



**THE CORPORATION
OF THE
TOWNSHIP OF ALGONQUIN HIGHLANDS**

OFFICIAL PLAN

ADOPTED: OCTOBER 16TH, 2003
APPROVED: AUGUST 29TH, 2005
CONSOLIDATION: NOVEMBER 25TH, 2011



The Corporation of the Township of Algonquin Highlands

By-law No. 03-33

**Being a By-law to adopt the Official Plan
of the Township of Algonquin Highlands**

WHEREAS, pursuant to the provisions of Section 17 of the Planning Act, R.S.O. 1990, c.P.13, as amended, the Council of the Corporation of the Township of Algonquin Highlands may provide for the preparation of a plan suitable for adoption as the Official Plan of the Municipality.

NOW THEREFORE, the Council of The Corporation of the Township of Algonquin Highlands enacts as follows:

1. **THAT** the Official Plan of the Township of Algonquin Highlands, comprising text and attached Schedules "A1" thru "A4", "B1" thru "B4", "C1" thru "C4", is hereby adopted.
2. **THAT** the CAO/Clerk is hereby authorized and directed to make application to the Minister of Municipal Affairs and Housing for the approval of the Official Plan of the Township of Algonquin Highlands.
3. **THAT** this by-law shall not come into force or take effect until approved by the Minister of Municipal Affairs and Housing.

READ A FIRST time in Open Council this 16th day of October, 2003.

READ A SECOND time in Open Council this 16th day of October, 2003.

READ A THIRD TIME and finally passed in Open Council this 16th day of October, 2003.

ORIGINAL SIGNED BY:

Eleanor Harrison

Reeve, Eleanor Harrison

ORIGINAL SIGNED BY:

Gerald Bain

CAO/Clerk, Gerald Bain

OFFICIAL PLAN AMENDMENTS
to the
TOWNSHIP OF ALGONQUIN HIGHLANDS
OFFICIAL PLAN

OPA #	TITLE	ADOPTED	APPROVED
1	Hindon Lake Subdivision	April 16, 2009 By-law No. 09-10	August 26, 2009
2	Five-Year Official Plan Review	October 14, 2010 By-law No. 2010-29	April 27, 2011

TOWNSHIP OF ALGONQUIN HIGHLANDS

OFFICIAL PLAN

TABLE OF CONTENTS

Section 1	Introduction and Structure of the Plan.....	1
Section 2	Purpose, Basis and Context of the Plan.....	2
2.1	Purpose of the Plan.....	2
2.2	Basis of the Plan.....	2
2.3	Time Frame.....	3
2.4	Planning Context.....	3
Section 3	Guiding Principles.....	4
3.1	Principles.....	4
3.2	Goal of the Plan.....	4
3.3	Objectives of the Plan.....	4
3.4	Growth Management Policies.....	5
3.5	Inter-Jurisdictional-Coordination.....	6
Section 4	Environmental Management.....	7
4.1	General.....	7
4.2	Significant Natural Heritage Features.....	7
4.3	Municipal Heritage Register.....	9
4.4	Water Resources.....	10
4.5	Lake Capacity.....	10
4.6	Floodway Management.....	15
4.7	Forestry and Forest Management.....	15
4.8	Recreation.....	16
4.9	Soil Conservation.....	16
4.10	Landscape Conservation.....	16
4.11	Steep Slope and Erosion Areas.....	17
4.12	Implementation.....	17
Section 5	Land Use designations.....	18
5.1	Settlement Areas.....	18
5.2	Waterfront.....	19
5.3	Rural.....	26
5.4	Wilderness.....	30
5.5	Mineral Aggregate Resources.....	31
5.6	Mineral Resources.....	33
5.7	Waste Management.....	33
Section 6	General Policies.....	35
6.1	Bed and Breakfast Establishments.....	35
6.2	Shoreline Structures.....	35
6.3	Community Improvement.....	35



6.4	Cultural and Heritage Building Conservation and Archaeological Resources	36
6.5	Energy Conservation and Reduction of Light Pollution	38
6.6	Group Homes	39
6.7	Home Occupations and Industries	39
6.8	Mobile Home Parks	39
6.9	Hunt Camps.....	40
6.10	Municipal Road Allowances.....	41
6.11	Parkland Dedication & Recreational Trails	41
6.12	Permanent Asphalt Plants	43
6.13	Portages	43
6.14	Wayside Pits and Quarries, Portable Asphalt Plants.....	43
6.15	Housing	43
Section 7 Services and Utilities		44
Section 8 Transportation		46
8.1	General.....	46
8.2	Airport.....	46
8.3	Roads	47
Section 9 Implementation and Interpretation.....		50
9.1	General.....	50
9.2	Zoning.....	50
9.3	Lot Creation	53
9.4	Deeming	55
9.5	Site Plan Control.....	55
9.6	Municipal Land Acquisition	56
9.7	Maintenance and Occupancy By-laws	56
9.8	Interpretation of Land Use Designation Boundaries.....	57
9.9	Official Plan Review Process.....	57
9.10	Official Plan Amendment Review Process	58
9.11	Alternative Notice Requirements	59
9.12	Official Plan Implementation.....	60
9.13	Environmental Impact Studies (EIS).....	60
9.14	Boat Impact Assessment.....	61
9.15	Complete Application and Pre-Consultation.....	61
9.16	Monitoring.....	62



TOWNSHIP OF ALGONQUIN HIGHLANDS

OFFICIAL PLAN

Section 1 Introduction and Structure of the Plan

1.1 On January 1, 2001 the former Township of Sherborne et al (including the geographic townships of Sherborne, McClintock, Livingstone, Lawrence and Nightingale) and the Township of Stanhope were amalgamated to form the Township of Algonquin Highlands.

