and resources of the community. The Municipality or service provider will provide efficient and compatible locations for infrastructure and utilities. Services will be owned or operated by the public, semi-public, or private enterprises.

The Municipality of Huron East is committed to promoting economic development by strengthening the four economic pillars and protecting heritage resources throughout the community. Existing heritage resources should be developed in innovative ways while continuing to be preserved for future generations.

The protection of source water is mandated by provincial legislation as well as through Regional Source Water Protection Plans to ensure that drinking water threats are mitigated and vulnerable areas are protected.

Development shall generally be directed outside of Flood Plain areas to minimize the level of risk to life, property damage and social disruption. Areas of flooding risk have been identified from the Conservation Authority mapping and have been delineated to recognize the environmental issues of the area and the requirements for its development.

Community Improvement Projects are intended to improve the existing condition of the built form through municipally-driven or incentive-based programs. Tools available to the Municipality of Huron East shall be used to determine the benefits of designating a project area for preservation and enhancement.

SECTION 4 AGRICULTURE

4.1 Introduction

The fundamental principle of this Plan for rural areas of the Municipality of Huron East, as set out in Section 3, is to promote and protect the long-term future of agriculture. The research clearly indicates that in excess of 90% of the land in the Municipality is rated Class 1, 2 and 3 lands in the Canada Land Inventory of agricultural capability and the basic indicators of successful agriculture are strong. Also, and most importantly, the community has developed a high degree of skill, innovation and leadership in farming.

The Policies and Actions of this Plan aim to protect the land base and promote the creation of an environment conducive to an integrated agricultural community and economy. To achieve this, the majority of the Municipality has been designated "Agriculture".

In the Agriculture designation the predominant uses of land will be agricultural uses, agriculture-related uses and on-farm diversified uses. Farming operations of all types, sizes and intensities, and natural environment features which enhance the area for agriculture, including woodlot and forestry uses as part of farming operations will be permitted.

In the Agriculture designation, the following on-farm diversified uses are permitted as accessory uses to a farming operation, subject to the relevant policies in this Plan:

- a) Residential uses;
- b) Home occupations;
- c) Home industries;
- d) Value-added agricultural activities including wineries;
- e) Agri-tourism uses; and
- f) Group homes.

4.2 Definition for Agriculture

Agricultural uses mean the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, value-retaining facilities, and accommodation for full-time farm labour when the size and nature of the operation requires additional employment.

In the agricultural designation the predominant use of land will be: farming of all types, industrial and commercial activities which are primarily related to agriculture, residential uses directly related to agriculture, and natural physical features which enhance the area for agriculture. The definition of agriculture includes sustainable agricultural practices that promote a healthy environment.

Agri-tourism Uses means those farm related tourism uses, including limited accommodation such as a bed and breakfast, that promote the enjoyment, education or activities related to the farm operation.

Agriculture-related Uses means those farm related commercial and farm related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations and provide direct products and/or services to farm operations as a primary activity.

On-farm Diversified Uses means uses that are secondary to the principal agricultural use of the property and are limited in area. On-farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses and uses that provide value added agricultural products.

4.3 Goals

The following goals for agriculture are adopted:

1. To ensure maximum flexibility for farm operators to engage in differing types, sizes, and intensities of agricultural operations.
2. To encourage farm operators to use best management practices that protect and enhance the environment.
3. To relate development in agricultural areas to the needs of agriculture and respect the farmer's ability to farm.
4. To encourage the preservation of Class 1, 2, & 3 soils for agricultural purposes.
5. To protect natural environment features and encourage the retention of woodlots and wetlands recognizing their benefits both for agriculture and the natural environment.
6. To preserve the agricultural area for agricultural uses and those uses related to agriculture.
7. To support farm operations through the provisions of value added capabilities on-farm,

such as home occupations, home industries and agri-tourism.

Residences in agricultural areas are permitted under the following categories:

4.4 Policies and Actions

To achieve these goals, the following policies and actions are adopted:

1. Farm Unit

In areas designated agriculture, the predominant use of land will be for farming and the predominant type of development, the "farm unit". The farm unit consists of the farmland, farm residence, barns, and other buildings that support the farm operation. The structures which make up the farm unit will be part of the farm and not on separately titled lots. Woodlots and areas of aggregate extraction which are located on farm properties shall be considered part of the farm unit.

2. Residences in Agriculture Areas

Residential uses are part of the farm unit and will be permitted and recognized as an accessory use to a 'commercial scale farming' operation where the residents of the property will be directly involved in farming with a clear intent to produce crops/livestock products for sale. A 'Farm Business Registration Number' assists in demonstrating commercial scale agriculture

Where the type and size of a farm operation warrants the need for an additional farm residence one mobile home may be permitted in addition to a single detached dwelling.

A mobile home may be considered a principle residence or a secondary residence as established in the Zoning By-law.

The conversion of the principal farm residence to contain a second residential unit may be permitted subject to the following criteria:

- demonstrating on-site services have sufficient capacity for the additional dwelling unit.
- The Zoning By-law may further regulate second residential units.

3. Lots of Record/Residences in Agricultural Areas

It is recognized that there are lots in the agricultural designation which are both vacant and smaller than the minimum lot area requirements of this Plan. It is the general intent of this Plan that such lots be developed and used for farming uses or other uses permitted in the agricultural designation.

a) Residence Accessory to Agriculture on Lots greater than 38 hectares

- All existing lots greater than 38 hectares (93.8 acres) shall be entitled to a residence without a rezoning.
- Shall meet the requirements of (d) below.

b) Residences Accessory to Agriculture on Lots between 4 and 38 hectares will be permitted if:

- An agricultural operation is demonstrated or rezoning is obtained.
- The requirements of (d) below are met.

c) Existing Lots less than 4 hectares.

Where agricultural uses or other permitted uses are not possible and the vacant existing lot of record is 4 hectares or less, it may be used for a single detached dwelling through a Zoning By-law Amendment. Prior to such rezoning, Council shall be satisfied that the requirements of (d) are met.

d) Requirements for a Residence:

- Comply with either a) or b) or c) above.
- Any proposed residence complies with Minimum Distance Separation requirements (*Type A Land Use*). (OPA#5)
- The soil is suitable for sewage disposal and an adequate supply of potable water is available.
- The site is suitable for residential construction.
- The site satisfies all requirements of the Conservation Authority including applicable regulations to the Conservation Authorities Act.
- Establish a building envelope outside of any existing natural heritage features.
- The site is serviced with a fully maintained Municipally, County or Provincially owned road.

4. Garden Suites

A garden suite is defined as a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to existing residential structures on the lot and that is designed to be portable. A garden suite is intended to provide temporary accommodation up to a maximum period of 20 years.

A garden suite is permitted on a property subject to the following criteria:

- The subject lot contains an existing, occupied dwelling, the garden suite will be permitted by a temporary use by-law pursuant to Section 39 of the *Planning Act*, (RSO 1990).
- The garden suite is compatible with adjacent uses.
- The garden suite is located within close proximity to the existing dwelling, uses the existing driveway to access
- The lot must be suitable for accommodating water and septic services before a garden suite is considered and where possible these services should be obtained from existing systems.
- The garden suite complies with the Minimum Distance Separation (MDS) formulae. Where the existing dwelling does not meet the minimum distance separation requirements, the garden suite shall not further reduce the existing separation.
- No consent, including consent for mortgage or charge, will be granted for the garden suite.

(As amended by OPA #11)

5. Farming Practices

Normal farm practices, as defined in the *Farming and Food Production and Protection Act*, as amended, will be promoted, and protected. Council may, through the Zoning By-law, establish regulations to encourage good environmental farming practices.

6. Lot Size

Lot sizes shall be based on the long-term needs of agriculture and shall ensure lands remain flexible for all forms of agriculture as promoted by this Plan. Lands must be used for the production of food, fibre, biomass or livestock. All severances will respect the farmer's ability to farm.

A minimum lot size of 38 hectares (94 acres) shall apply to all new agricultural lots being created and is based on the long-term needs of agriculture. Notwithstanding the 38 hectare minimum, there may be instances where a smaller lot size may be permitted; refer to Section 10 Land Division Policy of this plan.

7. Surplus Farm Residences

Under certain circumstances, residences which are surplus to farm operators as a result of farm consolidation may be severed and sold in

accordance with criteria noted in the Land Division Policy for Agriculture (Section 10).

8. Nutrient Management

Nutrient Management Strategies and Plans shall be completed in accordance with the *Nutrient Management Act*. A livestock or poultry operation shall have sufficient land base available on which to properly spread all manure generated by the operation.

9. Protection of Agriculture Land

Agricultural lands as designated on Schedule "B" shall be protected. Non-agricultural development shall be directed to locate in the settlement areas.

10. Agriculture-related Uses

Farm-related commercial and farm-related industrial uses will be permitted in agricultural areas by rezoning provided that:

- The use is directly related to farm operations in the area;
- The use supports agriculture;
- The use benefits from being located in close proximity to farm operations;
- Any permitted accessory residence will remain part of the industrial commercial holding;
- The primary activity is to provide direct products and/or services to farm operations;
- Applicable Provincial requirements are met (e.g. compatibility with sensitive uses, certificate of approval, etc.);
- The use can be adequately serviced, obtain safe access from an open public road and demonstrate adequate drainage and storm water management; and
- A site plan agreement is completed to the satisfaction of the Municipality.
- May be severed from the farm in accordance with the Land Division policy for Agriculture in Section 10.
- Minimum Distance Separation shall be applied to new or expanding livestock barns from farm-related commercial and farm-related industrial uses and newly establishing or expanding farm-related commercial and industrial uses shall meet Minimum Distance Separation from existing livestock facilities. **(As amended by OPA #11)**

11. On-Farm Diversified Uses

On-Farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses, and uses that produce value-added agricultural products, including wineries. On-farm diversified uses are small-scale business uses and

are permitted in the agricultural designation, provided they:

- g) Are secondary to the principal agricultural use of the property;
- i) Are operated by persons residing on the farm / small holding
- j) Do not interfere with the farm operation and do not conflict with the surrounding uses;
- k) Do not occupy large amounts of farmland and are limited in area;
- l) Have adequate servicing:
 - If Municipal water and/or sewage services are available, the property shall be connected to municipal water and/or sewage services; or
 - If Municipal services are not available, the property can be serviced by the water supply and sewage disposal system on the property;
- m) Do not cause a traffic or safety concern;
- n) Obtain relevant permits from Health Unit
- o) Provide safe access onto an open public road;
- p) Are not severed from the property onto their own lot; and
- q) Comply with the provisions of the zoning by-law which may regulate these uses.

On-farm diversified uses shall be permitted in accordance with the definitions and provisions in the Zoning By-law.

12. Non-Farm Commercial and Industrial

Non-farm commercial and industrial uses, other than those listed in 9 or 10 above shall be directed to urban settlement areas.

13. Natural Environment

The protection of Provincially significant wetlands and the preservation, protection and enhancement of natural environment features by using wise stewardship practices is a priority. Existing farm woodlots will remain part of the farm holding and therefore part of the agricultural landscape. Selective harvesting of woodlots and woodlands using sustainable forestry practices will be permitted in accordance with the Huron County Forest Conservation By-law. The Natural Environment Policies of this Plan should be consulted for further direction.

14. Significant Areas of Natural and Scientific Interest (ANSI) - Earth Science

The 'Agriculture' designation includes a number of significant areas of natural and scientific interest (ANSI) which have been identified by the Ministry of Natural Resources. These areas have been classified as earth science ANSIs and they include:

- Provincially Significant:
 - Kinburn Site (esker)
 - Winthrop Site (esker)
- Regionally Significant:
 - Seaforth Site (esker)
 - Molesworth Esker

Development and site alteration may be permitted in an earth science ANSI provided that such development will not negatively affect the overall character of the geological feature that resulted in the classification. An environmental impact statement or other appropriate study may be required to assess the impact of the development or site alteration. The advice and assistance of the Ministry of Natural Resources and Forestry may be obtained. (See Earth Science ANSI Background Map)

15. Minimum Distance Separation I and II

All farm operations and buildings and non-farm uses and structures permitted by the agricultural policies of this Plan will comply with the Minimum Distance Separation (MDS) I and II formulae or other Provincial regulations. MDS shall not apply to surplus residence severances.

The MDS formula is a tool used to determine the required distance between a specific livestock facility and another land use. The objective of applying MDS is to prevent land use conflicts and minimize nuisance complaints from odour. The MDS distance varies according to a number of factors including the type of livestock, size of the farm operation, type of manure system and the form of development present or proposed. Around settlement areas and other uses (such as recreational or community facility uses), the MDS calculations result in larger separation distance requirements.

MDS I provides minimum distance separation requirements for new development from existing livestock facilities. MDS II provides minimum distance separation requirements for new or expanding livestock facilities from existing or approved development.

Minimum Distance Separation and Surplus Dwelling Severances

If barns exist on retained farmlands, the MDS formulae requirements must be met between the

barn and the dwelling being severed. MDS does not apply to existing barns on separately titled lots.

Minimum Distance Separation shall be implemented in accordance with the MDS Implementation Guidelines as amended, prepared by the Ontario Ministry of Agriculture, Food and Rural Affairs.

For the purpose of Minimum Distance Separation, all cemeteries shall be treated as Type A land use with the exception for those located in urban settlement areas and the following, which are to be treated as Type B: St. James Catholic Cemetery (east of Seaforth); Maitlandbank Cemetery (north of Seaforth); Brussels Catholic Cemetery (south of Brussels). For barns located within Huron East, a Type B distance is also required to the Brussels Cemetery, which is located within the Municipality of Morris-Turnberry. **(As amended by OPA #11)**

16. Extractive Resources

The importance of mineral aggregates is recognized. Existing approved licensed pits are identified and protected.

The establishment of new pits, in areas designated 'Agriculture' shall require an amendment to the local Official Plan and Zoning By-law, in accordance with the policies of Section 8 (Extractive Resources) of this plan. (OPA #5)

A wayside pit or quarry is permitted in the agricultural designation.

17. Community Facilities and Infrastructure

Community facilities for social, recreational, administrative or other purposes, such as community centres, sports facilities or government offices, will locate in settlement areas to avoid conflicts with agriculture and to enhance urban areas. Non-farm development is often incompatible with agriculture.

Existing community facility uses such as cemeteries and churches, and their expansion will be permitted and remain in the agricultural designation. These existing uses will be zoned Community Facility zone in the corresponding Zoning By-law.

Many existing Community Facilities are designated Agriculture and zoned Community

Facility. These existing uses are permitted to expand.

New social and administrative community facility uses shall be established in accordance with the policies of section 6.8.4.

It is recognized that existing public service community facilities are within the agricultural area. New public service community facilities will be designated Community Facility and are subject to the policies of section 6.8.4.

Infrastructure uses will be permitted in the agricultural area subject to *the provisions of the Zoning By-law (OPA#2)*. These uses are required throughout the countryside and include:

- Facilities and corridors for utilities such as water, sewage, electricity, communications, and oil/gas wells and transmission;
- Roads, railways and trails;
- Flooding and erosion control works.

Commercial scale wind energy facilities are governed by the Green Energy Act, R.S.O. 2009. For commercial scale water-taking operations see Section 8.4.9.5. (OPA#5)

Existing transportation and utility corridors including abandoned rail lines shall be encouraged as the location for new or expanding transportation, utility, environmental, recreational or cultural uses. Utility corridors within designated settlement areas may be used for activities such as recreational trails and pedestrian movement.

18. Greenhouse Use

Greenhouse development is an evolving agricultural industry. The Municipality shall establish development standards in the Zoning By-law to addresses maximum lot coverage, minimum lot size and minimum distance to a neighbouring residence. The Zoning By-law may establish the requirement for a rezoning for a greenhouse greater than a certain size.

New large development shall be compatible with the surrounding area, shall ensure minimal impact on ground and surface water quality and quantity. The location of greenhouses within the agricultural area shall take into consideration the proximity of adjacent residential and non-farm uses. Commercial scale greenhouses shall be subject to site plan control. Greenhouses will be subject to the regulations of the *Nutrient Management Act*. Accommodation for seasonal labour is considered an accessory use for greenhouse operations.

19. Commercial Special Occasion Events

On agricultural lands in Huron East, agriculture and agricultural related permitted uses are allowed. Commercial events are not permitted unless recognized in the Zoning By-law by Special Zoning or Temporary Use By-law.

New Commercial events must be in accordance with the Municipal By-law regulating public entertainments, festivals and parades.

20. Salvage Yard

The establishment of a salvage yard may be permitted in the agricultural designation, subject to a rezoning to the appropriate Salvage Yard (SY) zone and the approval of a Site Plan Control By-law.

In addition, a justification study indicating the need for a salvage yard will be required. (OPA#2)

21. Source Water Protection

Drinking water shall be protected in accordance with the *Clean Water Act* and all applicable Source Protections Plans. Land uses with a potential risk to impact water quality or quantity may be restricted or prohibited in source water areas. Land use within areas identified as a wellhead protection area on Schedule B and Appendix 4 shall be subject to the policies of section 9.4.

4.5 SITE PLAN CONTROL

Pursuant to Section 41(2) of the Planning Act, (RSO, 1990), any lands within the agriculture designation are hereby established as a proposed site plan control area within which Council can pass site plan control by-law.

4.6 LOCATION

The location of the lands designated agriculture, to which the agricultural policies apply, is shown on Schedule "B". Specific locations of different types of uses are shown in the Zoning By-law.

SECTION 5 NATURAL ENVIRONMENT

5.1 Introduction

Over time, land use activities and land clearing practices have resulted in natural environment areas that are of poor health and lack integrity and linkages. Since settlement in the 1800's, significant areas of natural environment have been diminished through drainage, clearing and development, and various management practices. As this takes place, the remaining areas take on a greater significance in balancing the man-made and natural systems.

Forest coverage in the Municipality of Huron East is 10.8% in 2002. It is encouraged to have a target percentage of forest coverage for a healthy ecosystem; the Municipality of Huron East has a potential target forest coverage of 15% based on the amount of marginal land and other low quality agricultural lands which could be reforested.

Research in 2002 assessed forest health in the Maitland Watershed (2002).

This research found that over half the forests in the Maitland Watershed are in only fair condition, or worse. The report concluded that forest health is important to ensure the functioning of a natural area system. Many forests in the watershed are not being managed for optimum use. Therefore, this Plan encourages initiatives to help increase forest health, including better forestry management and education.

Natural environment areas in the Municipality consist of:

- Wetlands
- Woodlands
- Watercourses and ponds
- Valleys
- Environmentally sensitive areas (ESAs), including:
 - life science areas of natural and scientific interest (ANSIs);
 - habitat for threatened or endangered species;
 - wildlife habitat;
 - earth science areas of natural and scientific interest (ANSIs).

These areas have in the past and should continue to provide benefits to the property owner and to the community. The Municipality recognizes the important role and functions that the remaining natural environment areas have to

the integrity and function of the ecosystem and, through this Official Plan, is taking steps to ensure their continued existence. Watershed management planning provides a comprehensive and integrated approach toward such conservation.

The Plan recognizes the importance of community involvement in protecting and promoting a healthy environment. Opportunities need to be provided for the exchange of knowledge and information among residents, agencies and organizations to plan and manage the natural systems. It is the intent of this Plan that the natural environment features, functions, and their attributes be protected, restored, and enhanced for the benefit of present and future generations. As a general rule, uses such as conservation, sustainable forest management, wildlife areas, and passive recreation are permitted uses. Other uses which may be permitted will be identified under specific policies in this Section.

Specific policies and uses relating to Natural Hazards, including Flood Plains, are located in Section 9.5 of the Community-Wide Policies section.

Background Natural Environment maps for the Huron East Official Plan (Background Maps 1-6) are included for assistance and guidance in interpreting the Natural Environment policies. Background maps include wetlands (provincially and locally significant), significant woodlands, significant wildlife habitat, significant valleylands, significant earth science ANSIs, watershed boundaries and aquatic habitat features, landscape connections and restoration potential and may be amended to reflect updated information without amendment to the Plan. Changes to Schedule B maps may only occur by amendment to this Plan.

5.2 Definition

A number of terms are used in the Natural Environment Section of this plan, and are defined here for future reference:

ANSI is an "Area of Natural and Scientific Interest" and includes life science ANSIs and earth science ANSIs. Life science ANSIs are significant representative segments of Ontario bio-diversity and natural landscapes including specific types of forests, valleys, prairies and wetlands, native plants and animals, and supporting environments. There are no Life Science ANSIs in Huron East.

Earth Science or geological ANSIs consist of some of the most significant representative examples of the bedrock, fossil and landforms in Ontario, and include examples of ongoing geological processes.

The only Earth Science ANSIs are located in the McKillop Ward. (Section 4.4.13, Significant Areas of Natural and Scientific Interest (ANSI) Earth Science).

Life and earth science ANSIs are identified and ranked by the Ontario Ministry of Natural Resources and Forestry as either provincially or regionally significant. ANSIs play an important role in the protection of Ontario's natural heritage since they best represent the spectrum of biological communities, natural landforms and environments across Ontario.

Development means the creation of a new lot, a change in land use, or the construction of buildings and structures requiring approval under the *Planning Act, RSO 1990*, as amended. Development does not include activities that create or maintain infrastructure authorized under the Environment Assessment process or works subject to the *Drainage Act*.

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

Fish Habitat means the spawning grounds, nursery, rearing, food supply and migration areas on which fish directly or indirectly depend upon for survival. "Fish" includes fish, shellfish, crustaceans and marine animals at all stages of their life cycles. *The Federal Fisheries Act* requires that fish habitat is protected.

Significant Habitat for Threatened or Endangered Species – Endangered species are native species at risk of extinction throughout all or a significant portion of Ontario and are identified in the Regulations of the *Ontario Endangered Species Act*.

Threatened species are native species at risk of becoming endangered through all or part of Ontario if certain limiting factors are not reversed. To protect threatened and endangered species, significant portions of their habitat must be protected. Development and site alteration will not occur in habitat of threatened and endangered species except in accordance with the provincial and federal requirements.

Sinkhole means a funnel-shaped depression formed when overlying materials collapse into a

solution cavity in limestone. They often constitute an easy and direct access pathway for stormwater into the underlying bedrock aquifer. Therefore, stormwater or drainage water would not benefit from purification processes by filtration through overburden formations such as sand, gravel or silt. Any contaminants suspended or dissolved in the water would be carried virtually untreated into the bedrock aquifer.

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

Valleylands means a natural area that includes rivers, lakes, streams or other natural linkages to the rest of the watershed. Valleylands may be significant for a number of reasons including:

- valley slopes
- important ecological function
- types of plants and animals found within these areas
- restoration potential
- historical / cultural value

Watershed means an area that is drained by a river and its tributaries.

Wetland is an area of land that is seasonally or permanently covered by water, or where the water table is close to the surface. Four types of wetlands are swamps, marshes, bogs and fens. Wetlands often have special plants and ecological, social and economic benefits which may make them important from a Provincial perspective. Wetlands have been classified by the Ministry of Natural Resources and Forestry in accordance with the Ontario Wetland Evaluation System.

Wetlands are dynamic ecosystems that can change over time, due to factors such as natural succession and changing water levels. Although the main character of a wetland is generally quite stable, outer boundaries can change and boundary verification or re-evaluation may be necessary from time to time. In these situations, Ontario Ministry of Natural Resources and Forestry wetland evaluation files can be updated to reflect current conditions.

Wetlands may be considered Provincially or regionally significant.

Wildlife Habitat means areas where plants, animals and other organisms live and find adequate amounts of food, water, shelter and space needed to sustain their populations. Specific wildlife habitats of concern may include areas where species

concentrate at a vulnerable point in their annual or life cycle; and areas which are important to migratory or non-migratory species. All wildlife habitat identified in this plan is considered significant.

Woodlands are treed areas that provide environmental and economic benefits such as erosion prevention, water retention, and provision of habitat for flora and fauna species, including forest interior birds; recreation; education; research and the sustainable harvest of wood products. The significance of woodlands has been evaluated based on their size, shape, proximity to other natural features, proximity to water courses, and potential connectivity/linkages.

5.3 Goals

The following Natural Environment goals are established:

- i) To identify those areas of Natural Environment which are of Provincial, regional and local significance.
- ii) To conserve, protect and re-establish Natural Environment areas and prevent further deterioration through wise management and use, and protection from incompatible development.
- iii) To protect, restore and enhance the integrity, connections and function of the ecosystem by encouraging the diversity of natural features and the natural connections between them.
- iv) To protect and enhance the quality and quantity of both surface and ground water resources.
- v) To maintain the landscape for maximum biodiversity, beauty, effect, and its inherent value.
- vi) To require that any development proposed in or near natural environment areas must justify its need and demonstrate that there will be no negative impacts on the natural features or the ecological functions for which the area is identified and show how the natural environment will be enhanced and increased.
- vii) To heighten public awareness and stewardship of the natural environment and

develop incentives for landowners to retain and maintain the natural environment.

- viii) To use innovative tools to enhance natural areas and their functioning.
- ix) To increase communication and co-operation between landowners of the natural environment, community, agencies, organizations and advisory groups, to achieve high standards of conservation practices.
- x) To participate in watershed management planning.
- xi) To increase the areas of forest cover in order to improve the health of the natural environment.
- xii) To encourage the protection of species at risk (aquatic or terrestrial).

5.4 Policy and Actions

To achieve these goals, the following policies and actions are adopted:

5.4.1 Designations

Natural environment features are designated and must be protected, restored, and enhanced for the benefit of present and future generations. Uses such as conservation, forestry, wildlife areas, and passive recreation are permitted.

Specific Policies and Actions dealing with the various components of the Natural Environment designation will identify any additional uses and constraints that apply. In some cases, an area may include more than one type of natural feature. Where an area includes more than one type of feature, all policies shall apply. In any Natural Environment designation, development may require permission of the local Conservation Authority and/or the County staff.

5.4.2 Watershed Management

The ecosystem will be protected by ensuring that its function will be preserved; the ecosystem will be restored by reducing the threat of negative impact and repairing past impairments; the ecosystem will be enhanced by ensuring and improving its integrity.

Watershed or subwatershed planning integrates water management, environmental management and land use planning on an ecosystem basis.

The Municipality of Huron East is primarily covered by two watersheds, managed by the Maitland Valley and Ausable Bayfield Conservation Authorities; the

Upper Thames River Conservation Authority manages a small portion in the east part of the Municipality of Huron East.

The boundaries of watersheds and sub-watersheds provide natural limits for managing the relationships between human activities and the environment. The Municipality of Huron East will participate in watershed and sub watershed studies in cooperation with the Conservation Authorities, adjacent Municipalities, community groups and other agencies. Watersheds will be used at the ecologically meaningful scale of planning and can be used as the foundation for considering cumulative impacts of development. Relevant findings of watershed planning may be implemented through amendment to this Plan.

5.4.3 Groundwater Protection

Groundwater plays an essential role in maintaining ecosystem health, including aquatic and terrestrial ecosystems. Water in the ground recharges aquifers and provides base flow to rivers and streams. Land use planning must consider the protection and enhancement of water and related resources and aquatic ecosystems on a watershed basis. Development will protect water quality and quantity.

Local groundwater conditions must be considered within the context of the larger, regional groundwater flow systems to maintain a sustainable water source. Groundwater provides water for residents and livestock or other uses. Water is provided through individual private wells, and Municipal water systems in the Municipality of Huron East. To ensure a secure supply of clean water, groundwater must be considered and protected. These functions include recharging, transmitting, attenuating contaminants, and storing and discharging water.

Proponents of development may be required to demonstrate that water supply meets or exceeds the Ontario Drinking Water Objective, without adversely affecting the quality or quantity of water in nearby wells. Any abandoned wells are to be decommissioned in accordance with Ministry of Environment and Climate Change guidelines. Additional studies may be required to identify recharge and discharge areas.

5.4.4. Source Water Protection

Detailed policies and goals for the implementation of the source water policies applicable to this Plan from the Maitland Valley-

Ausable Bayfield and Upper Thames Region Source Protection Plans are located in Section 9.4.

5.4.5 Community Stewardship

Education initiatives will be promoted for the benefit of a healthy environment. Such education programs could include: proper septic system and well maintenance as a pollution prevention effort; forestry management; and an understanding and appreciation of the natural environment. All aspects of a healthy ecosystem require the efforts and stewardship of the whole community.

Efforts may also include the retirement of marginal lands; tree planting programs; support for the Stewardship Council, Conservation Authorities and other groups promoting a healthy environment. This Plan encourages the use of innovative tools to enhance the natural areas through initiatives such as conservation easements, tax incentives and other voluntary programs.

The Municipality of Huron East anticipates the integration of the County of Huron Natural Heritage Plan into this Official Plan once the Plan is completed. The Natural Heritage Technical document defines the natural heritage features within the Municipality of Huron East, as well as the natural heritage systems.

5.4.6 Protection of Natural Environment Features

All areas of natural environment within Huron East will be protected. The most significant and sensitive natural features in the Municipality, identified as being Provincially or locally significant, are designated Natural Environment.

Ownership and stewardship of natural environment areas will be both public and private, with responsibility for proper management of these areas falling to both sectors.

Natural Environment areas consist of the following natural features:

- wetlands
- woodlands
- rivers and streams
- valley lands
- environmentally sensitive areas (ESAs), including:
 - life science areas of natural and scientific interest (ANSIs);
 - habitat for threatened or endangered species;
 - wildlife & fish habitat;
 - earth science areas of natural and scientific interest (ANSIs).

Natural environment areas are intended to remain in their natural state. No change of use will be permitted in natural environment areas, with the exception of Section 5.4.7. A change of use will require a supportive Environmental Impact Study (Section 5.4.11) which demonstrates no negative impacts will result on the natural features or ecological functions of the area. No development will be allowed in these natural areas, aside from those exceptions listed in the 'Use of Existing Woodland Lots' Section 5.4.7 of this plan.

Forestry practices that respect ecological functions are encouraged. Selective cutting will be regulated by the County's Forest Conservation By-law. Clearing of natural environment areas is not permitted. Drainage of natural environment areas is discouraged and where permitted under the *Drainage Act*, will respect ecological features and functions.

5.4.7 Use of Existing Woodland Lots

Significant forested areas shall be protected. Development shall be directed away from forested areas where an alternative location exists on the property.

However, in some cases, original and/or existing lots consisting entirely of woodland features may contain a residence without detrimentally affecting the natural environment goals of this Plan. These properties must be rezoned to a special natural environment zone, provided:

- No alternative location exists on the property that is not within the natural environment designation.
- The affected area is not a wetland, a floodplain, a hazard area (unstable slopes, soils or sinkholes), or an environmentally sensitive area (ANSI, habitat for threatened or endangered species).
- On valley land properties, no alternative building site exists outside of the valley land.
- The development results in minimal effects on the ecological features and functions of the area.
- The groundwater will be protected, particularly in vulnerable areas.
- The local Conservation Authority or other appropriate agencies shall be consulted.
- The residence may not be severed from the holding on which it is located.
- The dwelling will comply with Minimum Distance Separation requirements.

- The site is suitable for construction, the soil is suitable for sewage disposal and an adequate supply of potable water is available.
- Development is in accordance with the County Forest Conservation By-law.
- The site is serviced by a fully maintained Municipal or Provincial road (alternative standards may apply to existing developed areas).
- Development is in compliance with the Fill and Construction Regulations of the Conservation Authority.
- Development may be conditional on an Environmental Impact Study (EIS) and on natural environment enhancements, such as forest improvements, linkages, stewardship agreements and conservation easements.

5.4.8 Adjacent Lands

Prior to issuing a building permit or approving a planning application within 120 m from the Natural Environment Area the Municipality will consult with the Conservation Authority and the County of Huron Stewardship Coordinator to determine if an Environmental Impact Study () (Section 5.4.13) or other appropriate study is required in order to assess the impact of a proposed development.

A study may be required in a natural environment feature and within 120 metres of adjacent lands of a feature to ensure significant natural features are protected from incompatible development.

Existing agriculture activities are permitted to continue in any adjacent land area. New buildings and structures, and expansions of existing farm buildings, for the housing of livestock/poultry and manure storage may be required to complete appropriate studies.

5.4.9 Watercourses and Fish Habitat

Development and site alteration shall not adversely affect watercourses. The zoning by-law shall establish setbacks from watercourses to minimize the effect of development and site alteration. The Ministry of Natural Resources and Forestry, Department of Fisheries and Oceans and/or the local Conservation Authority may be consulted when a proposal potentially affects fish habitat.

The protection and establishment of naturally vegetated buffer strips along water bodies and headwater areas are encouraged. Storm water management and drainage activities shall be evaluated to minimize impact on watercourses and to preserve water quality and quantity.

5.4.10 Extractive Resources

Priority is given to ensuring the orderly extraction and optimum utilization of mineral aggregate resources to provide for local, regional and provincial needs. It is important to minimize any negative environmental, economic, social and land use effects on the Municipality and its residents. Further, it is the intent of this Plan that extraction does not have permanent adverse effects on environmental features such as woodlots, wetlands, watercourses and groundwater. The extraction should contribute responsibly to the quality and quantity of the natural environment through rehabilitation measures. Proposals that meet these criteria may be considered by amendment to this Plan.

When aggregate extraction in Natural Environment designations is being considered, the policies of Section 8 Extractive Resources of this Plan shall be satisfied.

An amendment to this Plan and Zoning By-law may be considered where an Environmental Impact Study details how an aggregate operation is possible without having a negative impact on the Natural Environment features.

5.4.11 Environmental Impact Study (EIS)

A number of policies in this section require an Environmental Impact Study to be conducted in order to assess the impact of development. The following section identifies the process and content of an Environmental Impact Study required under the policies of this Plan.

Environmental Impact Studies should be conducted in two phases:

- Phase I identifies the suitability of the site for the proposed development, including an inventory of the natural features and functions present on the site.
- Phase II should identify conditions for development and any potential mitigation measures. The Phase I report must be reviewed and approved by the appropriate agencies before Phase II is initiated.

A pre-consultation meeting will establish the scope of the development proposal, identify the natural heritage and hazard issues to be addressed, determine if habitat for threatened or endangered species is present, detail the accepted methods of evaluating potential impacts, and specify the qualifications of personnel required to carry out these

evaluations. The Municipality may develop more specific guidelines; however the EIS will address the following issues at a minimum.

Phase I: Site Suitability

- a) An identification and description of the purpose of the proposed land use change and proposed development;
- b) The natural heritage features and functions, and/or hazard features present;
- c) The existing interconnections or corridors with adjacent natural features;
- d) The nature and duration of potential impacts to the site, and adjacent lands and ecological processes/functions; and the potential cumulative effects of the proposed development;
- e) In the case of natural hazards, information relevant to slope stability, flooding potential, and existing natural hazard processes will be addressed;
- f) The specific location of boundaries or edges of such features and functions, and the location of proposed development or site alternation with respect to these delineated boundaries;
- g) A description of the environment including, ecological processes/functions that will be affected by the development, as well as a description of the effects that will be or might reasonably be expected to be caused to the environment.

The data will be reviewed by the Conservation Authority/Agency reviewer

Phase II may or may not be required as based on the results of Phase I. The Municipality, County staff and Conservation Authority will work in partnership to review the Phase I report and to determine whether a Phase II report is required.

Phase II: Development/Maintenance/Management Requirements

An assessment of the proposal giving particular attention to the following:

- a) Potential or expected impacts on the features or functions or natural hazard conditions;
- b) Opportunities for enhancing the conservation and management of the features or functions;
- c) The design of new development will protect natural features, including topography and woodlands;
- d) Expected or proposed mitigation measures.

The applicant is required to complete an appropriate development plan for the proposal, including maintenance and management plans to protect the environment. The Plan is to be approved by the Municipality based upon the recommendation of the appropriate authorities.

5.5 SITE PLAN

Pursuant to Section 41(2) of the Planning Act, (RSO, 1990), any lands within the natural environment designation are hereby established as a proposed site plan control area within which Council can pass site plan control by-law.

5.6 LOCATION

The general location of lands designated Natural Environment are shown on the Land Use Plan, Schedule "B". The specific location of types of Natural Environment features are shown in the Comprehensive Zoning By-law.

SECTION 6: URBAN SETTLEMENTS

6.1 Introduction

Huron East has a system of urban places including the larger, fully serviced settlements of: Brussels, Seaforth, South of Seaforth (Bridges), and Vanastra; and the partially serviced settlements of Brucefield, Egmondville, the south half of Molesworth and South of Clinton. The other settlement areas are serviced by private water and septic and include: Cranbrook, Ethel, Graham Survey, Harpurhey, Henfryn, Winthrop, and part of the settlements of Dublin, Kippen, St. Columban, and Walton.

These urban places provide a variety of residential, commercial, industrial, recreational, and community facility functions. It is the intention of this Plan to promote the development of these settlements in a manner consistent with their existing roles, character and level of servicing.

The urban policies also address other types of urban settlements including development adjacent to the neighbouring urban settlements of Clinton and Hensall; and existing/future Mobile Home Park development.

6.2 Definition

This Plan deals with various types of urban development based on function, size and the availability of services with definitions, goals, policies, locations and implementation criteria established for each.

Settlement Areas are divided into primary, secondary, and tertiary in the County of Huron Official Plan.

Huron East Settlement Areas by Type

Primary Settlement Areas	Secondary Settlement Areas	Tertiary Settlement Areas
Brussels Seaforth Vanastra South of Seaforth (Bridges)	Brucefield Egmondville South of Clinton Molesworth	Cranbrook Dublin, Ethel Graham Survey Harpurhey Henfryn, Kippen St. Columban Walton, Winthrop

Their boundaries are shown on Schedules “B” as attached e.g. Schedule “B” – Seaforth, Schedule “B” - Brussels.

The definition for each type of settlement area is provided below.

6.2.1 Primary Settlement Areas:

These communities have full municipal water and sewer services. These areas are intended to be the primary location for growth and development and offer a full range of amenities and employment areas.

Seaforth, Brussels, Vanastra, and the lands South of Seaforth (Bridges), are considered primary settlement areas.

6.2.2 Secondary Settlement Areas:

These communities include villages and hamlets with partial municipal services and significant populations. They are less densely populated than primary settlement areas. These areas are intended to accommodate a limited amount of residential growth, new community facilities and employment uses.

Brucefield, Egmondville, Molesworth and the lands South of Clinton are secondary settlement areas and are serviced with a municipal water system. It is noted that the Huron County Official Plan lists the lands South of Clinton as a primary settlement area (PII), Based on the existing level of servicing and the area being historically treated as a hamlet, Huron East considers the lands South of Clinton to be a secondary settlement area.

6.2.3 Tertiary Settlement Areas:

These communities are villages and hamlets which are serviced by individual (private) or privately operated communal on-site services. Development in these areas will be small-scale and limited to infilling and rounding out.

Cranbrook, Dublin, Ethel, Graham Survey, Harpurhey, Henfryn, Kippen, St. Columban, Walton and Winthrop are tertiary settlement areas.

6.3 General Urban Settlement Area Goals

The following goals are established for Huron East’s urban settlement areas:

6.3.1 To direct growth first to primary settlement areas with municipal sewer and water services;

6.3.2 To utilize infill and rounding out as a primary means of growth in secondary and tertiary settlement areas;

- 6.3.3 To require residential development applications to demonstrate how they help to achieve affordable housing and intensification targets;
- 6.3.4 To encourage intensification and infill development within existing settlement areas, especially where municipal water and sewer is available, before considering an expansion to a settlement area boundary;
- 6.3.5 To promote socio-economic, cultural and ethnic diversity through the development of healthy, age-friendly and walkable communities;
- 6.3.6 To create great urban spaces by applying high standards of design;
- 6.3.7 To provide for urban natural environment, parks and open space to create recreational opportunities within the community and to protect natural landscapes and hazard land; and
- 6.3.8 To establish land uses in a way that promotes compatibility and minimizes conflict through the creative use of landscaping, site and building design, and setbacks.

6.4 General Urban Settlement Area Policies

6.4.1 Growth Allocation

The primary settlement areas of Brussels, Seaforth, Vanastra, and the lands South of Seaforth (Bridges), will continue to be the focus of development activity in Huron East over the long term.

Growth and development will be directed firstly to settlement areas with full municipal sewer and water services. Opportunities in secondary and tertiary settlement areas will generally be for infilling and rounding out and for providing limited community facilities, commercial and employment lands consistent with the rural character of the community.

The Municipality will endeavor to direct population growth according to settlement area type as outlined in the Huron County Official Plan.

Settlement Area Type	Allocated Growth
Primary Settlement Area	65%
Secondary Settlement Area	20%
Tertiary Settlement Area	15%

The Municipality will monitor growth and development within its urban settlement areas and at the time of Official Plan updates the Municipality will report development in relationship to the growth allocation targets.

6.4.2 Intensification

Intensification includes redevelopment, infilling, and expansion or conversion of existing buildings, including the establishment of second residential units. The efficient use of land and services is encouraged through increased intensification within the existing boundaries of settlement areas. The design of residential development within already established areas, including intensification, shall be considerate and sensitive to the character of that neighbourhood. The appearance and location of buildings and structures in new developments should incorporate design features which complement existing properties in the immediate area.

6.4.2.1 Targets for Intensification

The Municipality of Huron East establishes the following targets for intensification, as per the Huron County Official Plan:

- 20% of total residential development in Primary Settlement areas will be accommodated through intensification.
- 10% of total residential development in Secondary Settlement areas will be accommodated through intensification.
- Intensification in Tertiary Settlement Areas shall be determined based on provision of adequate servicing.

6.4.2.2 Encouraging Intensification

The Municipality of Huron East will encourage intensification in settlement areas by:

- Permitting existing small lots to be built on and allowing for increased density of development to efficiently use infrastructure provided that drainage issues can be appropriately addressed;
- Establishing minimum height requirements in downtown areas; and
- Permitting second residential units in primary settlement areas.

The Municipality will monitor intensification within its urban settlement areas and at the time of the Official Plan updates the Municipality will report on development in relation to intensification targets.

6.4.3 Accessibility and Universal Design

All development and redevelopment shall proceed in conformity with the standards and regulations of the

Accessibility for Ontarians with Disabilities Act. The Huron East Universal Design and Accessibility Guideline shall be considered in all private development proposals through the site plan review process.

6.4.4 Affordable Housing

Housing is one of the most fundamental human needs. It is also a key driver shaping the economic and social sustainability of communities.

6.4.4.1 Goals for Affordable Housing

The following goals are established for affordable housing within Huron East's settlement areas:

- To encourage and facilitate the provision of a full range of housing forms and ownership/rental structures to meet the needs of current and future residents.
- To encourage redevelopment and intensification of underutilized properties for residential purposes.
- To encourage new affordable rental housing to be located in primary settlement areas where residents can have greater access to services.

6.4.4.2 Definitions for Affordable Housing

Affordable means:
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;

In the case of rental housing, the least expensive of:

- A unit for which the annual 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.

Garden Suite means:

A one-unit detached residential structure containing bathroom and kitchen facilities that is

ancillary to an existing dwelling and that is designed to be portable.

Low and Moderate Income Households means:

- 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.

Regional Market Area means:

An area, generally broader than a Municipality that has a high degree of social and economic interaction. Huron County is considered the Regional Market Area for the purpose of applying this definition.

Second Residential Unit means:

A self-contained residential unit with kitchen and bathroom facilities within a dwelling or within an accessory structure to the principal dwelling.

6.4.4.3 Policies for Affordable Housing

1. The Municipality will encourage the development of housing that is affordable for low and moderate income households. In order to provide opportunities for affordable housing units, Council may consider relief from municipal permit fees, taxes and/or development fees, where permitted by legislation.
2. The preferred locations for affordable housing are Brussels, Seaforth and Vanastra, due to the availability of services, employment opportunities and community facilities.
3. The minimum affordable housing target is 30% of all new residential development

Affordable housing may be achieved by:

- Increasing density through reduced lot or unit size;
- Construction, redevelopment and renovation of a variety of dwelling types including medium to high-density residential dwelling types, garden suites and second units;
- Applying for government grants and/or subsidies, including identifying surplus municipal land holdings and land dedication; and
- Encouraging the establishment of second residential units and garden suites.

4. The Municipality will work with other government agencies and the private sector to promote innovative housing forms and development techniques and incentives that will facilitate the provision of affordable housing.
5. **Second Residential Units**
A second permanent dwelling unit may be permitted within a detached dwelling, semi-detached dwelling, multiple attached dwellings or within an accessory structure thereto provided that:
- Second residential units are limited to primary settlement areas with full municipal services (sewer and water) and within a permanent dwelling or accessory structure in the agricultural designation subject to the policies of section 4.4.2;
 - There are a maximum of two dwelling units, either with both residential units located in the principal dwelling or with one residential unit located in the principal dwelling and a second unit located in an accessory structure;
 - An accessory structure containing a residential unit shall be designed to be compatible with the dominant architectural style of the area;
 - Second residential units shall be permitted within both existing and new dwellings;
 - The zoning by-law shall establish the zones within which second residential units may be permitted and shall include provisions to regulate the use;
 - Second residential units in an accessory structure shall be subject to site plan control regardless of which zone they are in;
 - Second residential units shall meet the standards of the Ontario Building Code and other relevant municipal and Provincial regulations.
6. **Garden Suites**
Garden suites are temporary in nature and are permitted within secondary and tertiary settlement areas, and in agricultural areas of the Municipality, subject to:
- Appropriate water and sewage services to accommodate the use;
 - The passing of a temporary use by-law under Section 39.1(1) of the Planning Act, authorizing the garden suite for an initial period which shall not exceed 20 years, with further renewals that do not exceed 3 year periods; and
 - A development agreement for the occupancy, duration and location of the temporary use.
- 6.4.5 Contiguous Development within Settlement Areas**
Development within fully or partially serviced Settlement Areas will be contiguous with existing development and will be connected to available municipal water and/or sewer services. Development permitted to round out unserviced settlement areas will be contiguous with existing development.
- 6.4.6 Development Adjacent to Settlement Areas**
Development is not permitted adjacent to any existing Settlement Areas unless a Settlement Area boundary expansion is approved in accordance with the policies of this Plan.
- 6.4.7 Expansion of Settlement Areas**
Sufficient land is designated within Huron East to accommodate projected growth and development within the 20 year planning horizon to 2035.
- Settlement area expansions are not anticipated in the planning horizon (20 years).
- Any expansion of existing Settlement Areas or the establishment of a new Settlement Area will require a supportive comprehensive review in accordance with the Provincial Policy Statement.
- In addition, the proponent of an expansion to a settlement area shall:
- Demonstrate there is a need within the planning time horizon of 20 years.
 - Demonstrate that the proposed expansion is a logical extension of the settlement area and physically suitable for development, considering any constraints, such as Hazard Lands and Natural Heritage Features;
 - Demonstrate extension of services are feasible;
 - Confirmation of sufficient reserve sewage and water systems capacity within municipal services or that municipal systems will be expanded to ensure reserve capacity;
 - Demonstrate that the proposed expansion complies with the minimum distance separation formulae;
 - Demonstrate how the additional volume of traffic through the transportation network will be accommodated;

- Demonstrate that impacts of development on the natural environment will be minimized.
- Provide other studies as required to support the proposed development as determined by the County and Municipality; and
- Meet any other requirements as stipulated by the applicable Provincial Policy Statement, legislation and regulations in effect at the time.

6.4.8 Designation of Employment Areas

Employment Areas, as defined in the Provincial Policy Statement, promote a diverse economic base by maintaining a range and choice of suitable employment sites that support a range of employment and ancillary uses.

Employment Areas include only industrial lands and are the focus of major concentrations of industrial-related employment growth and development in the Municipality, which may include manufacturing, logistics operations, warehousing, distribution, business park uses and offices. Ancillary commercial and retail uses serving the Employment Area will be permitted. Community Facility and Highway Commercial uses are not considered Employment Areas.

This plan supports redevelopment of employment lands and secondary uses in rural settlement areas to support sustainable local economies.

The towns, villages and hamlets provide the greatest opportunity for new and redeveloped employment areas. In Huron East, the majority of the Employment Area lands are located in Brussels, Seaforth, and Vanastra.

There are hamlets and villages in Huron East which include employment lands. These uses will be permitted to develop under the Urban Designation and will not require an amendment to the Official Plan prior to development. These lands will be zoned appropriately in the Huron East Zoning By-law.

Employment areas will be protected for industrial purposes over the long-term. Municipal community facilities (i.e. ambulance station, fire hall, works yard) may be permitted within employment areas, subject to the specific policies of the industrial designation and zoning by-law.

6.4.9 Expansion of Employment Areas

A proposal to expand the boundaries of an Employment Area shall only be considered where it is demonstrated that:

- Opportunities for intensification, infill and redevelopment have been explored, and accounted for in evaluating alternatives to an Employment Area expansion;
- The proposed expansion is a logical extension of the Employment Area and will develop on appropriate level of servicing determined by the Municipality. Where full municipal water and sewer services are available the Municipality shall require their extension. Provisions shall be made to manage storm water either on-site or regionally;
- The proposed expansion has regard for appropriate separation of incompatible sensitive land uses;
- The land is physically suitable for development, considering any constraints, such as Hazard Lands and Natural Heritage Features;
- The transportation network can accommodate additional volume of traffic and demand for services;
- A suitable plan for phasing, financing and construction of the infrastructure for the expansion area is developed;
- Cross-jurisdictional issues have been considered; and
- Other requirements established by the Provincial Policy Statement, legislation and regulations in effect have been satisfied.

6.4.10 Removal of Land from Employment Areas

Employment Areas shall be protected and preserved for employment uses and the Municipality shall discourage the conversion of Employment Areas for other uses.

The conversion of lands from Employment Areas to non-employment uses shall only be considered through a comprehensive review of this Plan, and only where it is demonstrated that the land is not required for employment purposes over the long-term and that there is a demonstrated need for the conversion.

Employment areas only include industrial lands. Commercial lands are not included in employment areas for the purpose of a comprehensive review.

A comprehensive review for conversion of employment areas to non-employment uses must provide:

- Justification of the need for conversion of employment lands, including demonstration that sufficient opportunities are not available through redevelopment, intensification and designated growth areas in the local market area;
- Demonstration that there are no reasonable alternative locations for the proposed use available that would avoid the conversion of employment lands;
- Description of the planned or available infrastructure and public service facilities suitable for the proposed development;
- Demonstration that the impacts of development on the natural environment will be minimized;
- Demonstration that the conversion is compatible with neighbouring uses and will not adversely affect the function of the employment area;
- There is no past on-site contamination that would negatively impact the proposed use or future users of the site;
- Consideration of cross-jurisdictional issues;
- Completion of other studies as required to support the proposed development as required by the County and the Municipality; and
- Demonstration that the proposal is consistent with any other requirements established by the Provincial Policy Statement, legislation and regulations in effect.

6.4.11 Natural Environment Features

Natural features and functions will be protected according to the Natural Environment policies in Section 5 of this Plan. Where development is proposed in proximity to natural environment features, an environmental impact study may be required. Development shall proceed according to the requirements of the Huron County Forest Conservation By-law. The design of new developments will be harmonized with natural environment features, including topography and woodlands.

6.5 Primary Settlement Areas: Brussels, Seaforth, Vanastra, and the lands South of Seaforth (Bridges)

6.5.1 Introduction for Primary Settlement Areas

Huron East has four larger settlement areas serviced by public water and public sewage: Seaforth, Brussels, Vanastra, and the lands South of Seaforth (Bridges). In the future, if the Municipality extends full services to other settlement areas, the policies of section 6.5 shall apply without amendment to this Official Plan.

The settlement of Seaforth functions as the largest urban centre for housing and employment in the urban system of Huron East. It is also one of the 5 main urban settlements in Huron County. In addition to a Provincial highway, a freight rail line also services Seaforth.

The heritage attributes of Seaforth, its Victorian Main Street and tree lined streets dotted with heritage homes, make it a desirable residential area and visitor destination. Seaforth's pride reflects a long tradition of community involvement and sports achievements; it promotes itself as "Small Town Canada at its Best". Seaforth is located on Provincial Highway #8 halfway between Stratford and Goderich. Adjacent to Seaforth are the settlements of Harpurhey and Egmondville which present an additional residential focus for the area. The Bayfield River and Silver Creek provide natural heritage features in the area.

The settlement of Brussels functions as an urban service centre for the surrounding rural agricultural area and provides an important residential, community facility and commercial focus. Rich in natural and built heritage, Brussels' location on the Maitland River provides a scenic location for its historical features and homes. Brussels promotes itself as providing the ambiance of rural life – with urban convenience. Brussels is located approximately 25 km north of Seaforth along County Road #12. The urban designated area of Brussels is large enough to accommodate its anticipated growth, at this time.

The settlement of Vanastra provides an important residential, community facility, industrial and commercial function. As a former military base transferred to private ownership, Vanastra displays some unique design and building characteristics. It is located just south of Clinton on Provincial Highway #4. The eastern half of Vanastra is composed almost entirely of residential and community facility uses; whereas the west is largely

a combination of industrial, commercial and some community facility uses. The continued development of the commercial / industrial sector and the residential area should be encouraged and compatibility issues addressed.

The lands South of Seaforth (Bridges) are a primarily residential extension to the Seaforth community, with some associated recreational and community facility functions. Future development of this area is anticipated to be limited in scope.

6.5.2 Goals for Primary Settlement Areas

The following goals are established:

- To provide opportunities for new residential, commercial, community facilities and industrial development.
- Expansion of urban settlement boundaries will be based on the availability of public water and sewer and a demonstrated need for the urban growth.
- To prevent fringe or sprawl development patterns by efficient concentration of urban uses.
- To provide a broad mix of quality housing choices, both to rent and to own, in sufficient supply and variety in type, cost, affordability and location to meet the varying housing needs of the community.
- To promote the creative use of landscaping, energy efficiency, building and site design in residential development and the integration of new buildings to harmonize with established areas.
- To maintain stable, safe, attractive, and healthy residential neighbourhoods while protecting from conflicting land uses.
- To promote architecturally compatible housing and compatible lot sizes in existing residential areas.
- To limit industrial uses to those that are in compliance with Provincial emissions standards and servicing capacities.
- To retain the maximum flexibility for commercial and industrial uses in hamlets. These uses can locate in the urban designation with the appropriate amendment to the Zoning By-law.
- To designate lands as commercial or industrial in the larger settlements.
- To guide the location of development ensuring its compatibility with surrounding land uses.
- To meet the urban natural environment, parks and open space needs of the

community and to protect unique or fragile natural landscapes.

- To ensure development is directed outside areas of natural hazards to ensure proper land use and to minimize risk to life and property.

6.5.3 Policies and Actions for Primary Settlement Areas

Development Policies and Actions will be grouped according to type of land use.

6.5.3.1 Residential – Primary Settlement Areas

6.5.3.1.1 Definitions – Primary Settlement Areas Residential

1. **LOW DENSITY:** includes single detached dwellings, a second residential unit and converted dwellings;
2. **MEDIUM DENSITY:** includes single detached dwellings, semi-detached, second residential units, triplexes, fourplexes and multiple attached dwellings not exceeding six units per building; **(As amended by OPA #11)**
3. **HIGH DENSITY:** includes apartment buildings, multiple attached dwellings exceeding four units per building (including second residential units) as well as triplexes and fourplexes.
4. **CONDOMINIUM:** refers to the individual ownership of a unit in a multi-unit building based on a legal description of the unit, plus an undivided interest in the ownership of the common elements, which are owned in common with the other condominium unit owners.
5. **GROUP HOME:** Group home means premises used to provide supervised living accommodation as per the requirements of its residents, licensed or funded under the Province of Ontario or Government of Canada legislation, for a maximum of 10 persons, exclusive of staff, living together in a single housekeeping unit.
6. **RESIDENTIAL INTENSIFICATION:** means changes to 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, expansion of existing residential dwellings or the establishment of new dwellings and accessory buildings to create second residential units and accessory apartments.

6.5.3.1.2 Goals – Primary Settlement Areas Residential

1. To provide a wide variety of housing types and prices to satisfy the varying housing needs of existing and anticipated residents through both private and public actions.
2. To promote the creative use of building and site design and landscaping to allow the mixing of densities, the integration of new structures into the older areas without a loss of harmony and the continuation of the existing natural landscape.
3. To create walkable, age-friendly neighbourhoods with mixed uses and density that reduces dependency on automobiles.
4. To create complete neighbourhoods with mixed housing for all ages to promote health, well-being and aging in place.
5. To encourage the integration of new residential development into established neighbourhoods through consideration of, and sensitivity to, the character, context and design of the surrounding area.
6. To assist with the provision of affordable housing to meet the needs of residents with low and moderate incomes.
7. To make the most efficient use of land and existing services available within the urban boundary by encouraging intensification.

6.5.3.1.3 Policies – Primary Settlement Areas Residential

1. Adequate parks, water supply, sanitary waste disposal, storm and surface drainage, roads, sidewalks and street lighting are available or are made available to serve the proposed development.
2. Residential development shall proceed with concern for compatibility of surrounding land uses. Residential development in proximity to Industrial uses shall proceed according to Ministry of Environment and Climate Change Guideline D-6 'Compatibility between Industrial Facilities and Sensitive Land Uses' as updated.
3. Natural site features including tree cover and topography will be protected and incorporated into the design concept of new residential developments as far as possible and landscaping will be used to enhance residential character and quality. Natural environment enhancements should be designed to promote both ecological and human benefits in order to promote healthy, safe and walkable neighbourhoods.

4. New residential development will be allowed in all residential neighbourhoods as infilling, intensification, and expansion on full Municipal services. Priority will be given to residential intensification in proximity to the central business areas of Seaforth and Brussels.
5. Infilling and residential intensification will occur primarily in established residential neighborhoods. These developments will proceed primarily by establishing accessory residential units and by severance according to the Land Division Policies of this Plan. The proposed lot sizes shall be compatible with the existing lot sizes in the immediate area.
6. The expansion of residential areas will generally be by registered plan of subdivision or condominium. New residential development should occur at a density which effectively uses land, resources, infrastructure, and community facilities. New developments will be designed and phased in a way to maintain a continuous urban form, interconnected road and servicing network, and will be staged to the availability and capacity of Municipal services.
7. Street design shall form an integrated network of connected, direct and easy to follow routes which are built on existing networks, promote walking through the provision of sidewalks, trails and open space to link homes with shops, schools, parks and other important destinations. Streets shall be designed to be safe, pedestrian-scale and well maintained.
8. Energy conservation concepts will be encouraged into road, subdivision and building design to permit new dwellings to take advantage of passive solar heat gain.
9. Alleviation measures will be included in the development and redevelopment of residential land uses located or being proposed in areas subject to the impact of noise and/or vibration.
10. New residential developments shall provide a mix of dwelling types and includes a range of affordable housing for current and future residents.
11. New housing should be carefully designed to blend with the form, scale, character and architectural design of existing development and should be compatible with existing or proposed surrounding uses.
12. The Municipality of Huron East will have regard for accessibility issues promoting a barrier free Municipality in accordance with the Accessibility for Ontarians with Disabilities Act, 2005, as amended from time to time.
13. Residential uses will be allowed within the central business area above or behind

- commercial uses, but must be provided with adequate off-street parking facilities.
14. Home occupations will be allowed in residential areas subject to the provisions of the implementing Zoning By-law.
 15. All residential areas requiring an upgrading of the physical environment including the needed hard and soft services, are designated as community improvement areas; in these areas, programs for conservation, rehabilitation and renewal will be initiated in conjunction with the neighbourhood residents.
 16. Seaforth is adjacent to 2 smaller settlement areas: Egmondville and Harpurhey. Future development of these adjacent areas may need to be fully serviced with Municipal water and sewer. Limited infill development may be considered on private servicing.
 17. Brussels has 2 adjoining areas of Graham Survey and Burgess Street. Future development of these adjacent areas may need to be fully serviced with Municipal water and sewer. Limited infill development may be considered on private servicing.

6.5.3.1.3.1 Low Density – Primary Settlement Areas

There is a substantial supply of single detached dwellings in established neighbourhoods within Seaforth, Vanastra, Brussels, and the lands South of Seaforth (Bridges).

Single detached dwellings continue to meet a housing need and will continue to represent a significant proportion of new housing within the primary settlement areas of Huron East.

Single detached, converted dwellings and second residential units are all permitted structures within an area zoned residential low density.

Second residential units are permitted on properties with single detached dwellings subject to the policies of Section 6.4.4.3.5.

6.5.3.1.3.2 Medium and High Density – Primary Settlement Areas

1. Medium density includes single detached, duplexes, semi-detached, triplexes, fourplexes, and multiple attached dwellings, which do not exceed six units per building. Second residential units are permitted within a single detached, semi-detached and multiple attached dwellings in medium density. **(As amended by OPA #11)**

2. High density includes apartments and multiple attached dwellings, which exceed six units per building. **(As amended by OPA #11)**
3. Medium and high density uses will be permitted throughout the residential designation of land use, subject to the appropriate zoning.
4. Medium and high density residential developments are subject to the site planning controls of Section 41 of the *Planning Act*, (RSO 1990), and applicants shall be required to enter into registered agreements with the Municipality prior to the enactment of an amendment to the Zoning By-law and/or the issuance of building permits.
5. Medium and high density housing proposals will be considered individually on their merits and prior to rezoning shall meet the following criteria:
 - medium and high density housing shall maintain a building profile similar to the surrounding residential area and their design should maintain the character of the residential area;
 - all parking be off-street;
 - attractive landscaping and adequate on-site amenities will be provided;
 - the siting, design and coloration of buildings and structures should be used to create a harmonious blending with the surrounding residential area.
6. Where a conflicting land use exists near a developing residential area, the residential development will incorporate appropriate measures to prevent or alleviate any adverse effect on the residential use.
7. Medium and high density sites shall be located in a manner, which minimizes traffic movement through low density residential areas.
8. Medium and high density residential uses shall be encouraged to locate in or near the downtown areas where permitted by the commercial policies, in areas near community facilities and in newly developing areas.

6.5.3.1.4 Other Residential Uses – Primary Settlement Areas

6.5.3.1.4.1 Communal and Group Homes

Special needs housing, including Communal homes and Group homes, as defined in the Zoning By-law, will be permitted in the Municipality subject to the following Policies and Actions:

1. Licensing and approval by the Province where required;
2. Wherever possible, located near appropriate services and amenities, including physical infrastructure such as sidewalks and open space

as well as social services and community facilities;

3. New development will come under the site planning controls of Section 41 of the Planning Act, (RSO 1990), and applicants shall be required to enter into registered agreements with the Municipality.
4. That Municipal sanitary, storm and water supply services are available and have the capacity to accommodate the development.

6.5.3.1.5. Residential Care Facilities

Residential care facilities includes nursing homes, rest homes, and long-term residential care for seniors and those with disabilities . These residential uses will be permitted subject to the following Policies and Actions:

1. Wherever possible, this type of housing is located near appropriate services and amenities, including physical infrastructure such as sidewalks and soft services, such as community facilities and social services.
2. Development is designed in harmony with the scale, building height and character of the surrounding area.
3. Appropriate site planning measures are used to ensure compatibility with adjacent residential uses.
4. Where required, the residential care facility will be licensed by the Province.
5. **Site Plan Control.** Pursuant to Section 41(2) of the *Planning Act*, (RSO 1990), any lands proposed for residential care facilities are hereby established as a proposed site plan control area within which Council may pass site plan control by-laws.

6.5.3.1.6 Residential Conversions

Residential conversions to multi-household units will be permitted subject to the following Policies and Actions:

1. Sufficient road access, on-site parking, amenities and services are provided to meet the needs of the development.
2. Municipal sanitary, storm and water supply services are available and have the capacity to accommodate the development.
3. The residential character of the area is maintained. All building exteriors shall maintain the residential character of the surrounding neighbourhood.
4. Appropriate site planning measures are used to ensure compatibility with adjacent residential uses.

5. Conversions meet the requirements of the Zoning By-law, the property standards and occupancy by-law.
6. **Site Plan Control.** Pursuant to Section 41(2) of the *Planning Act*, (RSO 1990), any lands proposed for a residential conversion are hereby established as a proposed site plan control area within which Council may pass site plan control by-laws.

6.5.3.1.7. Other Permitted Uses in Residential Areas

In residential areas, secondary or complementary uses have occurred and will continue to occur. The following Policies provide guidance and compatibility criteria for review of these uses:

1. Home Occupations

Home occupations will be allowed in residential areas subject to the provisions of the implementing Zoning By-law.

2. Bed and Breakfast

Bed and Breakfast establishments are considered home occupations and may be permitted within the residential designation. The Zoning By-law may provide minimum standards relating to the adequacy of the site, suitability of each, and compatibility with surrounding uses.

3. Medical Facilities

Medical facilities such as the offices of doctors, dentists and drugless practitioners will be allowed in a residential area subject to the following:

1. The policy set out for home occupations and the requirements of the Zoning By-law.
2. Medical facilities which exceed the criteria of home occupations will be required to locate in a commercial area, or in a special medical care facilities area developed in conjunction with the Seaforth Community Hospital complex or the Brussels Medical Centre.
3. **Site Plan Control**
Pursuant to Section 41(2) of the *Planning Act*, (RSO 1990), any lands proposed for medical facilities, under subsection (ii) above, are hereby established as a proposed site plan control area within which Council may pass site plan control by-laws.

6.5.3.1.8 Community Facility and Open Space Uses

In addition to the primary residential uses, community facility and open space uses will be allowed in residential areas. These uses which form

an integral part of the residential area and play a supportive role may be permitted if the following Policies and Actions are satisfied:

1. They are located and designed so that the primary residential character, function, and atmosphere is maintained.
2. Necessary site planning measures are taken to avoid disrupting surrounding residential uses by nuisances arising from traffic flow, signage, and assemblages of people and lighting.
3. Sufficient on-site or nearby parking is provided.
4. An amendment to the Zoning By-law to the appropriate Community Facility or Urban Natural Environment and Open Space zone is made.
5. **Site Plan Control**
Pursuant to Section 41(2) of the *Planning Act*, (RSO 1990), any lands proposed for community facility and open space uses are hereby established as a proposed site plan control area within which Council may pass site plan control by-laws.

6.5.3.1.9 Funeral Homes

In Huron East, three funeral homes are located in residential neighbourhoods (1-Seaforth; 1-Brussels). These uses will be recognized by a special residential zone in the corresponding Zoning By-law. Any expansion of these uses onto adjacent properties will require a Zoning By-law amendment and not an Official Plan Amendment. New funeral homes will be directed to Commercial areas.

1. Site Plan Control

Pursuant to Section 41(2) of the *Planning Act*, (RSO 1990), any lands proposed or used for a funeral home are hereby established as a proposed site plan control area within which Council may pass site plan control by-laws. (OPA#5)

6.5.3.1.10

Special Policy Area for the land legally described Parts 1 and 3, Reference Plan 22R5599, Part Lot 25, Concession 1, McKillop Ward. For the lands within the Special Policy Area a maximum of 7 (seven) multiple attached dwelling units are permitted within one building (As amended by OPA #10)

6.5.3.2 Commercial – Primary Settlement Areas

Commercial development an integral component of urban land use structure. Through commercial activity, the community derives the commodities and services required to function and prosper. The commercial sector is also a major source of employment and taxation revenue. To a large extent, the vitality and viability of a Municipality is dependent on the physical and economic health of its commercial base. The downtowns of Seaforth and Brussels provide a focus for pedestrian commercial activity and an historic sense of community. Highway commercial areas provide vehicular-oriented commercial activity in both settlements. Vanastra's commercial activity is unique in its geographic disbursement amongst industrial uses. The intent of the Plan is to maintain and enhance commercial areas through the following goals and Policies and Actions.

6.5.3.2.1 Definitions– Commercial in Primary Settlement Areas

The commercial classification of land use is comprised of three major groups:

Core Area

The core area is the most intensive, diversified, and dominant centre of community activity in the Municipality providing a broad spectrum of retail, business, financial, personal and professional services, offices and studios, hotels and restaurants, places of entertainment, culture, habitation and recreation, , community facility, judicial, civic and administrative uses. As a multi-functional environment, which serves as the social, economic, and cultural focal point of the community, the core area provides a basic people-place function.

The core area is the traditional and established business district of the Municipality with its tightly built up urban form and compact nature. It is connected by a system of sidewalks, roads, and parking areas provided for the general commercial requirements of the Municipality and particularly the multi-purpose pedestrian comparison shopping trade.

Highway Commercial

Highway commercial uses play a more specialized and distinct role in the commercial hierarchy of the Municipality. Typically, highway commercial uses exhibit a single-purpose character and are oriented to highway-related functions. They take a variety of forms and share all or many of the following characteristics:

- Those which are oriented to or economically reliant on serving vehicular traffic and the traveling public such as service stations, motels and eating establishments, and therefore require exposure on a major road.
- Those which require large tracts of land for large buildings, extensive parking, and loading operations, such as public garages, building supply yards, contractors' yards, fuel dealers, boat, marine and trailer sales, farm implement dealers.
- Those which require access to a major road for efficient operation such as trucking businesses, bus depots, contractors' yards.
- Those which provide neighbourhood convenience goods or services such as a convenience store, or laundromat but not including offices, financial services, or the general commercial uses of the core area.

Because of their extensive space needs, operating characteristics, locational and functional requirements, highway commercial uses either cannot be accommodated or would be incompatible with the compact nature of the core area. In addition, a range of secondary uses which are supportive, complementary or compatible with the primary commercial function will be permitted including recreational facilities, utilities, assembly halls, clinics, funeral homes, accessory buildings and parking lots.

Vanastra Commercial/Industrial

Vanastra Commercial Industrial refers to a wide range of either commercial or industrial activities. Commercial refers to the business of buying, selling, leasing and exchanging of commodities and services. Industrial refers to the use of land, structures or buildings for processing, manufacturing, dismantling, and the repairing and servicing of vehicles, machinery, and buildings for associated administrative work. Industrial uses are intended to include those, which are compliant with Provincial emissions standards and servicing capacity.

6.5.3.2.2 Goals – Core Area Commercial

The commercial planning goals are as follows:

1. To promote an orderly pattern and a high standard of design for commercial development and redevelopment.
2. To strengthen the commercial economic base to provide for the commercial requirements of the local and trade area population.

3. To retain, strengthen and enhance the core area as the dominant centre of commercial activity for Seaforth and Brussels and its surrounding tributary market area.
4. To provide opportunities for highway commercial development that is specifically located to meet its unique function, space requirements or type of operation, and does not detract from the goal of retaining a strong viable core area or which requires a highway location for its own economic viability or functional requirements.
5. To retain and enhance Vanastra's commercial/industrial economic base.

6.5.3.2.3 Core Area Policies and Actions

To achieve the commercial planning goals, the following Policies and Actions are adopted:

1. The core commercial area shall continue to be the dominant, most intensive and diversified centre of commercial activity in Seaforth and Brussels. To promote the core as a pedestrian-oriented shopping and service area, the use of land will continue to be compact, intensive, and tightly built up.
2. The decentralization of general commercial uses will not be permitted, in order to:
 - Protect the long-term viability of the core area;
 - Promote investor confidence in the future of the core area by creating a certain and stable investment climate for the expansion, rehabilitation, redevelopment, and restoration of the core area;
 - Ensure that the core area realizes its full social, economic, and cultural potential.
3. The Municipality in co-operation with the business community, government agencies and interested parties will continue with a comprehensive and on-going program for the revitalization of the core area including building improvements, parking facilities, lighting, landscaping and parks, signage, street furniture and sidewalks:
 - To instill a feeling of civic pride and improve the quality and variety of downtown activities and experiences.
 - To enhance the sensory quality and reinforce the basic function of the core area as a people place by creating an enriched environment where people will enjoy being.
 - To attract visitors and promote tourism.

- To promote a compact well-defined pedestrian core area environment which is attractive, competitive and viable.
 - To encourage compatible and complementary signage within the heritage district of the core area in Seaforth and within the downtown of Brussels.
 - The rejuvenation of the core area will include a program of rear yard improvements, including a general clean-up of buildings and property, the upgrading of parking, refuse storage and loading areas and the provision of rear door access points and walkways to encourage and facilitate pedestrian movement.
4. The Main Street of Seaforth, distinguished by its historic buildings, is a unique and significant heritage district which shall continue to be preserved, protected and enhanced through its Heritage Conservation District Plan.
 5. With the exception of small-scale development within or attached to existing buildings, the minimum and maximum height of buildings fronting Main Street Seaforth & Brussels shall be established in the zoning by-law. New buildings shall be established at a height that is consistent with the dominant height of the buildings which surround it. No height bonusing under Section 37 of the Planning Act shall be permitted.
 6. With the exception of small-scale development within or attached to existing buildings, the zoning by-law will establish a maximum building setback. New buildings shall be established in a way that provides a solid building face along Main Street, and does not leave gaps in the building façade.
 7. Prior to issuing building permits for new buildings or exterior renovations in the designated heritage district of the core area in Seaforth, the Municipality will review the design to ensure the architecture, scale, materials, colours and signage can be harmoniously integrated with the character of the surrounding built and natural environment.
 8. Compatible core development in Brussels should have regard for the existing downtown heritage features.
 9. The multi-functional nature of core areas will be encouraged by promoting a healthy mix of supportive and compatible commercial, residential, , community facility and open space uses subject to the following additional Policies and Actions:
 - a) Related and supportive uses will be located and developed in a way that does not detract from the primary retail-commercial function of core areas.
 - b) Residential uses will be allowed in the commercial area in the form of apartments over or behind the commercial use provided that the ground floor area is primarily (e.g. 50%) used for commercial, office, or community facility uses. The commercial, office or community facility use must extend across the full frontage of the building. The only exception to this is that a small portion of the frontage may be used for an access door to an upper floor apartment.
 - c) New development and redevelopment of the core commercial areas will proceed in an orderly and compact manner and the piecemeal infiltration into the adjoining residential neighbourhoods shall not be permitted.
 - e) New buildings and redevelopment should preserve and complement the essential heritage character of the “designated Main Street area” of Seaforth.
 - f) Where the core commercial area abuts with a neighbourhood residential area, the commercial area uses shall provide adequate buffering, fencing, landscaping, lighting control, and refuse storage and disposal to ensure compatibility between the two different land uses.
 10. Fringe Core - In Seaforth, fringe core commercial areas are part of the core commercial designation and are zoned in the corresponding Zoning By-law as a transition area with a mixture of permitted commercial and residential uses. *(OPA#2, reordering)*
 11. The system of alleyways and right-of-ways shall be protected to provide suitable rear yard access to core commercial areas and used for parking, refuse removal, service vehicles, and emergency vehicles.

12. On-street parking will continue to provide a significant amount of the core area parking requirements. A system of off-street district community parking areas will be encouraged in conjunction with the core area business community. The zoning by-law may exempt core commercial uses from off-street parking requirements.

Parking deficiencies on individual properties may be provided for in the form of an equivalent financial contribution as cash in lieu of parking to a central fund based on a formula developed and administered through an agreement between the Municipality and the core area business establishments.

The design of new parking areas will be compatible with surrounding land uses and the visual environment, and located to maximize safe and convenient accessibility in the core area.

13. Off-street parking areas shall be prohibited from occupying any street frontage in the core area so that a void in the built-up streetscape will not be created.
14. The creation of new parking areas shall be encouraged behind buildings fronting Main Street in Seaforth and Brussels. Where a parking area abuts a residential use or a street, a visual landscaping buffer will be created to maintain a sense of enclosure along the street and aesthetic appeal.
15. The natural landscape of the core area will be enhanced to promote a high visual quality and park like setting.

16. Site Plan Control

Pursuant to Section 41(2) of the *Planning Act*, (RSO 1990), any lands within the Core Commercial designation are hereby established as proposed site plan control areas within which Council may pass site plan control by-laws.

6.5.3.2.4 Highway Commercial Policies and Actions

The policies for highway commercial development will be as follows:

1. Highway commercial uses shall be confined to designated locations on arterial and collector roads and will be grouped.

2. Highway commercial areas will be developed so as to complement and not to compete with or undermine the core area commercial functions.
3. Large space users with a core area function such as department, food or furniture stores will be required to demonstrate market need and impact on the core.

Large space users, which are not of a highway commercial nature, may be permitted in this designation subject to a rezoning to a special Highway Commercial zone, in addition to a study which includes: indication of insufficient space available in the core; identification of a market need; and demonstration of no undue negative impact on the core. (OPA#2)

4. A high standard to site plan and building design will be followed including the following elements:
- Buffering, landscaping, berming, screening and setbacks will be provided to enhance the aesthetic appeal of development, shield any permitted outdoor storage and refuse containment areas from general view and to ensure compatibility between adjoining uses.
 - Signs will be limited to those necessary to identify the use, property, and type of service or product provided and designed to avoid visual clutter, glare, and distraction for free-standing signs; consolidated signage will be used where more than one use exists on a property.
 - On-site parking and loading areas shall be sufficient in quantity and satisfactory in location for the needs of the development and convenience of the user. The placement of the buildings and parking should complement the streetscape; parking area locations should be encouraged to locate behind and beside the buildings. Points of vehicular access and egress will be limited and designed for safe and convenient vehicular and patron circulation. Where feasible, the provision of common access points, parking facilities and service roads shall be encouraged. Berming and landscaping should be used to enhance parking areas.
 - Outdoor lighting fixtures shall be installed so that illumination is directed downwards and deflected away from adjoining residential areas.
 - Outside storage and refuse collection areas should be located to the rear of the main building and completely screened from general view. Outdoor display and sales areas will be permitted provided they are not located

in the landscaped buffer area and are kept in a neat and attractive manner.

- Temporary or permanent outdoor display shall be identified as part of the site design to the satisfaction of the Municipality.
 - Where highway commercial uses abut with existing or planned residential uses, the highway commercial uses will be responsible for providing appropriate buffering measures to attain compatibility.
 - Where separation distances are inadequate with respect to abutting planned or established residential uses, the range of highway commercial uses may be restricted to ensure compatibility.
 - Within highway commercial areas, buffering will also be used to ensure mutual compatibility among different permitted uses.
 - Landscaping shall be used to enhance the appearance of the site, contribute to the blending of new and existing development and screen parking, loading, garbage and service facilities from adjacent properties and streets; and
 - Access to streets and design of driveways may require the support of a traffic impact study;
 - Buildings shall be positioned in such a way to define functional and secure pedestrian access from the street and parking areas to the main accessible entrance of the building;
 - Height, massing, orientation and layout of buildings should promote the creation of a pedestrian-scale environment, where possible;
 - Design of new or redeveloped buildings shall facilitate access and use by persons with disabilities;
5. Residential uses will be allowed in the Highway Commercial area in the form of a dwelling unit over or behind the Highway Commercial use provided the ground floor is primarily used for highway commercial, office, or community facility uses. (OPA#2)

Where it is not feasible to attach the residential use above or behind the main commercial use/building, a detached accessory residential structure may be permitted on the same lot as the commercial use; the provisions of the R2 zone will apply to the location of the new detached

accessory dwelling. The accessory residence will remain as part of the Highway Commercial holding. This detached residential policy applies to lands in the Seaforth and Brussels Wards. Change of land use to allow a detached accessory residence will be permitted subject to a rezoning. (OPA #4)

6. In Seaforth and Brussels, fringe highway commercial areas are part of the Highway Commercial designation and are zoned in the corresponding zoning by-law as a transition area with a mixture of permitted highway and core commercial uses. (OPA#2)
7. Severances will be allowed for infilling or extension, however, the prior approval of a concept plan by the Municipality may be required to ensure the orderly subdivision of land.
8. Vacant highway commercial lands may be placed in a holding category.
9. **Site Plan Control**
Pursuant to Section 41(2) of the *Planning Act*, (RSO 1990), any lands within the Highway Commercial designation are hereby established as a proposed site plan control area within which Council may pass site plan control by-laws.

6.5.3.2.5 Vanastra Commercial/ Industrial Policies and Actions

Commercial/industrial uses may establish and intermix in Vanastra without amendment to this Plan. Prior to establishing a new commercial or industrial use and where an industrial use replaces a commercial use or where a commercial use replaces an industrial use, an amendment to the Zoning By-law will be required. The following policies shall apply:

1. All industrial and commercial uses shall have adequate off-street parking and loading facilities.
2. The Municipality shall enter into agreements with new industrial and commercial uses, for site plans and full Municipal services.
3. All industries will comply with effluent and emission standards established by the Ministry of the Environment and Climate Change, including the D-6 Guideline – Compatibility between Industrial Facilities and Sensitive Land Uses.
4. Lands designated Commercial/Industrial in Vanastra are considered employment lands for the purposes of section 6.4.8, 6.4.9 and 6.4.10.

6.5.3.2.6 Location

The general location of lands designated Core Area Commercial, Highway Commercial and Vanastra Commercial/Industrial is shown on Schedule "B" - The Land Use Plan for Brussels, Seaforth & Vanastra. Specific locations of types of commercial uses are shown in the Zoning By-law.

6.5.3.3 Industrial – Seaforth and Brussels

Industrial development creates employment opportunities that sustain population growth in Huron East. Industrial development also creates spin-off economic development and employment in other sectors of the local and regional economy through the multiplier effect. Land use planning for industrial development is a critical facet in achieving overall economic development goals of the community.

The following Policies and Actions apply to Seaforth and Brussels while Vanastra is addressed above in the Vanastra Commercial/Industrial Section. In addition, there are two Industrial designated locations in the south west and south east corners of Seaforth which are located in the Tuckersmith Ward.

There are 2 industrial designated areas in the north part of Brussels; there are 3 industrial designated areas in Seaforth, 1 in the north and 2 in the south adjacent to the railway area.

6.5.3.3.1 Definitions for Industrial – Seaforth and Brussels

Within the industrial classification of land, the predominant use of land shall be for a wide range of industrial activities such as: manufacturing, fabrication, processing, assembly packing, printing, publishing, offices, warehousing, wholesaling, storage of bulk goods, repair, trades, service operations, and transportation terminals.

In addition, various ancillary uses shall be permitted provided their presence and function will not interfere or conflict with the use or development of the area for the primary industrial function. Such uses may include subsidiary retail and wholesale operations located on the same lot, material and service suppliers which directly and primarily serve industry, laboratories or research facilities, equipment rentals, parks and open spaces, and uses which are similar in character and function to industry such as utilities, public works yards, and firehalls.

6.5.3.3.2 Goals for Industrial – Seaforth and Brussels

The Industrial planning goals are as follows:

1. To encourage the development of light and medium industry.
2. To diversify the industrial economic base.
3. To expand employment opportunities.
4. To achieve a favourable assessment balance.
5. To maintain a sufficient industrial land reserve to provide for the expansion of established industries, facilitate industrial relocations to

rectify incompatible situations, and provide for new industrial growth.

6. To establish an orderly pattern of land use geared to meeting industrial needs and compatible with surrounding land uses.
7. To create an attractive physical setting through standards of design and construction and a climate conducive to industrial investment and development.

6.5.3.3.3 Policies and Actions for Industrial – Seaforth and Brussels

To achieve the industrial planning goals, the following policies are adopted:

1. Industrial development will be based on full Municipal services and will be compliant with Provincial emissions standards. Prior to connecting to full municipal services, industries shall identify their anticipated water and sewage usage and confirm with the Municipality that sufficient capacity is available in the existing system.
2. The following shall apply to all proposed industrial development:
 - Development shall proceed by registered plan of subdivision or condominium. However, infilling or small-scale development may occur by consent based on an approved site layout and design.
 - Development shall connect to full municipal services, or address how future connections will be established through a development agreement with the Municipality; and
 - Development must be compatible with surrounding uses.
3. The internal organization of industrial areas will be arranged so that similar uses will be grouped together and appropriate site planning and design standards used to prevent conflicts within industrial areas.
4. All industries must meet applicable Federal and Provincial environmental requirements, including obtaining the necessary approvals for:
 - Emissions (such as noise, odour, smoke, dust, gases and particulate matter),
 - Water-taking, and
 - Solid and liquid waste disposal.
5. The Zoning By-law may establish classifications of industrial uses (i.e. light industrial, general industrial) based on the potential influence on the surrounding area from noise, air emissions, vibration, odour. Ministry of Environment Guideline D-6 'Compatibility between Industrial Facilities and Sensitive Land Uses' may contribute to the industrial zone classifications.
6. Where industrial areas abut sensitive land uses, such as residential or community facility uses, the following additional standards shall apply:
 - The type of industry will be restricted to ensure compatibility.
 - Site planning, building design and performance standards relating to the appearance, odour, noise, dust, traffic movement and other nuisances shall be applied to minimize any adverse effects which may arise from industrial operations, open storage, or the movement of heavy traffic.
 - The responsibility will be on the industrial use to meet requirements to establish compatibility. The Municipality will rely on the Ministry of Environment and Climate Change Guideline D-6 'Compatibility between Industrial Facilities and Sensitive Land Uses', as updated from time to time, when considering compatibility.
7. Land designated Industrial on Schedule 'B' – Seaforth and Brussels is considered an Employment Area. Employment areas shall be protected and preserved for employment uses and the Municipality shall discourage the conversion of employment areas for other uses. The conversion of lands from employment to non-employment uses shall only be in accordance with Section 6.4.10, Removal of Land from Employment Areas.
8. The Industrial designation may be expanded by amendment to this Plan where it is demonstrated that the expansion satisfies the policy outlined in Section 6.4.9, Expansion of Employment Areas. Site design shall consider appropriate landscaping, buffering, entrances and exits, signage, lighting, and the location and size of parking, loading and storage areas. All of these elements will be considered in every development, with special consideration for neighbouring sensitive land uses.
9. A high standard of site plan and building design will be followed including the following elements:
 - Buffering, landscaping, berming, screening and setbacks will be provided to enhance the aesthetic appeal of development, shield any permitted outdoor storage and refuse

containment areas from general view and to minimize any conflicts with adjoining uses.

- Signs will be limited to those necessary to identify the use, property, and type of service or product provided and designed to avoid visual clutter, glare, and distraction.
- On-site parking and loading areas shall be sufficient in quantity and satisfactory in location for the needs of the development and convenience of the user. Points of vehicular access and egress will be limited and designed for safe and convenient vehicular and patron circulation. Where feasible, the provision of common access points, parking facilities and service roads shall be encouraged. Berming and landscaping shall be used to screen parking areas and soften their appearance.
- Outdoor lighting fixtures shall be installed so that illumination is directed downwards and deflected away from adjoining residential areas.
- Outside storage and refuse collection areas should be located to the rear of the main building and completely screened from general view.
- Outdoor display and sales areas will be permitted provided it is not located in the landscaped buffer area and is kept in a neat and attractive manner. Temporary and permanent outdoor display areas shall be shown on the site plan to the satisfaction of the Municipality.
- Landscaping shall be used to enhance the appearance of the site, contribute to the blending of new and existing development and screen parking, loading, garbage and service facilities from adjacent properties and streets; and
- Access to streets and design of driveways may require the support of a traffic impact study;
- Design of new or redeveloped buildings shall facilitate access and use by persons with disabilities.

10. Highway Commercial and community facility uses which are of an industrial character, compatible with an industrial area and not in conflict with the policies for the core commercial area may be permitted subject to the provisions of the Zoning By-law or on a rezoning basis.

11. **Site Plan Control**

Pursuant to Section 41(2) of the *Planning Act*, (RSO 1990), any lands within the Industrial designation are hereby established as a proposed site plan control area within which Council may pass site plan control by-laws.

6.6 Secondary and Tertiary Settlement Areas

6.6.1 Introduction and Location

Huron East has a number of secondary and tertiary settlements including: Egmondville, Harpurhey, Ethel, Cranbrook, Henfryn, Graham Survey, Winthrop, and part of the settlements of Brucefield, Kippen, Walton, St. Columban, Molesworth, Dublin, and South of Clinton.

These smaller settlement areas provide a residential focus with primarily single-detached residential uses, with some having limited amounts of commercial, industrial, recreational and community facility development.

Development has occurred on the basis of private or public water supply and individual sewage disposal systems.

6.6.2 Goals for Secondary and Tertiary Settlement Areas

The goals for secondary and tertiary settlement areas are:

1. To promote development as a residential, commercial and social focal point for the surrounding agricultural community.
2. To identify the boundaries of these settlement areas and to promote compact development in a style and form which compliments existing development within these boundaries.
3. To regulate development of these areas according to the feasibility of servicing.
4. To preserve the natural setting and aesthetic qualities of the urban places.
5. To meet the urban natural environment, parks and open space needs of the community and to protect the natural landscapes that exist within and adjacent to urban settlement areas;
6. To maintain stable and create new residential neighbourhoods that are safe, well-designed, age-friendly and walkable.

6.6.3 Policies and Actions for Secondary and Tertiary Settlement Areas

To achieve these goals the following policies are adopted:

1. Development may take place primarily through the registered plan of subdivision and/or condominium process. Limited infill

developments may be permitted by consent/severance, subject to the Land Division Policies of Section 13 of this plan. When consents are used to develop small holdings, they will be based on a predesign approved by the Municipality and will indicate how the proposed lots fit into the existing development pattern.

2. The design of new plans of subdivision and condominium shall :
 - Be in compatible with existing development.
 - Low to medium density development shall be the predominant form of residential development within secondary and tertiary settlement areas.
 - Contain adequate provision for community for community open space urban natural environment and open space.
 - Incorporate landscaping and tree planting to achieve a welcoming, pedestrian-scale environment, and enhance the appearance of the development and its compatibility with surrounding residential areas;
 - Demonstrate safe movement of traffic; required improvements to the road network shall be undertaken as part of the development proposal;
 - Incorporate facilities such as: sidewalks and trails into developments to promote and enhance active transportation opportunities where the Municipality determines it is appropriate.

3. The following development standards are applicable:

Lot size will be determined by the suitability of the soils for servicing based on the approval of the appropriate authority. Nitrate studies may be required in accordance with Ministry of Environment and Climate Change guidelines.

In settlement areas with Municipal water (Brucefield, Egmondville, Molesworth and the lands South of Clinton), Municipal water systems will be the required form of servicing for development. Where Municipal water is not available (Cranbrook, Dublin, Ethel, Graham Survey, Harpurhey, Henfryn, Kippen, Molesworth, St. Columban, Walton, Winthrop), the water supply for limited or infill development and the creation of small individual lots may be by private or well agreements.

Large multiple lot developments will require a feasibility study regarding the provision of Municipal water. All water supplies to areas of new development in the settlement area will be provided in accordance with the current Safe Drinking Water Act, as amended.

- All development will be serviced in accordance with the policies identified in the Infrastructure and Servicing Section 9.0
 - Developments shall consider the ability to manage storm water, lot grading and drainage on-site;
 - Natural areas and existing trees should be protected and incorporated into the design of the site;
 - Siting and design of buildings and structures shall be compatible with surrounding residential uses;
 - All new development shall be adjacent to Public roads which are developed to local Municipal standards.
 - Residential development in proximity to Industrial uses shall proceed according to Ministry of Environment and Climate Change Guideline NPC-300 'Compatibility between Industrial Facilities and Sensitive Land Uses', as updated.
 - Plans of subdivision and condominium that demonstrate they supply up to 20 year of housing, based on a demonstration of local demand, shall be considered.
- While settlement area expansions are not anticipated in the current planning horizon, any proposed expansion of existing settlement areas shall be in accordance with the policies established in Section 6.4.7, Expansion of settlement areas.
4. Change of land uses in the hamlets will not require an amendment to this Plan but will be controlled by means of a Zoning By-law subject to the following:
- Single-detached, semi-detached, duplex residences and group homes are permitted within areas designated Urban or Residential.
 - Garden suites are permitted subject to policies of section 6.4.4.3.6.
 - Mobile homes will be located in mobile home parks.
 - Other residential use types will be allowed subject to design compatibility with the surrounding area, adequate servicing

capacity and conformity with the Zoning By-law provisions.