OPA
No. 2

1.2 The geographic township of Stanhope did not have an Official Plan at the time of amalgamation and the Official Plan for the former Township of Sherborne et al dated back to 1997. With the creation of the Township of Algonquin Highlands, a new Official Plan was prepared and approved by the Ministry of Municipal Affairs and Housing on August 29, 2005.

OPA
No. 2

1.3 The Council of the Township of Algonquin Highlands commenced a Five Year Review of the Official Plan in the spring of 2010. In general, the Five Year Review found that there were no major areas of discontent that demanded reform and that the Official Plan was meeting the needs of the Township, but revisions were required to reflect changes in Provincial and County policies. As a result, this Plan has been updated and consolidated to ensure consistency with the Provincial Policy Statement, 2005, and conformity with the County of Haliburton Official Plan as required by Section 27 of the *Planning Act*, R.S.O. 1990, c.P.13.

OPA
No. 2

1.4 Where there is a conflict between the County of Haliburton Official Plan and this Official Plan, the County of Haliburton Official Plan prevails to the extent of such conflict. In all other respects, this Official Plan remains in full force and effect.



Section 2 Purpose, Basis and Context of the Plan

2.1 Purpose of the Plan

- 2.1.1 The Official Plan is a land use planning document which provides guidance for the physical development of the municipality while having regard for social, economic and environmental matters.
- 2.1.2 The Plan sets out goals and implementation policies and schedules within a municipal planning framework and identifies how development applications and municipal initiatives will be reviewed and evaluated.
- 2.1.3 The Plan is intended to:
- adopt growth management policies to guide the amount of growth and development that occurs in the Township over the time frame of the Plan;
 - provide a consistent approach to the review and evaluation of development applications throughout the Township;
 - provide guidance to Council, Committees of Council and other agencies on future development applications;
 - encourage the preparation of 'lake plans' that will provide for more detailed guidance for specific areas in the Township;
 - provide for the conservation of the natural environment, including wetlands, woodlands, areas of Provincial significance, fish and wildlife habitat, lakes, rivers and streams, on an ecosystem management basis;
 - ensure that land use planning within the Township contributes to the protection, maintenance and enhancement of water related resources and aquatic ecosystems, on an integrated watershed management basis;
 - ensure that growth and development within the Township occurs in a manner that will minimize public health and safety issues, including the protection of human life and property from water related hazards such as flooding and erosion;
 - promote and encourage healthy, active communities;
 - ensure the protection, preservation and conservation of cultural heritage resources; and,
 - encourage the practice of reducing, reusing and recycling waste products.

OPA
No. 2

2.2 Basis of the Plan

- 2.2.1 This Plan has been prepared to deal with the current conditions under which growth and development are set to occur within the Township. The Plan recognizes the importance of recreational land uses. Residential and non-resort commercial growth is encouraged to be concentrated in settlement areas away from sensitive or significant environmental areas and natural features. Waterfront areas are expected to continue to be developed for recreational purposes.



- 2.2.2 Scenic vistas, natural features, wildlife, accessibility to public lands and the abundance of water attracts tourists to the area. Tourism is a significant contributor to the local economy and this is reflected in the fact that the service sector is the largest component of the labour force within the municipality. Expanded tourism is promoted to foster the economic growth of the municipality.
- 2.2.3 Council is committed to ensuring there is an adequate supply of housing to satisfy the social and economic requirements of the residents living within the municipality. Existing lots are adequate to house anticipated changes in the population; demand for new lots will be for reasons other than population growth. It is the intent of this Plan to provide the opportunity for alternative forms of dwelling units to meet the future demand for housing.
- OPA No. 2 2.2.4 The Township values the health and well-being of its residents, and holds a broad vision of health that recognizes balanced economic, environmental and social development to enhance human health. It is further recognized that health is an important element in building an economically viable, socially vibrant and environmentally sustainable community.

2.3 Time Frame

- 2.3.1 This Official Plan provides a policy framework to reflect the conditions of growth and development that are expected to occur over the next twenty years. The policies of the Plan will be reviewed periodically, and modifications made to the Plan to reflect desired changes in growth and development opportunities. Such reviews should be at 5 year intervals, with the opportunity for more frequent review if warranted by changes in growth pressures.
- 2.3.2 This Plan does not contemplate a fixed population or household target.

2.4 Planning Context

- OPA No. 2 2.4.1 This Official Plan has been updated to ensure consistency with the Provincial Policy Statement, 2005.
- 2.4.2 This Plan is intended to be in conformity with the Haliburton County Official Plan in all areas where the County has jurisdiction.
- 2.4.3 This Plan is a Local Official Plan. It is the approved guideline for development in the Township of Algonquin Highlands, but is not a stand-alone regulation. The policies of this Plan are implemented by the decisions of Council and in conformity with zoning and other regulatory by-laws adopted by Council from time to time.



Section 3 Guiding Principles

3.1 Principles

3.1.1 This Plan is intended to assist Council in making decisions about the physical development of the Municipality while having regard for relevant environmental, economic and social matters.

OPA
No. 2

3.1.2 The Township shall strive to maintain a safe, clean, tranquil, healthy, liveable environment through the application of appropriate by-laws and through the cooperation and involvement of the residents.