- The establishment of multi-unit dwellings will be reviewed on the basis of adequate servicing.

5. Home Occupations and Home Industries:

Home occupations and home industries will be allowed in residential areas subject to the provisions of the implementing Zoning By-law, with the following considerations:

Home occupations, including Bed and Breakfasts may be allowed in secondary and tertiary settlement areas subject to the provisions of the zoning by-law.

Home based industries provide opportunities for the development of new business and small scale industrial and commercial uses. The establishment of these uses needs to be carefully controlled and monitored to ensure compatibility of use. Home industries may be allowed in residential areas of secondary and tertiary settlement areas subject to zone amendment which demonstrates:

- The proposed use is compatible with neighbouring properties. The applicant may be required to submit information regarding the noise, odour and air quality regarding the proposed use;
- Siting and buffering criteria, including the siting of buildings may be specified by the zoning by-law;
- Adequate parking shall be provided as required by the zoning by-law;
- The accessory industry may not be severed from the dwelling;

6. Community Facility and Recreational land use proposals will require an amendment to the Zoning By-law. Prior to rezoning, community facility and recreational land uses must demonstrate:

- Compatibility with surrounding land uses;
- Availability of adequate services;
- Adequate vehicular access and on-site parking;
- Adequate landscaping, tree planting and buffering.

7. Commercial and industrial uses will be allowed subject to a rezoning to the appropriate zone. Prior to rezoning, commercial and industrial uses must demonstrate:

- Compatibility with the surrounding land use environment;
- Availability of adequate services;
- adequate vehicular access and on-site parking;
- Adequate landscaping, tree planting and buffering.
- Industrial development in proximity to residential or community facility uses shall proceed according to Ministry of Environment and Climate Change Guideline NPC 300 Compatibility between Industrial Facilities and Sensitive Land Uses, as updated.

8. Barns in Settlement Areas – In Huron East, in secondary and tertiary settlement areas, the establishment of a barn requires a rezoning to a special zone specifying the maximum number and type of livestock. (OPA#2)

6.6.4. Site Plan Control

Pursuant to Section 41(2) of the Planning Act (RSO, 1990), any lands within an area identified as a secondary or tertiary settlement area are hereby established as a proposed site plan control area within which Council may pass site plan control by-laws.

6.6.5. Location

The general location of land designated urban on the Land Use Plan, Schedule “B” and on the settlement area Schedules “B” (e.g. Schedule “B” Cranbrook, Schedule “B” Ethel).

6.7 Mobile Home Parks

6.7.1 Introduction and Location

The three mobile home parks in Huron East are

Ward	Location	Existing Servicing
Brussels	Brussels Municipal Mobile Home Park	Full Municipal Services
Tuckersmith	Heritage Estates Lot 6, Concession 4 HRS	Private Shared water and private septic systems
Tuckersmith	Morgan’s Trailer Park, Lot 45, Concession 2 LRS. (south of Vanastra)	Municipal water and private septic systems

These three mobile home park sites provide sufficient potential to meet local needs for the foreseeable future and will develop on the basis of an agreement with the Municipality and an approved site plan.

6.7.2 Goals

The Mobile Home Park goals are as follows:

1. To meet the needs of the mobile home market through the location of mobile home parks in appropriate urban areas.
2. To establish new mobile home parks on the basis of full services; expansion of existing mobile home parks, without full services, will be permitted based on the approval of the appropriate approval authority.
3. To prevent the location of new mobile home parks in the rural area.
4. To maintain municipal ownership of the Brussels Mobile Home Park in order to provide a form of affordable housing in Huron East.

6.7.3 Policies and Actions for Mobile Home Parks

The following policies provide guidelines for future mobile home park development.

1. In order to ensure orderly development and provide the Municipality with appropriate land use controls, no new mobile home parks or expansion of the existing parks beyond the existing designation will be issued without amendment to this Plan and subsequent site plan approval by the Municipality, and registration under Section 41 of the *Planning Act*, (RSO 1990). Expansion of existing parks,

within the urban designation, will require site plan approval.

These site plans will show the following:

- The final size of development;
- The staging of development;
- The provision of all services;
- The shape, dimension and layout of all lots;
- The location of all community facilities.

2. New mobile home parks will not be permitted outside of urban settlement areas ; expansion of existing mobile home parks, without full services, will be permitted based on the approval of the appropriate approval authority.
3. In reviewing these plans and building permits, the following criteria will be used:
 - A piped water system subject to a development agreement and a sewage system satisfactory to the applicable approval authority shall be provided by the developer; where available, connection to Municipal service systems shall be required.
 - Provision of the following services:
 - solid waste disposal
 - storm drainage
 - hydro
 - street lighting
 - telephone
 - road maintenance
 - All mobile homes and services shall be in accordance with the current standards and specifications.
 - Adequate land in the park shall be made for recreational purposes including playground and natural open space.
 - Adequate landscaping and buffering.
4. The subject area is to be used for a residential park and not converted to separately titled holdings, except by Registered Plan of Condominium, subject to the approval of the appropriate authorities.
5. In addition, consideration of the following factors shall be given to determine an amendment to the Zoning By-law for such use:
 - The mobile homes permitted within the mobile home park shall be defined in the Zoning By-law.
 - Detailed development provisions shall be provided in the Zoning By-law.

6.8 Community Facilities

6.8.1 Introduction

In settlement areas, certain areas of land are often devoted to provide facilities for public use or public service. Some of these uses are necessities, such as the provision of potable water while others are desirable for cultural or educational enrichment.

There are numerous uses which benefit the community that are provided by private organizations such as religious or educational institutions, utility companies, or private enterprise under government franchise or regulations. The broader term "community facilities" is used to describe land uses owned or operated by public, semi-public, or private enterprise for the health, protection, and welfare of the community.

Community facilities cover a broad spectrum of land uses that vary in scale, function, and locational requirements. Community facilities are wide-ranging and frequently require some locational flexibility; each community facility has its own unique community of interest. Community facilities require planning guidelines and controls to ensure compatible integration within the community.

These policies apply to primary, secondary and tertiary settlement areas. Existing community facilities located in the agricultural designation will be zoned Community Facility in the Zoning By-law, and will be permitted to expand in accordance with policy 4.4.16.

New social and administrative community facilities will be directed to locate in settlement areas. New public service facilities may be permitted in the agricultural designation subject to the policies of section 6.8.4.2.

6.8.2 Definitions for Community Facilities

Community facilities fall into two broad categories:

Social and Administrative Community Facilities include such uses as:

- Government buildings such as administration offices;
- Cultural facilities such as libraries, museums, auditoriums and theatres;
- Sport facilities such as arenas, recreation centres, race tracks, and fair grounds. Institutions such as churches, schools, day care centres, fraternal or other non-profit organizations.

Public Service Community Facilities include such uses as:

- Landfills;
- Water and sewage treatment facilities;
- Cemeteries;
- Municipal works yards; and
- Public emergency facilities (i.e. fire or ambulance station).

6.8.3 Goals for Community Facilities

The Community Facilities goals are as follows:

- To locate community facilities where they can best serve the public;
- To provide the community with facilities for interaction;
- To ensure compatibility between community facilities and surrounding land uses;
- To provide efficient and compatible locations for infrastructure and utilities;
- To co-locate community facilities to promote cost-effectiveness and facilitate service integration and active transportation.

6.8.4 Policies and Actions for Community Facilities

To achieve the community facility goals, the following policies are adopted:

6.8.4.1 Social and Administrative Community Facilities Policies

1. New social and administrative community facilities shall be directed to locate in settlement areas.
2. Social and administrative community facilities which serve the entire community should be located within the core area of an urban settlement.
3. Social and administrative community facilities with expansive floor areas or open space requirements may be located outside of the core area of an urban settlement provided the applicant satisfactorily demonstrates:
 - a) that insufficient space is available in the core;
 - b) that suitable lands and/or buildings cannot be obtained or consolidated in the core;
 - c) that the proposed location is suitable for the use;
 - d) that the proposed location abuts a publicly owned street or road of a standard of construction suitable to the Municipality; and
- e) that the proposed location has adequate servicing to the satisfaction of the Municipality.
4. Social and administrative community facilities that are smaller in size, including some churches, daycares, and social clubs, should be designed to serve residential areas and may be permitted in designations other than Community Facility subject to the policies of this plan.
5. The establishment of new social and administrative community facility uses that are larger in size and have a wide impact on surrounding communities, such as hospitals, schools and arenas, will only be permitted on lands designated and zoned Community Facility within a settlement area. Such uses are directed to primary settlement areas first. Where land is not designated for the proposed use, an amendment to this Plan and the zoning by-law will be required.
6. Social and administrative community facilities located in Secondary and Tertiary Settlement areas will proceed by amendment to the zoning by-law.
7. Where a new community facility is proposed within 120m of natural environment features an EIS may be required subject to the policies of Section 5.4.11.
8. Existing social and administrative uses located outside of settlement areas will continue to be permitted in the agricultural designation and may expand subject to the policies of section 4.4.16 and will be subject to a zoning by-law amendment, but will not require an amendment to this plan.
9. Communities relying on horse-drawn vehicles as their primary means of transportation may require localized schools or churches in rural areas. These uses may be permitted by rezoning without amendment to this Plan. These uses will locate on existing lots, will not be permitted to be severed and will avoid prime agricultural land where possible. The MDS formula may be tailored to accommodate these uses on the host farm.
10. Social and administrative uses will be developed in accordance with Huron East's Universal Design and Accessibility Guideline.

11. **Scale and Character:** The scale and character of community facilities should be similar to that of the areas in which they are located.
12. **Between Incompatible Uses:** Where possible community facilities should be used as buffers, between incompatible land uses.
13. Similar community facilities should be combined where possible to maximize use of space such as parks and schools or churches and schools for shared parking purposes.
14. Adequate parking, vehicular access, landscaping, tree planting, buffering, and site and building design should be required to create an attractive appearance and ensure compatibility with surrounding land uses.
4. Where possible, new public service facilities will be located on land already designated Community Facility outside of settlement areas in order to minimize the impact on the surrounding agricultural land uses.
5. Where a new community facility is proposed within 120m of natural environment features an EIS may be required subject to the policies of Section 5.4.11.
6. Sewage treatment facilities shall establish a buffer area to separate sensitive uses in accordance with the Ministry of Environment and Climate Change D-2 Guideline, entitled "Compatibility between Sewage Treatment and Sensitive Land Uses".
7. The following sensitive uses are not permitted to establish within 150m of the Brussels Sewage Treatment Facility and the Seaforth Sewage Lagoons in accordance with the Ministry of Environment and Climate Change Guideline D-2, "Compatibility between Sewage Treatment and Sensitive Land Use":
 - a) Residential uses, including a residence accessory to an agricultural operation, single detached, multi-unit dwellings, and mobile home parks;
 - b) Recreational uses including trailer parks and campgrounds;
 - c) Institutions including nursing homes, hospitals, schools, churches; and
 - d) Livestock facilities as part of an agricultural operation.

6.8.4.2. Public Service Community Facilities Policies

1. While public service facilities are encouraged to locate within urban settlement areas, it is recognized that these facilities are often location-specific and may have a significant impact on development when located within urban settlement areas.
2. Land may be removed from the agricultural designation for the provision of public service facilities subject to an Official Plan Amendment from agriculture to community facility provided that:
 - a) The use cannot be accommodated within a settlement area;
 - b) There is a demonstrated need within the planning horizon;
 - c) There is no reasonable alternative location to avoid prime agricultural areas;
 - d) There is no reasonable alternative locations in prime agricultural areas with lower quality agricultural land; and
 - e) The impact on surrounding agricultural operations and lands be mitigated.
3. It is recognized that there are a number of existing public service facilities which currently exist outside of settlement areas. These facilities have either been designated Community Facility or Agriculture on Schedule 'B' of this land use plan.
8. Development within a 500m buffer radius of an open or closed landfill shall be in accordance with the policies of section 9.1.5 and 9.1.5.1.

These sensitive uses shall be restricted in the Zoning By-law. Existing sensitive uses which were legally established prior to the passing of the Zoning By-law shall be considered legal non-complying.

6.8.5 Site Plan Control

Pursuant to Section 41(2) of the *Planning Act*, (RSO 1990), any lands within the Community Facility designation are hereby established as a proposed site plan control area within which Council may pass site plan control by-laws.

6.8.6 Location

The general location of lands designated Community Facility, are shown on Schedule “B” and the Specific Urban Land Use Plans. The specific location of types of Community Facilities uses are shown in the Zoning By-law.

6.9 Urban Natural Environment and Open Space

6.9.1 Introduction

Natural Environment and Open Spaces serve many functions in the urban environment including recreation and tourism. Recreation may be active or passive. Active recreation involves physical participation by an individual or group. Passive recreation includes activities such as walking, observing and picnicking.

In addition to recreation and tourism, Natural Environment and Open Spaces serve to:

- Beautify the community by adding a natural quality to the built environment.
- Protect unique or sensitive natural features such as flood plains, aquifers, woodlots, and fish and wildlife habitats.
- Shape and guide urban development.
- Provide buffers between conflicting land uses.
- Provide opportunities for active transportation within and between neighbourhoods.

The urban natural environment and open space policies apply to primary, secondary and tertiary settlement areas.

6.9.2 Definitions

The predominant use of land designated Urban Natural Environment and Open Spaces shall be for conservation, recreation and parks purposes. This designation covers the broad spectrum of open space and recreational areas in the settlement area from the grass verge and treescape along roadside boulevards to the continuous open space areas along the water courses. Since some water courses are susceptible to flooding, the lands affected by those water courses are covered by the Flood Plain policies of this Plan, located in the Community-Wide Policies section, Section 9.5

6.9.3 Goals

The Urban Natural Environment and Open Space planning goals are as follows:

1. To provide the widest possible choice of recreational opportunities.
2. To beautify and enhance the character and quality of the urban environment through the provision, maintenance, and improvement of the treescape, parks and space resources of the Municipality.
3. To attract visitors and promote tourism by creating interesting, aesthetic, and unique open

space and recreational environments and experiences.

4. To protect unique or fragile natural landscapes and environments such as aquifers, woodlots, flood plains, and fish and wildlife habitats.
5. To creatively use natural environment, parks and open spaces in shaping and guiding urban development; creating linkages between them and as buffers between conflicting land uses.
6. To work with neighbourhood residents, service clubs and organizations, interested groups, and government agencies in meeting the natural environment, parks and open space needs of the community.

6.9.4 Policies and Actions

To achieve the Urban Natural Environment and Open Space goals, the following policies are adopted:

1. Parks and open spaces and natural environments, both public and private, will be designated Urban Natural Environment and Open Space in the Official Plan and will be zoned accordingly in the Zoning By-law.
2. The establishment of new parks and open spaces will proceed by amendment to Zoning By-law.
3. The Municipality will continue to support the development and maintenance of recreational facilities, the acquisition, beautification and maintenance of public open space and the development of recreation programs in accordance with community needs and availability of resources.
4. The Municipality shall periodically assess the role of Municipal parks and open spaces in providing for local needs and may, if it is deemed beneficial, alter the size of a particular park or change the types of facilities provided.
5. Urban natural environment, parks and open spaces areas will be acquired and developed through the following actions:
 - A parkland dedication of 5%, or cash-in-lieu, of lands being subdivided for residential purposes pursuant to Sections

51.1 of the *Planning Act*, (RSO 1990). Cash-in-lieu may be used to purchase parkland, upgrade park facilities, or for other public recreational purposes.

- As a condition of development or redevelopment of land for residential purposes, Council may, by by-law applicable to all or any defined part of the Municipality, require that land in an amount up to 5% or an equivalent value of the land proposed for development or redevelopment be conveyed to the Municipality for park or other public recreational purposes pursuant to Section 42(1) of the *Planning Act*, (RSO 1990). Through public purchase, donations, gifts and bequests of land and/or monies.
6. Land to be conveyed for parkland, shall be accepted only when the Municipality has deemed that the site is suitable for park purposes, is needed in the area, is suitably located and accessible to the public.
 7. In accepting a parkland dedication, the Municipality, through subdivision or development agreements, may require:
 - The removal of debris and garbage.
 - The selective undercutting of brush, removing of weeds and retention of trees.
 - The grading, top-soiling, drainage and seeding of the site.
 - The provision of facilities such as lighting, fencing, buffering, landscaping, seating and play equipment.
 8. The acceptance of cash-in-lieu of the parkland conveyance will be based on the appraised value of the land as of the day before the day of draft approval of the Plan and the following additional considerations:
 - Adequate parkland is already available in the area.
 - The site is unsuitable for parkland purposes because of physical factors such as size, shape, topography, accessibility or location. The parkland dedication would render the remainder of the development or redevelopment area unsuitable or impractical for development.
 9. In newly developing residential neighbourhoods in which there is a parkland deficiency, a neighbourhood park will be established.
- Provincial Policies require that lands within natural environment features and within 120 metres of significant natural environment

features be protected from incompatible development.

If it is determined that the lands to be developed are adjacent to a significant natural environment feature, then an Environmental Impact Study (EIS) is required in accordance with the policies of section 5.4.8 and 5.4.11.

If these lands are adjacent to other natural heritage features, the applicant may be required to complete an EIS demonstrating that the development and/or site alteration will have no negative impacts on the natural feature and its ecological function. (OPA#2)

6.9.5 LOCATION

The general location of lands designated Urban Natural Environment and Open Space is shown on Schedule "B" - the Land Use Plan. Natural Environment, Open Space areas, associated with Community Facility uses such as schools, arenas and churches, may be designated as Community Facilities on Schedule "B" - the Land Use Plan. Specific locations for types of open space uses are shown in the Zoning By-law.

SECTION 7 RECREATIONAL

7.1 Introduction

The existing recreational opportunities in Huron East include Seaforth Golf Course, Family Paradise Campground, the Cranbrook Golf Course and the Walton Motocross. There are also many private and public locations where passive recreation such as hiking, cycling, fishing and snowmobiling occur. New recreational uses may develop in accordance with the policies of this section.

7.2 Definition

Recreational Areas may include campground and trailer park uses, golf courses, motor vehicle sports, parks and open space. These recreational opportunities are often characterized by seasonal usage. These have historically been developed on the basis of private or shared water and sewage services.

Many of the urban recreational locations such as parks, fairgrounds, ball diamonds, etc. are designated as Community Facility or Urban Natural Environment and Open Space

7.3 Goals

The following goals are adopted:

1. To recognize the existing recreational uses
2. To promote recreational development in harmony with features of the landscape and natural environment.
3. To limit any new recreational development to areas where minimal disruptive impacts to agriculture would result.

7.4 Policies and Actions

To achieve the Recreational planning goals, the following policies are adopted:

1. The Seaforth Golf Course on Part Lot 8 and 9, Concession 2 HRS, (Tuckersmith Ward) and the Cranbrook Golf Course on Park Lots 7-9, Plan 207, Cranbrook (Grey Ward) will be permitted to continue.
2. The Family Paradise Campground on Lot 13 and Part Lot 12, Concession 12 (McKillop Ward) will be permitted to continue.
3. The recreational commercial use, Walton Motocross, located on South Part of Lots 3 & 4, Concession 17, Grey Ward, will be

permitted in accordance with the corresponding zoning. (OPA#2)

4. The expansion of existing recreational development will be permitted only where:
 - Minimal impacts to surrounding agricultural land and operations will occur;
 - Adequate sewage and water services are available;
 - The use is compatible with adjacent uses;
 - Appropriate buffering and on-site parking is available;
 - Development is compatible with the natural environment.
 - There is an identified need within the 20 year planning time horizon.
 - Minimum Distance Separation (MDS) setback requirements are satisfied.
5. Home occupations may be an accessory use within Recreational Trailer Parks and be regulated by the Zoning By-law.
6. Notwithstanding 7.1.4., the area designated Recreational on Lot 13 and Part Lot 12, Concession 12, (McKillop Ward) future development of the campground and trailer park will be permitted subject to the following provisions:
 - a) The campground and trailer park shall be in one ownership with no individually titled lots.
 - b) Development must conform to all applicable Provincial standards, including the regulations of the Maitland Valley Conservation Authority.
 - c) Recreational vehicle and trailer sites will be connected to appropriate sewer services or have access to a communal washroom facility. Individual septic tanks will not be permitted for individual recreational vehicle and trailer sites.
 - d) Recreational vehicle and trailer sites will be connected to a public water supply system or have access to a centralized water supply source. Individual wells for individual recreational vehicle and trailer sites will not be permitted.
 - e) Water and sanitary services will be developed under the regulations and permission of the Ministry of the Environment and the Huron County Health Unit.
 - f) The minimum lot size for a recreational vehicle or trailer site will be 150 square metres.
 - g) Overall density of development will not exceed 15 recreational vehicle sites, trailer

- sites or campsites per gross hectare. A cluster design is encouraged to maximize communal open space.
- h) Communal open space will be provided at not less than 20% of the area of the campground and trailer park. In the calculation of communal open space areas such as wetlands, open water, or ravines shall not be included.
 - i) Recreational vehicles, trailers, and tents shall be used only for seasonal or occasional occupancy and may not be used as a permanent residence.
 - j) The design of future recreational development will harmonize with the topography, natural vegetation, soil and drainage of the site in order to protect and enhance features of the landscape and natural environment. Effort shall be made to protect, maintain, and re-establish where necessary, elements of the natural environment such as forested areas and watercourses.

7. New Recreational Development

New recreational development on prime agriculture lands will be discouraged.

New recreational development will require an amendment to this Plan to establish a recreational designation.

Where new lands are proposed to be designated Recreational, applicants shall demonstrate the following:

- The land does not comprise a specialty crop area
- The area to be designated has minimal impact on adjacent agricultural lands and buildings
- The development conforms with the Natural Environment policies in Section 5.4 of this Plan.
- There is an identified need within the 20 year planning horizon for additional land to be designated to accommodate the proposed use

Alternative locations have been evaluated and there are no reasonable alternatives which avoid prime agricultural areas; and there are no reasonable alternate locations in prime agricultural areas with a lower priority agricultural lands•

- Designation changes may only be considered in accordance with the Minimum Distance Separation formula.

- Impacts from any new or expanding non-agricultural uses on surrounding agricultural operations and land are to be mitigated to the extent feasible.

8. Servicing Requirements

- Adequate services, including water supply, sewage disposal, storm water management, and drainage shall be provided to the satisfaction of the Municipality.
- Recreational development shall connect to municipal water and sewer services, where available. Where municipal services are not available, a servicing options strategy and hydrogeological study will be provided in accordance with the Servicing policies of this plan.
- Development shall be located on public roads of an acceptable standard of construction to the Municipality or the applicable road authority.
- Development will proceed in accordance with a detailed site plan and development agreement addressing design, site pattern, phasing, services, landscaping, communal areas and parking.

7.5 Site Plan Control

Pursuant to Section 41(2) of the Planning Act (RSO 1990), any lands within the Recreational Designation are hereby established as a proposed site plan control area within which Council may pass site plan control by-laws.

7.6 Location

The general location of lands designated Recreational is shown on the Land Use Plan Schedule "B". The specific location of types of Recreational land uses will be shown in the Zoning By-law.

**SECTION 8
EXTRACTIVE RESOURCES**

8.1 Introduction

Extractive resources, which include mineral aggregates, are an important resource in Huron East with varying availability throughout Huron East, the majority being located in the northern part of the municipality. This resource is non-renewable. Therefore, proper conservation and management is essential.

Aggregate Resource Inventory Papers (ARIP) completed by the Ministry of Northern Development and Mines have identified aggregate deposits in Huron County, including the Municipality of Huron East. This mapping identifies aggregate deposits as having primary, secondary or tertiary importance for aggregate production.

Huron County has a total of 21,750 hectares of primary and secondary aggregate. Huron East has a significant supply of aggregate within the County. The Ministry of Northern Development and Mines identified in the ARIP that Huron East has approximately 3600 acres of land with extractive resources that are unlicensed.

In 2005, Huron County completed an Aggregate Resource Strategy to balance the future demand for aggregate with environmental, social and economic features. The Aggregate Resource Strategy mapped aggregate resource areas and identified land use and environmental features that could sterilize or constrain the extraction of aggregate. This exercise identified aggregate resources that would be designated for extraction.

Identifying these areas helps ensure that Council, residents, prospective landowners and developers know these areas are planned for future extraction.

One of the recommendations of the Aggregate Resource Strategy is to designate primary and secondary areas of the resource with no (0) constraints or one (1) constraint as “Mineral Aggregate” in order to protect the aggregate for future extraction. The Huron East Official Plan identifies and designates these areas and existing licensed mineral aggregate resource areas as “Extractive Resources” on Schedule ‘B’. Proposed extractive resources/mineral aggregate operations or the expansion of existing extractive resource/mineral aggregate operations in these

areas would be permitted by a Zoning By-law Amendment and without the need for an Official Plan Amendment.

Proposed extractive resources/mineral aggregate operations or the expansion of existing extractive resource/mineral aggregate operations in areas not designated Extractive Resources on Schedule B require and Official Plan Amendment and Zoning By-law Amendment subject to the policies of Section 8.4.5.

8.2. Definitions

Aggregate Recycling Facility: is a facility with equipment designed to recycle aggregate materials, and includes stockpiling and storage of bulk materials used in the process.

Asphalt plant: is a facility with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process. The Ministry of the Environment through the Certificate of Approval process regulates asphalt plants.

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

Commercial Water Taking is a land use where the taking of water exceeds 10,000 litres per day, for retail commercial use; municipal projects and municipal wells are exempt from this definition.

Constrained Deposits: are those areas of primary and secondary extractive resources / mineral aggregate deposits where social or environmental features occur and must be taken into account. Constraints include: locally significant wetlands, locally significant areas of natural and scientific interest, significant woodlands, sinkholes, significant valley lands, floodplains, and their associated buffers.

Constraints	Buffer Zones
Locally significant wetlands	120 metres
Locally significant life science A.N.S.l's	50 metres
Significant woodlands	50 metres
Sinkholes	30 metres

Significant valley lands	50 metres
Floodplains	50 metres

Extractive Resources / Mineral Aggregate: are non-renewable materials, consisting predominately of gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other prescribed material. Extractive Resource also includes natural gas, petroleum and commercial scale water-taking.

Extractive Resources / Mineral Aggregate Deposits: are areas of identified minerals that have sufficient quantity and quality based on specific geological evidence to warrant present or future extraction.

Extractive Resources / Mineral Aggregate Operation: are lands under license or permit, other than for a wayside pit, issued in accordance with the Aggregate Resources Act. An extractive resources / mineral aggregate operation includes: associated facilities used in extraction, transport, beneficiation, processing or recycling of mineral aggregates and derived products such as asphalt and concrete, or the production of secondary related products.

Primary Extractive Resources / Mineral Aggregate Deposits: are areas in which a major resource is known to exist and should be considered as part of the aggregate supply of the area. These deposits are of the highest quality and quantity within the area.

Progressive Rehabilitation: is sequential rehabilitation, completed during the period that aggregate is being extracted, in accordance with the Aggregate Resources Act, the regulations, the site plan and the conditions of the license approved by the Ministry of Natural Resources.

Secondary Extractive Resources / Mineral Aggregate Deposits: are deposits of secondary importance which may contain significant amounts of sand and gravel. Although these deposits are not considered to be the best resources in the County, they contain large quantities of sand and gravel and are an important part of the aggregate supply of the area. These areas are considered to be viable for commercial extraction.

Sensitive Receptor: includes buildings and land uses such as day care centres, schools and buildings/facilities where people sleep, (e.g. a

residence, nursing home, hospital, trailer park, campground).

Sterilized Deposits: are areas of primary and secondary extractive resources /mineral aggregate deposits that have additional constraints and also include associated buffers. Sterilized deposits include: aggregate under areas designated urban, cemeteries, landfills, provincially significant wetlands, provincially significant areas of natural and scientific interest (life science), and municipal well-head capture zones and their associated buffers. The Aggregate Resource Strategy Report did not recommend sterilized deposits for extraction.

Sterile Constraints	Buffer Zones
Urban areas and uses	300 metres
Cemeteries	0 metres
Landfills	0 metres
Provincially significant wetlands	120 metres
Provincially significant life science A.N.S.I's	50 metres
Elementary, secondary and private schools	30 metres
Municipal wellhead capture zones	100 metres

Tertiary Extractive Resources / Mineral Aggregate Deposits are deposits of tertiary importance which contain limited amounts of sand and gravel. These deposits are considered the lowest quality and quantity resource in the County and are only viable for commercial extraction in very limited circumstances.

Wayside pit: is a temporary pit or quarry opened and used by or for a public authority, solely for the purpose of a particular project or contract of road construction and not located on the road right of way.

8.3 Goals

The goals of the Extractive Resources / Mineral Aggregate designation are to:

1. Utilize the extractive resources / mineral aggregate resource in an efficient and environmentally sustainable manner;
2. Make as much of the extractive resources / mineral aggregate resource available as close as possible to the market;
3. Recognize existing extractive resources / mineral aggregate operations and protect them from activities that would preclude or hinder their continued use or expansion;

4. Protect primary and secondary extractive resources / mineral aggregate deposits with limited constraints, from incompatible development, since these areas have high potential for future mineral aggregate extraction;
5. Protect primary and secondary extractive resources / mineral aggregate deposits, where not designated extractive resources, from incompatible development, since these areas are potential extractive resources / mineral aggregate operations in the future.
6. Ensure that new or expanding extractive resources / mineral aggregate operations are sited in locations that will have minimal impact on significant social and environmental features;
7. Ensure that the activities of extractive resources / mineral aggregate operations are carried out with minimal environmental and social impacts;
8. Minimize conflicts between incompatible land uses;
9. Require that all extractive resources / mineral aggregate operations meet the licensing requirements and standards of the Aggregate Resources Act;
10. Encourage consultation between relevant agencies and the proponent to ensure that new or expanding extractive resources / mineral aggregate operations meet the requirements of this Plan;
11. Ensure that areas of extractive resources / mineral aggregate extraction are progressively rehabilitated in conjunction with the policies of this Plan;
12. Conserve aggregate resources through aggregate recycling
13. Implement the recommendations of the Aggregate Resource Strategy Report, as endorsed by Huron County Council.

8.4 Policies and Actions

The following policies and actions apply to areas designated Extractive Resources:

8.4.1 Mineral Aggregate License

In addition to obtaining approvals under the Planning Act, new extractive resources / mineral aggregate operations, and expansions of existing operations, will require a license under the Aggregate Resources Act. An application for license shall be submitted to the Ministry of Natural Resources. Prior to issuing a license, the Ministry of Natural Resources and Forestry will require a site plan confirmation of proper designation and zoning, a rehabilitation plan and

supporting studies as outlined in the Aggregate Resources Act and the Aggregate Resources of Ontario Provincial Standards Report.

8.4.2 Existing Licensed Operations

Existing licensed extractive resources / mineral aggregate operations and associated uses designated Extractive Resources will be allowed to continue to operate. Expansions of existing licensed operations within designated Extractive Resources / Mineral Aggregate deposits may be permitted to expand according to the policies of Section 8.4.4.

Expansions of existing licensed operations onto adjacent lands not designated Extractive Resources may only be permitted where the policies of Section 8.4.5 are satisfied.

All extractive resources / aggregate operations must be licensed under the Aggregate Resources Act and must comply with the Aggregate Resources of Ontario Provincial Standards Report.

8.4.3 Agriculture and Natural Environment Uses

Agriculture and natural environment uses and accessory uses shall be permitted on lands designated Extractive Resources in accordance with the appropriate policies of this Plan.

The zoning by-law may provide interim extractive resource zones to permit agriculture and natural environment uses. Agriculture and natural environment uses will be permitted uses before and after extractive resources / mineral aggregate extraction.

8.4.4 Proposed Operations in Designated Extractive Resources

1. Proposed new or expanding extractive resources / mineral aggregate operations in areas designated Extractive Resources will be permitted. These areas are designated Extractive Resources in accordance with the recommendations of the Aggregate Resources Strategy Report.
2. Applicants are encouraged to obtain approvals through the Aggregate Resources Act and the Planning Act concurrently.
3. The opening of a new extractive resources / mineral aggregate operation or expansion of an existing extractive resources / mineral aggregate operation in an area designated Extractive Resources will require an amendment to the Zoning By-law.
4. Required studies shall be submitted with applications for approval under both the Planning Act and the Aggregate Resources Act. The following studies or documents may be required:

- a) Summary Statement:** Provide the following information:
- Any planning and land use considerations;
 - The agricultural classification of the proposed site, using the Canada Land Inventory classes. For the lands being returned to agriculture, the proposed rehabilitation techniques must be identified;
 - The quality and quantity of aggregate on site;
 - The main haulage routes and proposed truck traffic to and from the site, and necessary entrance permits;
 - The progressive and final rehabilitation and the suitability of the proposed rehabilitation having regard to the adjacent lands. Where there is a concentration of licensed pits in the area, consideration shall be given to comprehensive rehabilitation;
 - Any existing surface water on and surrounding the site and proposed water diversion, storage and drainage facilities on the site and points of discharge to surface waters; and
 - Determine the elevation of the established groundwater table within the site.

b) Environmental Impact Study:

A pre-consultation meeting will be required to determine the requirement for an Environmental Impact Study where there are natural environment features on or within 120 metres of the site. Where the Environmental Impact Study identifies significant natural heritage features(s), it must be demonstrated that there will be no negative impacts to the significant natural heritage feature(s) on or within 120 metres of the site prior to rezoning.

Where it has been demonstrated to the satisfaction of the Conservation Authority/Review Agency that development can occur without negative impacts to the natural heritage feature, the rehabilitation plan will address the requirements of Section 8.4.8.2 of this Plan.

c) Hydrogeological Report:

Where extraction is above or below the water table:

Conduct a preliminary hydrogeologic evaluation to determine the final extraction elevation relative to the established groundwater table, and the potential for adverse effects to groundwater and surface water resources and their uses;

Where a potential for adverse effect exists on groundwater and surface water resources, an impact assessment is required to determine the significance of the effect and the feasibility of mitigation.

Where extraction is to occur below the water table:

A technical report must be prepared by a qualified professional to include the following items:

- water wells
- springs
- surface water courses and bodies
- discharge to surface water
- proposed water diversion, storage and drainage facilities on site
- methodology
- description of the physical setting including local geology, hydrogeology, and surface water systems
- water budget
- impact assessment
- mitigation measures including trigger mechanisms
- contingency plan
- monitoring plan
- technical support data

d) Cultural Heritage Resource Study:

Determine if there are any known and significant archaeological resources on the property and the potential of the site to have heritage resources.

Any resources must be documented through an archaeological assessment. Information must be submitted to the Municipality and the Ministry of Culture on the location of the resource and proposed mitigation measures.

e) Traffic Impact Study:

A traffic impact study shall address:

- The proposed haul route(s);
- The anticipated increase in traffic generated by the proposed extractive operation;

- Traffic impacts resulting from the truck traffic generated by the proposed operation, including impacts on road structure, traffic flow and safety and the mitigation measures required to address these impacts;
- Whether the upgrading of the roads proposed to be used as haul route(s) is necessary, and the allocation of costs for such upgrading
- Additional planning justification taking into account the applicable constraints identified in the Huron County Aggregate Resource Strategy
The Justification Report shall address the following:
 - Potential impacts of the aggregate operation on nearby communities and adjacent land uses;
 - Impact on the character of the area, including built and cultural heritage resources;
 - Impacts of noise, odour, dust, particulate emissions and vibration from the proposed use on adjacent land uses;
 - If any adverse impacts are identified, describe how these impacts will be mitigated.
 - In the case of environmental constraints, the relative significance of the affected resource, impact on features and functions, and opportunities for rehabilitation in accordance with subsection 8.4.8.2. will be taken into account. Where environmental constraints are identified an Environmental Impact Statement (EIS) shall be prepared in accordance with Section 5.4.11.

f) Noise Study:

If extraction and/or processing facilities are proposed within 150 metres of a sensitive receptor, a noise assessment report may be required to determine compliance with provincial guidelines.

8.4.5 Proposed Operations Outside Designated Extractive Resources Deposits

The Aggregate Resource Strategy Report, 2005 as endorsed by the County of Huron is the basis for the following policy:

1. Proposed extractive resources / mineral aggregate operations or the expansion of existing extractive resources / mineral aggregate operations in areas not designated Extractive Resources on Schedule B will require further review.

The Aggregate Resource Strategy Report, 2005 did recognize that additional extractive resources / mineral aggregate deposits exist. Areas identified as having 2 or 3 constraints that may be impacted by extractive resources / mineral aggregate extraction were not designated because extraction in these areas may have an increased impact on the social or environmental features in the area.

In certain circumstances it may be necessary and appropriate to permit a new operation or expansion in these areas. Where a license for a new or expanding extractive resources / mineral aggregate operation is proposed in one of these areas, an amendment to this Plan and the Zoning By-law will be required.

Prior to approval of these amendments, all studies outlined in Section 8.4.4 above, plus an:

2. Proposed new mineral aggregate operations or the expansion of existing mineral aggregate operations in “sterilized” mineral aggregate deposits, as identified in the Aggregate Resource Strategy Report, 2005, will be discouraged. Amendments to this plan and the implementing zoning by-law will require supportive studies in accordance with the above Sections 8.4.4 and 8.4.5. and the Provincial Policy Statement.

8.4.6 Review of Site Plan Circulated under the Aggregate Resources Act

A site plan, meeting the requirements of the Aggregate Resources Act licensing process, will be circulated to the County, Municipality and the local conservation authority for review.

All extraction and processing and associated activities shall be located, designed and operated so as to minimize environmental and social impacts and ensure no significant impacts on surrounding properties. The Municipality may request that specific conditions be attached to the license.

8.4.7 Development Adjacent to Lands in Mineral Aggregate Designation

When new development (through a Planning Act application) is proposed within 300 metres of lands that are protected for future mineral aggregate operations as outlined in the Aggregate Resources Strategy as zero (0) or one (1) constraint deposits (and implemented by Sections 8.4.4. and 8.4.5.), Council shall be satisfied that the proposed use is compatible with the current or future use as a extractive resources / mineral aggregate operation.

Surplus dwelling severances may be permitted in the Extractive Resource designation in accordance with the policies established in section 10.3.1.7j.

In some cases, setbacks and other mitigation measures may be required to minimize conflicts between uses.

Land uses permitted within the agricultural and natural environment designation are compatible uses on and within 300 metres of lands designated Extractive Resources.

8.4.8 Rehabilitation

The policies of the plan require that all extractive resources / mineral aggregate operations shall be progressively rehabilitated to accommodate subsequent land uses, to promote land use compatibility, to recognize the interim nature of extraction, and to mitigate negative impacts to the extent possible.

The Municipality will work with operators and the Ministry of Natural Resources and Forestry to ensure that all licenses have appropriate progressive rehabilitation plans.

Comprehensive rehabilitation planning is encouraged where there is a concentration of mineral aggregate operations.

Where, prior to extraction, a site was considered prime (Class 1-3) agricultural land, the aggregate operation will be required to rehabilitate to its former use. Rehabilitation to an agricultural use shall be in accordance with section 8.4.8.1.

Where, prior to extraction, a site was considered as non-prime (Class 4-6) agricultural land, or where a site is within 100 metres of an existing natural feature, the aggregate operation may be rehabilitated to either agriculture (in accordance with 8.4.8.1.) or to natural environment.

Rehabilitation to a natural environment use shall be in accordance with section 8.4.8.2 and the Natural Environment policies of this plan.

8.4.8.1 Rehabilitation to Agriculture

After an extractive use on prime agricultural lands, the site will be rehabilitated to an agricultural condition.

The operator shall prepare operational plans and progressive rehabilitation plans that ensure the most efficient and effective use of overburden, topsoil and other non-product material. It is recommended that topsoil and overburden be stripped and directly replaced to another area.

On prime agricultural lands, complete agricultural rehabilitation is not required if:

1. There is a substantial quantity of extractive resources / mineral aggregate resource below the water table warranting extraction; or
2. Agricultural rehabilitation in remaining areas is maximized.

8.4.8.2 Rehabilitation to Natural Environment

A site being rehabilitated to a natural environment use must restore no less than the same land area that existed prior to extraction, native self-sustaining vegetation should be established.

Rehabilitation to Natural Environment may be required in order to assist with the implementation of the goals of the Natural Environment policies of this plan. The operator is encouraged to consult with the local Conservation Authority and the Municipality when designing the operational plans and progressive rehabilitation plans.

8.4.9 Other Extractive Activities

8.4.9.1 Accessory Aggregate Recycling Facilities

Aggregate Recycling Facilities shall be permitted as an accessory use within aggregate operations, without the need for an Official Plan Amendment and Zoning By-law Amendment in accordance with the Aggregate Resources Act. Conservation of mineral aggregate resources shall be undertaken wherever feasible.

8.4.9.2 Wayside Pits and Quarries, Portable Asphalt Plants and Portable Concrete Plants

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, Zoning By-law Amendment or Development Permit under the Planning Act in all areas, except those areas within

350 metres of an existing residence or livestock barn or existing development or particular environmental sensitivity which have been determined to be incompatible with extraction and associated activities.

future rezoning to ER1 or ER2 would be required to establish an extractive operation. (OPA#5)

8.4.9.3 Permanent Asphalt and Concrete Plants

Permanent asphalt plants and concrete batching plants / ready mix concrete plants are secondary industrial extractive uses. They are permitted in an Extractive Resources designation and will be required to be zoned an Extractive Industrial (ER2) zone. The Ministry of the Environment through the Certificate of Approval process regulates them.

8.4.9.4 Mineral & Petroleum Resources

The extraction of mineral and petroleum resources may be permitted subject to compliance with applicable regulations.

The extraction of minerals and petroleum resources are permitted in agricultural areas subject to the site being rehabilitated to its former use.

8.4.9.5 Commercial Scale Water-Taking

Commercial scale water-taking is a land use. Commercial scale water-taking operations may be permitted in Extractive Resources and Agriculture designated areas subject to: a Zoning By-law amendment to a special Commercial Scale Water-taking Extractive Resource Zone; hydrogeological study; and any other requested studies addressing sustainability.

Pursuant to Section 41(2) of the Planning Act, commercial water taking operations are subject to site plan control.

8.5 Location

Primary and secondary Extractive Resources / Mineral Aggregate deposits with zero (0) constraints or one (1) constraint, as identified in the Aggregate Resource Strategy, are designated 'Extractive Resources' on Schedule B. Existing aggregate operations licensed, in accordance with the Aggregate Resources Act, are also designated 'Extractive Resources' on Schedule B.

Several extractive resources / mineral aggregate deposits, which are not currently licensed pits, will be zoned as special extractive resource zones in the corresponding municipal zoning by-law. A

SECTION 9 COMMUNITY WIDE POLICIES

The policies contained within this section apply to the entire community, and are not specific to designated areas of land.

9.1 INFRASTRUCTURE AND SERVICING

In the settlement areas, certain areas of land are devoted to provide facilities for public use or public service. These uses are necessities and include the provision of potable water, roads, sewage treatment and storm water management. Infrastructure and Servicing vary in scale, function, and locational requirements and require planning guidelines and controls to ensure compatible integration within the community.

Infrastructure and servicing are fundamental building blocks for development and have the potential to greatly impact the environment. "Infrastructure" refers to the physical structures that form the foundation for development, "Servicing" describes the act or result of employing infrastructure facilities to meet the physical needs of development and the community.

9.1.1 Definitions

Infrastructure and Servicing cover a broad range of land uses that provide facilities for public service and public use. These are owned or operated by public, semi-public or private enterprises to meet the infrastructure requirements of the community.

Infrastructure means physical structures that form the foundation for development.

Infrastructure includes:

- sewage and water systems
- septage treatment systems
- stormwater management systems
- electricity generation facilities
- electricity transmission and distribution system
- waste management systems
- communications/telecommunications
- transit
- transportation corridors and facilities
- oil & gas pipelines and associated facilities

Full Municipal Services means piped sewage and water services that are connected to

Municipal centralized waste water and water treatment facilities.

Private Communal / Shared Services means non-municipal sewage systems and water services that provide for the distribution, collection or treatment of sewage or water but which:

- Are not connected to full Municipal sewage and water services;
- Are for the common use of six or more residential units/lots;
- Are owned, operated and managed by:
 - the Municipality
 - another public body
 - a condominium corporation or a private owner which has entered into a responsibility agreement with the Municipality or public body

Individual On-site Sewage Services means sewage systems that are owned, operated and managed by the owner of the property upon which the system is located.

Individual On-site Water Services means individual autonomous water supply systems that are owned, operated and managed by the owner of the property upon which the system is located.

Partial services means:

- a) Municipal sewage services or private communal sewage systems and individual on-site water services; or
- b) Municipal water services or private communal water services and individual on-site sewage services.

Responsibility Agreement means an agreement entered into between the Municipality or a public body and a single owner pursuant to Section 51 of the *Planning Act* (RSO 1990) providing for Municipal or public assumption of the communal services in event of default by the owner.

9.1.2 Goals

The following goals are adopted for Municipal Infrastructure and Servicing:

i) To reduce deficiencies and improve Municipal services in order to maintain the quality, safety and stability of the community. This includes the creation of new services where necessary, having regard to the needs of the residents of the Municipality.

ii) Consider comprehensive storm water management for development within the Municipality.

- iii) To provide efficient, cost effective, and compatible locations for infrastructure and utilities.
- iv) To establish a road system capable of providing for the safe and efficient movement of people, goods and services.
- v) To provide a system of Municipal services consistent with the needs and resources of the community, including: high standards of design, sound planning, engineering, and environmental practices.
- vi) Coordinate planning for infrastructure and utilities with long-range land use planning.
- vii) Direct majority of development to urban settlement areas with full municipal services.
- viii) Protect infrastructure and utility facilities from the establishment of sensitive and incompatible land uses.

9.1.3 Policies and Actions

Infrastructure will be permitted within Huron East without amendments to the Official Plan and Zoning By-law provided they are established in consultation and co-operation with the Municipality. Development of Infrastructure and Servicing may be made conditional upon public meetings and agreements at the discretion of the Municipality, unless they are subject to the *Environmental Assessment Act* review process.

9.1.3.1 Water and Sewage Services

The Municipality of Huron East recognizes the hierarchy of water and sewer servicing preferences established by the *Provincial Policy Statement*, and implements corresponding requirements in Huron East.

9.1.3.1.1 Hierarchy of Servicing Options

Full Municipal sewage and water services are the preferred form of servicing in settlement areas. In areas serviced by full Municipal sewage and water services, new and infill development will only be permitted if the water and sewage systems have sufficient capacity to accommodate previously approved development commitments.

New subdivisions, condominiums and multi-unit infill developments will only be permitted on full Municipal sewage and water services or by a standard of servicing to be determined by a sewage strategy.

A Sewage Strategy for the Municipality is recommended by the Ministry of the Environment and Climate Change. Requirements for this strategy are available in Guideline D-5: Planning for Sewage and Water Services. Prior to the availability of the Municipal Sewage Strategy, individual applications for new development (subdivision, condominium and multi-unit infill) will require sewage servicing plans. Both the Municipal Sewage Strategy and Individual Servicing Options Statement shall address:

- Consideration of the location, the amount and type of servicing needs for the proposed use when determining the appropriate level of service to be used;
- Consideration of a reasonable range of alternatives;
- Identification consideration, and evaluation of the effects of each alternative on all aspects of the environment;
- Systematic evaluation of alternatives, their advantages and disadvantages, to determine their net environmental effects;
- Documentation of the planning process followed, to clearly outline the decision-making process with respect to the project.

For further guidance regarding servicing option statement requirements consult the Ministry of Environment and Climate Change Procedure D-5-3: Servicing Options Statement.

Individual Services:

Where municipal sewage services or private communal sewage services are not provided, individual on-site sewage services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts. Generally, individual services may only be used for infill and minor rounding out.

Any development proposed on private systems must be supported by studies that include, as a minimum, evaluations of percolation rates and impacts on ground water resources and adjacent watercourses. Approval of development will require that these studies demonstrate no adverse effects on the quality of surface water, groundwater and the water in active wells operating in the general vicinity.

Reserve Sewage & Water System Capacity:

Lot creation may only be permitted if there is confirmation of sufficient reserve sewage system capacity and reserve water system capacity within municipal sewage services and municipal water services or private communal sewage services and private communal water services.

9.1.3.1.2 Water Supply

Development shall connect to municipal water services where available. Where municipal water service is not available or could not be reasonably extended, then private communal services is the preferred form of servicing.

Where municipal water services or private communal water services are not provided, individual on-site water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts.

All water supplies to areas of new development in a settlement area will be provided in accordance with the *Safe Drinking Water Act* and its regulations, as amended.

Land uses within Wellhead Protection Areas surrounding Municipal Wells will be protected in accordance with *Clean Water Act, 2006*, the *Ausable Bayfield Source Protection Plan*, *Maitland Valley Source Protection Plan*, and *Upper Thames Region Source Protection Plan*.

Lands within Wellhead Protection Areas will be developed in accordance with the policies in section 9.4.

9.1.3.1.3 Development Agreement

Lot creation or new development will be required to enter a development agreement with the Municipality, registered on title, which may address the following:

- Water supply
- Sewage disposal
- Lot grading and drainage
- Storm water management including erosion and sediment control
- Landscaping
- Securities
- Sidewalks and lighting
- Protection of natural features
- Utilities (hydro, gas, telephone, etc.)
- Other information as required by the Municipality of Huron East.

9.1.4 Roads

It is the policy of the Municipality of Huron East to provide and maintain efficient, cost-effective and reliable transportation systems.

Transportation land use considerations will be integrated at all stages of the planning process,

including connectivity among transportation systems and promotion of alternative, safe, energy efficient transportation modes. Land use patterns will be promoted that support active transportation and work within the existing road infrastructure.

The Policies and Actions of this section shall apply to all Provincial Highways, County Roads and Municipal Roads as identified on the Roads Schedules "C" to this Plan.

9.1.4.1 Policies and Actions

All development must front on a public road constructed to the appropriate Provincial, County or Municipal standards or a private road registered under the *Condominium Act*. Preference of road access for development shall be considered in the following order: Municipal, County, Provincial.

New private roads in mobile home parks, trailer parks, or serving other private areas, will not be permitted unless they are registered as private roads under the *Condominium Act*.

Mobile home parks should have direct access into a major road and shall not cause heavy volumes of vehicular traffic to nearby quiet residential streets.

Road alignments, widths, layout and construction standards will be appropriate to the functional classification of the road, projected traffic volumes, prevailing design and safety standards. New roads, created by plan of subdivision or consent, shall be constructed to minimum standards as required by the Municipality prior to their assumption as a public road.

9.1.4.2 Entrance Permits

Transportation approval permits are required for all new or altered entrances to the highway system and for all buildings and/or structures located adjacent to the highway from the relevant road authority.

9.1.4.3 Arterial Roads

Arterial roads are designed to facilitate through traffic. These roads will be developed, where possible, on a 30 metre (100 ft) road allowance and direct access will be limited so as not to impede the efficient flow of through traffic. In Huron East, all Provincial Highways are arterial roads.

Provincial Highways are regulated by the Ministry of Transportation under the *Public Transportation and Highway Improvement Act*.

Where development is proposed adjacent to a Provincial Highway, it will be incumbent upon

owners to obtain permits from the Ministry of Transportation for any access to the highway as well as for any buildings and structures prior to any construction being undertaken.

9.1.4.4 Collector Roads

Collector roads have the dual function of carrying moderate volumes of traffic and providing land access. Collector roads distribute traffic between local and arterial roads and carry lighter volumes for shorter trips than an arterial road. These roads will be developed, where possible, on a 30 metre (100 ft) road allowance. In Huron East, all County Roads are collector roads. County Roads are regulated by by-laws of the County of Huron. Any proposed development must conform to these by-laws and appropriate entrance permits must be obtained.

9.1.4.5 Local Roads

Local roads provide localized access and minimize through traffic. These roads will be developed, where possible, on a 20 metre (66 ft) road allowance. In Huron East, all Municipal Roads are local roads.

Municipal Roads are regulated by by-laws of the Municipality of Huron East. Any proposed development must conform to these by-laws and appropriate entrance permits must be obtained.

9.1.4.6 New Development

The development of undeveloped land in an existing or proposed Plan of Subdivision will require roads to be built to a standard established by the road authority by the developer and subsequently assumed by the road authority. Under the terms of the Subdivision Agreement, subdivision roads will be built by the developer under the supervision of the Municipal Engineer and all costs will be borne by the developer. Private road standards will be established in the condominium development agreement to the satisfaction of the Municipal Engineer.

Access roads to the subdivision must be public and assumed by the road authority. In a condominium, roads will be registered as a common element.

In addition to all the applicable Municipal requirements, all development adjacent to Provincial highways is also subject to the requirements and permits of the Ministry of Transportation.

9.1.3.4.7 Infill Development

Where a public, but unassumed road accesses lots which are already developed, infill development will be permitted on other existing lots along such road provided the owner registers on title a notice regarding the unassumed nature of the road. The Municipality may assume such roads when they are developed to Municipal or Ministry of Transportation standards at the complete expense of the benefiting owners. The request for assumption of the roadway must be submitted in the form of a petition signed by 75% of the property owners in that subdivision.

9.1.4.8 Traffic Impact Study

The road authority may require a traffic impact study to be submitted to assess the impact a development may have on the existing road network and to identify any improvements that may be required to the road infrastructure.

9.1.4.9 Land Acquisition for Road Purposes

As a condition to the approval of a plan of subdivision, severance or site plan control, the Municipality may require the dedication of new roads. Private condominium roads shall be registered as a common element. In addition, land dedication for road widening or intersection improvements for a plan of subdivision/condominium, severance or site plan control may be required where the road right-of-way is less than required by this Plan. New roads, created by plan of subdivision or severance, shall be constructed to minimum standards as required by the appropriate road authority prior to their assumption.

9.1.4.10 Road Widening

Land may be required to be conveyed to the Municipality for municipal road widening as a condition of severances, plans of subdivision/condominium, or as a condition of site plan control for new development.

For lands fronting onto County or Provincial roads, development proponents are required to satisfy the County Highways Department or the Ministry of Transportation.

9.1.5 Waste Management

There is one active landfill site in Huron East (Grey Ward, east of Walton). The mid-Huron landfill site, located in the adjacent Municipality of Central Huron, and the Municipality of Morris-Turnberry landfill site provide service to Huron East.

To optimize the capacity of landfill sites and reduce the quantity and toxicity of waste, the Municipality of Huron East encourages residents to adopt and

practice waste diversion initiatives based on a hierarchy of 3R activities: reduction, reuse and recycling and composting. As a means of encouragement, the Municipality of Huron East will:

- Educate and promote 3R activities
- Implement charge systems (i.e. bag-tag, tipping fees)
- Provide a Municipal compost site, curb side and/or depot recycling service, as well as annual leaf and brush pick-up in certain settlement areas
- Impose material bans at the landfill site

It is prohibited to:

- dispose of industrial and commercial waste by means of a well
- establish a municipal waste disposal site greater than 10 hectares with the potential of discharging vinyl chloride in Wellhead Protection Areas A to C (100m wellhead buffer, 2 year time of travel & 5 year time of travel as shown on Appendix 4) assessed at a vulnerability score of 8 or greater.

9.1.5.1 Development Adjacent to Landfills

The Municipality shall ensure that any proponent of development within 500m radius of an open or closed landfill has evaluated the presence and impact of any adverse effects or risks to health and safety. Any necessary remedial measures must be taken to mitigate the potential impacts from the landfill site prior to development. The distance is calculated from the boundaries of the site certified to receive waste, including areas which have already received waste. This influence area may be reduced or increased as a result of more detailed site investigations without amendment to this Plan.

Prior to consideration of development proposals in or within the influence of active or former landfill sites, the Municipality can require the completion of various studies, including but not limited to:

- a) Soil and groundwater tests for contamination;
- b) Potential human health concerns such as noise, dust, and odours;
- c) Potential for rehabilitation of the development site where necessary to meet appropriate Federal, Provincial and Regional Standards;
- d) Procedures and timing of site rehabilitation where necessary;

- e) Soil rehabilitation of contaminated sites;
- f) Tests for leachate and combustible gas migration.

Ministry of Environment and Climate Change Guideline D-4 Land Use On or Near Landfills and Dumps provides guidance regarding the study requirements for development in proximity to landfills.

9.1.6 Storm Water Management

Storm Water Management Reports may be considered as a condition of development. Both water quantity and quality may be considered.

Planning for stormwater management shall:

- a) minimize, or where possible, prevent increases in contaminant loads;
- b) minimize changes in water balance and erosion;
- c) not increase risks to human health and safety and property damage;
- d) maximize the extent and function of vegetative and pervious surfaces; and
- e) promote stormwater management best practices, including stormwater attenuation and re-use, and low impact development.

9.1.7 Development Adjacent to Railways

Where development is proposed adjacent to a railway right of way matters relating to fencing, setbacks, noise, vibration, drainage and road crossings shall be addressed to the satisfaction of the rail authority. Noise and vibration studies shall be conducted in accordance with the policies of Section 11.1.14 of this Plan.

9.1.8 Wind Energy and Solar Energy

Renewable energy uses such as wind, solar and biomass energy facilities will be developed in accordance with the Green Energy Act and/or other applicable Provincial/Federal legislation.

The Municipality of Huron East acknowledges development of energy supply including electricity generation facilities and transmission and distribution systems, to accommodate current and projected needs.

Renewable energy systems and alternative energy systems, will be permitted within Huron East where proponents can demonstrate it is feasible to develop such projects in accordance with provincial and federal requirements.

The distance from new sensitive receptors, such as new residential uses and community facilities to existing commercial scale wind turbines, may be regulated by the Zoning By-law.

9.2 CULTURAL HERITAGE RESOURCES

The Municipality of Huron East is rich with cultural heritage resources: the well-preserved nineteenth century commercial architecture in downtown Seaforth, the former Royal Canadian Air Force station in Vanastra and the many stately residences in Brussels are only a few examples of the cultural heritage resources within Huron East.

The Municipality recognizes that cultural heritage plays a vital role in the community and offers both tangible and intangible value. Tangible cultural heritage value refers to the use and re-use of buildings and generation of money from tourism. Intangible cultural heritage value includes the memory of place, identity with the past and enjoyment of architectural beauty. Cultural heritage resources shall be identified and conserved so that they may be experienced and appreciated by existing and future generations, and enhance the Municipality's sense of history, sense of community, identity, sustainability, economic health and quality of life.

The goals and policies of this Section will provide the framework to ensure the conservation of cultural heritage resources which reflect and contribute to the history, identity and character of Huron East.

9.2.1 Definitions

Conservation is the identification, protection, use and/or management of cultural heritage 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 or designation.

Cultural Heritage resources are built or natural features which are determined to have Cultural Heritage Value under the Ontario Heritage Act. Heritage Resources include but are not limited to buildings, structures and districts of historical significance, archaeological sites, and significant natural, cultural and human-made landscapes.

A **Protected Heritage Property** is real property individually designated by by-law and/or heritage easement conservation agreement under the *Ontario Heritage Act* (as shown on Appendix 2). As new properties are designated, Appendix 2 may be updated without amendment to this Plan.

Adjacent Lands are those lands contiguous to or in the immediate vicinity of a protected heritage property or Heritage Conservation District.

A **Heritage Conservation District** is a collection of cultural features or an area, which is described in a Heritage Conservation Plan and is designated by Council under the *Ontario Heritage Act* (as shown on Appendix 1). A Heritage Conservation District Plan is a document containing development guidelines and an explanation of the character-defining elements associated with the District.

Cultural Heritage Value includes design, physical, contextual historical, or associative value, as defined in Ontario Regulation 9/06.

Heritage Attributes are those materials, forms, location and spatial configurations that contribute to the cultural value of a Heritage Resource and which should be retained to conserve that value.

Appendix 2 provides a registry outlining the properties in Huron East which are designated under the *Ontario Heritage Act*.

Heritage Impact Assessment is a document comprising text and graphic material including plans, drawings, photographs that contains the results of historical research, field work, survey, analysis, and descriptions(s) of cultural heritage resources together with a description of the process and procedures in delivering potential effects and mitigation measures as required by official plan policies and any other applicable or pertinent guidelines. A heritage impact assessment must be prepared by a qualified person to the satisfaction of the Municipality.

9.2.2 Goals

The following goals are adopted to promote heritage conservation.

1. To conserve the municipality's cultural heritage resources through their identification, protection, use and/or management in such a way that their heritage values, attributes and integrity are retained.
2. To ensure that all development or redevelopment and site alteration is sensitive to and respects cultural heritage resources and that cultural heritage resources are conserved.
3. To increase community awareness of the value of heritage resources, historic features and heritage conservation.

4. To lead the community by example with the identification, protection, use and/or management of cultural heritage resources owned or leased by the Municipality. The Municipality is encouraged to implement programs of heritage conservation through the use of the *Ontario Heritage Act*;
5. To ensure that present and future generations are able to appreciate and enjoy the Municipality's heritage resources;
6. To engage in and promote innovative and pro-active programs and approaches of heritage conservation throughout the Municipality;
7. To encourage and facilitate partnerships and co-operative ventures involving the public and private sector for the preservation of heritage resources;
8. To support cultural activities.

9.2.3 Policies and Actions

To achieve the above stated heritage conservation goals, the following Policies and Actions are adopted:

9.2.3.1 Cultural Heritage Resources

1. The Municipality will protect and conserve cultural heritage resources in accordance with applicable legislation and recognized heritage protocols. The Municipality may:
 - maintain a Register of Properties of Cultural Heritage Value or Interest;
 - designate cultural heritage resources;
 - establish heritage conservation districts and adopt or update heritage conservation district plans and guidelines;
 - establish guidelines on the management of cultural heritage resources;
 - designate cultural heritage landscapes or cemeteries; may establish policies and/or urban design and architectural guidelines to recognize the importance of and guide alterations within the cultural heritage context.
2. Heritage resources and archeological sites will be identified, protected and preserved according to the regulations of the *Ontario Heritage Act*. This may be carried out through the establishment of Heritage Conservation Districts and a Municipal Heritage Committee. In

identifying heritage resources, the following will be considered:

- Architectural merit
- Historic, social, cultural and political significance to the local community
- Economic importance: for example, in promoting tourism
- Context: the location and use of the heritage feature and how it relates to and supports the wider community and neighbouring land uses and structures

All properties containing cultural heritage resources are subject to the policies in this Section.

A property does not have to be listed or designated to be considered as having cultural heritage value or interest.

3. Council will seek to conserve heritage resources by having regard for the potential impact of development or other land disturbances on those resources.
4. For any proposed development or site alteration within a Heritage Conservation District, or on any property adjacent to a property designated under the Heritage Act, the developer must demonstrate to the satisfaction of the Municipality that the Cultural Heritage Value, Heritage Attributes and integrity of existing Heritage Resources are retained. The developer will work with the Municipality to determine what is required to demonstrate protection of existing Heritage Resources based on the scale and location of a proposed development, and this may include:
 - a) The requirement for a heritage impact assessment, carried out by a heritage professional or architect;
 - b) The requirement for an archaeological assessment in areas of archaeological potential or in areas with known archaeological resources, carried out by a licensed archaeologist;
 - c) Conformity with the Heritage Conservation District Plans or area design guidelines, where they exist;
 - d) Site Plan Control exterior design controls, ensuring proposed development or redevelopment is of compatible height, massing, scale

setback and architectural style; and/or

- e) Conformity with the *Ontario Heritage Act*.

5. Mitigative measures and alternative development approaches may be required in order to conserve the heritage attributes of the protected property.
6. All options for on-site retention of buildings and structures of cultural heritage significance shall be exhausted before resorting to relocation. Relocation of built heritage resources shall only be considered through a Heritage Impact Assessment which addresses retention and relocation.
7. Opportunities for economic diversity will be enhanced by preserving the Municipality's unique small town and rural atmosphere, including heritage features and a wide range of goods and services. The well-being of downtowns and main streets in Huron East will be preserved by appropriate regulation of core and non-core development.

9.2.3.2. Municipal Heritage Advisory Committee

Huron East Council has established a Municipal Heritage Advisory Committee (MHAC) under the terms of the *Ontario Heritage Act*, Section 28, to advise Council on heritage matters.

The Huron East Municipal Heritage Advisory Committee (MHAC) is made up of people who are representative of the community. It is an advisory Committee of Council, whose role is to provide advice on matters relating to the Ontario Heritage Act and significant or designated districts or archaeological sites.

The responsibilities of the Huron East MHAC are to:

- a) Compile and maintain the inventory of the built heritage resources and undertake public awareness programs;
- b) Advise Council regarding designating a property or repealing a bylaw designating a property in accordance with the Ontario Heritage Act;
- c) Provide comments on Planning Act applications involving heritage buildings;
- d) Advise on demolition and alteration of designated properties;
- e) Advise Council on heritage programs including grant, loan & tax programs; and
- f) Provide an annual report to Council on the activities of the MHAC.

MHAC shall also advise Council on proposals to establish new Heritage Conservation Districts within the Municipality.

9.2.3.3 Heritage Conservation Districts (HCD)

1. Areas of architectural or historical significance may be designated as a Heritage Conservation District according to the *Ontario Heritage Act*. In the identification and evaluation of a potential Heritage Conservation District, regard will be had to, but not limited to the following criteria:

- the area contains a concentration of cultural heritage resources such as buildings, structures or landscapes, which reflect an aspect of the history of the community by nature of their location and the historical significance of the setting in which they are located;
- the area contains a concentration of cultural heritage resources that are of a particular style of architecture or method of construction which is historically significant or architecturally significant to the community, region or Province;
- the area may contain other important physical, archaeological, environmental, cultural or aesthetic characteristics that do not constitute designation of a district, but when considered together with other cultural heritage resources collectively support the reason for designation; or,
- the area has a special association that is distinctive within the community and, as a result, contribute to the character of the entire community.

2. In evaluating the rationale for the designation of an area as a Heritage Conservation District, the Municipality will prepare a Heritage Conservation District Study in accordance with the Ontario Heritage Act.

The Study will be considered by Council and form the basis for the preparation of a Heritage Conservation District Plan. The Plan will contain policies and guidelines to manage change including development or

redevelopment and alterations, to be keeping with the scale, form and heritage character of the properties within the District. The HCD Plan will be considered by Council for adoption together with the designation of the Heritage Conservation District by By-law.

3. Main Street Seaforth Heritage Conservation District

The Municipality of Huron East currently has one designated Heritage Conservation District which applies to the Main Street of Seaforth.

This area is described in the Heritage Conservation District - Appendix 1.

The objective of the Heritage Conservation District is to maintain the character of the building groups by directing growth in a manner compatible with the existing scale, to improve the environment by preventing the incursion of elements which would detract from the character of the area, and to prevent the unsympathetic alteration of buildings which would detract from the area's overall character.

The Municipality recognizes that the Heritage Conservation District Plan for Main Street Seaforth has not been substantively updated since its adoption in 1984, however the Plan continues to have relevance and validity for development, redevelopment and alterations within the District. The Municipality may update the Heritage Conservation District Plan without an amendment to this Plan.

9.2.3.4. Incentive Programs

Council offers a Municipal Heritage Tax Incentive program which assists private landowners in the maintenance, rehabilitation, and redevelopment of their properties or heritage resources. Council may participate in other funding programs to assist private landowners of designated properties. It is important that these programs are known to the residents of the Municipality.

The Municipality may use a program of conservation incentives to help protect and preserve architecturally or historically significant properties, structures or buildings. Conservation incentives may include any combination of grants, property tax incentives or loans.

- The Municipality will develop standards and a framework upon which to evaluate projects that are eligible to receive incentives.

- The Municipality may target conservation incentives for specific purposes such as complying with Building Code standards, façade improvements, streetscape improvements, conversion and adaptive re-use of empty buildings and any other purpose the Municipality warrants appropriate and/or necessary.
- The Municipality may impose minimum maintenance standards for those properties, structures or buildings that receive incentives.

The Municipality will involve the public in its heritage conservation programs, especially the Heritage Conservation District Plan. The Municipality will facilitate, recognize and encourage residents and volunteers in leadership roles for the protection of heritage resources.

9.2.3.5. Demolition of Heritage Resources

1. The Municipality will discourage the demolition of heritage resources to the extent of the Municipality's legislative authority.

Conditions may be required if a demolition permit is granted. For example, a condition of approval could require, prior to demolition, the documentation of the property for historical or archival purposes.

2. The Municipality may acquire easements or covenants on properties of architectural, archaeological, or historical significance under the terms of the *Ontario Heritage Act*, Section 37, in order to assure the continued presence of these properties.
3. The transfer of development rights will be allowed by Council for the express purpose of maintaining and preserving buildings of historical and/or architectural significance.

9.2.4 Archaeological Resources

During the pre-consultation process development applications will be reviewed to determine the potential presence of archaeological resources, as identified on the Ministry of Tourism and Culture archaeological potential checklist. Where moderate to high archaeological potential is identified, an archaeological assessment is required.

Where the archaeological assessment in accordance with the review by the Ministry of Tourism and Culture identifies significant archaeological resources, protection is required as follows:

- a) The land or site be protected from destruction or alteration by the development wherever possible; or
- b) Consideration of the inclusion of the site, where feasible, into lands designated for open space, parkland, or natural environment; or
- c) Where an archaeological resource cannot be protected on site, removal of the archaeological resources by a licensed archaeologist, prior to site grading or construction may be permitted.

Where burial places are encountered during any excavation activity, the provisions of the Cemeteries Act and its regulations must be followed.

9.3 ECONOMIC DEVELOPMENT

Economic activity is an integral part of the Municipality of Huron East's health and well-being. Residents indicated during public consultation of the Huron County Official Plan that the economic future of the area lies in the hands of the community. Economic activity provides jobs and builds wealth that contributes to viable communities and a quality of life that is valued by local residents.

Four industries represent the pillars of the Municipality of Huron East's economy: agriculture, manufacturing, tourism, and creative industries. Huron East significantly contributes to Huron County's status as a provincial and national leader in agricultural production, diversity and innovation. Manufacturing is an important and adaptive economic engine and has a close affiliation with the natural resource and food/feed processing sectors. The tourism industry has solidified Huron County as Ontario's West Coast and represents a growing segment of the economy. Creative industries encompass a wide diversity of creative establishments and occupations, including cultural and knowledge based jobs ranging from the performing arts to business and financial services. Service, trade, and retail businesses and occupations are integrated and supported within all four pillars of the Huron East economy. These four pillars create employment and enhance quality of life for residents.

The Municipality of Huron East is actively involved in community economic development efforts recognizing that the viability of a rural Municipality depends upon the inter-relationship of rural and urban components. A small hamlet or village for example interacts with, provides services to, and depends upon the surrounding rural population. The service provided depends upon the health and support of the entire community.

The retention and expansion of existing enterprises and the opportunities for new initiatives are encouraged and supported by Huron East.

Economic development efforts will therefore be most successful if co-ordinated with the Land Use Plan. For this reason it is appropriate that Economic Development Policies and Actions are specifically stated in the Land Use Plan. The following goals and policies are primarily aimed

at providing direction and ensuring that economic development efforts continue.

9.3.1 Definitions

Economic development will include any efforts that benefit the community, contribute to community identity, quality of life, and economic stability. These include but are not limited to: neighbourhood improvement, core area rehabilitation, industrial development, communication and information technology infrastructure, heritage conservation, provision of Municipal and social services, tourist promotion, and community activities.

Quality of Life is defined in the Huron County Official Plan as accessibility to health care and education, and soft services including recreation, culture and heritage; and the provision of hard services such as roads, sewage and waste disposal; a clean environment; and clean water. These elements are indicators of a healthy community, with the existence of these quality of life elements coinciding with a stable local economy.

In accordance with Section 28 of the *Planning Act*, (RSO 1990), the Municipality of Huron East may, by by-law, designate the whole or any part of the Municipality as a Community Improvement Project Area. Community Improvement Projects shall be conducted in accordance with the policies of section 9.6 of this Official Plan.

9.3.2 Goals

The following goals are adopted to promote economic development.

1. To encourage communication, interaction and partnerships between individuals, local community organizations, and all levels of government which will build the local economy at a municipal scale.
2. To support and encourage entrepreneurial activity. More jobs, training and educational opportunities will be supported to help keep job opportunities, job diversity and young people in the Municipality;
3. To strengthen, seek out and encourage development that will have a positive economic impact, and is in keeping with the character of the community;
4. To promote controlled growth of economic development;

5. To encourage and support all sectors of the economy. Agriculture, manufacturing, tourism and small business, creative industries and the retirement industry hold the greatest potential for growth and will be supported.
6. To maintain and enhance physical infrastructure, and provide adequate community services and suitable housing which supports and encourages economic activities and initiatives;
7. Ensure an appropriate mix and range of employment opportunities including industrial, commercial, and community facility land uses;
8. Maintain a range and choices of suitable sites for employment uses and protect them from incompatible uses;
9. Ensure the necessary infrastructure is available to support current and projected needs;
10. Revitalize, promote, and beautify Huron East's commercial areas.

9.3.3 Policies and Actions

The Municipality will support economic development in the following ways:

1. Funding

The Municipality may assist in promoting funding programs that provide assistance to private landowners for the maintenance, rehabilitation, and redevelopment of their properties. It is important that these programs are known to the residents of the Municipality.

2. Community Improvement Areas & Projects

The Municipality will support community improvement projects that have the effect of improving the economic and social well-being of the community, in accordance with the policies of Section 9.6 of this Official Plan

3. Land Use Planning

The Municipality will ensure that economic development and land use activities:

- Are in keeping with the land use Policies and Actions in this Plan
- Reflect sound planning practices

- Direct new development to the appropriate land use designation
- Consider innovative approaches to planning that have the effect of stimulating economic development activity in the Municipality.

4. Heritage Preservation

The Municipality will enhance opportunities for economic diversity by preserving the Municipality's unique rural and small town atmosphere, including heritage features in accordance with the policies of section 9.2 of this Official Plan.

5. Public Health and Natural Environment

Economic activity that will preserve the public health and integrity of the natural environment will be supported in accordance with the natural environment policies in this Plan.

6. Infrastructure and Servicing

To allow for the growth of all appropriate sectors of the economy, the following should be provided:

- A sufficient amount of adequately serviced land, including municipal infrastructure such as roads, sewers, and water;
- Accessibility to information, communication, and technology (IT);
- Adequately maintained physical infrastructure, including industrial parks.

7. Economic Development Committee

The Municipality may appoint an Economic Development Committee to oversee and assist with economic development activities in the Municipality.

9.4 SOURCE WATER PROTECTION

Source Protection Plans are in effect to protect the current and future municipal drinking water supply system. Water quality will be protected, improved and restored with priority given to vulnerable areas as identified by and in accordance with the policies contained in the most recent versions of the following Source Protection Plans. These vulnerable areas are at risk of contamination from incompatible land uses and other drinking water threats.

In Huron County there are four types of vulnerable areas of supply to the water supply- Wellhead Protection Areas, Intake Protection Zones, Highly Vulnerable Aquifers, and Significant Groundwater Recharge Areas. Policies for these vulnerable areas are provided in this Plan, building upon the approach, definitions and policies in the Maitland Valley Source Protection Plan, the Ausable Bayfield Source Protection Plan and the Upper Thames Region Source Protection Plan.

Through the use of components from the Source Protection Plans, the municipality will achieve the goal of protecting, improving and restoring the drinking water resource. These components include: Education & Outreach, Section 57 – Prohibitions, Section 58 – Risk Management Plans, Section 59 – Restricted Land Use Notices, and the 21 Drinking Water Threats (as outlined by Ontario Ministry of Environment and Climate Change).

Appendix 4 in this Plan delineates the Wellhead Protection Areas as determined by the Source Protection Authority. Wellhead Protection Areas are also shown on Schedule B maps where they coincide with urban settlement areas. Vulnerability mapping is available from the Ausable Bayfield Maitland Valley Source Protection Region.

For lands located within a wellhead protection area where the vulnerability score is 10, the lot size for any proposed development on existing 'lots of record' that would include a small on-site sewage system, shall be based at a minimum on the most current version of the Ministry of the Environment and Climate Change's Guidelines for Individual Onsite Sewage Systems.

For private septic systems and previously approved developable lots within a wellhead protection area where the vulnerability score is 10 and no municipal sanitary sewer exists, all

future or replacement systems shall be located as far as practically possible from the wellhead while remaining in compliance with the Building Code.

For lands within a wellhead protection area where the vulnerability score is 10, all properties directly abutting a municipal sanitary sewer must connect to that sewer, and any private septic systems on those lots must be decommissioned by March 31st, 2018.

Where feasible, sewage collection and treatment systems shall be located outside of the wellhead protection areas with a vulnerability score of 10.

9.5 NATURAL HAZARDS

Natural hazards within Huron East include:

- Flooding
- Erosion
- Unstable slopes
- Sinkholes
- Lands adjacent to ravines, river valleys, streams and water bodies

There are significant areas of floodplain associated with the Maitland and Bayfield Rivers throughout Huron East. Both the ABCA and the MVCA play a regulatory role in the review of proposed development adjacent to and within flooding hazards in the Municipality.

The Municipality of Huron East is undertook a Sinkhole Study in 2003. This study identified there were several clusters of sink holes (karst topography) which pose a hazard to development in geographically specific areas of the municipality. Recommendations from that Study are incorporated into this Plan and the Municipal Zoning By-law by amendment.

Setbacks for buildings and structures from the top-of-bank of watercourses and from sinkholes will be established in the Zoning By-law. Studies and mitigation measures may be required to overcome hazards to development.

9.5.1 Definitions

Erosion Hazard means the loss of land, due to human or natural processes, that poses a threat to life and property. The erosion hazard limit is determined by using considerations that include the 100 year erosion rate (the average annual rate of recession extended over a one hundred year time span), an allowance for slope stability, and an erosion/erosion access allowance.

Flood Fringe (for river or stream systems) means the outer portion of the flood plain between the floodway and the flooding hazard limit. Depths and velocities of flooding are generally less severe in the flood fringe than those experienced in the floodway. The flood fringe is the area where development and site alterations may be permitted, subject to appropriate flood proofing to the Regulatory Flood elevation, and subject to approval by the local Conservation Authority.

Flood Plain (for river and stream systems) means the area, usually low lands adjoining a water course, which has been or may be subject to flooding hazards. The local Conservation

Authority provides expertise in identifying the flood plain.

Flooding Hazards means the inundation, under the conditions specified below, of areas adjacent to a river or stream system that are not ordinarily covered by water. Along river and stream systems, the flooding hazard limit is the greater of:

- a) The flood resulting from the rainfall actually experienced during the Hurricane Hazel storm (1954), transposed over a specific watershed and combined with the local conditions, where evidence suggests that the storm event could have potentially occurred over the watershed in the general area.
- b) The one hundred year flood; or
- c) A flood which is greater than either of the above which was actually experienced in a particular watershed or portion thereof as a result of ice jams and which has been approved as the standard for that specific area by the Ministry of Natural Resources.

The greater standard applies unless a lower standard has been approved by the Minister of Natural Resources and Forestry (where past history of flooding supports the lowering of the standard).

Floodway (for river and stream systems) means the portion of the flood plain where development (other than uses which by their nature must be located within the floodway like flood and/or erosion control works, or passive, non-structural uses which do not affect flood flows) and site alteration would cause a danger to public health and safety or property damage. In general, new development and site alteration is not permitted within the floodway. Additions to existing development within the floodway are discouraged and may only be permitted based on approval by the local Conservation Authority.

Where the one zone concept is applied, the floodway is the entire flood plain.

Where the two zone concept is applied, the floodway is the inner portion of the flood plain, representing that area required for the safe passage of flood flow and/or that are where flood depths and/or velocities are such that they pose a potential threat to life and/or property damage. Where the two zone concept applies, the outer portion of the flood plain is called the flood fringe.

Natural Hazard includes property or lands that could be unsafe for development due to naturally occurring processes such as flooding hazards, erosion hazards, dynamic beach hazards, unstable soils (such as organic soils) or unstable bedrock (such as karst topography).

9.5.2 Goals

The following goals are adopted to promote management of development in and adjacent to natural hazards:

- i) To direct development away from areas of natural hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggregate existing hazards.
- ii) To undertake a flood plain management program to ensure proper land use, and to minimize the level of risk to life, property damage and social disruption from flooding and the need for large capital expenditures for flood protection purposes.
- iii) To retain and promote the environmental, social and economic viability of flood plain areas within the Municipality.

9.5.3 General Natural Hazard Policies

1. Development shall avoid areas of natural hazards.
2. Development shall not be permitted to locate in areas affected by natural hazards where the use is an institutional use, essential emergency service or uses associated with the disposal, manufacture, treatment or storage of hazardous substances.
3. Development and site alteration shall be directed outside of areas affected by natural hazards, and shall not be permitted in floodways, or area that would be rendered inaccessible to people and vehicles during times of flooding and/or erosion hazards. Notwithstanding the above, development and site alteration may be permitted:
 - i) In areas associated with a flooding hazard where a Special Policy Area has been approved by the Ministers of Municipal Affairs and Housing and Natural Resources and Forestry; and
 - ii) Where a two zone concept for flood plain management is applied,

development and site alteration may be permitted in the flood fringe, subject to appropriate flood proofing to the flooding hazard elevation or another flooding hazard standard approved by the Minister of Natural Resources and Forestry; and

- iii) Where the development is limited to uses by which their nature must locate within the floodway, including flood and/or erosion control works or passive non- structural uses which do not affect flood flows; or
- iv) Where the effects and risk to public safety are minor, could be mitigated in accordance with provincial standards, and where all of the following are demonstrated and achieved:
 - a) development and site alteration is carried out in accordance with flood proofing standards, protection works standards, and access standards;
 - b) vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion, and other emergencies;
 - c) new hazards are not created and existing hazards are not aggravated; &
 - d) no adverse environmental impacts will result.

9.5.4 Flood Plain Approaches

In Huron East, there are 3 ways to approach flood plain management :

- Special Policy Areas;
- Two-Zone Approach
- One-Zone Approach

9.5.4.1 Special Policy Area (SPA) in Seaforth

Seaforth is located between the watersheds of the Maitland and Bayfield Rivers. The two conservation authorities are the Maitland Valley Conservation Authority and the Ausable Bayfield Conservation Authority.

The northwest quadrant of Seaforth is incised by the Lawrence Drain, which is a minor upstream tributary of the Maitland River system. The Silver Creek traverses the southeast quadrant of Seaforth and drains into the Bayfield River drainage basin.

The flood plain of the Silver Creek covers an extensive area under the conditions of the regional storm. The Lawrence Drain is not considered to be a flood threat by the Maitland Valley Conservation Authority.

This susceptibility to flooding creates hazardous conditions for urban development. As a scenic natural resource, the Silver Creek flood plain

provides opportunities for parks and recreation and the establishment of a landscaped greenbelt to enhance the physical appearance of the community. A flood plain management program is necessary to minimize the level of risk to life, property damage, and social disruption, as well as the need for large capital expenditures to fund dams, reservoirs, dykes and channel improvements for flood protection purposes.

9.5.4.1.1 Definition and Location

The Silver Creek Flood Plain is defined as the area flooded as a result of the regional storm, as defined by the Conservation Authority. In Seaforth, a Special Policy Area has been established to facilitate proper land use planning and flood plain management.

The concept of Special Policy Status is recognized by the Province of Ontario and deemed acceptable for areas where application of more restrictive flood plain management policies are not viable. Provision is made for Special Policy status to those areas where it is considered necessary in the public interest, by the Municipality, Conservation Authorities and the Province, to assume a higher degree of flood risk than would normally be acceptable. These would generally be:

Areas of Existing Development: where a large component of a community's commercial, retail, industrial or even residential development is located in the flood plain.

Extension to Development Areas: including areas of major infilling and new development adjacent to existing development (generally where a large percentage of the Municipality is located in the flood plain, but, due to topography, can only expect shallow flooding with low velocity of flow).

Since both conditions are present in the Town of Seaforth, the designation of a Special Policy Area is considered the most appropriate approach for the planning and management of the Silver Creek flood plain.

For this purpose, the Silver Creek flood plain is deemed as consisting of two major parts:

i) The Inner Flood Plain: comprising the main channel and the low lying areas where, due to topography, deep flooding with high velocity flow is expected and where development will

be prohibited except as allowed by Section 9.5.4.1.2 ii

ii) The Outer Flood Plain (Special Policy Area): comprising the peripheral area where, due to topography, only shallow flooding with low velocity flow is expected.

The limits of the flood plain areas in the Seaforth Special Policy Area are shown on the Seaforth Schedule "B" of the Land Use Plan.

9.5.4.1.2 Policies and Actions:

–Seaforth Special Policy Area (SPA)

To achieve the flood plain planning and management goals, the following policies are adopted:

- i) The Municipality will participate in a flood plain management program for Silver Creek with the assistance of the Ausable Bayfield Conservation Authority including the following elements:
 - The control of land use in the flood plain.
 - The protection, conservation and enhancement of the natural environment.
 - The administration of regulations made under the Conservation Authorities Act to avoid impacts to flooding, erosion, pollution or the conservation of land.
 - The investigation of the need for flood control and remedial works.
 - The acquisition of land for open space and flood plain management objectives.
 - The implementation of flood control and channel improvement projects.
- ii) Low-lying areas, within the Special Policy Area, which may be subject to serious flooding will be designated as the Inner Flood Plain in the Official Plan. This designation will allow parks, horticulture, low-density recreation, agriculture and those structures required for flood plain management purposes. Development and site alteration will not be permitted in the Inner Flood Plain area. Furthermore, the expansion or renovation of existing development shall require the prior written permission of the Municipality and the Ausable Bayfield Conservation Authority, and if approved, be subject to the flood damage reduction measures required in this Plan.
- iii) In the Outer Flood Plain (Special Policy Area), land use will proceed in accordance with Schedule "B" - The Land Use Plan for each land use designation. Controlled development,

redevelopment or building expansion and/or renovation including the placement or removal of fill may be permitted upon prior receipt of written approval from the Municipality and the Ausable Bayfield Conservation Authority. Fill and construction activities, if approved, will be subject to those flood damage reduction measures identified in this Plan.

- iv) All development and site alteration in the flood plain will be subject to flood damage reduction measures. These measures may include the following:
- Structural design to withstand hydrostatic forces and preferably no basements;
 - Materials not subject to deterioration if flooded;
 - Minimum building openings to living space not below the Regulatory Flood Datum (R.F.D.) for residential development;
 - Mechanical/electrical/heating equipment located above the R.F.D.;
 - Sanitary sewers should be tight against inflow and capacity of any sewage pumping station should be adequate to prevent sanitary sewers from surcharging and causing basement flooding;
 - Filling as approved by the Conservation Authority having jurisdiction.
- v) The Municipality and Conservation Authority will encourage individual property owners of existing buildings to undertake measures to reduce damages to buildings and their contents in the event of flooding.
- vi) In the corresponding Zoning By-law, for mapping clarity only, the Special Policy Area Outer Flood Plain is known as the Flood Fringe and the Special Policy Area Inner Flood Plain is known as the Flood Way. (OPA#2)

9.5.4.2 Two-Zone Concept in Brussels and Henfryn *(Amended by OPA 7, 2014)*

The two zone flood way - flood fringe concept will be used for flood plain planning and management purposes. The two zone approach allows some flexibility for filling and development in the flood plain by relating the level of restriction to degree of risk.

9.5.4.2.1 Definitions and Location

Flood Plain: The flood plain of the Maitland River is defined as the area flooded as a result

of the regional storm. The flood plain consists of the flood way and flood fringe.

Flood Way: The flood way, which is defined as the area of the flood plain required to pass the deep, fast flowing flood water, will be determined in consultation with the Conservation Authority but will not exceed the one in one hundred year flood.

Flood Fringe: The flood fringe which is defined as the peripheral area, typically characterized as being susceptible to low velocity, shallow flooding, will be based on the land between the outer boundary of the flood way and the outer boundary of the regulatory flooding hazard limit, which will not exceed the regional storm flood line. The limits of the flood plain areas are shown on Schedule "B" Brussels & Henfryn of the Land Use Plan.

Hydraulic Floodway: Defined floodway based on channel capacity and floodwater storage capacity.

Two Zone Floodway-Flood Fringe Concept Diagram – see Appendix 3

9.5.4.2.2 Policies and Actions:

Two-Zone Approach – Brussels and Henfryn *(Amended by OPA 7, 2014)*

To achieve the flood plain planning and management goals, the following policies are adopted:

- i) The Village of Brussels will participate in the flood plain management program for the Middle Maitland River, with the assistance of the Maitland Valley Conservation Authority. The program may include:
- a) The control of land use in the flood plains;
 - b) The protection and enhancement of the natural environment;
 - c) The administration of fill, alteration and/or construction regulations to avoid flooding and pollution problems;
 - d) The investigation of the need for flood control and remedial measures;
 - e) The acquisition of land for open space and flood plain management objectives;
 - f) The implementation of cost effective flood control and channel improvement projects.
- ii) In the flood way, fill and construction will be prohibited. Land use in the flood way will be for open space, forestry, agriculture, horticulture, parks, outdoor recreation activities, public works and utilities.

- iii) In the flood fringe, controlled filling, development and redevelopment may be permitted to a limited extent without the necessity of an amendment to this Plan. Approval will be conditional upon receiving the written permission of the Municipality of Huron East and the Maitland Valley Conservation Authority in addition to the adoption of flood damage reduction measures designed to the regional storm elevation. An engineer's report and additional flood damage reduction measures may be required by the Maitland Valley Conservation Authority.
- iv) All fill and/or construction activities in the flood plain will be subject to flood damage reduction measures. These measures may include the following:
- Structural design to withstand hydrostatic forces and preferably no basements;
 - Materials not subject to deterioration if flooded;
 - Minimum building openings to living space not below the Regulatory Flood Datum (R.F.D.) for residential development;
 - Mechanical/electrical/heating equipment located above the R.F.D.;
 - Sanitary sewers should be tight against inflow and capacity of any sewage pumping station should be adequate to prevent sanitary sewers from surcharging and causing basement flooding;
 - Filling as approved by the Conservation Authority having jurisdiction.
- v) The Municipality and Conservation Authority will encourage individual property owners of existing buildings to undertake measures to reduce damages to buildings and their contents in the event of flooding.

9.5.4.3 One Zone Approach –All of Huron East except Seaforth, Henfryn and Brussels

The flood plain in the one-zone approach is the flood way. The flood way is defined as the area required to pass the deep, fast flowing flood water determined in consultation with the Conservation Authority but will not exceed the "Regulatory flood". Unless specifically approved for a two-zone approach, the rural area is treated as a one-zone concept.

The limits of the flood plain in urban areas are shown on Schedule "B" of the Land Use Plan.

Floodplain outside of urban areas is included within the limits of the natural hazard and Conservation Authority Regulated Lands shown on Schedule D.