3.2 Goal of the Plan

3.2.1 The goal of this Plan is to accommodate reasonable amounts of new development and to reduce uncertainty in the Township by providing policies to direct development in a manner that will minimize conflict between varying land uses and users, and that will reinforce the existing community structure.

3.3 Objectives of the Plan

3.3.1 Evaluation of environmental impact will be a principal factor in determining the suitability of any property for development.

3.3.2 Residential, commercial and Industrial development will be encouraged in the Settlement Areas to take advantage of the existing public services and infrastructure.

3.3.2.1 Council shall encourage infilling in Settlement Areas, where it can be suitably accommodated, to ensure an efficient use of municipal services; and,

3.3.2.2 The Township shall endeavour to manage growth in an orderly manner to ensure that the provision of public services and facilities will not cause an undue financial burden on the municipality.

3.3.3 Tourism and tourism related activities should be encouraged to locate in waterfront areas, on lakes that are not at or near capacity, and in appropriate locations in the rural area.

OPA
No. 2

3.3.4 The provision of pedestrian and active recreational linkages, such as cycling, will be encouraged, particularly within settlement areas.

3.3.5 Development geared to providing services to the older segment of the population and that improves accessibility for persons with handicaps, should be encouraged, focused in the existing settlement areas.

OPA
No. 2

3.3.6 The provision of cultural, recreational and educational facilities is encouraged to ensure accessibility by all. The development of an environment that facilitates universal access for all persons is encouraged.



- 3.3.7 Development that will stabilize or increase the size of the youth population should be encouraged.
- 3.3.8 In addition to the policies in this Plan, development will be considered on the basis of its ability to support, maintain and/or expand the character of the location in which the development is proposed.

3.4 Growth Management Policies

OPA
No. 2

3.4.1 The Township's existing development pattern consists of: four identified settlement areas; open space and low density residential development along the shoreline of its lakes, interspersed with some commercial development, primarily resorts and marinas; a rural area of agricultural uses, limited low density residential development, resource related uses, and limited commercial and industrial uses; and large wilderness area consisting of Crown land. The continuation of this development pattern is envisioned and promoted.

OPA
No. 2

3.4.2 Major residential, commercial and industrial development should be directed to the identified Settlement Areas.

3.4.3 Dorset is a settlement area that will continue to be a focus for community activities. The predominant use of land is residential, but commercial, community facilities, recreational, open space and industrial uses may be developed and expanded. Development shall be based on the provision of private, individual water and sewage disposal services.

3.4.4 Significant residential and commercial development is anticipated within the Settlement Area of Carnarvon, as identified on Schedule "A". Development in this area shall be based on the provision of private, individual water and septic services.

3.4.5 Limited development is anticipated in other settlement areas identified on Schedule "A". Any future development shall be based on the provision of private, individual water and septic services and shall also comply with Waterfront designation policies where applicable. These areas are indicated as existing nodes of settlement and are recognized primarily for their historical significance in the development of the Township.

OPA
No. 2

3.4.6 Intensification and redevelopment within the Settlement Areas is encouraged, subject to the provision of satisfactory private, individual water and sewage disposal services.

3.4.7 Properties located on the shores of rivers, lakes and streams shall be used for low density residential and low intensity tourism or tourism related in nature.

3.4.8 Development in the rural areas of the Township shall be oriented primarily for resource related uses and limited residential development. Development shall be located on publicly owned, year round maintained roads, and will be permitted in a low density, dispersed pattern.

OPA
No. 2

3.4.9 The function of areas of natural heritage resources shall be preserved.



OPA
No. 2

3.5 Inter-Jurisdictional-Coordination

- 3.5.1 The Township recognizes that there are a number of planning matters that influence not only the Township but other jurisdictions as well, such as federal, provincial, and county, as well as crossing municipal boundaries.
- 3.5.2 The Township will cooperate with other jurisdictions on such matters to ensure that a coordinated, integrated and comprehensive approach is taken on such matters.



Section 4 Environmental Management

4.1 General

- 4.1.1 Environmental resources include inherently sensitive or environmentally significant lands that are so described because of wildlife and their habitat, vegetation and natural features and may include deer wintering yards, bird nesting areas, fisheries habitat, significant vegetated areas and water resources.
- 4.1.2 Environmental resources are identified to manage, preserve and protect them from indiscriminate usage, irreversible damage, depletion of natural resources or extinction.
- 4.1.3 Environmental protection and effective resource management are important to the future of the Township. Generally, new development shall be sympathetic to natural resources and environmentally significant areas. The municipality must exercise strong management in this regard, while recognizing there are a number of other public and private agencies that also have a mandate to concentrate on certain elements of this duty.
- 4.1.4 Where a change in land use is proposed, and the present use has the potential to have caused environmental contamination, the site shall be decommissioned and/or cleaned up to the satisfaction to the Province, prior to any approval of a development application.

4.2 Significant Natural Heritage Features

OPA
No. 2

- 4.2.1 Schedule “B” provides a Natural Features Overlay indicating where a number of environmental features are present. These include: wetlands, fish habitat areas, potential aggregate resources, Ontario Living Legacy sites, moose and deer wintering areas, and lakes that are at development capacity.