One – Zone Concept Diagram – see Appendix 3

9.5.4.3.1 Policies and Actions – One Zone Approach

To achieve the flood plain planning and management goals, the following policies are adopted:

- i) The Municipality will participate in a flood plain management program with the assistance of the Ausable Bayfield Conservation Authority and Maitland Valley Conservation Authority including the following elements:
- The control of land use in the flood plain;
 - The protection, conservation and enhancement of the natural environment;
 - The administration of regulations made under the Conservation Authorities Act to avoid impacts to flooding, erosion, pollution, or the conservation of land;
 - The investigation of the need for flood control and remedial works;
 - The acquisition of land for open space and flood plain management objectives;
 - The implementation of flood control and channel improvement projects.
- ii) In the flood way, development and site alteration will be prohibited. Land use in the flood way will be for open space, forestry, agriculture, horticulture, parks, outdoor recreation activities, public works and utilities.
- iii) The Municipality and Conservation Authority will encourage individual property owners of existing buildings to undertake measures to reduce damages to buildings and their contents in the event of flooding

9.5.5 Flood Prone Lands

Flood prone lands are mainly flood plain and are covered under those policies; those flood prone areas existing outside of the flood plain are generally wetlands and organic soils and are subject to regulations made under the Conservation Authorities Act. These areas are included with Conservation Authority Regulated Land identified on Schedule D. A permit will be required from the applicable Conservation Authority for development and site alteration within all hazardous lands and Conservation Authority.

9.6 COMMUNITY IMPROVEMENT

Community improvement activities are intended to improve the existing condition of the built form through municipally-driven or incentive-based programs. Tools are available to the Municipality of Huron East through the Planning Act and the Municipal Act to stimulate community improvement, rehabilitation and revitalization. This could be accomplished through the preparation of a Community Improvement Plan within a designated project area. Areas worthy of preservation and enhancement would benefit from a detailed plan which outlines a program for community improvements.

9.6.1 Definitions

Community Improvement: means the planning or replanning, design or redesign, resubdivision, clearance, development or redevelopment, reconstruction and rehabilitation, improvement of energy efficiency of a community improvement project area, and the provision of such residential, commercial, industrial, public, recreational, community facility, religious, charitable or other uses, buildings, works, improvements or facilities, or spaces therefore, as may be appropriate or necessary. Community improvement also includes the provision of affordable housing.

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

9.6.2 Goals

For Community Improvement the following goals and objectives are adopted:

1. To encourage, support and aid in the co-ordination of private efforts to rehabilitate and/or redevelop property, which will have a positive impact on the well-being of the community, such as downtown revitalization, intensification, heritage preservation, affordable housing, high quality urban design and brownfield requirements.
2. To improve the physical appearance and environmental condition of the community,

3. To foster community pride,
4. To attract business investment and new residents to the Municipality of Huron East,
5. To involve the public in identifying areas needing of community improvement, what deficiencies exist and the improvement and rehabilitation priorities, and
6. To focus on the development and redevelopment of downtown cores.

9.6.3 Policies for Community Improvement

To achieve the Community Improvement goals, the following policies are adopted:

9.6.3.1 Legislative Basis

- a) Council may pass a By-law designating a Community Improvement Project Area under Section 28 of the Planning Act, RSO 1990, as amended. The boundary of the Community Improvement Project Area may be the whole of the Municipality of Huron East, or any part thereof.
- b) The municipality may develop a comprehensive program for the preservation, rehabilitation, reuse and redevelopment of an area through the preparation of one or more Community Improvement Plans within the Municipality.
- c) Under Section 28 of the Planning Act, RSO 1990, as amended, the municipality has the authority to issue grants, loans or other permitted financial incentives to eligible properties in conformity with the Community Improvement Plan.

9.6.3.2 Project Area Selection Criteria

In determining the location of a Community Improvement Project Area and preparation of a Community Improvement Plan, one or more of the following conditions shall exist:

- a) Buildings (including façades), structures, and / or properties which are of heritage or architectural significance in need of preservation, restoration, repair, rehabilitation or redevelopment,
- b) Built or natural heritage resources in need of preservation or renewal,
- c) Areas where elements of the natural heritage or parks system present opportunities for municipal improvements that would encourage redevelopment and improved recreational facilities for the community,
- d) Non-conforming or incompatible land uses or activities,
- e) Deficiencies in physical infrastructure or community facilities and services,
- f) Lack of public and private parking facilities

- g) Areas susceptible to flooding and requiring protection,
- h) An inadequate mix of housing types,
- i) Known or perceived environmental contamination (i.e. brownfields),
- j) Poor visual quality, including streetscape and design,
- k) High industrial or commercial vacancy rates,
- l) Any other relevant social, economic, or environmental reason, and / or
- m) Demonstrated support by residents and taxpayers of the area.

9.6.4 Actions

Community Improvements shall be implemented in the following ways:

- a) Designation of Community Improvement Project Areas,
- b) Preparation of Community Improvement Plans,
- c) The acquisition of land and/or buildings by the municipality, as permitted under Section 28(3) of the Planning Act.
- d) Encouraging maintenance, rehabilitation, redevelopment of areas containing deficient or deteriorated buildings, land use conflicts, environmental contamination, deficient municipal services, or economic instability,
- e) Creation, approval and enforcement of a property standards by-law.
- f) To continue to support the Chambers of Commerce and Business Improvement Associations (e.g. BIA's) and other groups in their efforts to maintain strong and viable urban areas,
- g) The establishment of financial programs to stimulate private sector redevelopment and rehabilitation to address identified economic, social, housing, or environmental needs through:
 - i. Provision of public municipal funds, such as grants and loans, and
 - ii. Application for financial assistance and participation in programs from senior levels of government and
 - iii. The use of private donations.
- h) The municipal acquisition of land and/or buildings for environmental remediation, rehabilitation or improvement of these properties, and possible sale or lease to other persons or government authorities,
- i) To support heritage conservation through financial incentives programs under the

Ontario Heritage Act, and to continue to support the efforts of the Huron East Heritage Committee in their efforts to identify, protect and enhance heritage resources, including heritage conservation districts. (OPA #5)

9.6.5 Phasing of Community Improvement Projects

In addition to the criteria used in the selection of Community Improvements, the following shall be considered when identifying priorities for the phasing of community improvements:

- a) Prior to undertaking any Community Improvements, Council shall be satisfied that it can reasonably finance and afford the municipality's share of costs associated with the required improvement;
- b) The improvements which will most substantially increase the economic viability, safety, stability and aesthetic quality of the community shall be undertaken first; and
- c) The importance of the improvements shall be determined based upon comments received from the land owners/residents at advertised public meetings as required by the Planning Act, R.S.O. 1990.

SECTION 10 LAND DIVISION / CONSENT (Severance)

10.1 Jurisdiction and Definition

The division of land by consent (*severance*) is regulated by Part VI of the *Planning Act* (RSO 1990).

The County of Huron is the approval authority for land division, including plans of subdivision, plans of condominium, consents (*severances*), easements for a period greater than 21 years on private land and related matters. The land division policies will be implemented by the Municipality of Huron East through its recommendations to the County of Huron on applications, and by the County when exercising its approval authority.

10.2 General Policies and Actions

The creation of all new lots by plan of subdivision/condominium or consent shall comply the specific requirements of the land use designation and with the following general requirements:

1. Development will be in accordance with the designated uses as shown on the Land Use Maps (Schedule "B") which accompany this Plan, the associated land use policies and the provisions of the Zoning By-law. Where a zoning by-law amendment is required, such amendment shall be in force before final approval of the subdivision/condominium or consent.
2. The division of land will take place in one of two ways:
 - By registered plan of subdivision/condominium
 - By consent of the County of Huron for the conveyance of the land into smaller parcels
3. All lots must abut a public road developed to a standard of construction acceptable to the relevant road authority (Municipality, County or Ministry of Transportation). Lots or units within a plan of condominium may abut a private road (common element) developed in accordance with a development agreement.

4. Consents will not be granted when any parcel involved requires access to be obtained where a traffic hazard would be created because of limited sight lines on curves or grades or in proximity to intersections. The geometric and safety requirements of the applicable road authority shall apply.
5. Consent will be granted only when it has been established that for all parcels involved, soil and drainage conditions are suitable to permit the proper siting of building, to obtain a sufficient and potable water supply where applicable and to permit the installation of an adequate means of sewage disposal. Consents requiring installation of septic tank systems, or other private sewage disposal systems will meet appropriate standards of the Ontario Building Code.
6. Any consent will be required to conform with the provisions of the Zoning By-law, or will conform subject to a minor variance or zoning by-law amendment.
7. A development agreement may be required as a condition to the approval of an application to address servicing and other matters.
8. Consents for technical reasons such as a, title correction, or validation of title, and consents for minor lot boundary adjustments may be permitted provided a new lot is not created.
9. **Minor Lot Enlargement**
Where lands are severed and merged on title with lands that are in a different land use designation, an Official Plan Amendment is not required. A corresponding Zoning By-law Amendment may be required.
10. For lands located within a wellhead protection area where the vulnerability score is 10, new lots will only be permitted where they are serviced by municipal sanitary services or where an on-site septic system could be located outside of the vulnerable area with a vulnerability score of 10.

10.3 Specific Policies and Actions

The Policies and Actions outlined below apply only to the area of the appropriate Land Use designation as set out on the Land Use Maps (Schedules "B"). These Policies and Actions are meant to complement the goals and policies of the appropriate subsection of the Land Use Plan and should be interpreted in conjunction with those goals and policies. In a case where a conflict arises

between the goals and policies of the Land Use Plan and the Land Division/Consent Policy the provisions of the goals and policies of the Land Use Plan shall prevail.

10.3.1 Agriculture

In areas designated "Agriculture" on the Land Use Plan, consents for conveyance will be in accordance with the following Policies and Actions:

1. Where the land being conveyed or retained is for agricultural purposes, a consent may be granted where both the severed and retained parcels respect the need for long term agricultural flexibility. In determining if the land is to be used for agricultural purposes, the following criteria will be met:
 - A minimum of 38 hectares for both the severed and retained parcels;
 - The proposed operation must be an Agriculture operation either by itself or in conjunction with other lands owned by the operator;
 - Agriculture must be the intended use of the lands being retained and severed
 - Notwithstanding the minimum lot area requirement of 38 hectares (94 acres), if the present owner purchases 2 or more parcels of 20 hectares (50 acres) or more in the same ownership, at separate times, and they have since merged on title, severances may be considered to recreate the same previous farm parcels provided that each parcel has a minimum lot area of 20 hectares (50 acres).
 - The division of a 60 hectare farm parcel into two farm parcels may be permitted subject to:
 - Both the severed and retained parcels will be used for agriculture
 - Both the severed and retained parcels will have a minimum lot size of 20 hectares;
 - There has been no previous separation from the 60 hectare parcel since the date of adoption of this plan.
 - Notwithstanding the minimum lot area requirement of 38 hectares, it is acknowledged that original lots on Concessions 13 & 14 of McKillop Ward were established as 30 hectares (75 acres). Severances may be considered
2. Where the land being conveyed or retained is for a commercial or industrial use which is related to the processing of agricultural products or the servicing of farms and is required in proximity to farms, a consent may be granted subject to the requirements of Section 4.4.9, Agriculture Related (Commercial and Industrial) Uses.
3. Where the land being conveyed is part of an existing non-farm parcel, a consent may be granted to sever lands to be added to the title of an existing abutting farm operation.
4. Where the land being conveyed is to be added to an abutting, existing non-farm use, consents may be granted provided that a minimum amount of productive agricultural land is involved and the conveyance is for convenience or servicing purposes.
5. Conveyances for Agriculture purposes will be subject to the applicable minimum distance separation requirements and where intensive animal operations are involved a Nutrient Management Plan or other Municipal or Provincial approvals will be required as a condition of severance approval.
6. Consents will not be allowed which have the effect of creating lots for non-farm residential uses. The creation of vacant residential building lots (non-farm rural residential) lots will not be permitted.
7. Surplus Farm Dwellings
Where a dwelling is acquired through farm consolidation and is surplus to the needs of the farm operation, it may be severed subject to the following:
 - a) The residence must be a minimum of 15 years old or has immediately replaced one of a series of habitable residences which were built a minimum of 15 years ago or replaces a house accidentally destroyed by fire or natural disaster.
 - b) The residence is habitable, as determined by the Chief Building Official, and is intended to be used as a primary residence.
 - c) A new residence is prohibited (through zoning) on any remnant parcel of farmland created by a surplus residence severance.
 - d) The area of farmland attached to the surplus house is kept to a minimum size needed for that have the effect of recreating the original 30 hectares (75 acres) parcel.

residential purposes, taking into consideration water and sewage services and environmental and topographic features.

- e) Minimum Distance Separation (MDS) formula requirements are met to the surplus house if barn(s) exist on the retained farm lands. MDS does not apply to existing barns on separately titled lots.
- f) There has been no previous separation of land for residential purposes from the farm property as it existed on June 28, 1973, other than in a settlement area.
- g) The retained lands are a minimum of 19 hectares unless merged with an abutting farm.
- h) Where the residence is within 300 metres of an existing aggregate operation or aggregate deposit, an assessment of potential impacts may be required.
- i) The existing owner of the farm unit may apply for the severance of a surplus farm dwelling provided the balance of the farmland is sold to a farm operation to which the subject residence is surplus.
- j) The surplus farm dwelling policies apply in the Extractive Resources/Mineral Aggregate designation provided:
 - i. The dwelling is located within a Secondary Aggregate deposit;
 - ii. The severed parcel sterilizes a minimal amount of the aggregate deposit;
 - iii. An Aggregate Impact Assessment is completed to the satisfaction of the Municipality and County.
- k) For the purposes of this section
 - a corporation may be an eligible farming operation provided the same corporation owns at least two farms, each containing a residence, one of which may be severed in accordance with this section; and
 - an unincorporated group of one or more person(s) may be an eligible farming operation provided a majority of the owners, together or individually

each own another farm containing a residence, one of which may be severed in accordance with this section; where owners normally reside in the same household, they may be considered as one individual within the group of owners. (Amended by OPA 7, 2014)

10.3.2 Natural Environment

In areas designated "Natural Environment" on the Land Use Plan, consents for conveyance will be in accordance with the following policies:

1. For the conveyance of land to public, non-profit or not-for-profit or private bodies or agencies engaged in the protection, re-establishment and management of the natural environment.
2. Consents may be granted where both the severed and retained parcels:
 - are a minimum of 38 hectares, or original lots and both the severed and retained parcels are eligible for a rezoning under Section 5.4.7,
3. Consents may be granted for title correction purposes and for minor lot boundary adjustments.

10.3.3 Urban Settlements

In areas designated "Urban" on the Land Use Plan, consents for conveyance will be in accordance with the following policies:

1. Development will be in accordance with the designated uses as shown on the applicable Land Use Schedule and the provisions of the Zoning By-law.
2. Division of land will take place in one of two ways:
 - By registered plan of subdivision/condominium;
 - By consent of the County of Huron for the conveyance of the land into smaller parcels.
3. It is intended that most new lots will be created by the registered plan of subdivision process subject to the goals and policies of this Plan and Section 51 of the *The Planning Act (RSO 1990)*.
4. The Municipality may request that draft approval for Plans of Subdivision/Condominium be phased and be limited to a specified time within which the development must commence.
5. If a registered plan of subdivision is not to be necessary, consents may be granted subject to

the goals and policies of this Plan and the following criteria:

- a) Consents will be granted only in areas where the undue extension of any major service will not be required. The servicing policies of Section 9.1 – Infrastructure will be satisfied;
 - b) Consents will be granted only when all the created parcels involved abut on an existing public road of standard construction acceptable to the Municipality.
 - c) Consents shall have the effect of infilling built-up areas and not of extending built-up areas unduly.
 - d) Consents shall be granted provided the parcel size is appropriate for the proposed use and conforms with the provisions of the Zoning By-law, unless the by-law is duly amended or a variance granted. The amendment or variance will be in full force and effect prior to the deed being finalized for the consent;
 - e) Consents will not be granted for land adjacent to a road from which access is to be obtained where a traffic hazard would be created because of limited sight lines on curves or grades or proximity to an intersection.
 - f) Consents will not be granted which will hinder or restrict the interior development of a block of land.
 - g) Consents may be granted for:
 - i. Creation of new lots in already developed areas;
 - ii. Lot enlargement, lot boundary adjustments and title correction purposes; and
 - iii. Assembling land for future development.
 - h) Where the proposed development has the effect of extending the built environment beyond its existing limits, the approval authority will have regard to the staging of proposed development, such that new lots are adjacent to or abut the existing limit of the built up area.
6. The granting of a consent may be made conditional upon a development agreement between the Municipality and the applicant.
 7. Consents for correcting or adjusting lot boundaries or for conveying land to an

abutting lot for land assembly purposes may be granted, provided:

- The conveyance does not lead to the creation of an undersized or irregularly shaped lot unsuited for its intended purpose and contrary to the requirements of the Zoning By-law.
 - The lands being conveyed will be registered in the same name and title as the lands with which they are being merged.
8. Consents may be granted for the conveyance of land to public bodies or agencies engaged in the protection, re-establishment or management of the natural environment.
 9. Lots for industrial, commercial, community facility or open space purposes may be created by either registered plan of subdivision or the consent of the approval authority subject to the policies of the Plan and the provisions of the Zoning By-law.
 - Consents will be allowed for the creation of new lots, infilling or extension;
 - A concept plan may be required to ensure the orderly development of land;
 - The area is suited for the proposed use.

10.3.4 Recreational

In areas designated “Recreational” on the Land Use Map, consents for conveyance will be in accordance with the following policies:

1. The area is suited to a recreational use.
2. The area to be severed be designated Recreational and rezoned to a Recreational Zone as a condition of the consent.
3. For lot enlargement, lot boundary adjustments and title correction purposes.
4. For the conveyance of land presently used for agriculture to an abutting farm operator, subject to the merger of the severed lands with the abutting farm.

10.3.5 Community Facilities

In areas designated “Community Facilities” on the Land Use Map, consents for conveyance will be in accordance with the following policies:

1. The land area and location are appropriate for the use.
2. The area to be severed be designated and rezoned to a Community Facilities Zone as a condition of the consent.
3. For lot enlargement, lot boundary adjustments and title correction purposes.
4. For the conveyance of land presently used for agriculture to an abutting farm operator, subject

to the merger of the severed lands with the abutting farm.

10.3.6 Extractive Resources/

In areas designated “Extractive Resources” on the Land Use Plan, consents for conveyance will be in accordance with the following policies:

1. In accordance with Section 8 of this Plan, an Aggregate Impact Assessment may be required to demonstrate the severance will not hinder the establishment of new extractive resource operations or access to aggregate resources.
2. Consents may be granted for mineral aggregate operations subject to general conformity with the agricultural policies for the remaining parcel.
3. Consents may be granted for title correction purposes and for minor lot boundary adjustments.
4. Surplus dwelling severances may be permitted in the Extractive Resource Designation in accordance with policies of section 10.3.1.7.

SECTION 11 IMPLEMENTATION AND INTERPRETATION

11.1 Introduction

Huron East's Official Plan establishes a policy direction for land use in the Municipality. A number of tools, actions and activities are used to implement the Plan, ranging from incentives and directives to community and Municipal organizations, to regulations under the Municipal Zoning By-law.

11.1.1 General Implementation

Generally, the Plan will be implemented in the following ways:

- Through the interaction, activities and participation of the public and private sectors including committees, associations, public agencies and interested groups;
- Through Municipal activities such as capital works, programming and the acquisition, development and sale of land;
- Through Municipal participation in programs for the betterment of the community such as community improvement, heritage conservation, downtown revitalization, economic development and the provision of housing;
- Through the application of the *Provincial Policy Statement* and applicable Ministry of Environment and Climate Change Guidelines;
- Through erosion control, and the improvement of the health of natural areas;
- Through the review of development and redevelopment proposals and the signing and registration of agreements;
- Through the phasing of development to the availability of Municipal services;
- Through a process of public participation.
- Through the participation of the Municipality in housing programs promoted by the Provincial and Federal governments;
- Through the County Committee responsible for planning and the local planning advisory committee;
- Through the co-operative actions of the Municipality;
- Through promotional efforts.
- Through statutory development control tools including but not limited to:
 - Zoning By-law;
 - Standards of maintenance and occupancy and building by-laws;
 - Development agreements, registered against title;

- Building occupancy and demolition permits
- Subdivision control;
- Sign by-law;
- Heritage conservation designations;
- Consent Policies and Actions of the Plan;
- Site plan control;
- Holding zones;
- Temporary use by-laws.
- Municipal By-laws passed with respect to regulating sewage discharges, the pretreatment of industrial wastes and the application of special levies for uses imposing heavy loads on the sewage and water supply systems;
- Through the applicable sections of appropriate Federal and Provincial documents including but not limited to:
 - *Provincial Policy Statement*
 - *Aggregates Resources Act*
 - *Building Code Act*
 - *Clean Water Act, 2006*
 - *Condominium Act*
 - *Ontarians with Disabilities Act, 2001*
 - *Accessibility of Ontarians with Disabilities 2005*
 - *Drainage Act*
 - *Drinking Water Act*
 - *Endangered Species Act*
 - *Environmental Assessment Act*
 - *Farming and Food Production and Protection Act*
 - *Federal Fisheries Act*
 - *Heritage Act, (RSO 1990)*
 - *Mining Act*
 - *Municipal Act*
 - *Nutrient Management Act*
 - *Planning Act, (RSO 1990)*
 - *Public Transportation and Highway Improvement Act*
- Through recommendations and guidelines resulting from various studies undertaken by various levels of government and/or agencies (e.g. Highway Commercial Studies, Environmental Assessments, etc.)
- Through participation in applicable funding from government programs.

Each of the above implementing factors will have regard for the policies and principles as expressed in this Plan, and no actions will be undertaken which do not conform to the Principles, Goals and Policies and Actions of the Plan.

11.1.2 Non-Conforming Uses

1. A non-conforming use is a use of land that:
 - a) lawfully existed on the day of adoption of this Plan and/or passing of the Zoning By-law;
 - b) Has not ceased; and

c) Does not conform with the land use designation/zone applying to the land.

2. Non-conforming uses may be zoned to permit the use, subject to regard for its compatibility with surrounding uses, and limits to expansion.
3. Non-conforming uses may be extended or enlarged, or changed to a similar or more compatible use under the respective Sections 34(10) or 45(2) of the *Planning Act*, (RSO 1990), provided that:
 - It is not reasonable or feasible to cease or relocate the use;
 - Any incompatibilities with surrounding uses are not aggravated;
 - Surrounding uses are protected by appropriate buffers, setbacks, and other measures to improve the compatibility of the use;
 - adequate services, access and parking are provided;
 - Natural hazards are addressed; and
 - Development details may be regulated by site plan control and a development agreement.

11.1.3. Non-Complying Uses

Where an existing use of land is permitted within the applicable zone in the Zoning By-law, but the lot, buildings or structures located on the property do not meet one or more of the provisions or regulations of the applicable zone, the use shall be considered to be legal non-complying.

A non-complying building or structure may be enlarged, repaired or renovated provided that the enlargement, repair or renovation:

1. does not further reduce compliance with the zoning by-law;
2. complies with all other applicable provisions of this Plan and the implementing Zoning By-law; and,
3. will not pose a threat to public health or safety.

Where an enlargement, repair or renovation does not conform with section 11.1.3. an application may be considered for a zoning by-law amendment or minor variance, depending on the nature of the proposal.

11.1.4 Holding Zones

Where the principle of development has been established, but certain conditions must be met prior to permitting the proposed development to proceed, vacant land/or land being redeveloped may be placed in a holding category subject to the following:

1. Holding Provisions

"Holding Zones" are utilized by Huron East Council pursuant to the provisions of Section 36 of the *Planning Act*, (RSO 1990), in the following situations:

- Where the use of land is established but where details of development have yet to be determined. Details of development to be determined would be situations where the Municipality has approved plans of subdivision or development proposals conditional upon financial and servicing issues being resolved;
- In undeveloped residential, industrial, commercial, agricultural, agricultural commercial, or similar undeveloped areas in the Municipality, where the specific use of land has been established but where other development details have been determined but not yet resolved.
- Where it is likely that the proposed use will cause an adverse effect on the environment, Council shall require expert evidence from the proponent to demonstrate that the adverse effect can be overcome through the application of acceptable engineering and resource management practices.
- Where development is not imminent and the specific pattern of land use, density, road design and servicing requirements have not been determined, the land will be retained in an appropriate "Future Development" zoning category.

2. Implementation of Holding Zone

The holding provisions are implemented through the Zoning By-law. Properties may be zoned for their intended use and the holding symbol "H" will be added to indicate that the development of the site cannot proceed until the holding symbol is removed. Procedures for the removal of the holding zone are outlined below.

The "Holding Zone" category may include provisions for interim permitted uses to be allowed on lands to which the holding provisions affect. Such uses could include open space uses, existing use of land and other uses which are deemed compatible with surrounding land and would not adversely affect the future development potential of the lands.

3. **Removal of Holding Zone**

Removal of the "H" zoning category from the land would be conditional upon satisfying certain requirements of the Municipality regarding the development of the land. Such conditions may be, but are not limited to, the satisfaction of certain financial and servicing requirements specified in a subdivision or development agreement entered into between the land developer and the Municipality

Prior to removal of any holding symbol, Council shall be satisfied, by the developer, that all conditions of any agreement have been met or will be met and that the Policies and Actions and directions of this Plan have been met or fulfilled.

11.1.5 **Temporary Use By-laws**

The temporary use of land, buildings or structures may be authorized by Council by a by-law passed pursuant to Section 39 of the *Planning Act*, (RSO 1990), notwithstanding that such use is otherwise prohibited by the Zoning By-law and no amendment to this Official Plan will be required to permit such by-law to be passed.

In the consideration of such applications, Council shall satisfy itself that the use will be of a temporary nature only, and will not have an adverse effect on the surrounding area, with regard to such matters as type of use, parking, traffic, access and egress. Regard shall also be had to the general development standards contained in this Official Plan.

A condition to passing a by-law authorizing the temporary use of a garden suite under section 39(1), Council may require the owner of the suite and any occupants to enter into an agreement to regulate this temporary use.

11.1.6 **Special Zones**

Special zones may be used to increase or reduce zoning requirements where justified by circumstances particular to a specific situation.

11.1.7 **Defined Areas**

The Zoning By-law which implements this Plan may make use of special defined areas in order to require special development standards which are applicable only to specific geographic areas.

11.1.8 **Site Plan Control**

Section 41 of the *Planning Act*, (RSO 1990),

establishes provisions whereby a Municipality would be authorized to require certain information and enter into certain agreements prior to development occurring on any given site within the Municipality. This mechanism provides the legal means for the Municipality to direct specified aspects of a development at no cost to the Municipality. The rationale for this authority is that residents of the Municipality should not have to subsidize through property taxes, improvements and services such as road widenings, easements, vehicular and pedestrian access, loading and parking facilities, landscaping, garbage collection and handling, and drainage, which may be required as a direct result of the development.

Under Section 41 of the *Planning Act*, (RSO 1990), a Municipality wishing to pass site plan control by-laws must describe or show in an Official Plan, the area within the Municipality where site plan control may be applied.

All land use designations included in this Official Plan are proposed site plan control areas, except for land used for low density residential purposes. Within proposed site plan control areas, Council may pass by-laws under Section 41 of the *Planning Act* designating all or part of the land use designations in the Official Plan as site plan control areas.

Site Plan Provisions

The Site Plan Control provisions of Section 41 of the *Planning Act* will be used to:

1. Maximize compatibility between new and existing development and between different land uses;
2. Improve the efficiency and safety of vehicular and pedestrian access on-site and entering/exiting the site;
3. Control development within Wellhead Protection Areas
4. Ensure facilities are designed to have regard for accessibility and persons with disabilities;
5. Provide functional and attractive on-site amenities such as landscaping and lighting;
6. Ensure the provision of services including water, sanitary, drainage and storm water management;
7. Secure required easements for services;
8. Ensure the provision of parking, loading facilities, garbage and recycling collection;
9. Ensure a high standard of exterior design, including the character, scale, appearance and design features of buildings;
10. Implement urban design guidelines;

11. Establishment of sustainable design elements on any adjoining street including: trees, plantings, street furniture, curb ramps, waste receptacles and bicycle parking facilities;
12. Ensure the development is built and maintained as approved by Council over the long term.

Site Plan Control may be used on all lands within Wellhead Protection Areas to control uses, buildings and structures including septic systems for the purpose of drinking water source protection. Wellhead Protection Areas are shown on Appendix 4.

Site Plan Control applications shall be processed in accordance with Section 41 of the Planning Act and any site plan control by-law that is approved by Council, and related by-laws.

For the purpose of Site Plan Control (Section 41(4)(2d) of the Planning Act), matters of exterior design shall include the design, shape and coordination of architectural features such as balconies, cornices, banding, building materials, colour, dormers, frieze, parapet, windows, and any other design feature that affects the appearance of the building or exterior facades.

The Municipality shall require the provision of sustainable design elements in accordance with Section 41(4)(2e) of the Planning Act. The Municipality may ask for the provision of sustainable design elements on any adjoining highway under a Municipality's jurisdiction, including without limitation trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities to further its efforts to improve streetscapes throughout Huron East. The provision of such elements will be directed through a site plan agreement.

Any Council-approved guidelines and development standards shall form the basis for site plan approval.

Approval of a site plan will be required prior to the issuance of building permits for all development or redevelopment in a site plan control area. Building permit drawings shall reflect approved site plan building elevations.

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11.1.9 Accessibility

The Municipality of Huron East will have regard for accessibility issues promoting a barrier free Municipality in accordance with the *Ontarian's with Disabilities Act, 2001 and the Accessibility for Ontarians with Disabilities Act, 2005*. *The Municipality shall ensure private development is meeting the Design of Public Space Standards under the Ontarians with Disabilities Act, 2005.*

11.1.10 Municipal Drains

Huron East Council may pass by-laws to establish minimum setback requirements for buildings located in proximity to watercourses and Municipal drains.

11.1.11 Flood Plain

The flood plains of the Bayfield and Maitland Rivers are delineated on Schedule "B". All development or the placing or removal of fill within the flood plain of the Bayfield or Maitland Rivers must be approved in writing by the appropriate Conservation Authority.

11.1.12 Accessory Uses

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

11.1.13 Municipal Maintenance and Occupancy Standards

1. Huron East Council may pass by-laws to establish minimum standards of maintenance and occupancy to conserve, sustain and protect the existing and future development in the Municipality.
2. Any maintenance and occupancy by-law will be in accordance with Section 15 of the *Ontario Building Code Act*, as amended, and will contain requirements with respect to:
 - Prescribing standards for the maintenance and occupancy of property within the Municipality or within any defined area or areas and for prohibiting the occupancy or use of such property that does not conform with the standards.
 - Requiring property that does not conform with the standards to be repaired to conform with the standards or the site to be cleared of all buildings, structures, debris or refuse and left in a graded and leveled condition.
3. The measures to be used to help ensure a minimum level of maintenance may include education and public relations programs to show people the benefits of continued property

maintenance, together with information showing what improvements can be made without increasing assessment.

4. Complementary to the enforcement of minimum standards on private properties, the Municipality in partnership with local management boards and volunteers will undertake to keep in a well-maintained condition, all Municipally owned properties and structures, and to provide or maintain in good repair such Municipal services as roads, sidewalks, water and sewage facilities, etc.
5. Prior to the adoption of any maintenance and occupancy by-law, a public meeting to consider the provisions of such by-law shall be held.

11.1.14 Noise and Vibration

Prior to the granting of any approvals for the creation of any new residential, community facility or commercial lots or any rezoning application which has the effect of changing the permitted uses to allow more intensive residential uses than that which is currently permitted adjacent to a railway right-of-way in Huron East's Zoning By-law, the following provisions shall apply:

1. For proposed development within 300 metres of a railway right-of-way, the proponent may be required to undertake noise studies to the satisfaction of the Municipality and the Ministry of the Environment in consultation with the appropriate railway, and may be required to undertake appropriate measures to mitigate any adverse effects from noise.
2. For proposed developments within 75 metres of a railway right-of-way, the proponent may be required to undertake vibration studies, to the satisfaction of the Municipality in consultation with the appropriate railway, and shall undertake appropriate measures to mitigate any adverse effects from vibration that were identified.
3. For proposed development adjacent to railways, the proponent shall ensure that appropriate safety measures such as setbacks, berms and security fencing are provided to the satisfaction of the Municipality in consultation with the appropriate railway.

11.1.15 Public Participation

The participation of the general public in the implementation and evaluation of this Official Plan is deemed crucial. Therefore, open houses and public meetings will be held in accordance with the *Planning Act*, (RSO 1990). All proposals requiring an amendment to this Plan or the Zoning By-law will be accompanied by a public meeting as required under the *Planning Act*, (RSO 1990).

The County of Huron is the approval authority for plans of subdivision/condominium and consents under the *Planning Act*. Where a public meeting is required under the *Planning Act*, the County will request public meetings be held at the local Municipality to obtain local input on proposed developments.

Also, and although not specifically prescribed, development proposals of significance to the entire Municipality will be made public for discussion, and in reviewing development proposals of lesser impact, efforts will be made to notify surrounding residents who may be affected to allow their concerns to become part of the decision-making process.

Where obsolete provisions are deleted or the consolidation of the Plan requires the renumbering or rearranging of its contents without changing or affecting the intent of these documents in any way, public notice and a public meeting are not required.

11.1.16 Review and Amendments

It is intended that this Plan shall be under constant review by both Council and the public. All amendments will be processed in accordance with the *Planning Act*.

11.1.17 Application Review - Contaminated Sites

It is recognized that industrial and commercial practices predating present waste disposal handling and record keeping legislation may have contributed to the contamination of properties by substances that pose a public health hazard or impede the use or enjoyment of land. Information on these practices is often contained in obscure reference material or may exist only as oral history.

Should information come to the attention of Council that indicates that soil or soil atmosphere contamination may be present, the owner shall comply with Provincial legislation, policies and guidelines respecting the assessment, decommissioning and remediation of contaminated sites. Before adopting any Official Plan amendments or Zoning By-law amendments, background research will be conducted.

Council will refrain from adopting amendments in situations where the degree of the contamination and the feasibility of corrective engineering measures have not been established.

11.1.18 Conflict Management

Land use issues can be contentious. At times there will be conflict over existing land uses and at other times there will be conflict over proposals to change policy or land uses.

Conflict, if properly managed can be a catalyst for positive change and as a result this Plan establishes certain basic principles related to conflict management:

- Planning issues should be fully discussed to ensure that there is a complete exchange of information;
- Consensus concerning planning applications is a desirable goal;
- With contentious applications there is a potential benefit to public involvement and participation beyond the requirements of the Planning Act;
- Informal processes of conflict resolution will be encouraged. This may occur at different levels – people come together to discuss their differences or through local committees that attempt to resolve conflict.

Formal conflict resolution (such as the Ontario Municipal Board) can be expensive and leave unresolved issues. The Municipality will encourage informal discussions prior to formal meetings.

11.1.19 Complete Application Requirements

This Plan identifies the following studies, plans and/or assessments that the Municipality may require to be submitted as part of planning applications, prior to that application being considered complete. The following studies, plans and/or assessments shall be determined to be required at the sole discretion of the Municipality. Required studies/supporting material shall be determined through the pre-consultation process:

1. Agriculture/Mineral Aggregates

- a) Aggregate impact statement where lot creation or development is proposed within 300m of a mineral aggregate operation or known aggregate deposit;
- b) An aggregate impact study for an aggregate operation proposed within

300m of a settlement area or existing non-farm development;

2. Natural Environment/Natural Hazards

- a) A flood plain and erosion hazard study if in a natural hazard area or an erosion control area as identified by the Conservation Authority;
- b) An Environmental Impact Study if within or adjacent (120m) to a natural environment area;
- c) A study demonstrating the identification and assessment of impacts on threatened and endangered species, where there is potential suitable habitat for threatened and endangered species known to occur within the County of Huron, or where the Ministry of Natural Resources and Forestry has identified habitat for threatened or endangered species as per the Endangered Species Act 2007;
- d) Other locally or provincially required studies;

3. Settlement Areas (including Urban Lands) and Recreational Areas

- a) A Comprehensive Review if land is being newly designated for urban development or if converting employment lands to non-employment uses;
- b) A heritage impact study if within or in immediate vicinity of a Heritage Conservation District or a Protected Heritage Property;
- c) A retail market study (or other economic/downtown impact study) if in a commercial area, or proposing to be within a commercial area;
- d) An air, noise or vibration study when required by Provincial guidelines and when in proximity to rail lines;
- e) Other locally or provincially required studies;

4. Servicing

- a) A servicing proposal to demonstrate the proposed connection to existing municipal services;
- b) Demonstration of reserve sewage and water capacity in the municipal servicing system
- c) A servicing options study for development proposed with private water or private sewage facilities;
- d) A hydrologic/groundwater impact study for development proposed on private sewage services;
- e) A storm water management plan;
- f) Snow storage study/plan;

5. Other
 - a) Land use planning justification report;
 - b) Master plan;
 - c) Streetscape plan;
 - d) Urban design guidelines;
 - e) Tree preservation plan;
 - f) A traffic impact study
 - g) An archaeological assessment in areas of archaeological potential;
 - h) An air, noise or vibration study when required by Provincial guidelines;
 - i) D6 Guideline – compatibility study;
 - j) An Environmental Site Assessment when required by Provincial legislation;
 - k) Minimum Distance Separation requirements from existing livestock barns for proposed residential, recreational or other non-farm development;
 - l) Minimum Distance Separation requirements from existing residential (farm and non-farm), recreational or other non-farm uses for proposed livestock barns;
 - m) A containment migration study and impact mitigation study for development within 500 m of an open or closed landfill; and
 - n) A hydro-geological study, compatibility study and rehabilitation plan for applications to permit commercial scale water taking facilities.
 - o) Restricted Land Use Notice under the Clean Water Act, 2006 & the Ausable Bayfield and Maitland Valley Source Protection Plans for properties within the 5 year time of travel surrounding municipal wells.

All required studies shall be carried out by qualified professionals as approved by the Municipality. It is recommended that development applications be represented by qualified professionals.

The cost of any study shall be borne by the applicant. Any study, plan or assessment may be subject to a peer review, at the expense of the applicant. Applicants are encouraged to consult with the Municipality prior to submitting application to be advised of information requirements. The Municipality may pass a by-law under the Planning Act requiring pre-consultation on applications prior to being considered complete. The list of required studies will be scoped by staff at the pre-consultation

meeting depending on the nature of the application.

11.1.20 Zoning with Conditions

The Municipality may impose conditions of rezoning relating to the use of land or the erection, location or use of buildings through the Zoning By-law. A property owner may be required to enter into an agreement with the Municipality relating to the zoning conditions which can be registered on the title of the land.

11.2 INTERPRETATION

11.2.1 General Interpretation

The boundaries of land use designations on The Land Use Plan (Schedule 'B') are general and approximate except when they coincide with roads, railway lines, rivers, and transmission lines, shown in the local Zoning By-law or other clearly defined physical features and in these cases, are not open to flexible interpretation. Where the general intent of this Plan is maintained, minor adjustments to boundaries will not require an amendment to this Plan. Lot lines are intended as an approximate delineation between different designations.

The numerical figures in this Plan should not be interpreted absolute and rigid. Minor variations from them will be permissible providing the intent and spirit of the Plan is maintained.

It is intended that amendments to The Huron East Land Use Plan (Schedule "B") can be made by the use of more detailed additional maps covering only the area affected by the amendment. Such maps will be included as "place name" "Schedule B" and will, therefore, not require the redrafting of the Huron East Land Use Plan Schedule "B" or any appendices. In such cases the designations on the more detailed map will prevail.

Appendix maps should be used to assist in interpreting the land use maps.

The correction of spelling errors, changes to punctuation and language or corrections of clerical, grammatical, or typographical errors which do not affect the intent of the document in any way, shall not require an amendment to this Plan.

Where an Act or portion of an Act is referred to in the Plan, such references shall be interpreted as applying to the applicable Sections of the Act as consolidated or amended from time to time.

11.2.2 Interpretation of the Natural Environment Designation

Interpretation of the Natural Environment designations will be as follows:

- In areas abutting watercourses (rivers, streams and creeks) the Natural Environment designation includes the water body, its flood plain, the river valley and a protective zone around the water body required to maintain the environmental quality of the water body. The size of the required adjacent lands will be determined by the Council with consideration of recommendations of the Ministry of Natural Resources, the applicable Conservation Authority and the County of Huron.

The adjacent lands will be zoned accordingly in the municipal Zoning By-law
- In marsh, upland and all other areas designated Natural Environment, the exact boundaries will be determined by Council with the consideration of recommendations of the Ministry of Natural Resources and Forestry and the applicable Conservation Authority.
- In areas abutting ravines and gulleys, the Natural Environment designation includes any vegetative area below the bank, the bank itself and a protective zone east of the top-of-bank as required to protect the bank. With respect to gulleys and ravines the Natural Environment designation refers to the gully or ravine, its sides or banks and adjacent lands abutting the top-of-bank.

The area of the required adjacent lands will be determined by Council with consideration of recommendations by the Ministry of Natural Resources, Ausable Bayfield Conservation Authority and the Maitland Valley Conservation Authority, and environmental impact assessments may be required.

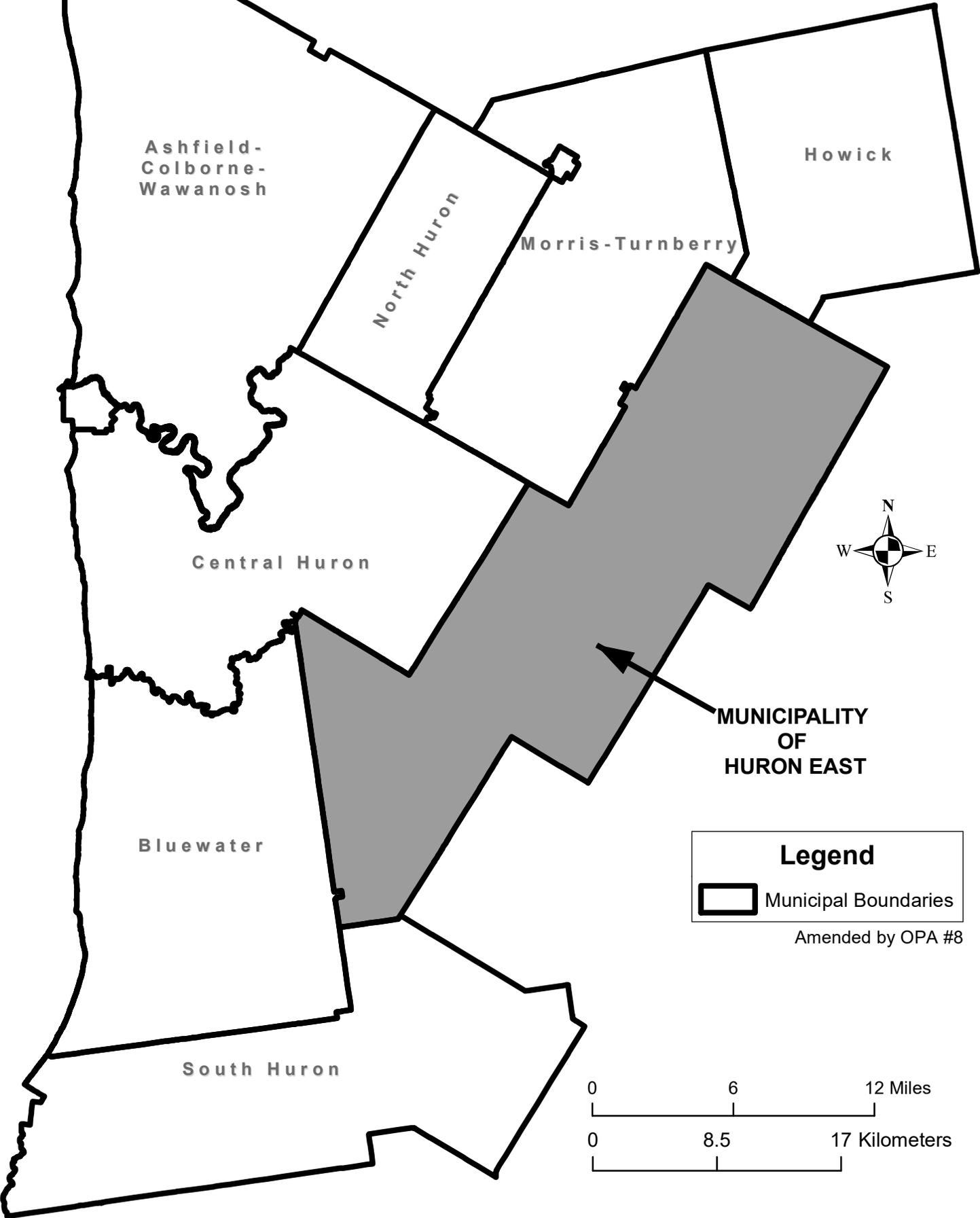
Several Background Maps are available for assistance in interpretation of the Natural Environment designation. These maps include such topics as: Wetlands; Significant Wildlife Habitat; Significant Earth Science ANSI and Significant Valleylands; Landscape Connections and Restoration Potential. While these maps are dated, they formed the original basis of the Natural Environment designation, based on data from the Maitland Valley Conservation Authority. These maps may be helpful to interpret the location of areas designated as Natural Environment.

11.2.3 Appendices and Background Maps

This Plan contains a number of Appendices and Background Maps. Additions and deletions to these maps and appendices may be done without amendment to this plan.

The Source Water mapping in this Official Plan will be updated based on the newest information available from the Maitland Valley Source Protection Authority and Ausable Bayfield Source Protection Authority, and an amendment is not needed to update these maps.