- 4.2.2 Significant natural heritage features consist of the following:

OPA
No. 2

- Significant habitat of endangered and threatened species as identified by the Ministry of Natural Resources and listed in the municipal heritage register (Section 4.3). No development is permitted in the habitat of endangered and threatened species.
- Fish Habitat, as identified by the Ministry of Natural Resources as either spawning areas or fish sanctuaries.
- Provincially Significant Wetlands, which are wetlands identified by the Ministry of Natural Resources as provincially significant using its Northern Ontario Wetland Evaluation System.

OPA
No. 2

- Other Potentially Significant Wetlands, as identified on the County of Haliburton Wetland Mapping.
- Moose and deer wintering areas/yards, as identified by the Ministry of Natural Resources.
- Areas of Natural and Scientific Interest, as identified by the Ministry of Natural Resources. When this Plan was adopted, there were two (2) such areas in the Township as identified and designated on Schedules ‘A’ and ‘B’.



4.2.3 Wetlands are inherently environmentally sensitive areas which require special protection because of their role in the ecosystem. Wetlands are defined as seasonally or permanently covered by shallow water as well as lands where the water table is close to or at the surface. Wetlands include swamps, marshes, bogs and fens. Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit wetland characteristics, are not considered to be wetlands for the purposes of this definition.

Very few of the wetlands in Haliburton County have been evaluated by the Ministry of Natural Resources because of the relatively high cost of applying the Northern Ontario Wetland Evaluation System; this is not likely to change in the near future. Many of these unevaluated wetlands may be locally, regionally, or provincially significant.

OPA
No. 2

The County of Haliburton, Ministry of Natural Resources, and Ducks Unlimited have undertaken an extensive mapping project to identify and clarify the boundary of wetlands. The Township shall use this mapping as a screening tool when reviewing development applications.

OPA
No. 2

4.2.4 Adjacent lands contiguous to significant natural heritage features are lands within the following distances from the features:

- Provincially Significant Wetlands and Other Potentially Significant Wetlands – 120 metres (394 feet)
- Fish Habitat – 30 metres (98 feet)
- Significant Wildlife Habitat – Species of Conservation Concern – 150 metres (492 feet) from the centres of the nests
- All other features – 50 metres (164 feet).

For the purposes of a specific development application, the adjacent lands contiguous to a specific feature may be varied from these standards, where documented and justified to Council's satisfaction.

OPA
No. 2

4.2.5 Development and site alteration is not permitted in:

- Significant habitat of endangered and threatened species; and
- Provincially Significant Wetlands.

OPA
No. 2

4.2.6 Where development is proposed within a wetland identified on the County of Haliburton Wetland Mapping or within adjacent lands, screening of the development will be undertaken as follows:

- Where a development proposal will extend into the identified wetland area, the applicant will undertake a site assessment to accurately delineate the wetland boundaries. If the development is determined to occur within the wetland, then the applicant will undertake a Natural Heritage Evaluation demonstrating that there will be no negative impacts to the wetland feature or its ecological function.
- Where a development proposal is located within the adjacent lands to a wetland, as set out in Section 4.2.4, the applicant will undertake a scoped



Natural Heritage Evaluation demonstrating that there will be no negative impacts to the wetland feature or its ecological function.”

OPA
No. 2

4.2.7 Council will consider an application for development or site alteration within the following areas where it has been demonstrated through a Natural Heritage Evaluation that there will be no negative impacts on the natural features or their ecological functions:

- Lands adjacent to significant habitat of endangered and threatened species;
- Fish Habitat identified on Schedule “B” and adjacent lands;
- Lands adjacent to Provincially Significant Wetlands;
- Significant Wildlife Habitat; and
- Areas of Natural and Scientific Interest and adjacent lands.

OPA
No. 2

4.2.8 Within the Moose/Deer Wintering Areas designation, or its adjacent lands, where the proposed development is the creation of lots by consent, or further development on no more than four abutting lots in a Waterfront area, Council may exempt the applicant from having to submit a natural heritage evaluation, only if the development approval includes a consent agreement and/or zoning by-law that requires:

- minimum lot frontage of 90 metres (295 feet); and,
- that at least 80% of the shoreline frontage to a depth of 30 metres (98 feet) will be maintained in its natural state.

OPA
No. 2

4.2.9 Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.

4.2.10 A natural heritage evaluation will be conducted using the Natural Heritage Reference Manual and supporting technical manuals produced by the Ministry of Natural Resources as a guide. The study area for the natural heritage evaluation will be the entire significant natural heritage feature and its adjacent lands. The evaluation will consider how to maintain, and where possible improve, the diversity of natural features in the study area and the connections between them. If in the course of a natural heritage evaluation, the applicant becomes aware that the study area includes actual habitat of endangered or threatened species, the applicant will advise the Township at the earliest opportunity.

4.3 Municipal Heritage Register

OPA
No. 2

4.3.1 Certain significant natural heritage features are not appropriate for designation on Schedule “B”, either because their locations may well change in the short to medium term, or because they could be prone to vandalism or destruction if their locations were known to the general public.

OPA
No. 2

4.3.2 With the assistance of the Ministry of Natural Resources, the Township will maintain a register of the following features. The identification and location of



these features into the register will be of equal validity for purposes of the Plan, as if the features were designated on Schedule “B”.

- Significant parts of the habitat of endangered and threatened species. Access to this information will be restricted to the extent required by the Ministry of Natural Resources.
- Significant Wildlife Habitat – Species of Conservation Concern. This information will be used to supplement Schedule “B” on a short to medium term basis.