Location Map of Huron East within HURON COUNTY



Ashfield-
Colborne-
Wawanosh

North Huron

Morris-Turnberry

Howick

Central Huron



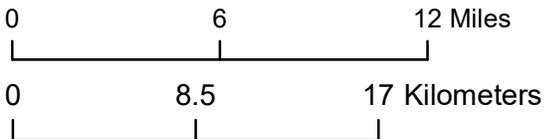
MUNICIPALITY
OF
HURON EAST

Bluewater

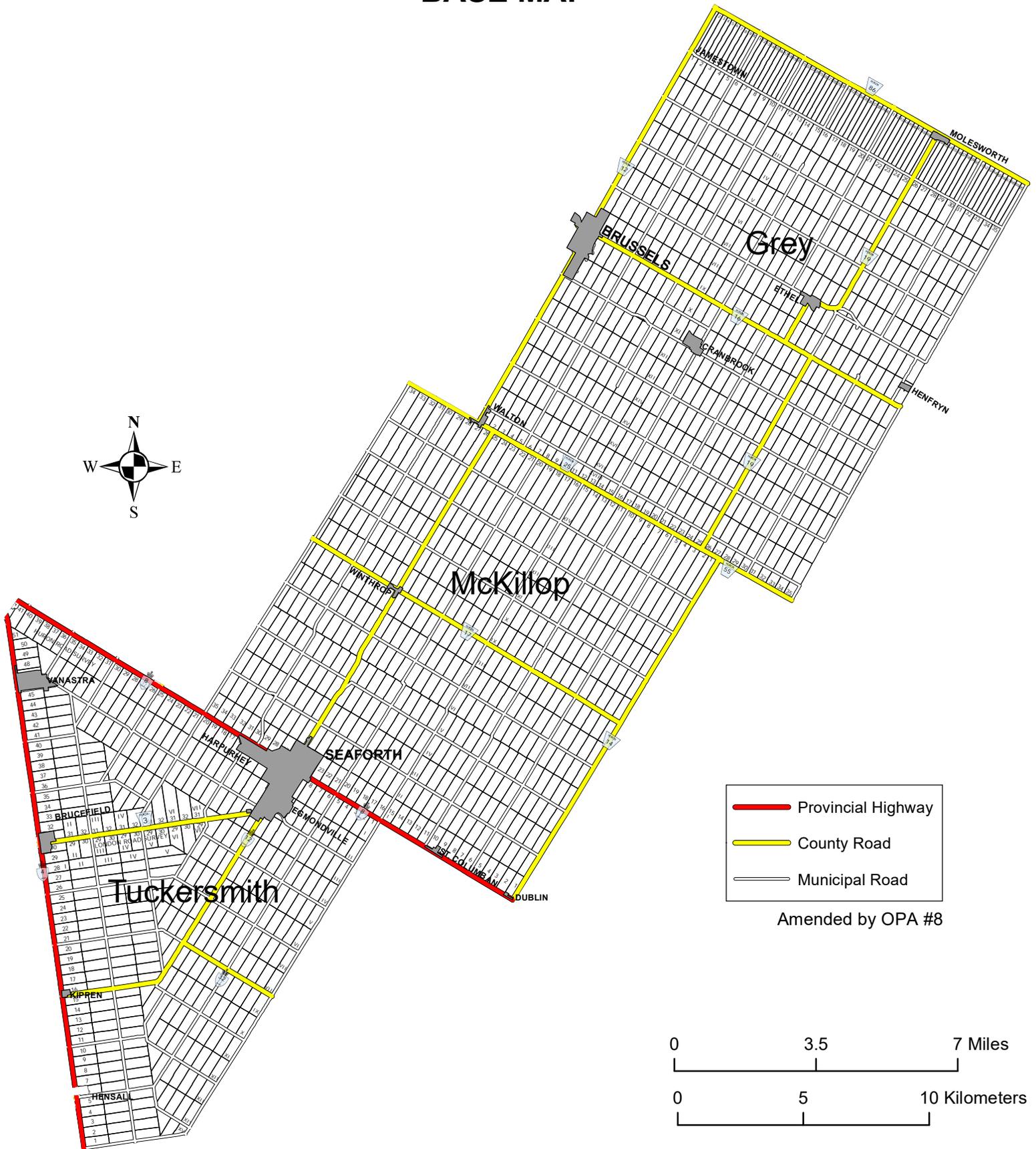
Legend
Municipal Boundaries

Amended by OPA #8

South Huron



SCHEDULE "A" HURON EAST BASE MAP



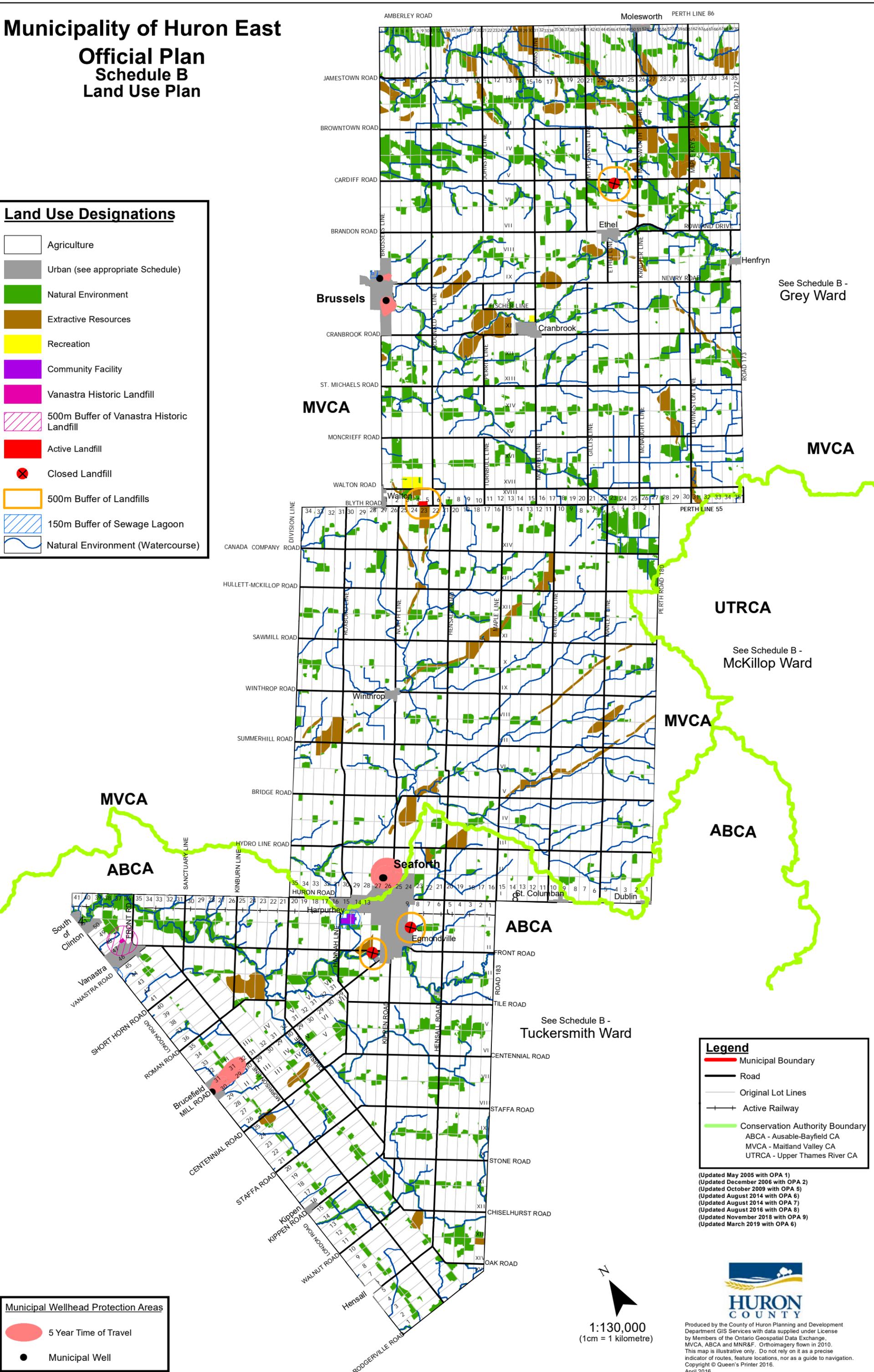
Municipality of Huron East

Official Plan Schedule B Land Use Plan

Land Use Designations

-  Agriculture
-  Urban (see appropriate Schedule)
-  Natural Environment
-  Extractive Resources
-  Recreation
-  Community Facility
-  Vanastra Historic Landfill
-  500m Buffer of Vanastra Historic Landfill
-  Active Landfill
-  Closed Landfill
-  500m Buffer of Landfills
-  150m Buffer of Sewage Lagoon
-  Natural Environment (Watercourse)

- ### Municipal Wellhead Protection Areas
-  5 Year Time of Travel
 -  Municipal Well



See Schedule B - Grey Ward

See Schedule B - McKillop Ward

See Schedule B - Tuckersmith Ward

- ### Legend
-  Municipal Boundary
 -  Road
 -  Original Lot Lines
 -  Active Railway
 -  Conservation Authority Boundary
 - ABCA - Ausable-Bayfield CA
 - MVCA - Maitland Valley CA
 - UTRCA - Upper Thames River CA

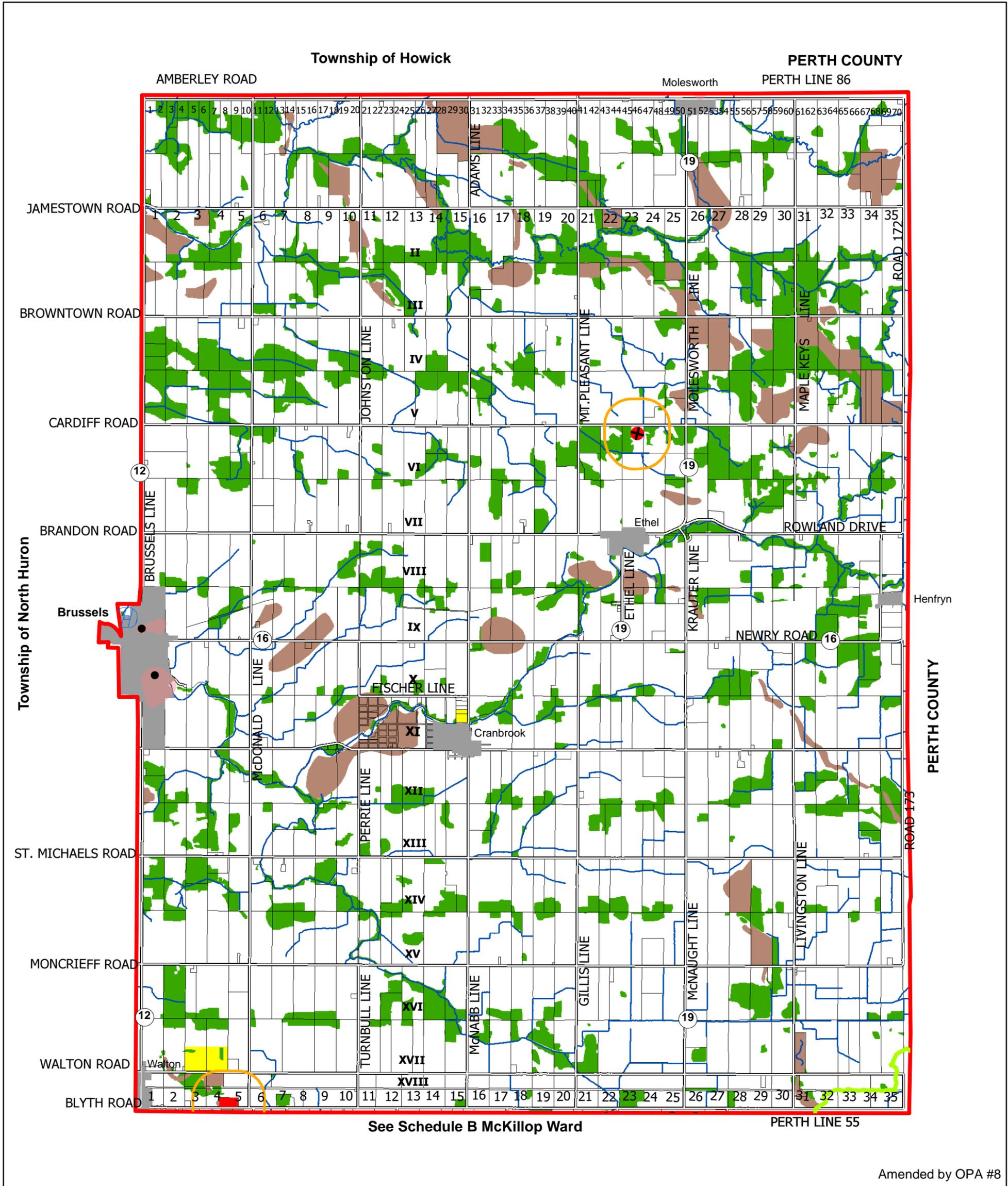
(Updated May 2005 with OPA 1)
 (Updated December 2006 with OPA 2)
 (Updated October 2009 with OPA 5)
 (Updated August 2014 with OPA 6)
 (Updated August 2014 with OPA 7)
 (Updated August 2016 with OPA 8)
 (Updated November 2018 with OPA 9)
 (Updated March 2019 with OPA 6)



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(1cm = 1 kilometre)

SCHEDULE B GREY WARD MUNICIPALITY OF HURON EAST OFFICIAL PLAN LAND USE



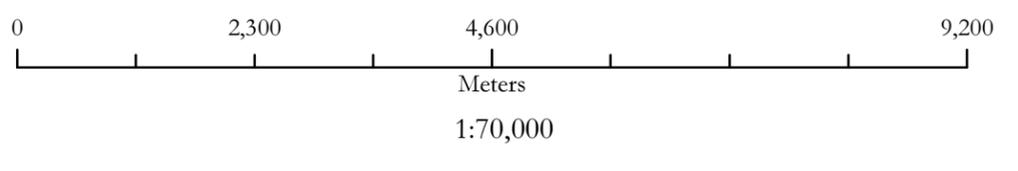
See Schedule B McKillop Ward

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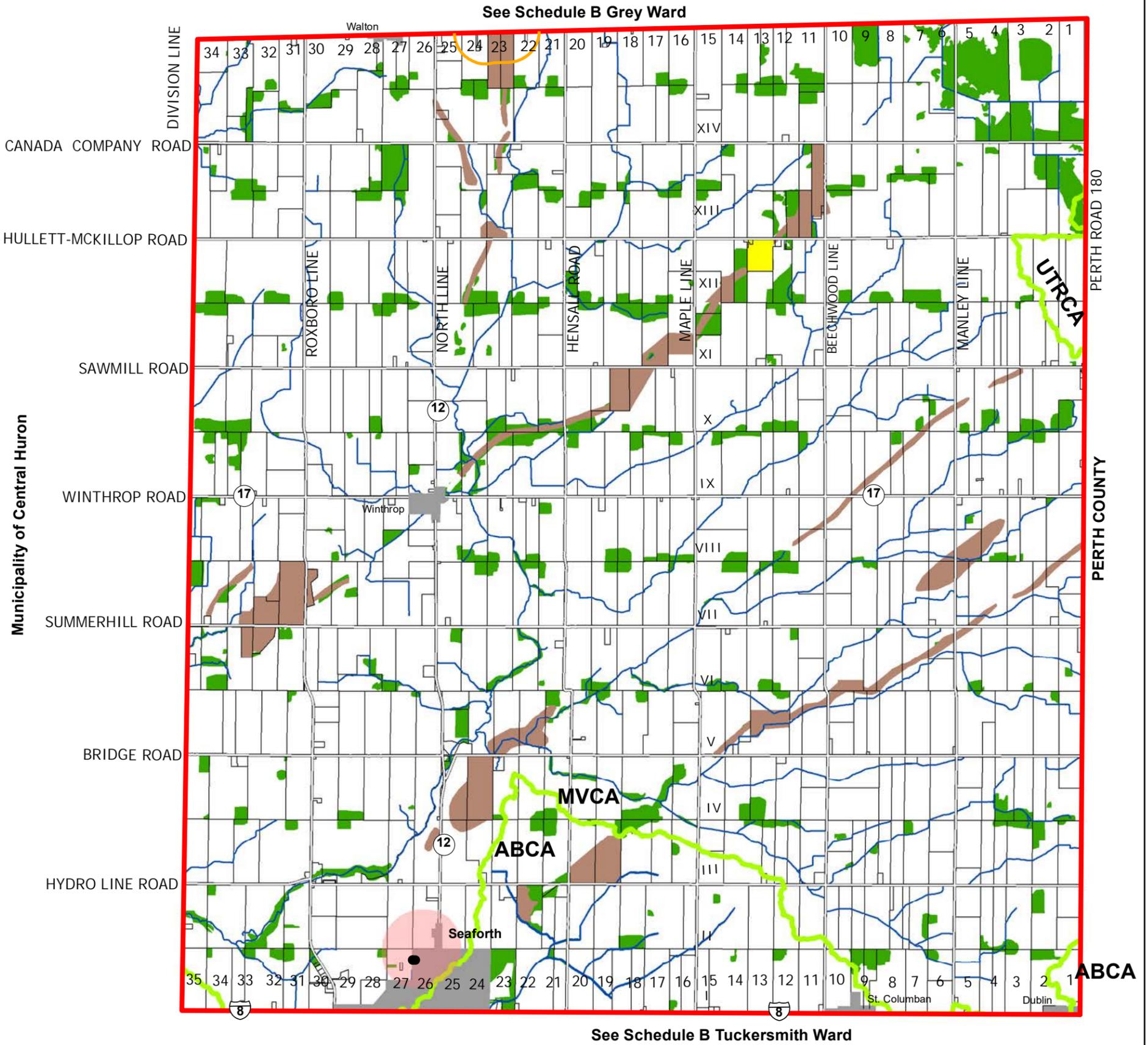
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|----------------------|--------------------------------------|---|---------------------------------|
| Agriculture | Active Landfill - Community Facility | Municipal Wellhead Protection Area | Grey Ward Boundary |
| Urban | Closed Landfill - Community Facility | 5 Year Time of Travel Overlay | Parcel Fabric |
| Natural Environment | 500m Landfill Buffer | Municipal Well | Active Railway |
| Extractive Resources | 150m Buffer of Sewage Lagoon | | Conservation Authority Boundary |



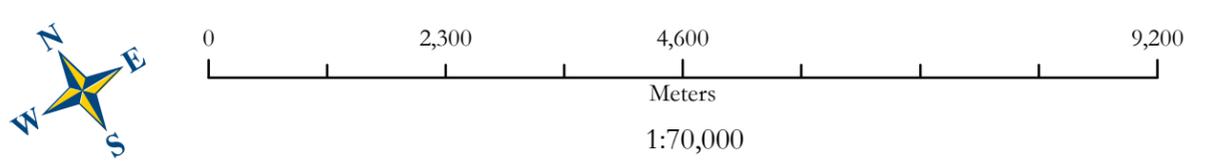
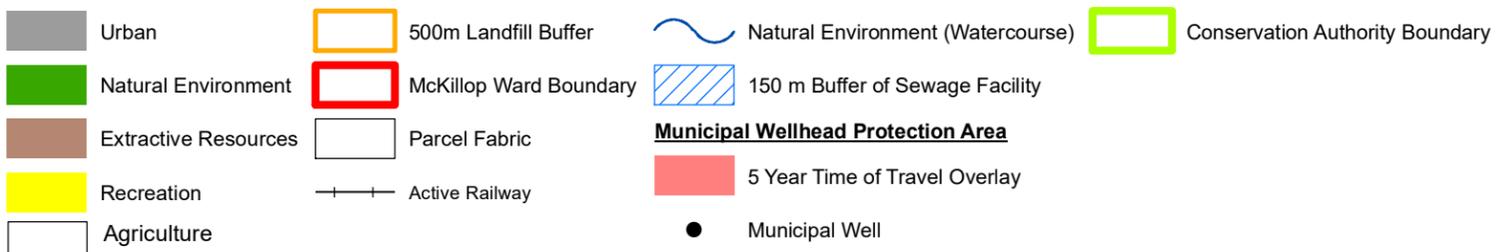
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SCHEDULE B MCKILLOP WARD MUNICIPALITY OF HURON EAST OFFICIAL PLAN LAND USE



Amended by OPA #8

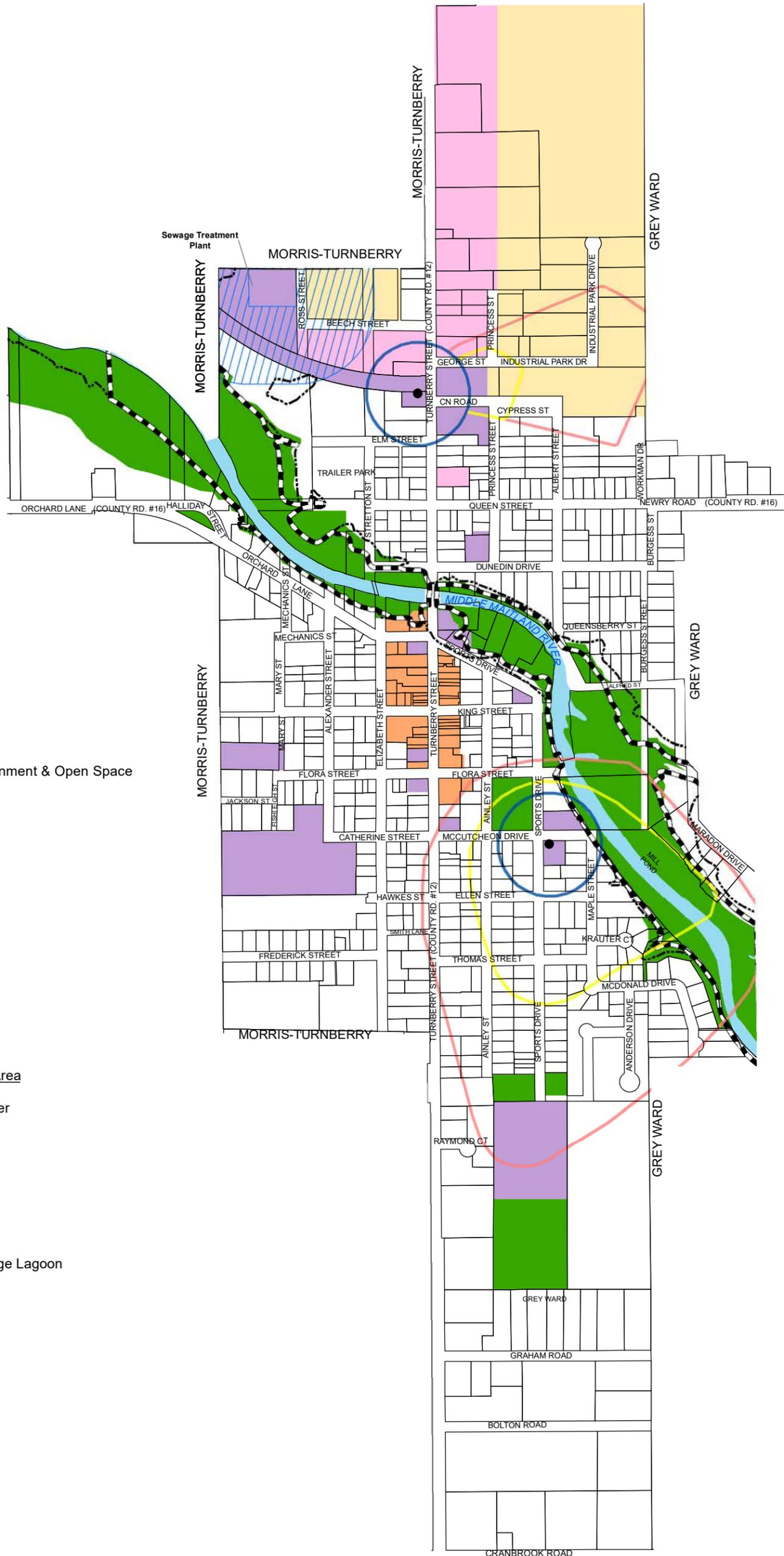


SCHEDULE B TUCKERSMITH WARD MUNICIPALITY OF HURON EAST OFFICIAL PLAN LAND USE

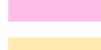
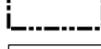


Urban	150m Buffer of Sewage Lagoon	Parcel Fabric	Natural Environment (Watercourse)
Natural Environment	Closed Landfill	Active Railway	
Extractive Resources	Conservation Authority Boundary	Municipal Wellhead Protection Area	
Recreation	500m Landfill Buffer	5 Year Time of Travel Overlay	
Community Facility	Tuckersmith Ward Boundary	Municipal Well	
Agriculture			

**SCHEDULE "B"
BRUSSELS & PART OF GREY WARD
MUNICIPALITY OF HURON EAST
OFFICIAL PLAN
LAND USE**



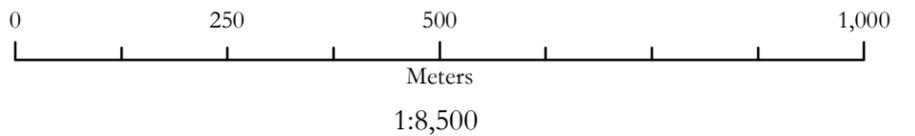
Legend

-  Residential
-  Urban Natural Environment & Open Space
-  Community Facility
-  Core Commercial
-  Highway Commercial
-  Industrial
-  Floodway
-  Flood Fringe
-  Parcel Fabric
- Municipal Wellhead Protection Area**
-  100 m Wellhead Buffer
-  2 Year Time of Travel
-  5 Year Time of Travel
-  Municipal Well
-  150m Buffer of Sewage Lagoon

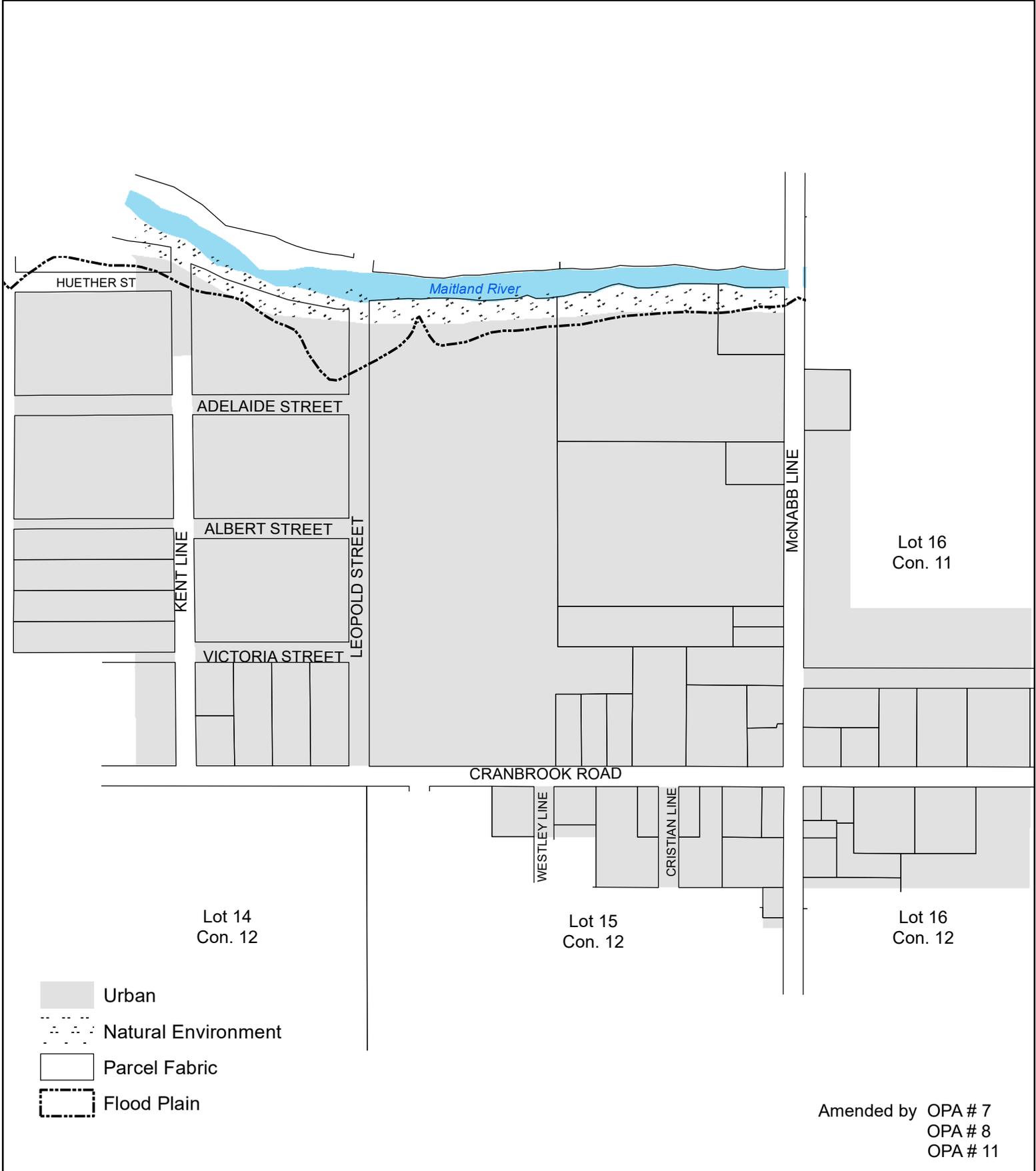
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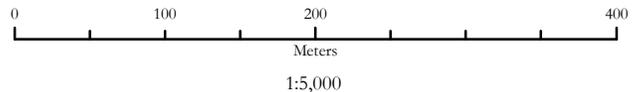
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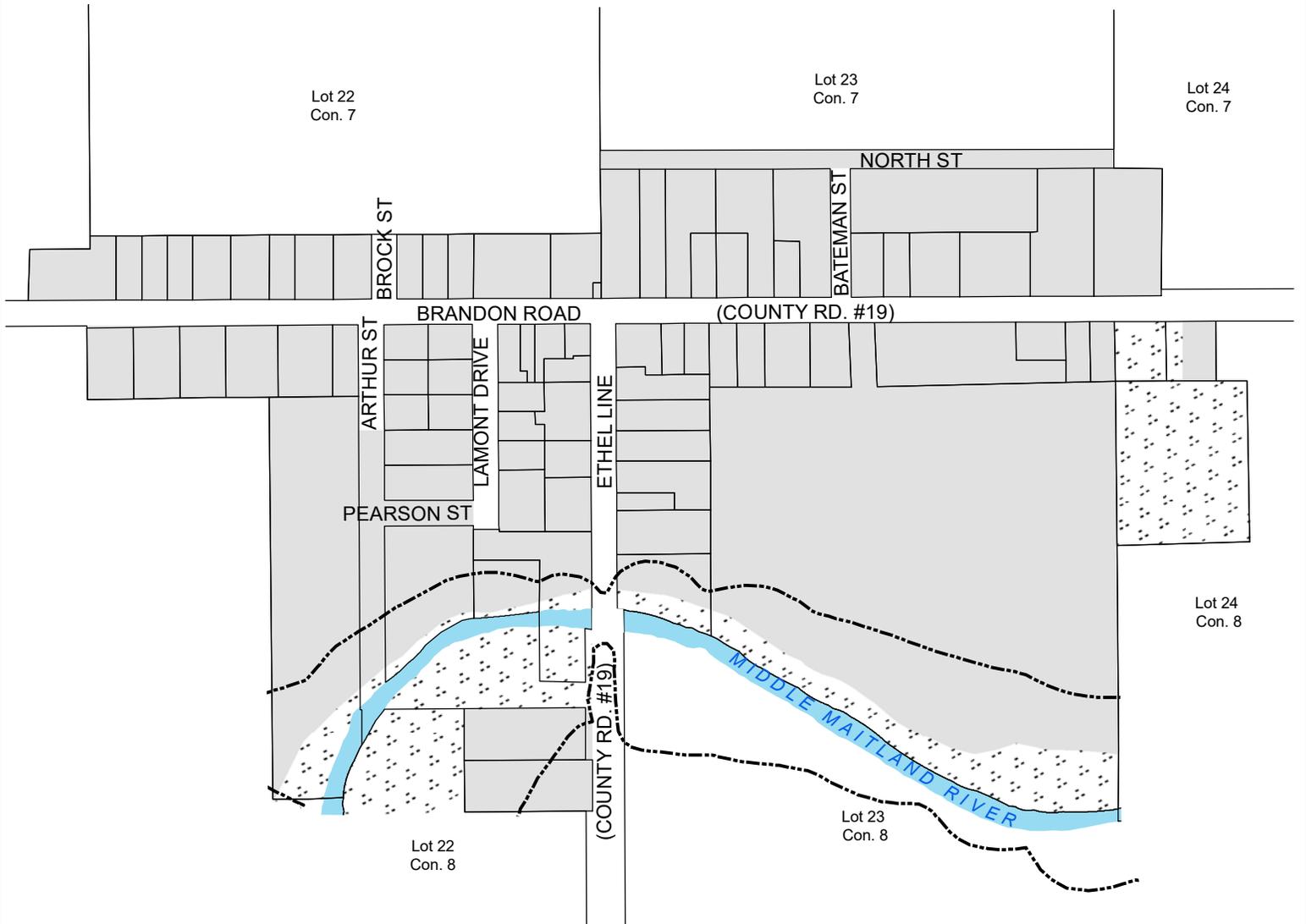
**SCHEDULE "B"
CRANBROOK (GREY WARD)
MUNICIPALITY OF HURON EAST
OFFICIAL PLAN
LAND USE**



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**SCHEDULE "B"
 ETHEL (GREY WARD)
 MUNICIPALITY OF HURON EAST
 OFFICIAL PLAN
 LAND USE**

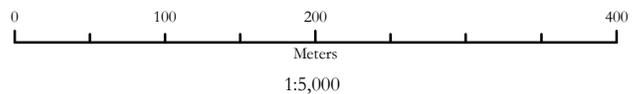


-  Urban
-  Natural Environment
-  Parcel Fabric
-  Flood Plain

Amended by OPA #8

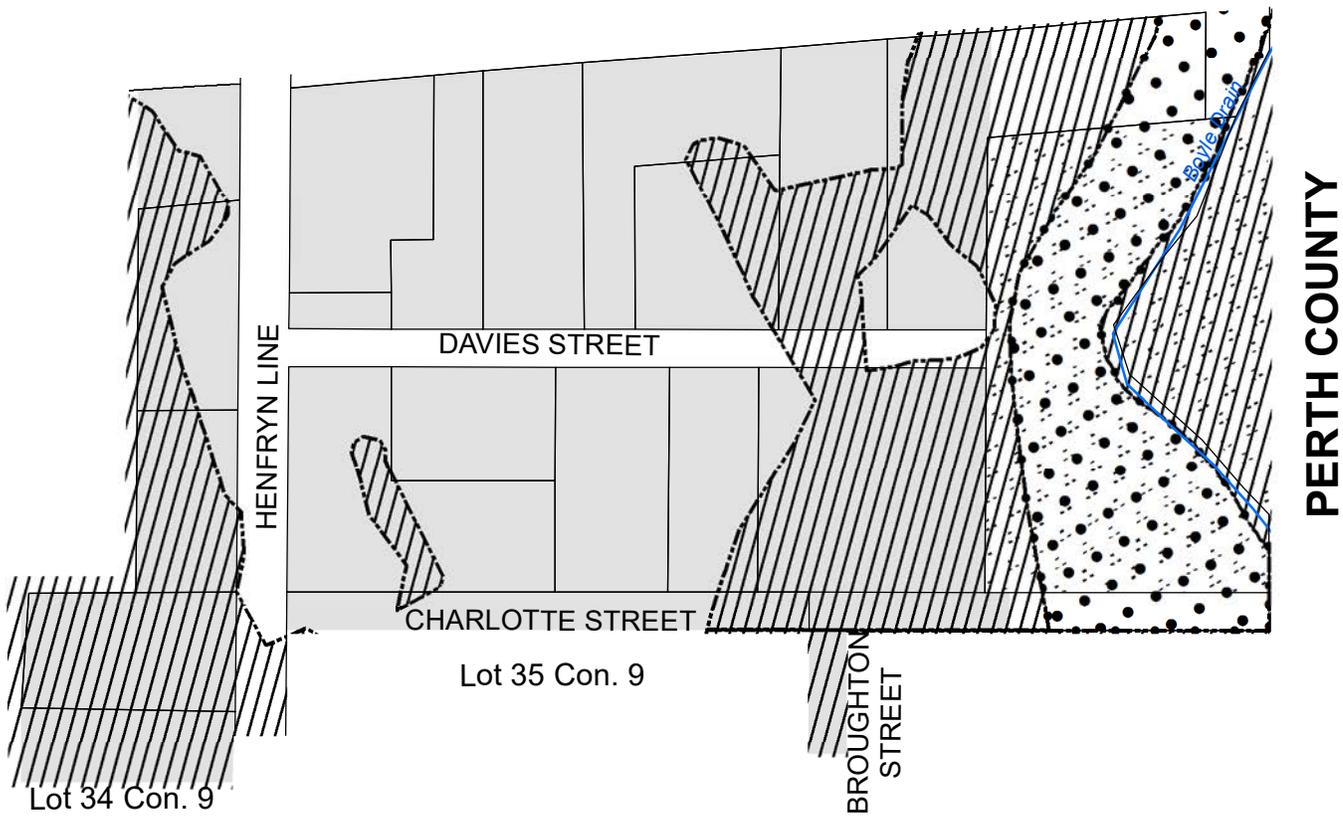


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SCHEDULE "B"
 HENFRYN (GREY WARD)
 MUNICIPALITY OF HURON EAST
 OFFICIAL PLAN
 LAND USE

Grey Ward

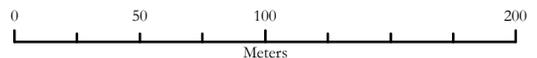


- Urban
- Natural Environment
- Parcel Fabric
- Floodway
- Flood Fringe

Amended by OPA #7
 OPA #8



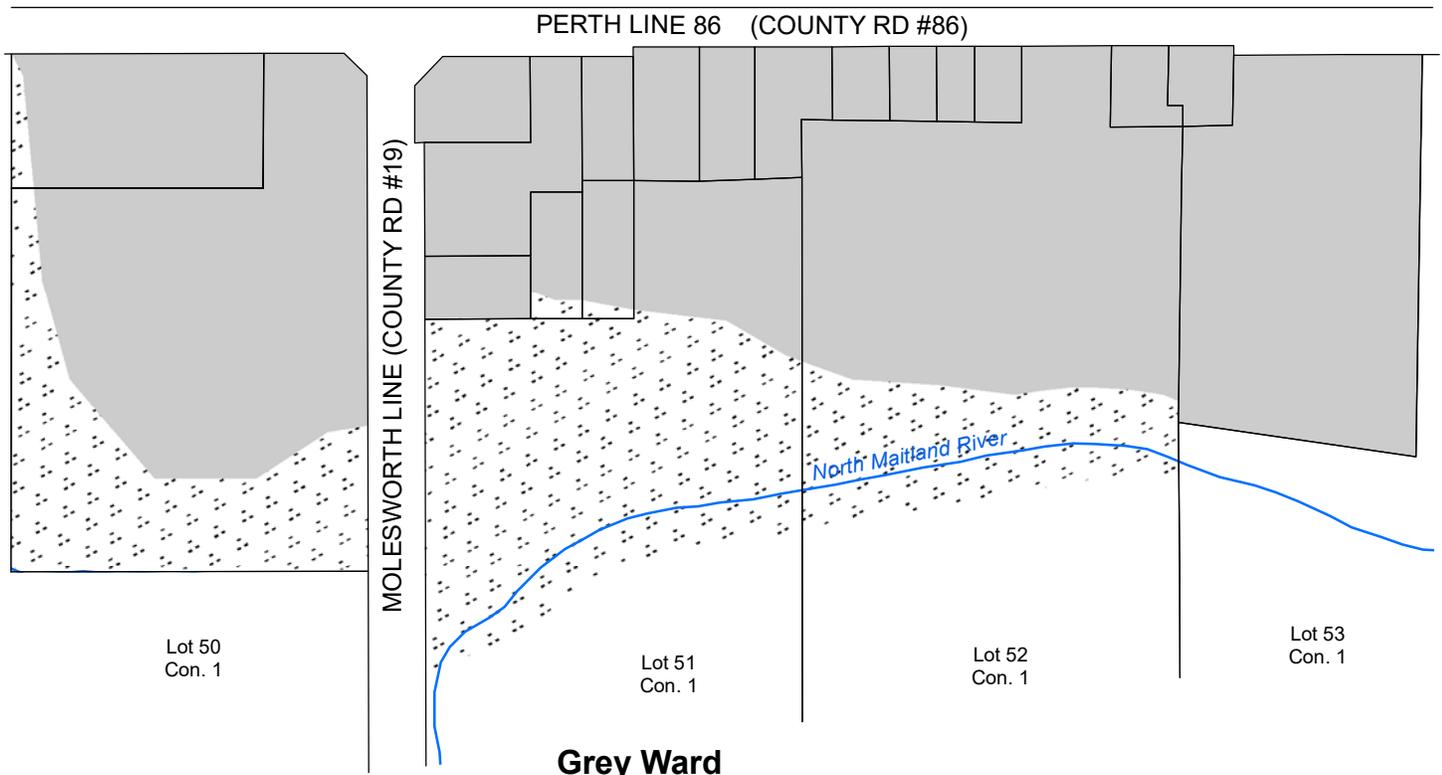
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**SCHEDULE "B"
MOLESWORTH (GREY WARD)
MUNICIPALITY OF HURON EAST
OFFICIAL PLAN
LAND USE**

PERTH COUNTY

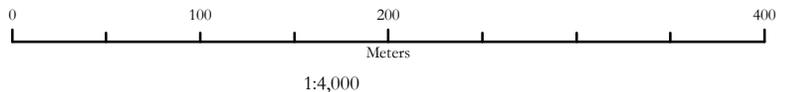


- Urban
- Natural Environment
- Parcel Fabric

Amended by OPA #8



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**SCHEDULE "B"
WALTON (GREY & MCKILLOP WARDS)
MUNICIPALITY OF HURON EAST
OFFICIAL PLAN
LAND USE**

Amended by OPA #8

**Municipality of
Morris-Turnberry**

Lot 1
Con. 17

WALTON ROAD

Lot 1
Con. 18

Grey Ward

(former CPR Line)

BRUSSELS LINE (COUNTY RD #12)

PATRICK STREET

HUMPHRIES STREET

BLYTH ROAD (COUNTY RD #25)

RP 314

McKillop Ward

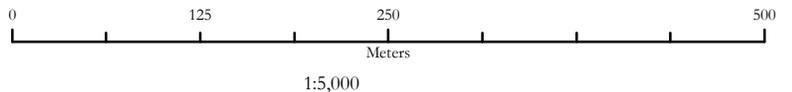
Lot 28 Con. 14

Lot 27 Con. 14

-  Urban
-  Natural Environment
-  Parcel Fabric



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SCHEDULE "B"
DUBLIN (MCKILLOP WARD)
MUNICIPALITY OF HURON EAST
OFFICIAL PLAN
LAND USE

County of Huron

Lot 1
Con. 1

PERTH ROAD 180 (HURON COUNTY RD #14)

County of Perth

PERTH LINE 34

(KING'S HWY. #8)

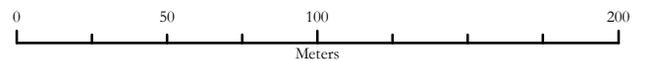
County of Perth

- Urban
- Parcel Fabric

Amended by OPA #8



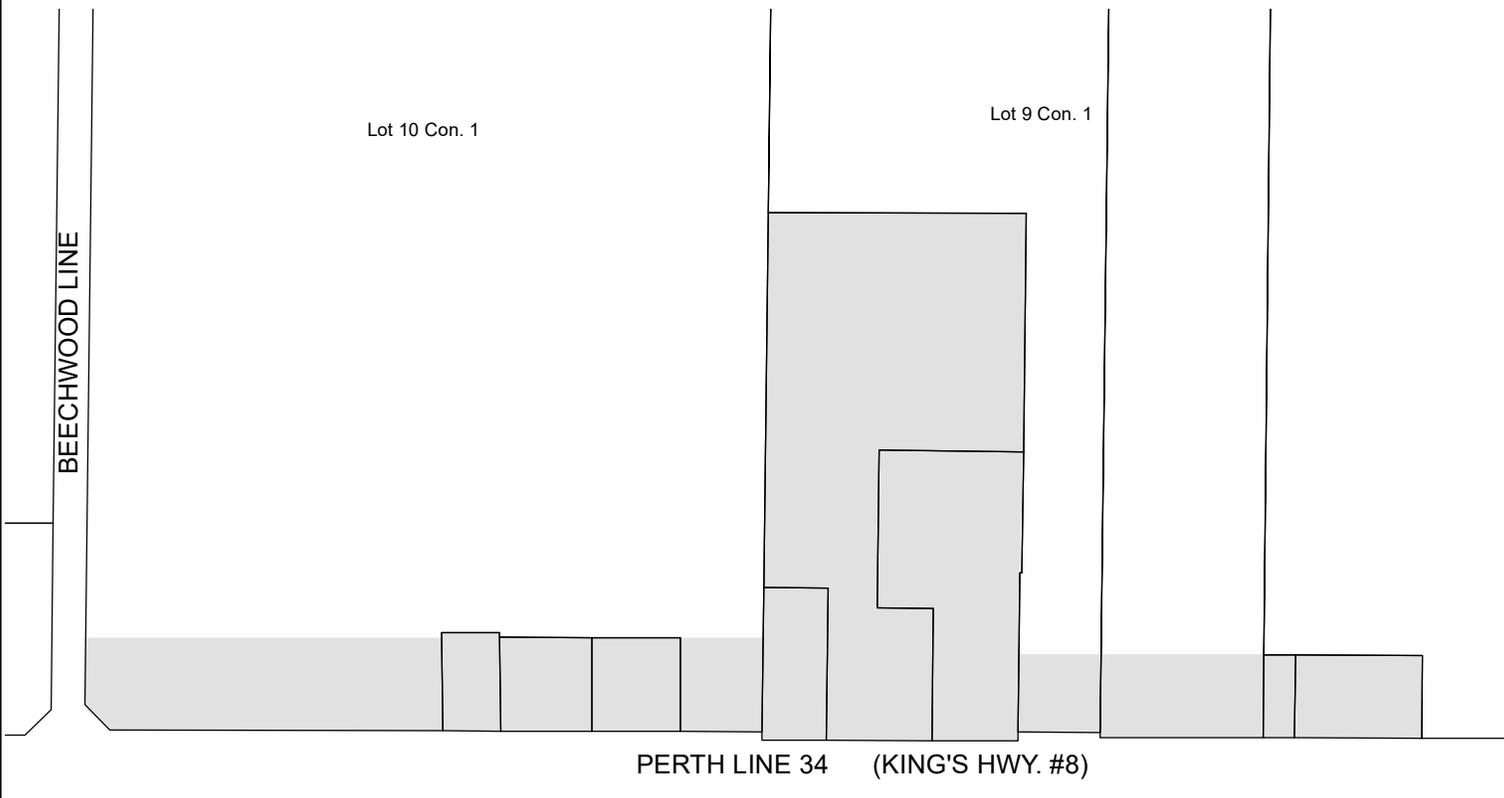
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1:2,500

**SCHEDULE "B"
ST. COLUMBAN (McKILLOP WARD)
MUNICIPALITY OF HURON EAST
OFFICIAL PLAN
LAND USE**

McKillop Ward



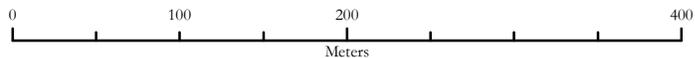
PERTH COUNTY

Urban
 Parcel Fabric

Amended by OPA #8



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1:4,500

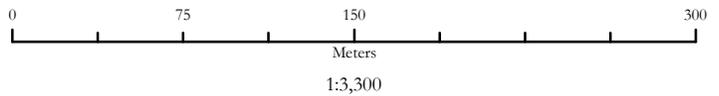
**SCHEDULE "B"
WINTHROP (McKILLOP WARD)
MUNICIPALITY OF HURON EAST
OFFICIAL PLAN
LAND USE**



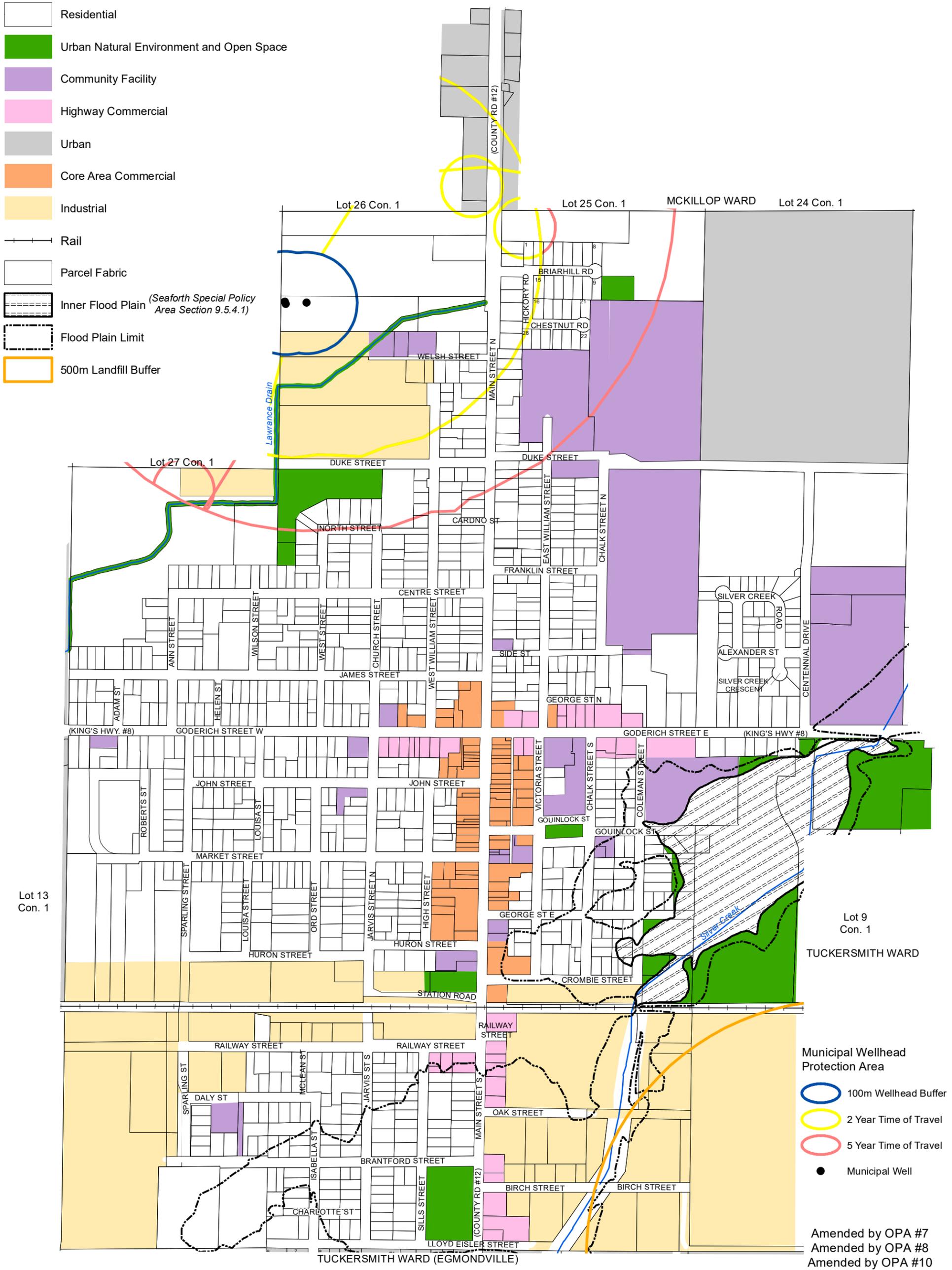
Amended by OPA #8



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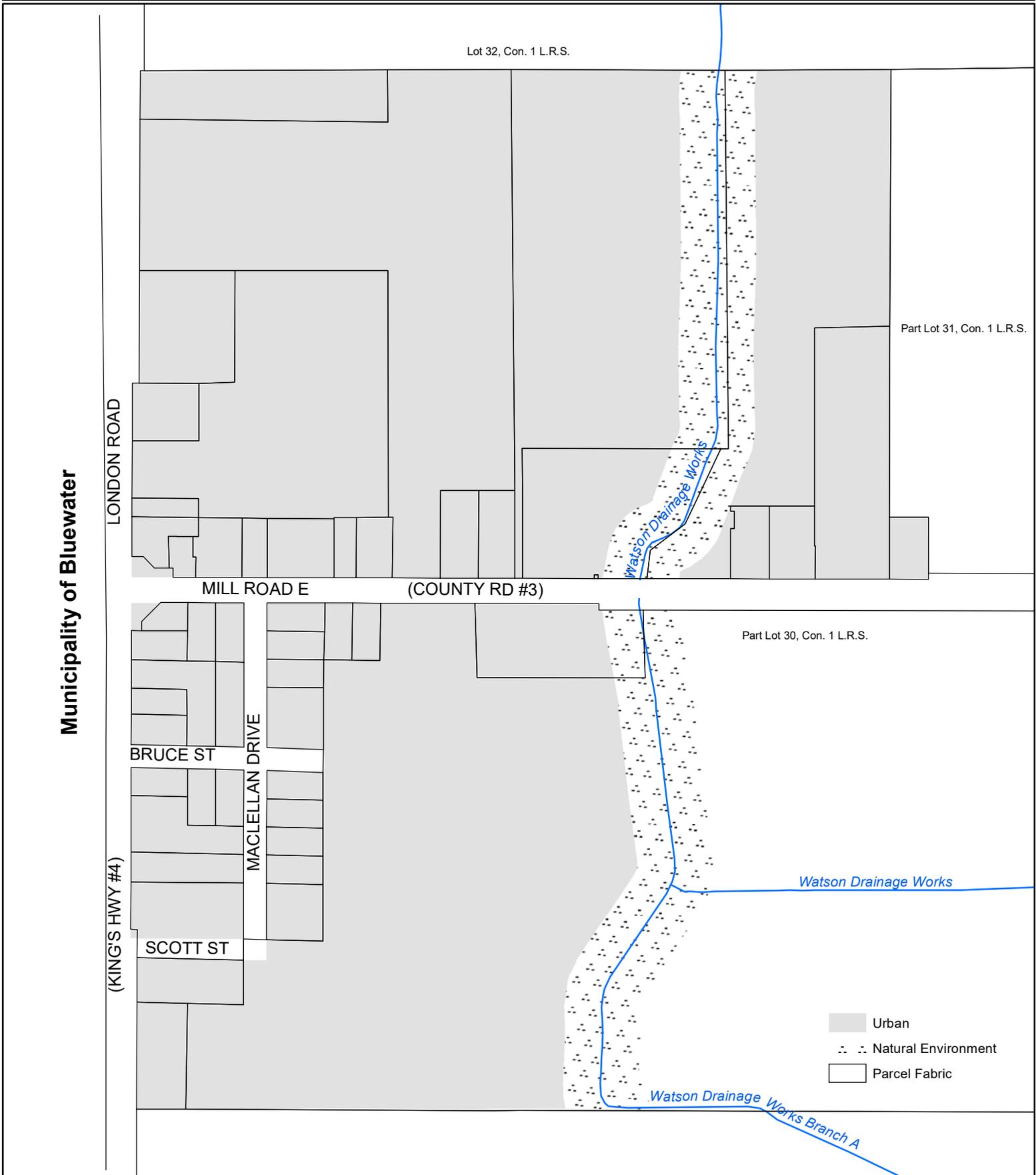
SCHEDULE "B"
SEAFORTH & PARTS OF MCKILLOP AND TUCKERSMITH WARDS
MUNICIPALITY OF HURON EAST
OFFICIAL PLAN
LAND USE



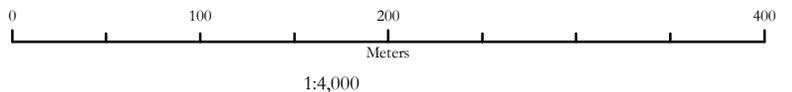
Amended by OPA #7
 Amended by OPA #8
 Amended by OPA #10

**SCHEDULE "B"
BRUCEFIELD (TUCKERSMITH WARD)
MUNICIPALITY OF HURON EAST
OFFICIAL PLAN
LAND USE**

Amended by OPA #8



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SCHEDULE "B"
KIPPEN (TUCKERSMITH WARD)
MUNICIPALITY OF HURON EAST
OFFICIAL PLAN
LAND USE

Municipality of Bluewater

LONDON ROAD

(KING'S HWY. # 4)

Lot 16 Con. 1 L.R.S.

KIPPEN ROAD (COUNTY RD. # 12)

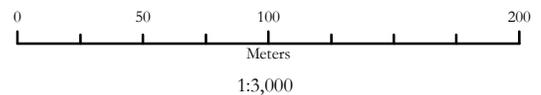
Lot 15 Con. 1 L.R.S.

Urban
Parcel Fabric

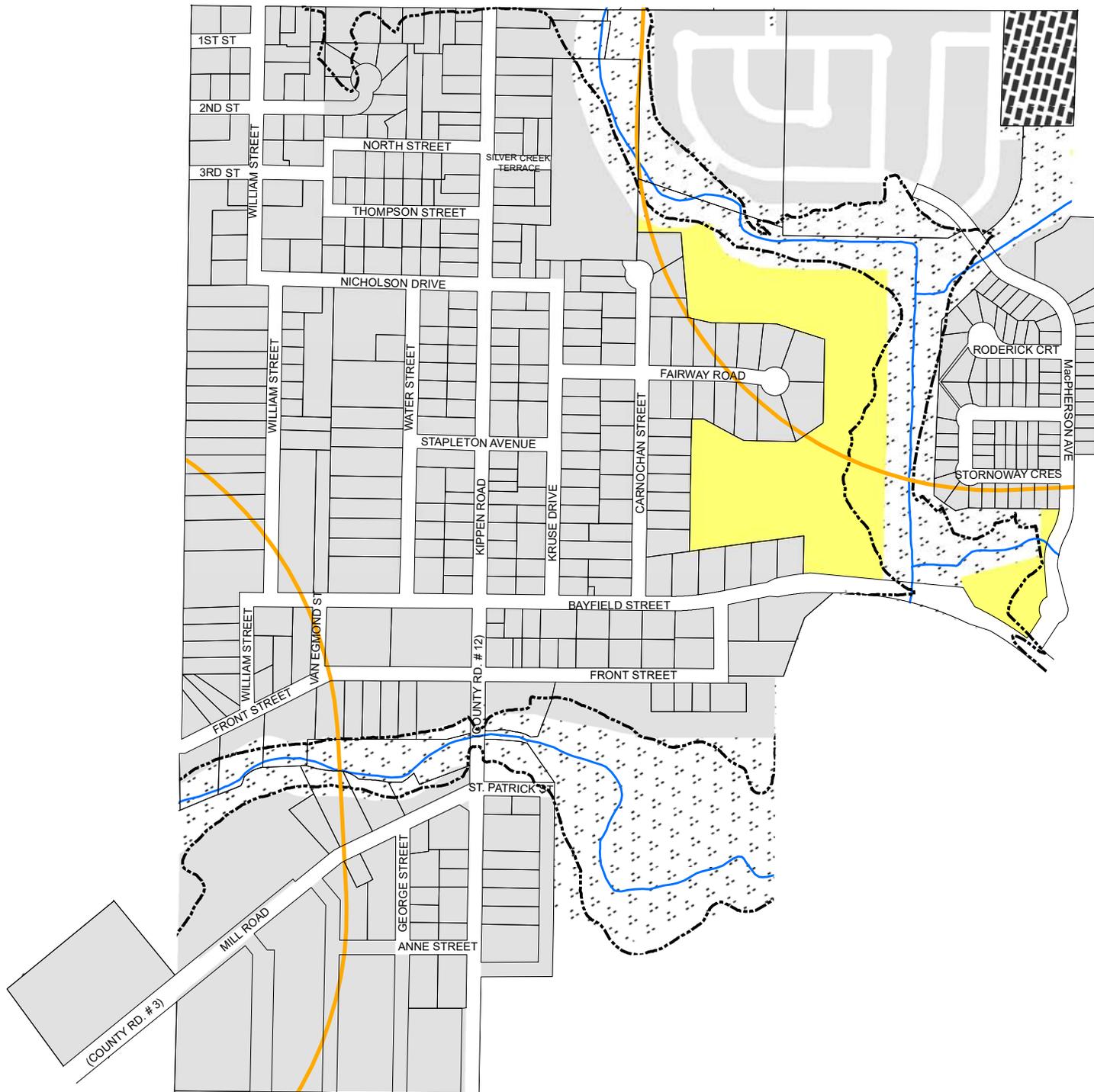
Amended by OPA #8



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**SCHEDULE "B"
EGMONDVILLE
MUNICIPALITY OF HURON EAST
OFFICIAL PLAN
LAND USE**

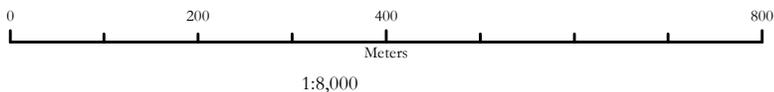


- Urban
- Urban Natural Environment and Open Space
- Closed Landfill
- Recreation
- 500m Buffer of Landfill
- Parcel Fabric
- Flood Plain

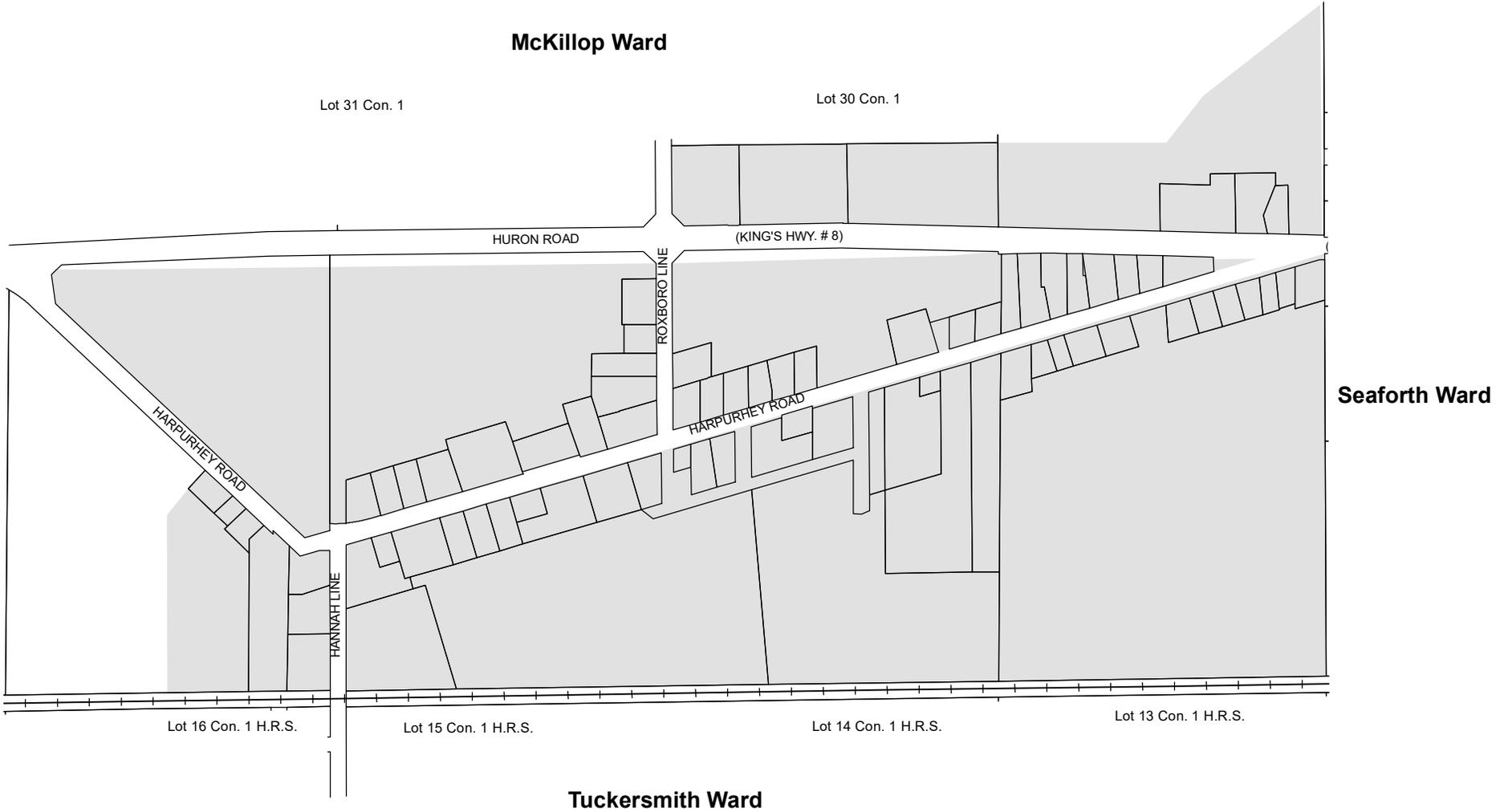
Amended by OPA #8



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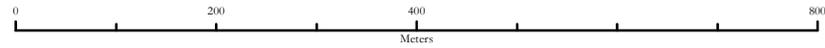


SCHEDULE "B"
HARPURHEY (TUCKERSMITH & McKILLOP WARDS)
MUNICIPALITY OF HURON EAST
OFFICIAL PLAN
LAND USE



-  Parcel Fabric
-  Railway

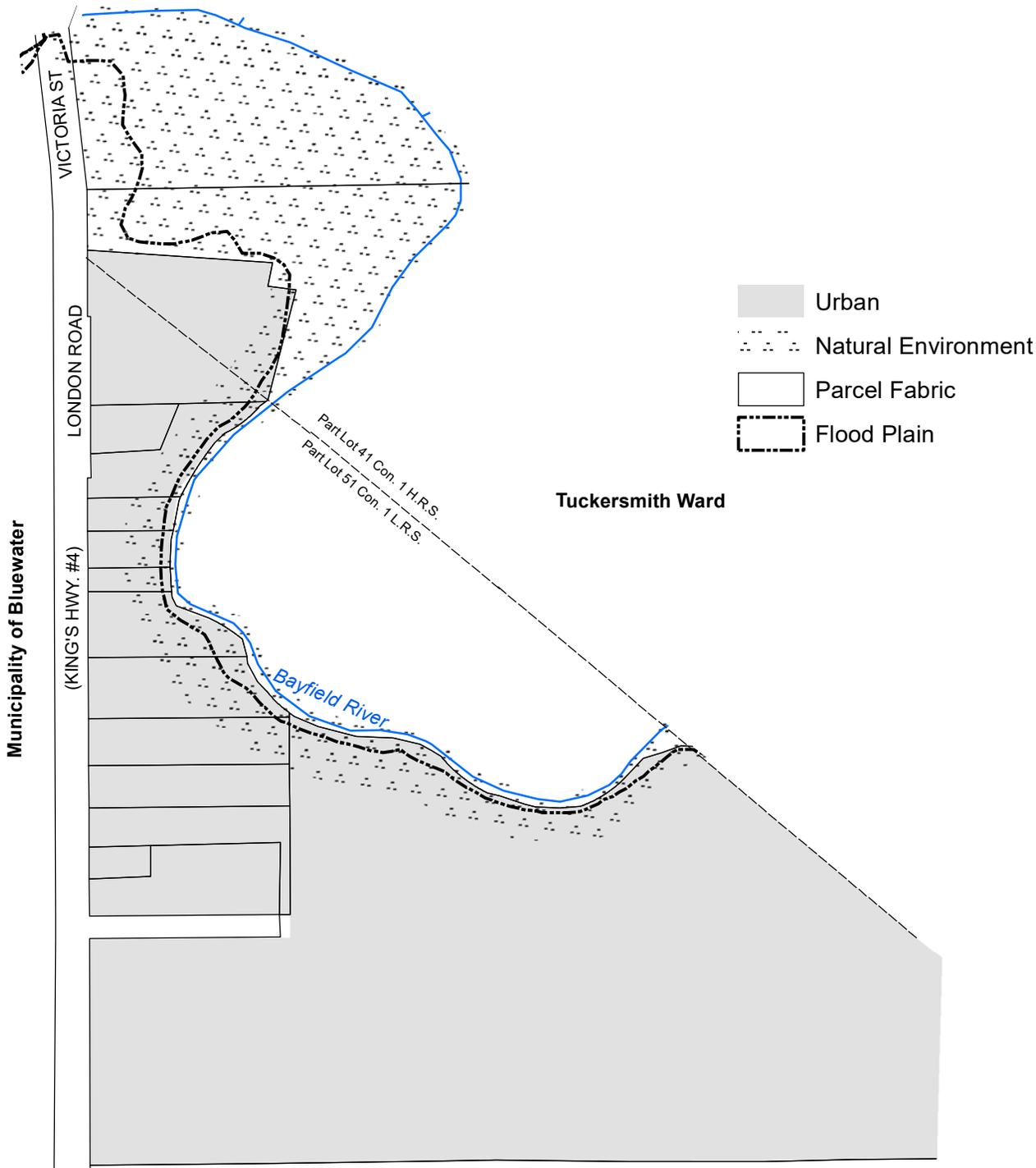
Amended by OPA #8



1:7,500

**SCHEDULE "B"
SOUTH OF CLINTON (TUCKERSMITH WARD)
MUNICIPALITY OF HURON EAST
OFFICIAL PLAN
LAND USE**

Clinton
Central Huron

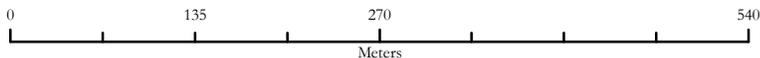


-  Urban
-  Natural Environment
-  Parcel Fabric
-  Flood Plain

Amended by OPA #8

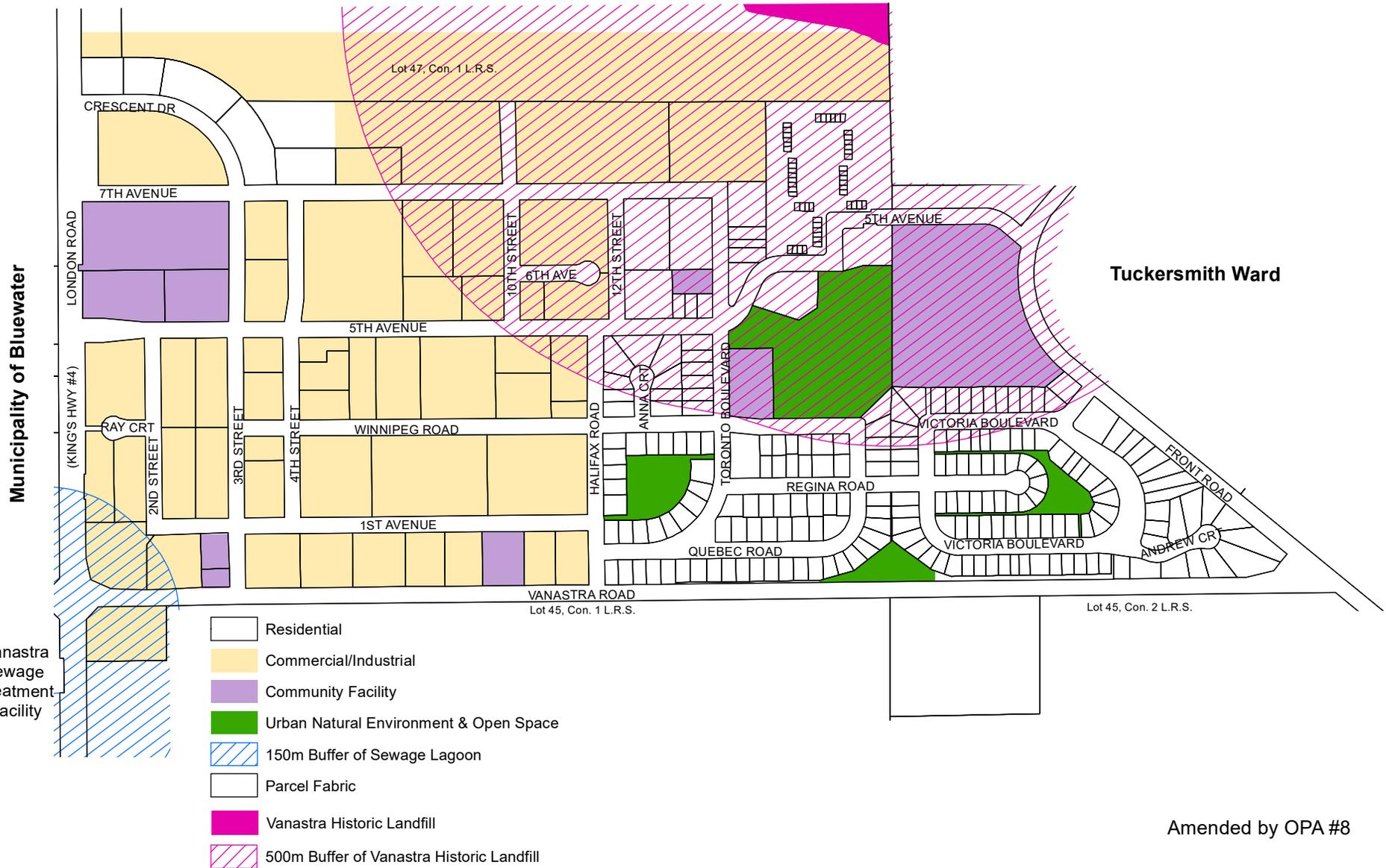


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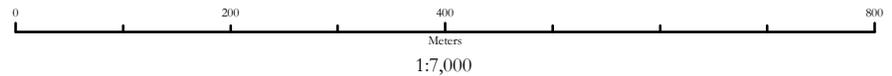


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SCHEDULE "B"
VANASTRA (TUCKERSMITH WARD)
MUNICIPALITY OF HURON EAST
OFFICIAL PLAN
LAND USE



Amended by OPA #8



**SCHEDULE "C"
BRUSSELS & PART OF GREY WARD
MUNICIPALITY OF HURON EAST
OFFICIAL PLAN
ROADS PLAN**

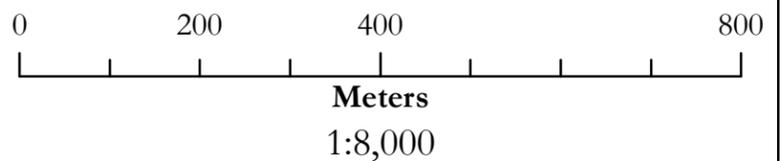


**Collector - County Roads 12 and 16
Local - All Remaining Roads**

Amended by OPA #8



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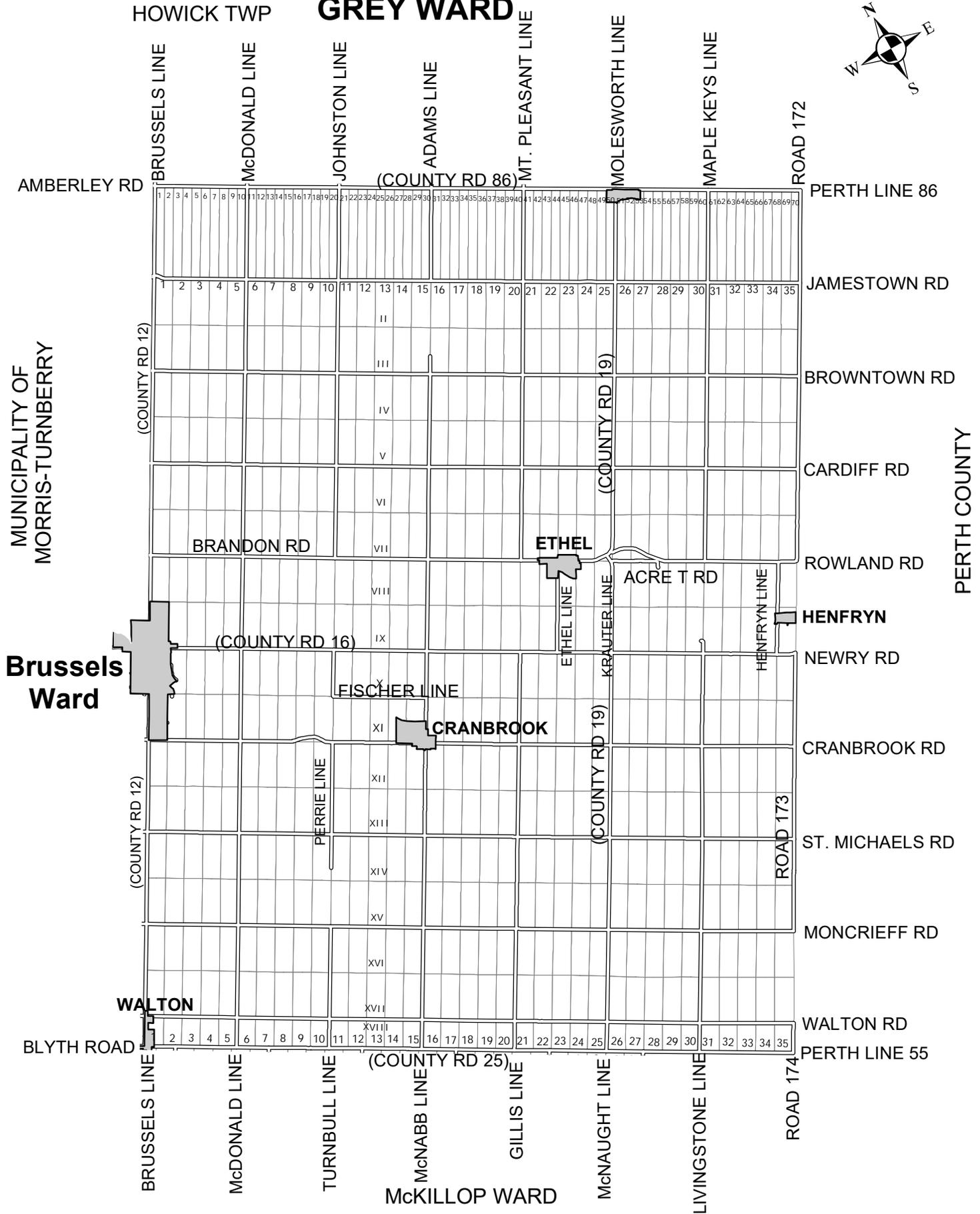
MUNICIPALITY OF HURON EAST

Amended by OPA #8

SCHEDULE "C" ROADS PLAN GREY WARD

Collector - County Roads 12, 16, 19, 25 & 86
Local - All Remaining Roads

0 1,500 3,000
Meters



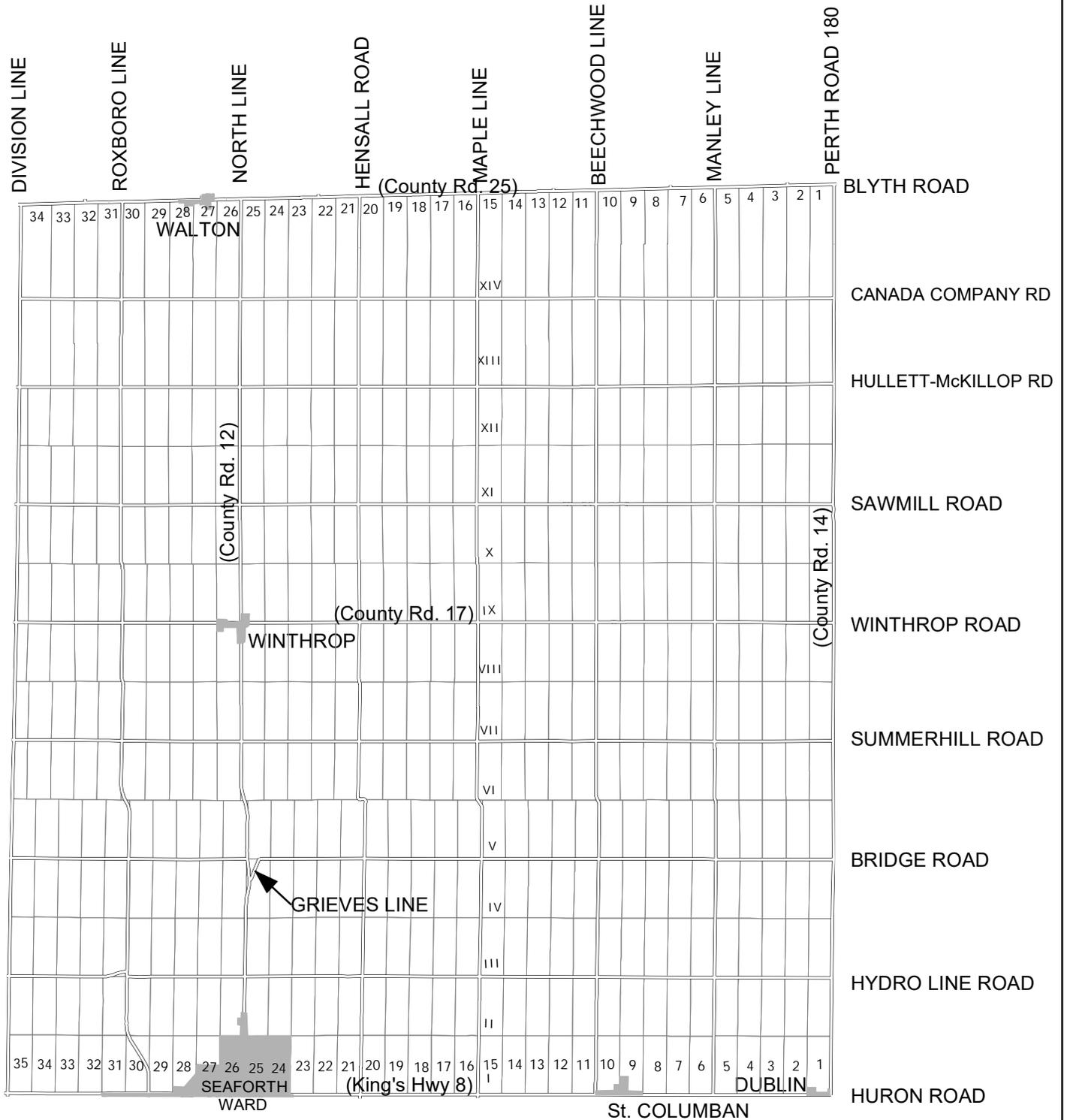
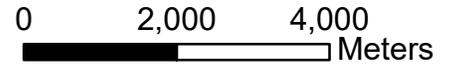


MUNICIPALITY OF HURON EAST

SCHEDULE "C"

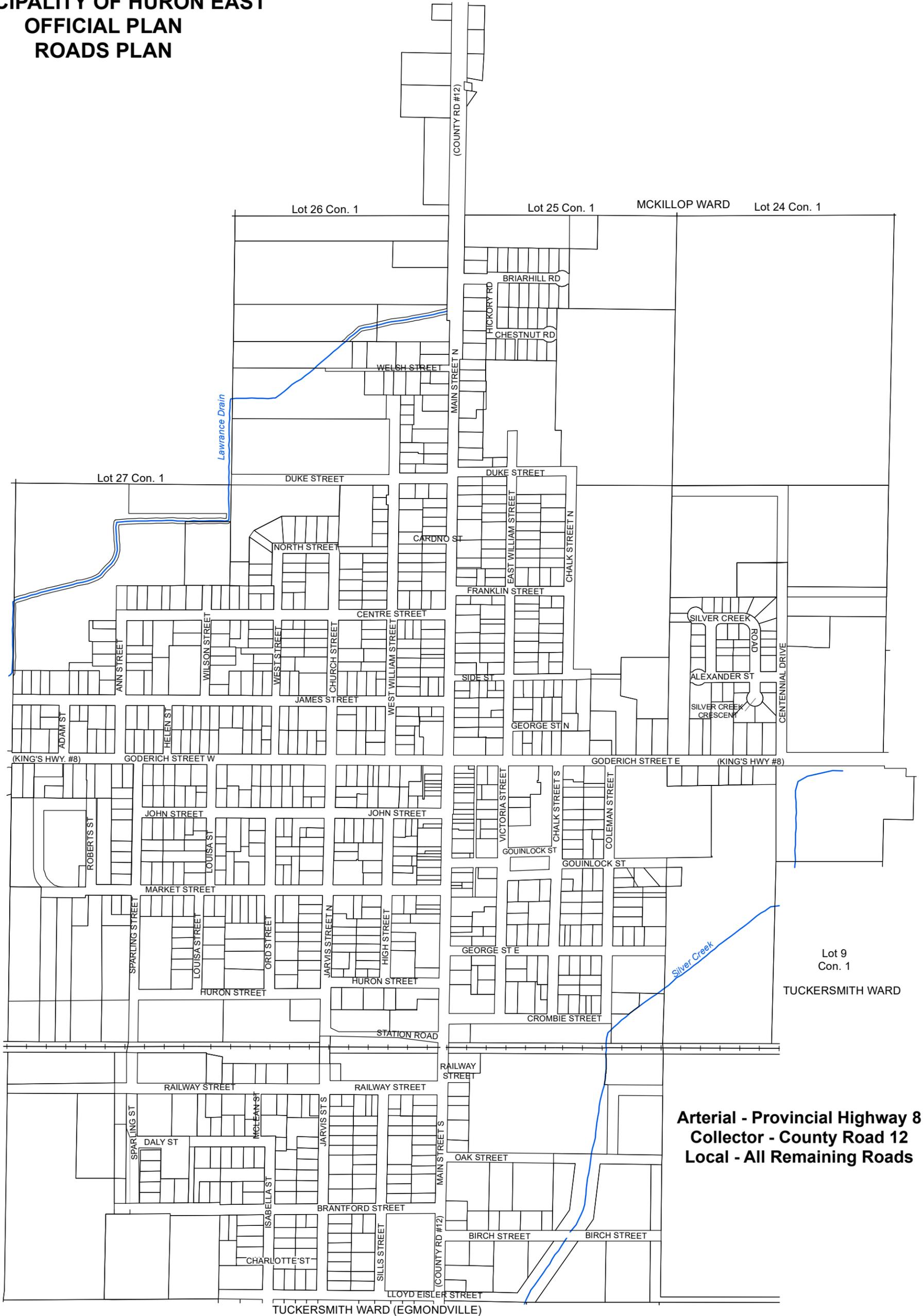
ROADS PLAN

McKILLOP WARD



Arterial - King's Hwy 8
Collector - County Roads 12, 17 and 25
Local - All Remaining Roads

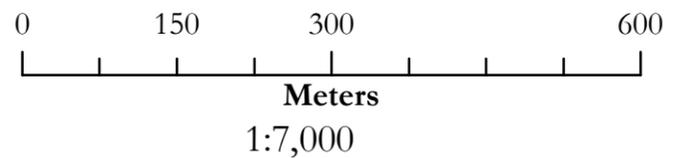
**SCHEDULE "C"
SEAFORTH
MUNICIPALITY OF HURON EAST
OFFICIAL PLAN
ROADS PLAN**



Amended by OPA #8

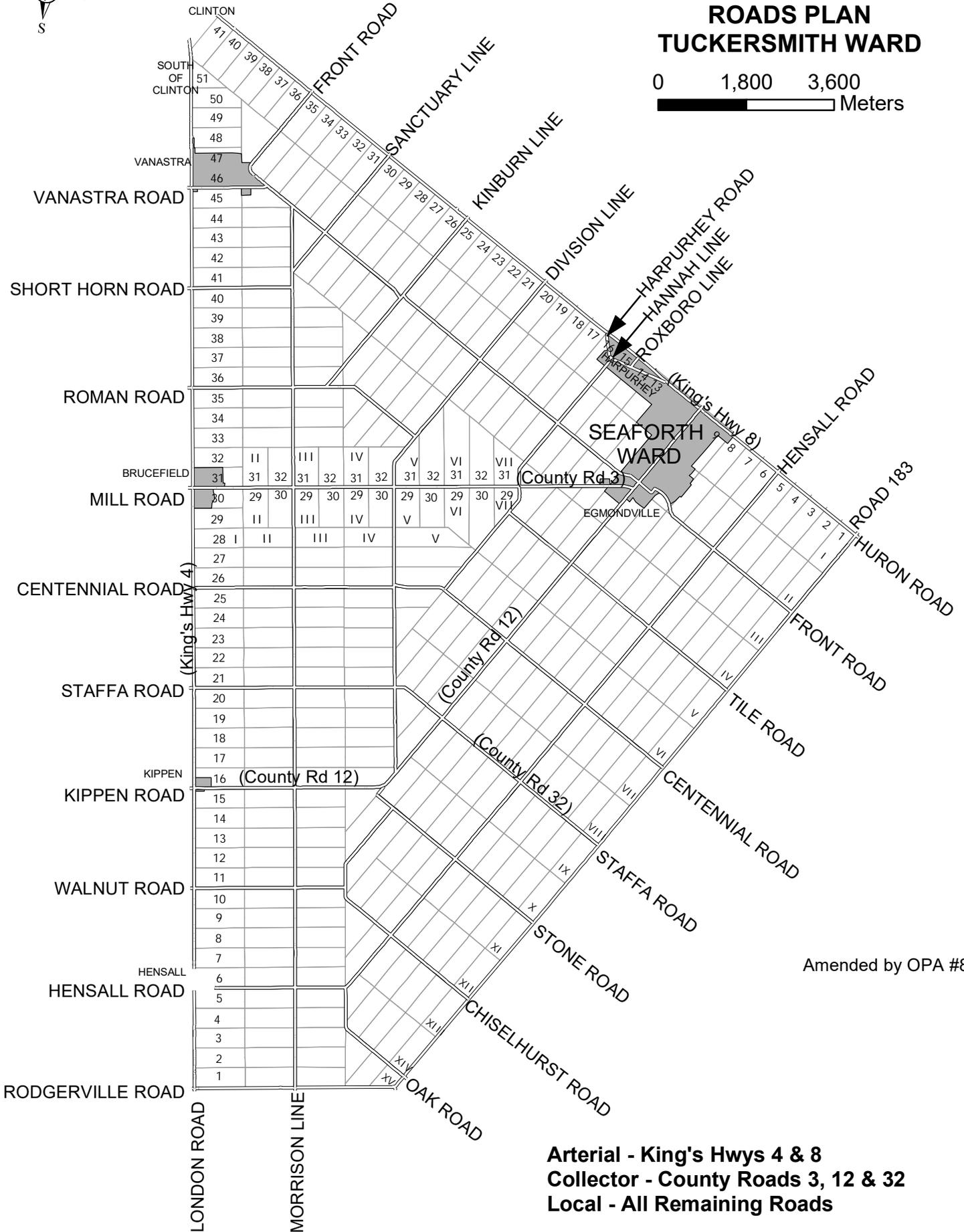
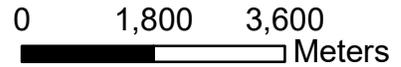