4.4 Water Resources

4.4.1 The Township recognizes the importance of maintaining and improving the quality and quantity of groundwater and surface water. As such, the function of watercourses and sensitive ground water recharge/discharge areas, aquifers and head water areas will be protected or enhanced. All major development applications, including plans of subdivision and water taking industries, shall be supported by hydrological and terrain analysis reports and nitrate impact assessments where there may be an impact on ground or surface water resources. An impact assessment of development on a surface waterbody will also be required for major development adjacent to a waterbody. These studies, among other matters, will address the impacts of the proposed development on ground and surface water resources.

4.4.2 Development and site alteration will be set back from all watercourses within the Township in order to protect the natural features and functions of the watercourse, provide riparian habitat, and minimize the risk to public safety and property. In general, development and site alterations should be set back a minimum of 30 metres (100 feet) from the high water mark of lakes, rivers and streams.

OPA
No. 2

In cases where these setbacks are not achievable, the greatest setback possible will be required, subject to the provisions of Section 5.2.6.13.

4.5 Lake Capacity

4.5.1 General Policy

4.5.1.1 The municipality has considerable interest in maintaining the quality of its water resources.

4.5.1.2 Before approving any development proposal adjacent to a lake, Council must be assured that the proposed development will not exceed the capacity of the lake to accommodate development. The Plan recognizes three factors as limiting lake capacity:

- water quality;
- surface capacity for recreation; and,
- shoreline development capacity.



4.5.2 Water Quality

4.5.2.1 Until a municipal or county lake monitoring program is in place, the Township will use the provincial water quality monitoring program for coldwater fisheries management to assist in the determination of whether development can proceed based on its impact on water quality.

OPA
No. 2

4.5.2.2 The Ministry of Natural Resources, in association with the Ministry of the Environment, has undertaken a sensitivity analysis of the development capacity of lake trout lakes throughout the Township of Algonquin Highlands. These lakes are all sensitive to new development and based on analysis, some of these lakes have been determined to be at capacity for development.

4.5.2.3 Council recognizes the importance of cold water lakes and streams within the Township. Therefore, development shall only take place in a manner that does not adversely affect the habitat essential to the maintenance of a healthy cold water fishery.

4.5.2.4 The lakes listed below have been identified by the Ministry of Environment and Ministry of Natural Resources as lakes with naturally reproducing lake trout populations, and, according to existing and modelled water quality conditions, these are highly sensitive to further shoreline development. The following lakes are considered to be at development capacity:

OPA
No. 2

- Bear Lake;
- Beech Lake;
- Clinto Lake (Hardwood Lake);
- Eighteen Mile Lake;
- Fletcher Lake;
- Kabakwa Lake (Peach Lake);
- Kushog Lake, North and South Basins;
- Livingstone Lake;
- Lower Fletcher Lake;
- Maple Lake;
- McFadden Lake (Crozier Lake);
- Nunikani Lake; and,
- Oxtongue Lake.

OPA
No. 2

4.5.2.5 Existing development rights are recognized on the lakes listed in Section 4.5.2.4. New development within 300 metres of the high water mark of an at capacity lake trout lake shall not be permitted unless unique or special circumstances allow the development to occur. Prior to the approval of the development proposal, detailed studies will be required to demonstrate that the physical features, design and siting of the development will not have an adverse impact upon the quality of the lake and related lake trout habitat. These studies shall be prepared by a qualified professional, to the satisfaction of Council (which may include peer review) and at the expense



of the proponent The Ministry of the Environment and Ministry of Natural Resources shall be consulted in these circumstances.

4.5.2.6 Council will not consider any application that involves the creation of a new lot, lifestyle or cluster residential units, or any non-residential development, on the shorelines of lakes listed in Section 4.5.2.4, unless at least one of the following applies.

- Each created and retained lot has an existing dwelling, septic tank and tile field, and its use is and will remain residential.
- If the proposed development is residential, it is eligible for an approved pilot program of the Ministry of Municipal Affairs and Housing to evaluate alternative phosphorus removal technologies, and the applicant and the Township are prepared to enter into agreements required by the pilot program to the satisfaction of the Ministry.
- If the proposed development is non-residential and it does not involve or require any new individual on-site or communal sewage disposal systems, or expansion of existing systems and includes appropriate stormwater management design.
- Any new individual on-site or communal sewage disposal systems, or expansion of existing systems, will use technologies recognized by the Ministry of Municipal Affairs and Housing and the Ministry of the Environment as causing no increase in phosphorus inputs over those existing before development.
- The tile fields on each new lot are set back at least 300 metres from the shoreline of the lake, or the tile fields on each new lot are located in a way that they will drain into the drainage basin of another waterbody, which is not at capacity.
- The proposed development has a scale and density that is less than currently exists on site, and shall demonstrate a net reduction of the phosphorus loading on the lake. Prior to the redevelopment being approved, a lake impact assessment shall be completed to the satisfaction of the approval authority. The lake impact assessment shall among other matters, provide recommendations on implementation tools related to hydro-geology, soils and vegetation matters on site.
- A site alteration, site plan control and tree cutting by-law are in place for the property and a site specific soils investigation, prepared by a qualified professional, demonstrates that phosphorus can be retained in deep, native, acidic soils on-site, to the satisfaction of the Ministry of the Environment.

OPA
No. 2

OPA
No. 2

4.5.2.7 Lakes that are moderately sensitive to additional shoreline development and are nearing development capacity in terms of water quality may require further detailed studies prior to approval of a development application. Council shall consult with as part of the development approval process to determine the appropriateness of the development proposed, and the need for the proponent to undertake an environmental impact study. The following lakes have been identified by the Ministry of Environment and the

OPA
No. 2



Ministry of Natural Resources as Lake Trout lakes that are not yet at development capacity:

- Big Hawk Lake;
- Boshkung Lake;
- Clear Lake;
- Halls Lake;
- Kawagama Lake;
- Kimball Lake;
- Little Hawk Lake;
-
- Louie Lake;
- Raven Lake;
- Red Pine Lake;
- Sherborne Lake; and,
- St. Nora Lake

OPA
No. 2

4.5.2.8 A minimum setback of 30 metres from the high water mark is recommended for any development or site alterations on lake trout lakes listed in Section 4.5.2.7. There shall be no disturbance to the soil or vegetation within this setback, with the exception of a minimal amount of shoreline activity area.

OPA
No. 2

4.5.2.9 Council shall consult with the Ministry of the Environment and the Ministry of Natural Resources as part of the development approval process for development applications on lakes listed in Section 4.5.2.7 to determine the appropriateness of the development proposed, and the need for the proponent to undertake an environmental impact study.

OPA
No. 2

4.5.2.10 Major development proposals (i.e. multi-lot plan of subdivision) within 300 metres of a waterbody, other than an at capacity lake trout lake, will require a lake impact assessment to determine if the lake can accommodate development without adversely affecting water quality.

4.5.3 Surface Capacity for Recreation

4.5.3.1 Research has established relationships between recreational development on a given lake, and the resulting use of the lake's surface area for fishing, boating, swimming, water skiing, and other related activities. Beyond a certain limit, the amount of recreational use on a given lake will significantly reduce its attractiveness for shoreline residents and visitors. As well, in some circumstances, recreational boating can intensify to the point where public safety is at risk.

4.5.3.2 All new development must satisfy the provincial requirements for sewage and water systems.



- 4.5.3.3 If Council determines that proposed shoreline development applications could unduly add to existing aquatic recreational stresses, conflicts, and hazards, it may require that an applicant submit a boating capacity study. This study will demonstrate to Council's satisfaction that the boating activity generated by the proposed development will not unduly add to existing aquatic recreational stresses, conflicts, and hazards; that any impacts can be mitigated so that the lake's recreational attractiveness will be maintained or enhanced; and, that issues of public safety are minimized. Council may impose conditions of approval to ensure the implementation of impact mitigation recommendations.

4.5.4 Shoreline Development Capability

- 4.5.4.1 Council may consider an application for development that involves the creation of a new lot, lifestyle or cluster residential units, or any non-residential development, adjacent to a waterbody, provided that the applicant submits a site evaluation report as described in Section 4.5.4.2. This report will demonstrate, to Council's satisfaction, that the subject lands are suitable for the proposed development and that the development will not be unduly constrained by the site limitations.

OPA
No. 2

- 4.5.4.2 Where this Plan requires submission of a site evaluation report, the document will include an assessment of existing features including:

- slopes;
- soil depth to bedrock or 1.3 metres, type, and internal drainage;
- shoreline and upland vegetation;
- overland drainage;
- fish and wildlife habitat;
- natural and cultural heritage protection; and,
- access.

In addition, the report will indicate the location of existing and proposed buildings, structures, tile fields, golf holes and ski hills (if applicable), and proposed site alterations relative to the shoreline and to existing and proposed lot lines. As well, it will need to demonstrate whether lot frontages and areas, building structure, tile field, golf hole and ski hill setbacks, and natural buffers from surface water tributaries, lakes and wetlands, are adequate for protecting such features, their functions and landscape aesthetics. The site evaluation report will need to substantiate that the policies in Section 4.4 can be met.

- 4.5.4.3 Council will prescribe more detailed requirements for site evaluation reports, tailored to the scale of development. These may range from a short form for development creating or further developing a single residential lot, to a detailed professional study for large-scale development.



4.5.5 Lake Trophic State

- 4.5.5.1 Lake trophic status is an indicator of nutrient levels based on total phosphorous levels and is a lake capacity factor which can limit development. Increased phosphorous inputs resulting from development is a concern on all lakes.
- 4.5.5.2 The Township will encourage and support the continued and enhanced monitoring of lake trophic state by the Ministry of Environment and lake associations. The Township will use the results in reviewing the policies of this Plan and, where appropriate, individual development applications. If Council determines that a proposed development has the potential to impair lake trophic status, it may require the applicant to undertake a lake impact assessment prior to approval to ensure that water quality of the lake is protected. Development on cold water lakes shall follow the policies outlined in Section 4.5.

4.6 Floodway Management

- 4.6.1 The erection of buildings or structures, or the removal or placing of fill of any kind, shall be prohibited except where such buildings or structures are intended for flood or erosion control or bank stabilization. Minimal development of shoreline structures (docks, boat ramps) may be permitted.
- 4.6.2 Similarly, development should not be permitted on other lands not specifically identified, but where flooding is known to occur. In these instances, development may be permitted after the proponent has undertaken studies to confirm that development in that location can occur in a safe manner with no impact to existing development up or down stream.
- 4.6.3 The following development shall not be permitted to locate within an identified Floodplain or where flooding is known to occur:

OPA
No. 2

- An institutional use associated with hospitals, nursing homes, pre-school nurseries, day care and schools, where there is a threat to the safe evacuation of the sick, the elderly, persons with disabilities, or the young during an emergency as a result of flooding, failure of flood proofing measures or protection works or erosion;
- An essential emergency service such as that provided by fire, police and ambulance stations and electrical substations, which would be impaired during an emergency as a result of flooding, failure of flood proofing measures or protection works or erosion; and,
- Uses associated with the disposal, manufacture, treatment or storage of hazardous substances.