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MUNICIPALITY OF HURON EAST SCHEDULE "C" ROADS PLAN TUCKERSMITH WARD

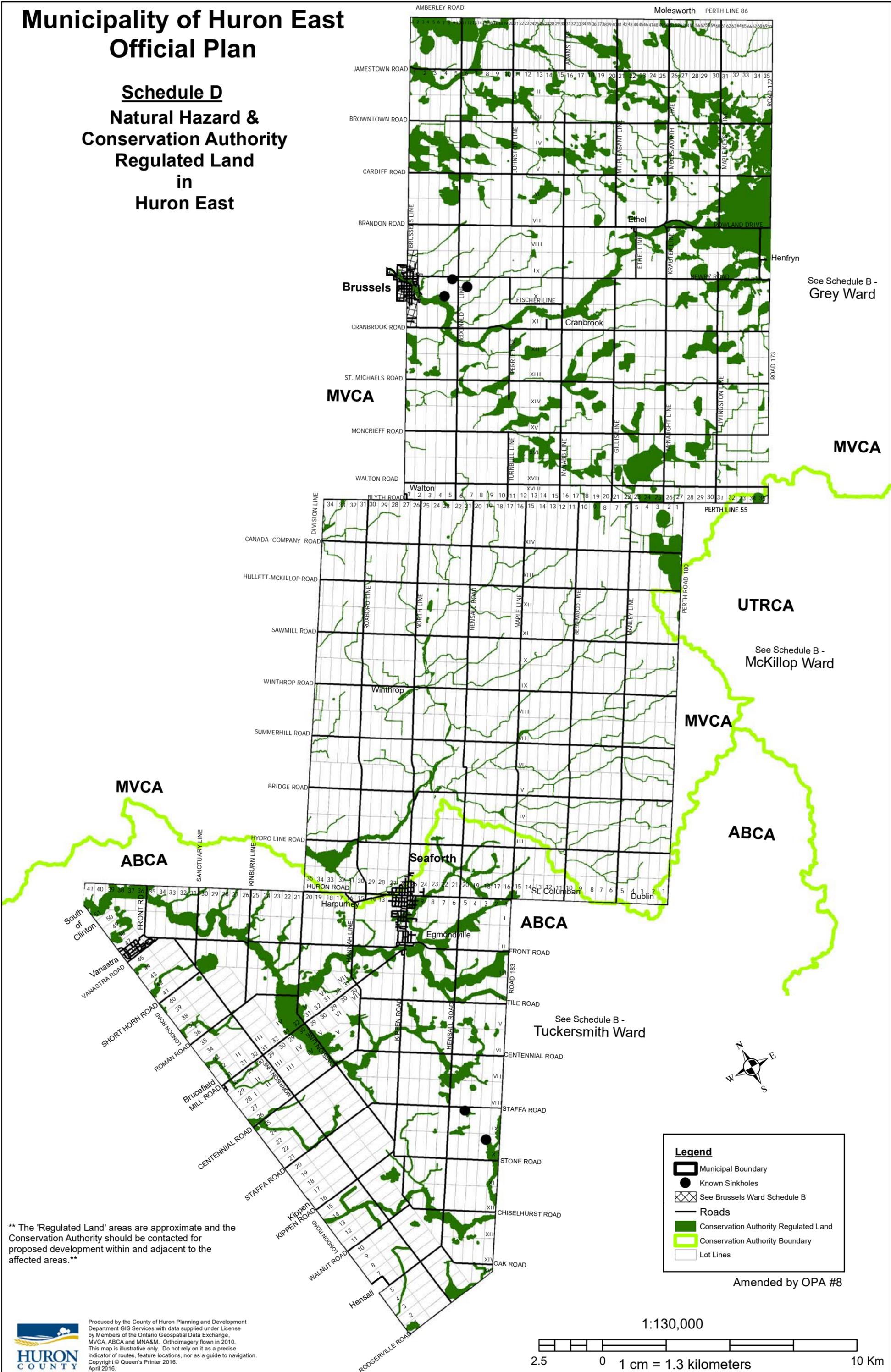


Amended by OPA #8

Arterial - King's Hwys 4 & 8
Collector - County Roads 3, 12 & 32
Local - All Remaining Roads

Municipality of Huron East Official Plan

Schedule D Natural Hazard & Conservation Authority Regulated Land in Huron East



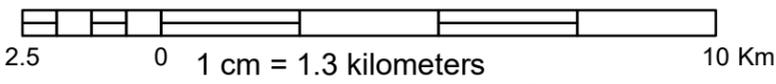
** The 'Regulated Land' areas are approximate and the Conservation Authority should be contacted for proposed development within and adjacent to the affected areas.**

Legend

- Municipal Boundary
- Known Sinkholes
- See Brussels Ward Schedule B
- Roads
- Conservation Authority Regulated Land
- Conservation Authority Boundary
- Lot Lines

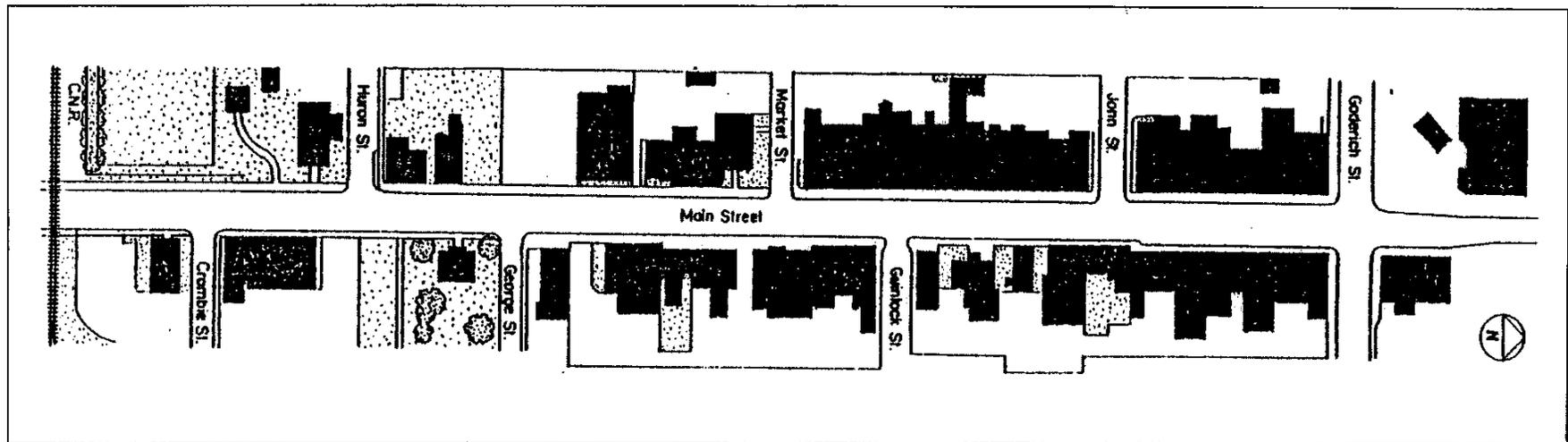
Amended by OPA #8

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**THE HERITAGE CONSERVATION DISTRICT
SEAFORTH WARD, MUNICIPALITY OF HURON EAST
Designated March 13, 1984 under Part V, Ontario Heritage Act.**



The boundaries of the Heritage Conservation District are the railway tracks to the south; one lot to the north of Goderich Street (on both sides of Main Street); and one part block in depth to the east and west of Main Street as shown on the map above.

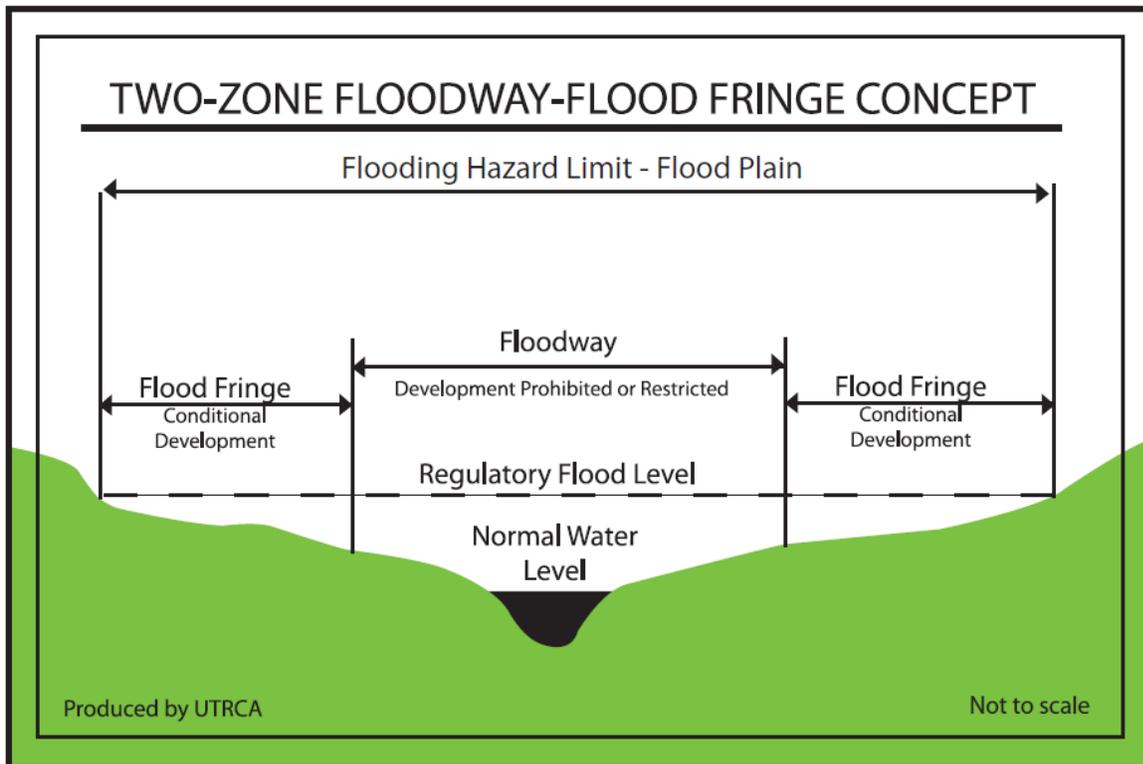
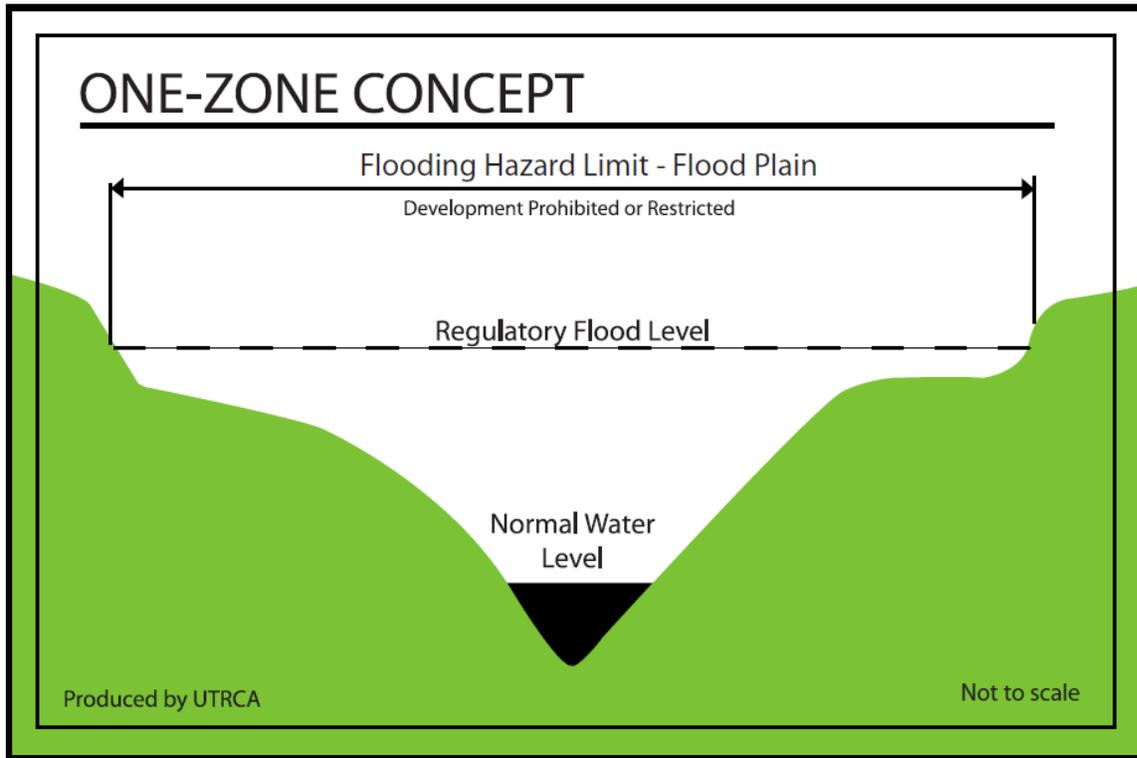
APPENDIX 2 Designated Heritage Properties List

MUNICIPALITY OF HURON EAST REGISTRY OF PROPERTIES DESIGNATED UNDER THE ONTARIO HERITAGE ACT - PART IV

Property Name	Address	Ward	By-Law	Date	Roll Number
RESIDENTIAL PROPERTIES:					
Box Residence	57 High Street	Seaforth	27-1990	14-Aug-1990	39-024-01000
Britton Residence	12 Church Street	Seaforth	12-1978	13-Mar-1978	39-001-01100
Carnochan Residence	123 James Street	Seaforth	46-1983	13-Dec-1983	39-003-01800
Carroll Residence	131 Goderich Street West	Seaforth	12-1978	13-Mar-1978	39-028-00800
Cornish Residence	17 Helen Street	Seaforth	12-1978	13-Mar-1978	39-003-02000
Doig Residence	98 Goderich Street West	Seaforth	12-1978	13-Mar-1978	39-002-01100
Dunlop Residence	55 Jarvis Street North	Seaforth	12-1978	13-Mar-1978	39-022-03400
Hansen Residence	23 Sparling Street	Seaforth	12-1978	13-Mar-1978	39-028-01400
Horthy Residence	87 Main Street North	Seaforth	12-1978	13-Mar-1978	39-007-03300
Lorne Villa Apartments	92 Goderich Street West	Seaforth	12-1978	13-Mar-1978	39-002-01000
McIver Residence	41 John Street	Seaforth	12-1978	13-Mar-1978	39-024-00600
Pinkney House	31 Goderich Street West	Seaforth	18-1985	14-May-1985	39-026-00500
Pletsch Residence	17-19 Sparling Street	Seaforth	21-1990	10-Jul-1990	39-028-01300
Shepherd Residence	148 Goderich Street West	Seaforth	45-1991	9-Dec-1991	39-003-00800
Cameron House	84354 McNabb Line	Grey	33-1987	19-Oct-1987	42-011-04155
Moncrieff Church (residence now)	83506 Livingston Line	Grey	27-1989	8-Aug-1989	42-016-03500
Hearn Residence	40485 Huron Road	Tuckersmith	15-1985	21-May-1985	16-001-10100
COMMERCIAL/INSTITUTIONAL PROPERTIES:					
Individual Designations under Part IV of the Ontario Heritage Act					
Seaforth Town Hall (contains Seaforth & Area Museum on second floor)	72 Main Street South	Seaforth	1058	14-Feb-1977	39-017-01500
The Cardno Block & Opera House	39-47 Main Street South	Seaforth	43-1980	15-Dec-1980	39-023-01100
The Commercial Hotel	84 Main Street South	Seaforth	9-1984	13-Mar-1984	39-017-01600
The Former Seaforth Public School (Maplewood Manor)	13 Church Street	Seaforth	29-1985	10-Sep-1985	39-002-02600
The Round House	Duke Street & William St. East	Seaforth	12-1978	13-Mar-1978	39-010-00200
Victoria Park & Bandshell	Gouinlock & Victoria Streets	Seaforth	1058	14-Feb-1977	39-014-01600
Gates & Posts in Vanastra Park	Lots 31 & 32, Lane E	Tuckersmith	36-1984	5-Sep-1984	Road Allowance
Harpurhey Road Cemetery	Plan 250, Church Lot, Part Lot C	Tuckersmith	35-1986	5-Aug-1986	16-001-07101
Van Egmond House	80 Kippen Road, Egmondville	Tuckersmith	29-1977	18-Oct-1977	16-030-29400
Brussels Public Library	402 Turnberry Street	Brussels	85-2008	6-Oct-2010	44-018-03100
Cinnamon Jim's Cafe	401 Turnberry Street	Brussels	21-2011	17-May-2011	44-008-00100
The Leckie Block	435-441 Turnberry Street	Brussels	84-2013	5-Nov-2013	44-008-00800
PART V of ONTARIO HERITAGE ACT:					
Downtown Core	Main Street South	Seaforth	8-1984	13-Mar-1984	Heritage Conservation District

APPENDIX 3

One Zone Concept and Two Zone Floodway-flood Fringe Concept Diagrams



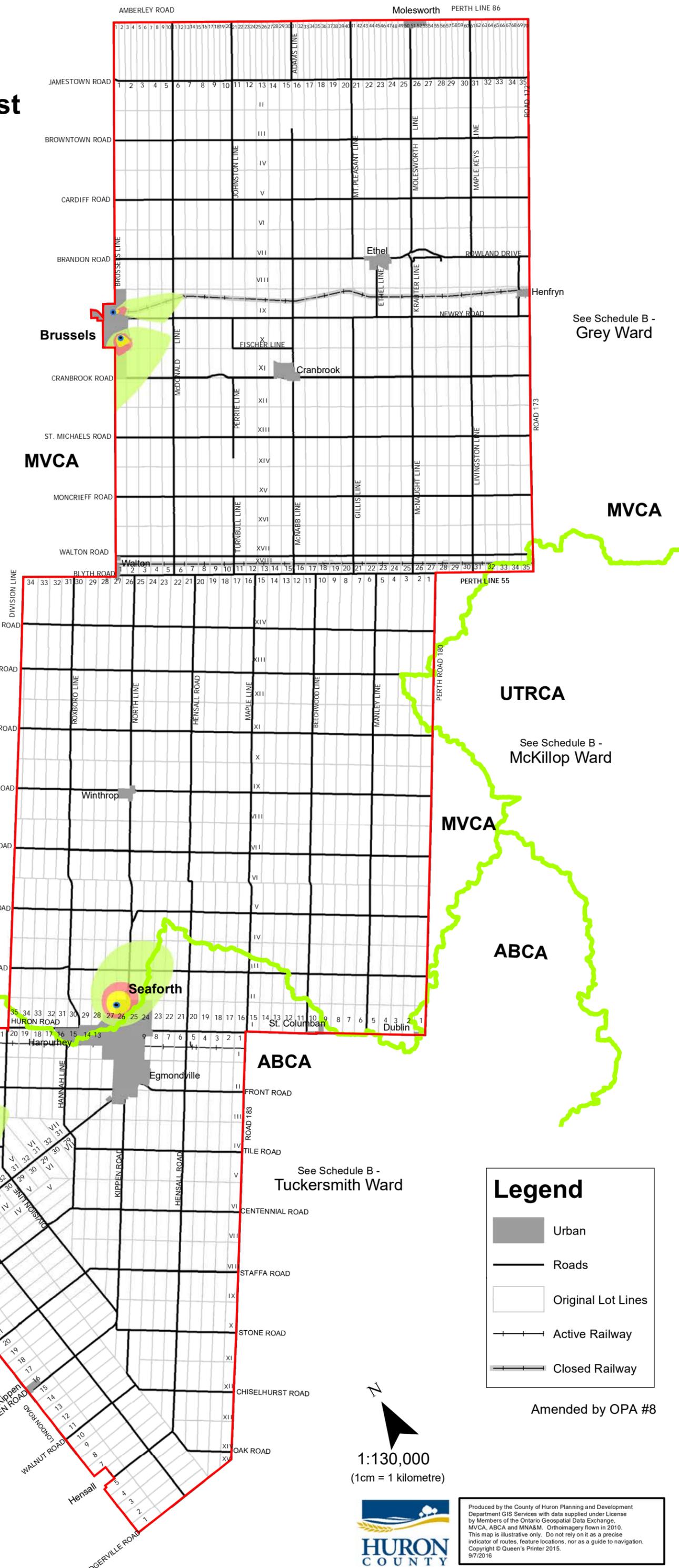
Appendix 4 Municipal Wellhead Protection Areas in the Municipality of Huron East

Conservation Authority Boundary

Municipal Well

Municipal Wellhead Protection Areas

- 100 m Wellhead Buffer
- 2 Year Time of Travel
- 5 Year Time of Travel
- 25 Year Time of Travel



Legend

- Urban
- Roads
- Original Lot Lines
- Active Railway
- Closed Railway

N

1:130,000
(1cm = 1 kilometre)



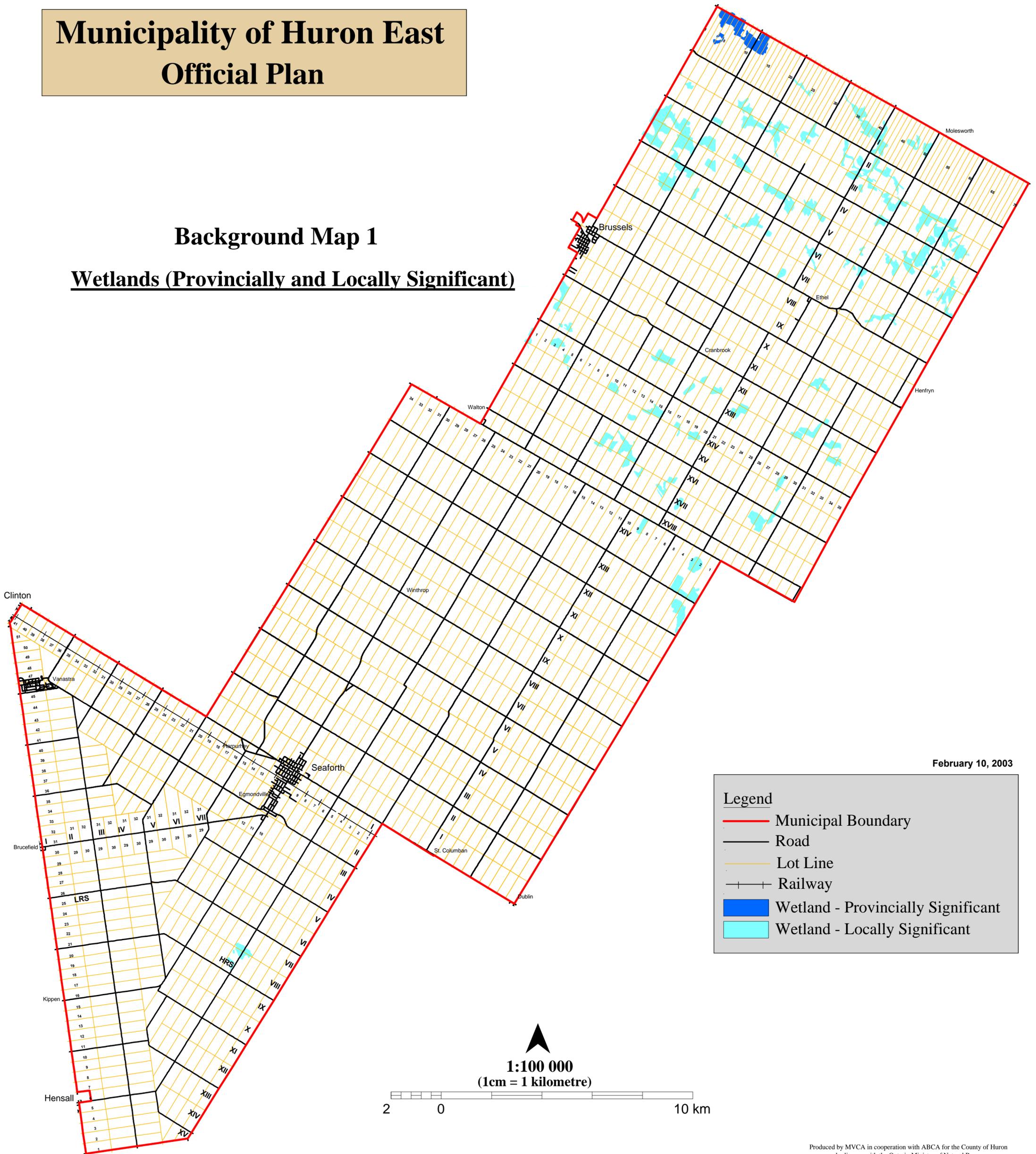
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Amended by OPA #8

Municipality of Huron East Official Plan

Background Map 1

Wetlands (Provincially and Locally Significant)



February 10, 2003

Legend

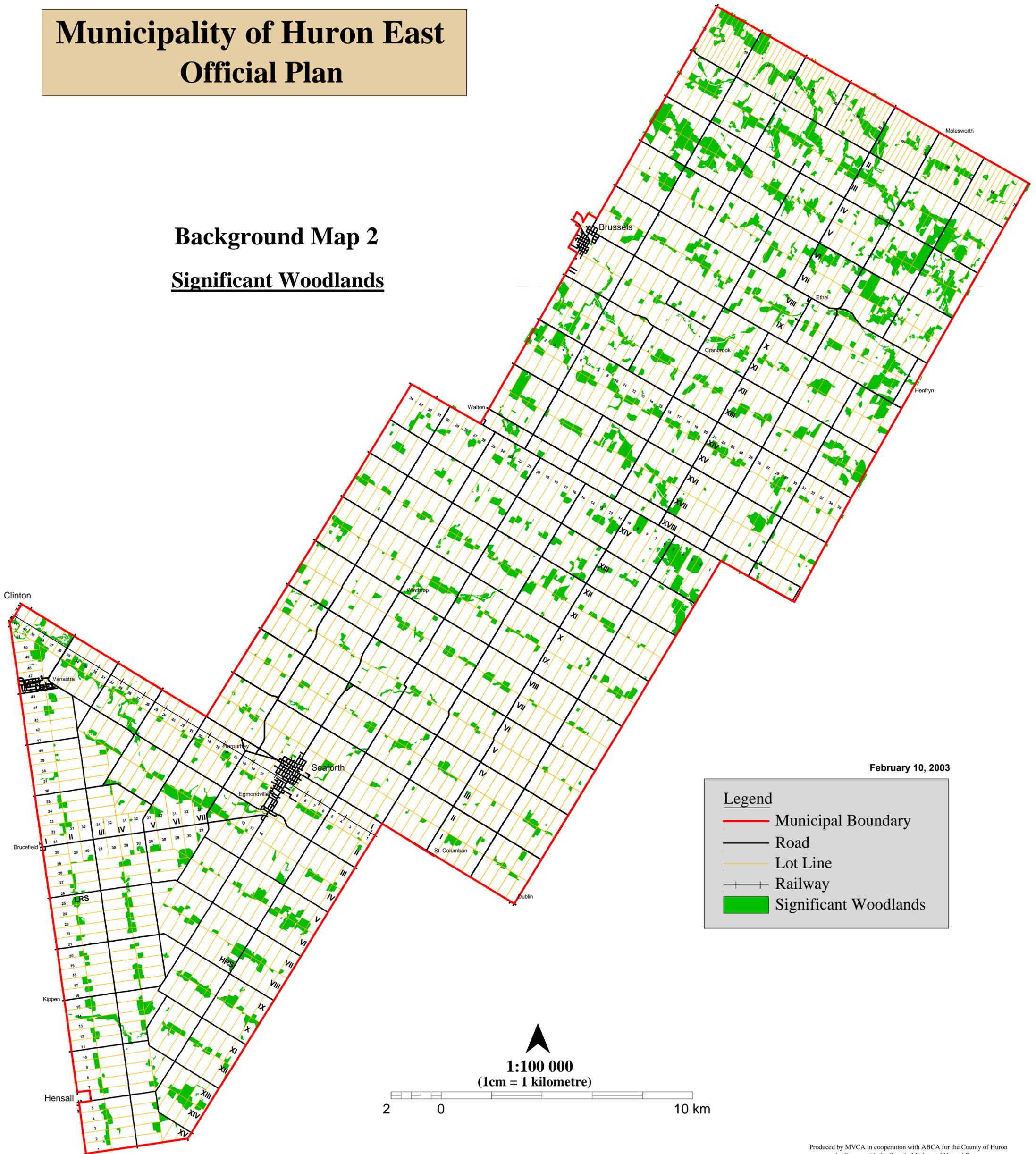
- Municipal Boundary
- Road
- Lot Line
- Railway
- Wetland - Provincially Significant
- Wetland - Locally Significant

1:100 000
(1cm = 1 kilometre)



Municipality of Huron East Official Plan

Background Map 2 Significant Woodlands

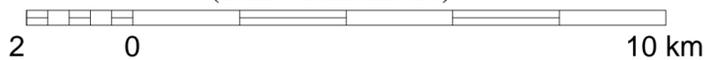


February 10, 2003

Legend

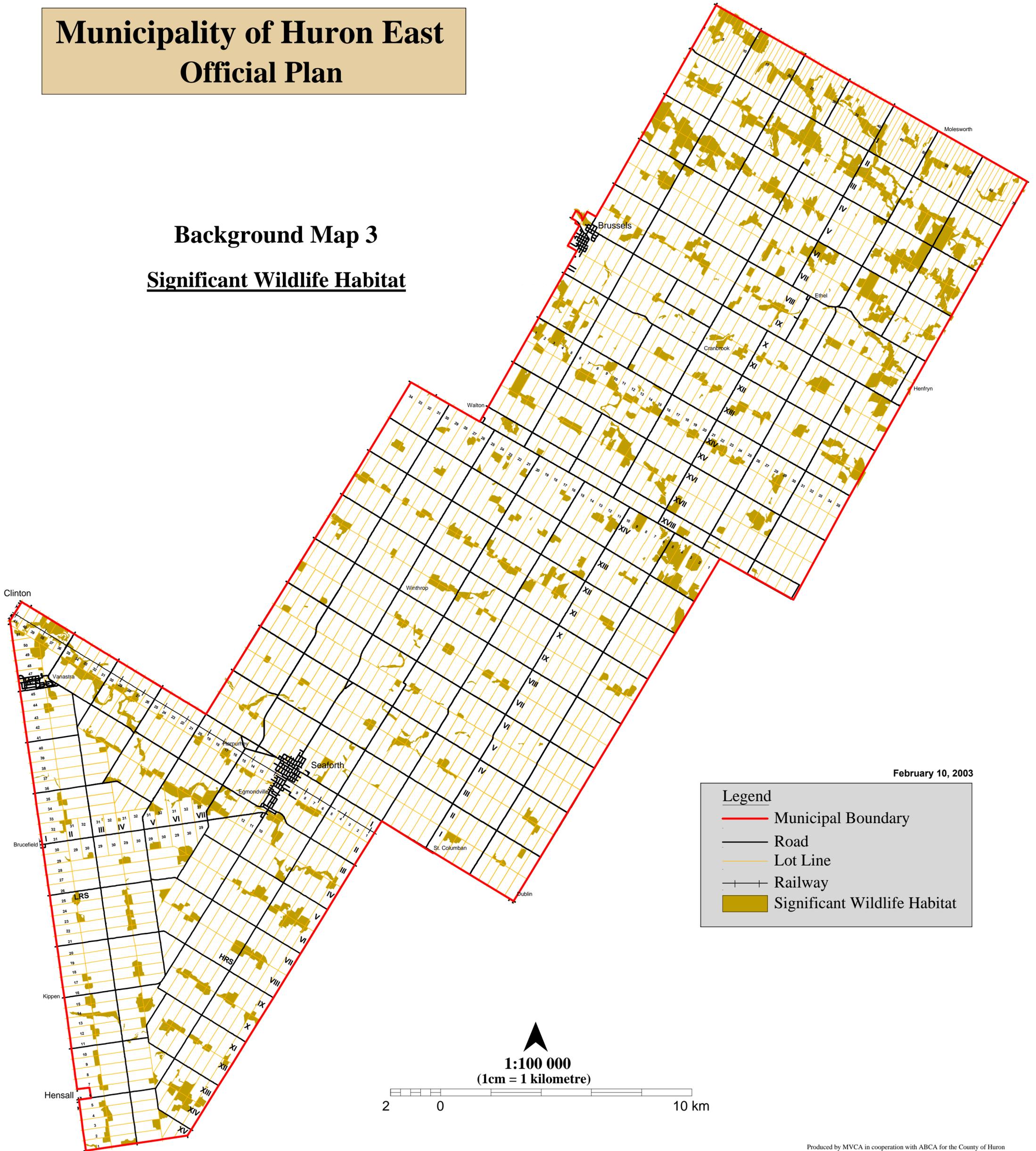
- Municipal Boundary
- Road
- Lot Line
- Railway
- Significant Woodlands

1:100 000
(1cm = 1 kilometre)



Municipality of Huron East Official Plan

Background Map 3 Significant Wildlife Habitat

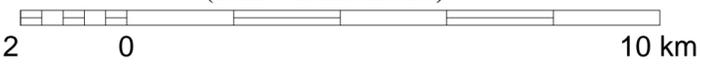


February 10, 2003

Legend

- Municipal Boundary
- Road
- Lot Line
- +— Railway
- Significant Wildlife Habitat

1:100 000
(1cm = 1 kilometre)



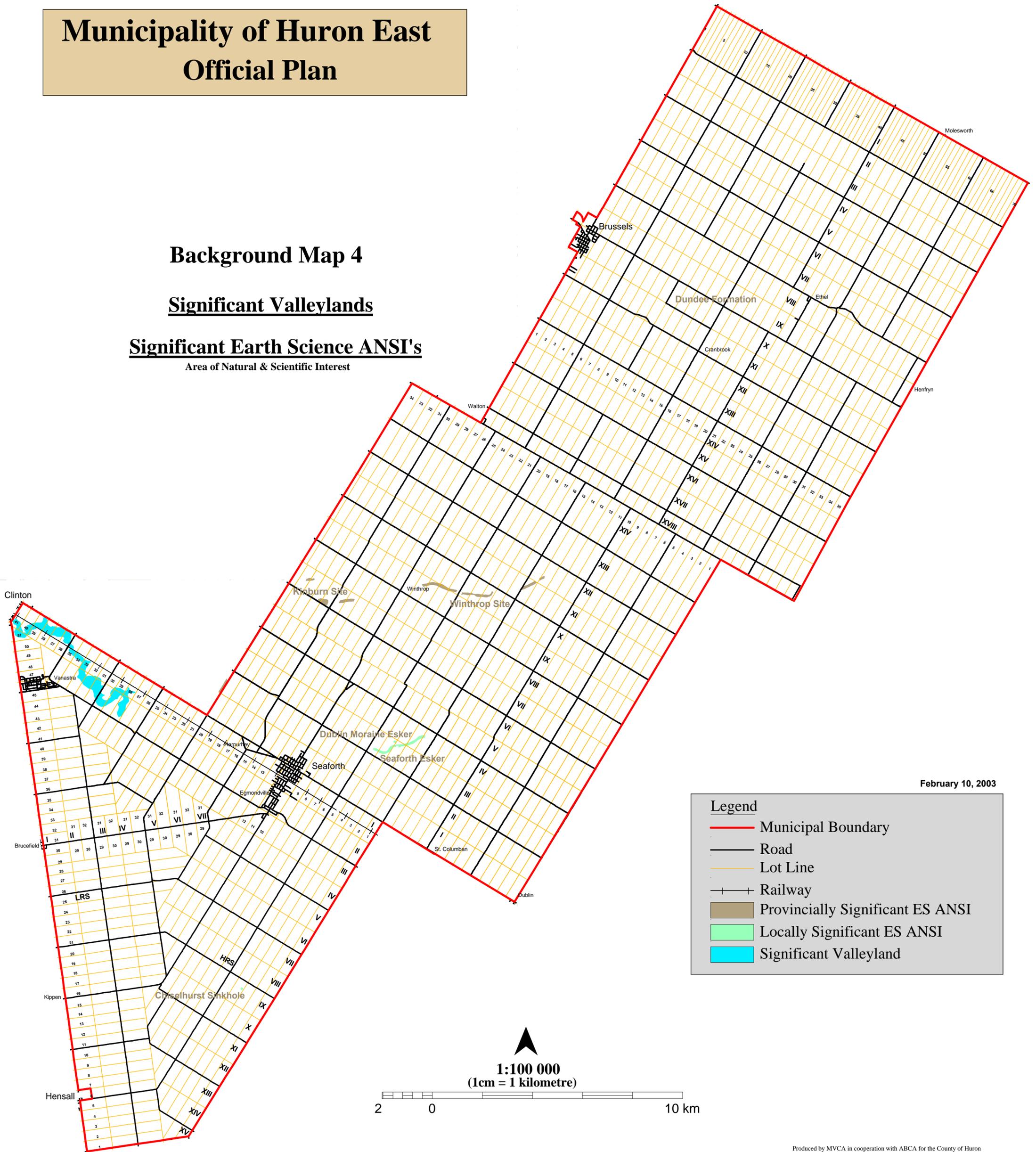
Municipality of Huron East Official Plan

Background Map 4

Significant Valleylands

Significant Earth Science ANSI's

Area of Natural & Scientific Interest



February 10, 2003

Legend

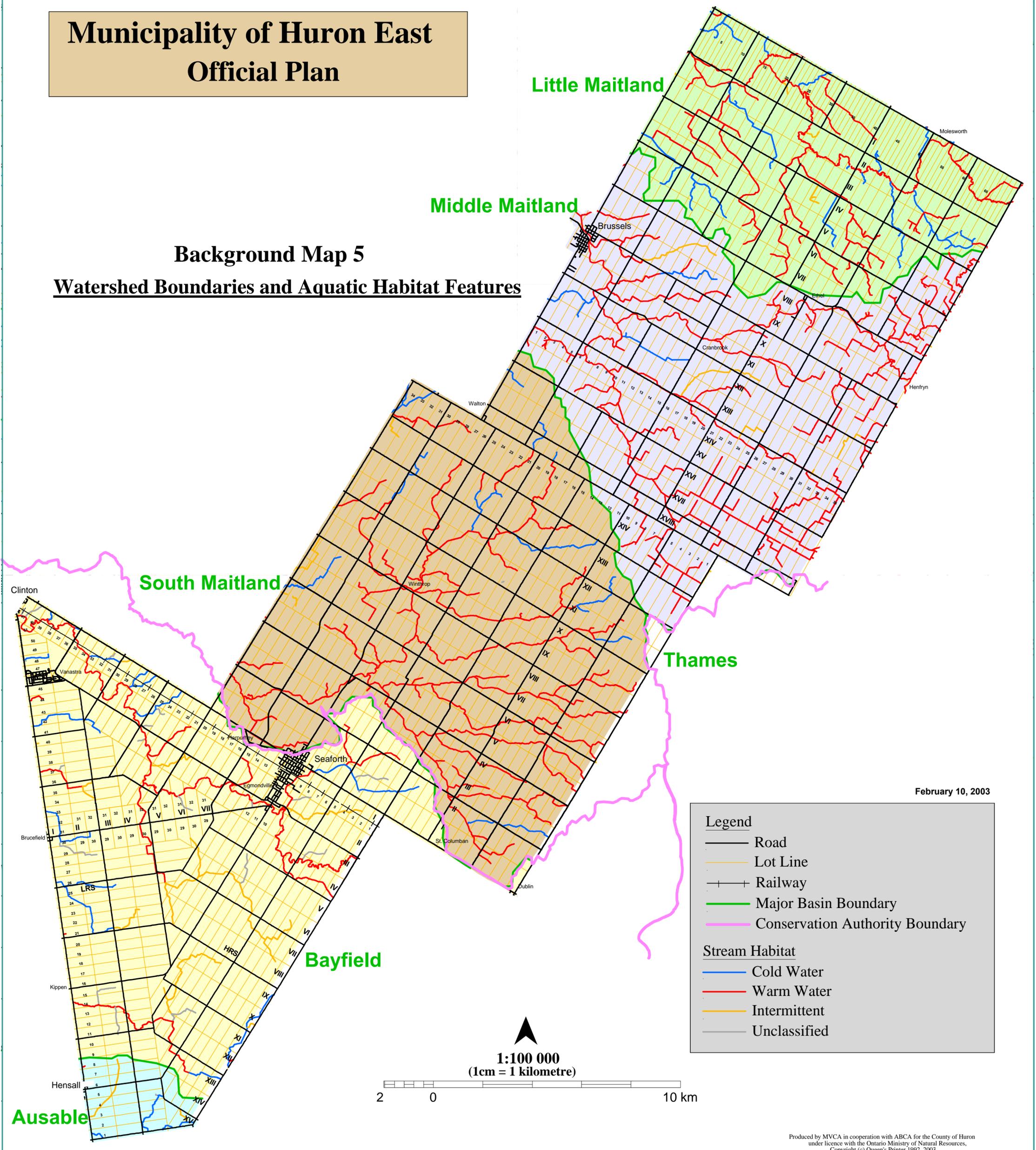
- Municipal Boundary
- Road
- Lot Line
- + + Railway
- Provincially Significant ES ANSI
- Locally Significant ES ANSI
- Significant Valleyland

1:100 000
(1cm = 1 kilometre)

2 0 10 km

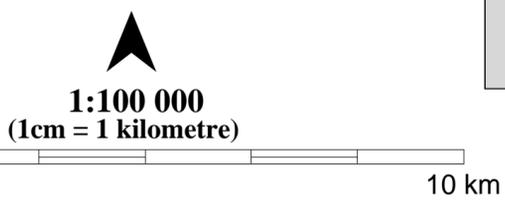
Municipality of Huron East Official Plan

Background Map 5 Watershed Boundaries and Aquatic Habitat Features



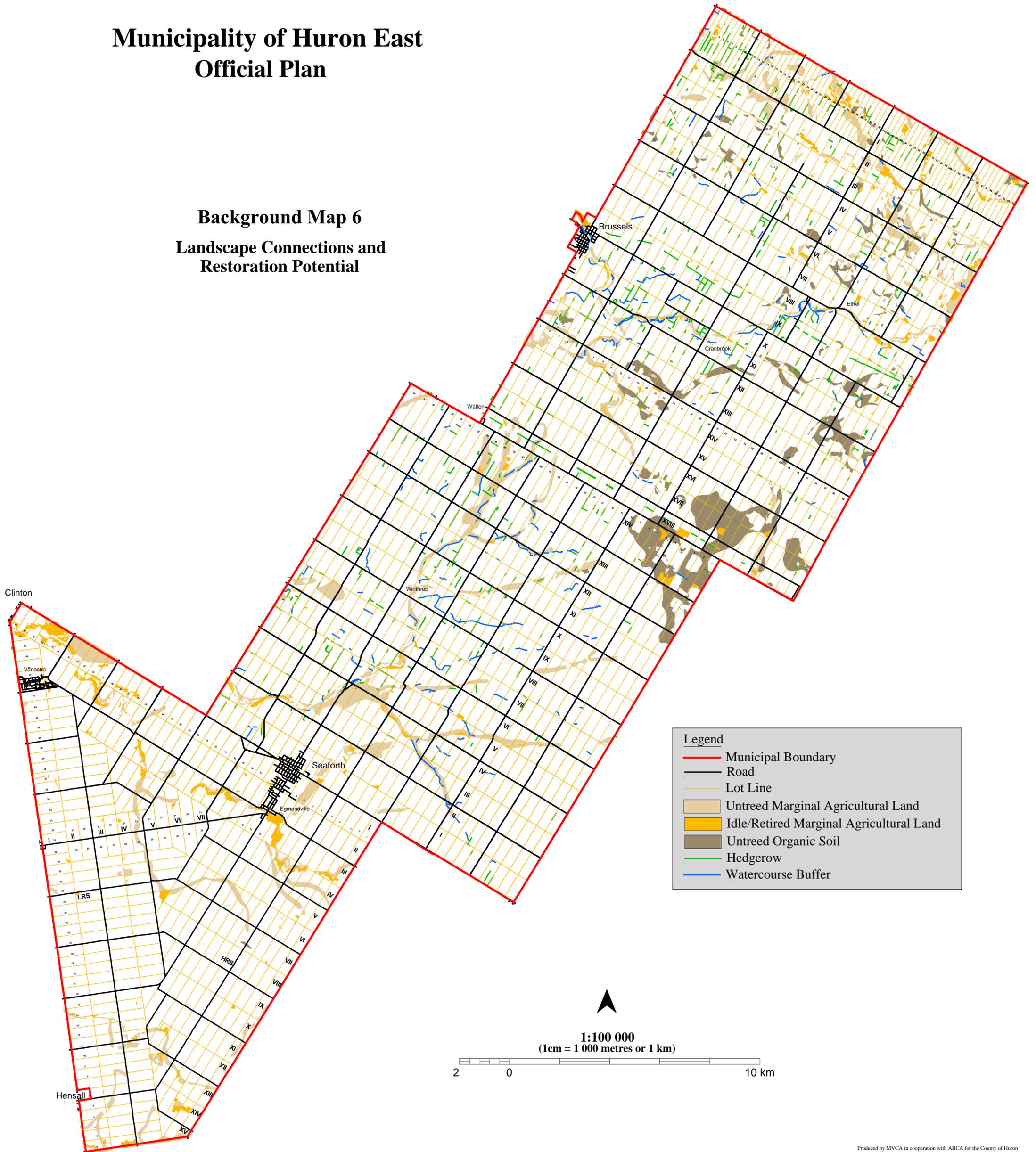
February 10, 2003

Legend	
	Road
	Lot Line
	Railway
	Major Basin Boundary
	Conservation Authority Boundary
Stream Habitat	
	Cold Water
	Warm Water
	Intermittent
	Unclassified



Municipality of Huron East Official Plan

Background Map 6 Landscape Connections and Restoration Potential



Legend

- Municipal Boundary
- Road
- Lot Line
- Untreed Marginal Agricultural Land
- Idle/Retired Marginal Agricultural Land
- Untreed Organic Soil
- Hedgerow
- Watercourse Buffer