4.7 Forestry and Forest Management

- 4.7.1 Forest areas are to be preserved and increased to the greatest extent possible.



- 4.7.2 The Township recognizes the importance of forestry operations and encourages sound forest management practices, as per current legislation and regulations, on all lands in the Township.
- 4.7.3 Restoration and tree planting efforts should be directed to areas that would create or re-establish natural corridors such as river and stream riparian areas.

4.8 Recreation

- | |
|--------------|
| OPA
No. 2 |
|--------------|

 4.8.1 The Township recognizes the value of trails in helping to promote health, tourism, economic development and transportation.
- | |
|--------------|
| OPA
No. 2 |
|--------------|

 4.8.2 The Township will support the development of a co-ordinated series of recreational trails, including water trails, in appropriate locations, particularly along unopened road allowances.
- 4.8.3 Trails created through private agreements and trails which connect to other municipalities are encouraged.

4.9 Soil Conservation

- 4.9.1 The Township will support measures to protect soils from wind erosion, flooding and other natural hazards.

OPA No. 2

4.10 Landscape Conservation

- 4.10.1 The conservation of the overall natural landscape, tree cover and vegetation will preserve the natural appearance, character and aesthetics of the area and protect the natural heritage of the Township. Natural features provide economic, environmental and social benefits. They contribute to the conservation of biological diversity, to the maintenance of the quality of the air, land and water, and are critical elements of the quality of life in the Township.
- 4.10.2 Significant natural landscape features such as watercourses, heights of land, rock faces or cliffs, waterfalls, rapids, beaches, vistas and panoramas, and landmarks should be conserved. Development should be located and designed to protect these features. Where feasible, dedication or acquisition of such land for the purpose of conservation is encouraged. Conservation easements will be promoted to protect these features.
- 4.10.3 Important scenic sites as well as the scenic character of road, pedestrian, river, lake, boating and portage routes should be preserved and development and site alteration should occur in a manner that maintains those scenic values.
- 4.10.4 The lake horizon, being both the shoreline and the tree line along a lake, are recognized as important contributors to a lake's character and landscape. When viewed from the water, the visual impact of development is an important consideration in maintaining the character of a waterbody. The natural environment is intended to be the dominant landscape feature around a waterbody. Disturbance on lots should be limited and minimized and the maximum amount of vegetation should be retained on a lot. Vegetation should be maintained along the shoreline and on skylines, ridge lines or adjacent to the top



of rock cliffs. The extent of shoreline structures should be limited and structural development that would create a new skyline or ridgeline above the tree canopy will not be permitted.

4.11 Steep Slope and Erosion Areas

- 4.11.1 Development will be set back from areas exhibiting steep slopes (greater than 20%) or active erosion. The setback distance will be determined on site in consultation with a qualified specialist. A reduction of the setback distance will be considered only when supported by a geotechnical investigation prepared by a soils expert. The geotechnical investigation shall be prepared to the satisfaction of the appropriate approval authority.

4.12 Implementation

- 4.12.1 The Township may establish a restrictive environmental zone or zones in its zoning by-law that will limit the uses permitted to 'conservation uses'. All provincially significant wetlands, and other environmental areas deemed significant by the Township may be placed in the environmental zones.



Section 5 Land Use designations

5.1 Settlement Areas

- 5.1.1 Settlement Areas in the Township of Algonquin Highlands are shown on Schedule “A”, and include:
- Carnarvon;
 - Dorset;
 - Hall’s Lake; and,
 - Oxtongue Lake.
- 5.1.2 These settlement areas are the focal points of the community, have a relatively well-defined structure, and are recognized for their historical significance in the development of the Township.
- 5.1.3 The predominant use of the land in Settlement Areas is for residential use, but commercial, community facilities, recreational open space and industrial uses may be developed, on individual private services.
- 5.1.4 Infill development and development on lots smaller in size than generally permitted in the rural area may be considered, so long as the development is still serviced with private, individual water and septic services.
- 5.1.5 Access to individual residential lots shall be from internal roads constructed to municipal standards. New residential development shall not proceed on private roads.
- 5.1.6 Limited new development is anticipated in these areas, with the exception of Carnarvon, where the development potential is greater.
- 5.1.7 A business core in Dorset shall contain of a variety of land uses such as commercial, recreational, residential, industrial, community facilities and open space. The business core should be the primary focus for further development where practicable. Where this is not possible because of limitations of servicing, land area, etc, development shall be encouraged to locate in other designated areas within the Settlement Area. Landscaping and design elements that maintain and emphasize the unique setting and special character of this area shall be a priority when reviewing development applications in the business core of Dorset.
- 5.1.8 A future road connection is proposed in Dorset in Part of Lot 29, Concession A (re-alignment of Harvey Street, east of Highway 35) as shown on Schedules “A” & “B”. Industrial/Commercial lands abutting the future road connection shall not be developed until the road is constructed up to municipal standards and is in a condition appropriate for the intended use. Entrances shall be constructed so as to not create a traffic hazard and the design efficiency or intended use of the road shall not be impaired. The lands may be subject to a (H) holding symbol in the zoning by-law. (formerly Section 3.4.3.3h of the existing Official Plan)



5.1.9 Regardless of a property's identification in a settlement area, the Waterfront policies of this plan shall apply to any lot with frontage on a shoreline located within an identified settlement area.

OPA
No. 2

5.1.10 New development is encouraged to make efficient use of land and infrastructure, accommodate active transportation needs, and encourage mixed use and a range of housing options that can be serviced by private sewage disposal and water supply systems.

OPA
No. 2

5.1.11 An expansion to the Settlement Area boundaries shall be permitted only at the time of comprehensive review and where it has been demonstrated that:

- Sufficient opportunities for growth are not available within designated growth areas or through intensification and redevelopment to accommodate the projected needs over the identified planning horizon;
- The infrastructure and public service facilities which are planned or available are suitable for the development over the long term and protect public health and safety;
- There will be no negative impacts on significant natural heritage areas; and
- Other issues as deemed appropriate and necessary.

5.2 Waterfront

5.2.1 Principles and Identification

OPA
No. 2

Waterfront areas are those properties that front on, are adjacent to, or have an influence on any lake, river or stream, and generally includes patented property within 150 metres of an accessible shoreline, as shown on Schedule "A".

5.2.2 Permitted Uses

5.2.2.1 The following uses may be permitted within the waterfront designation:

- residential uses;
- commercial uses, limited to tourist, marina and waterfront contracting related uses;
- open space and conservation uses; or,
- waterfront landings.

5.2.3 Servicing and Access Requirements

5.2.3.1 Development in the waterfront area will generally be serviced by private individual water and sewage systems.

5.2.3.2 Development will have frontage on, and access from, a year round maintained, public road, wherever possible, however, development of shoreline lots may be permitted with the following access and in compliance with the relevant policies of Section 8:

- a seasonally maintained public road;
- a private road, with a legal right of way on an infill basis only; or,
- water access.



OPA
No. 1

5.2.3.2a Notwithstanding clause 5.2.3.2, one plan of subdivision consisting of 13 waterfront residential lots and associated blocks, may be permitted on the basis of a private road with a legal right-of-way, on those lands adjacent to Hindon Lake within Part Lots 4 – 6, Concession A, Part Lot 1, Concessions 2 & 3 and Part Lot 2, Concession 3, geographic Township of Stanhope, as shown on Schedule A4.

5.2.3.3 Development of shoreline lots with only water access will only be permitted where:

- road access is not available;
- road access cannot be provided by way of an extension from an existing road in the vicinity; and,
- adequate docking and parking facilities are secured on the mainland to the satisfaction of the Township.

5.2.4 Lake Carrying Capacity

All policies contained in Section 4 of this Plan generally, and Section 4.5 specifically, shall apply to any property with frontage or potential impact on a waterbody.

5.2.5 Protection of the Shoreline

5.2.5.1 To maintain an appropriate balance between a natural shoreline and built form within the waterfront designation, shoreline activity areas should be focused within a defined area of the shoreline frontage of a lot and minimized in extent. The extent of the shoreline activity area will be considered within the following targets:

- A maximum of 30% of the shoreline frontage or up to 15 metres, whichever is the lesser, for shoreline residential development;
- A maximum of 30% of the shoreline frontage or up to 30 metres, whichever is lesser, for commercial development or waterfront landings;
- A maximum of 50% of the shoreline frontage or up to 45 metres, whichever is the lesser, for marinas.

5.2.5.2 The remaining shoreline frontage should be retained or restored as a natural vegetative buffer, which is at least 30 metres (100 feet) in depth from the normal or controlled high water mark, in order to:

- protect the riparian and littoral zones and associated habitat;
- prevent erosion, siltation and nutrient migration;
- maintain shoreline character and appearance; and,
- minimize the visual impact of development.

5.2.5.3 Within the natural vegetative buffer, meandering pathways or access points to the shoreline that are constructed of permeable material, pruning of trees for viewing purposes, or the removal of trees for safety reasons may be permitted, but should be specifically designed, and located.

OPA
No. 2



5.2.6 Residential Land Use Policies

- 5.2.6.1 Residential use in the waterfront designation will be restricted to single detached dwellings located on individual lots.
- 5.2.6.2 Residential development shall take the form of a single tier of linear development along the shoreline.
- 5.2.6.3 Unless otherwise specified elsewhere in this Plan, the minimum lot frontage for new lot creation shall be 60 metres (200 feet) and the minimum lot area shall be 0.4 hectares (1 acre).
- 5.2.6.4 Larger minimum frontages and areas may be appropriate to reflect the character of a particular lake, or to respond to the environmental constraints on a site.
- 5.2.6.5 Circumstances may occur where reduced requirements are appropriate and desirable. Variances to these standards may be considered by zoning amendment or application to the Committee of Adjustment provided the intent of the Plan is maintained and, where the land has features that compensate for the deficiencies from the requirements. Situations in which variances may be considered include a property with large frontage and a smaller lot area, or a large lot area with a somewhat reduced frontage. Increased building setbacks and landscaping measures that maintain or enhance the visual integrity of the area may be required as conditions of development in such instances.
- 5.2.6.6 Wherever possible, existing, undersized shoreline lots should be merged to create larger parcels. Development of existing undersized lots for residential use may be permitted where it has been demonstrated to the satisfaction of the Township, that the lot is suitable for development and all other applicable policies of the Plan are satisfied. Existing vacant lots of record that are below 30 metres of frontage and .3 hectares in area may be considered for development subject to the processing of a zoning amendment or variance application which establishes site specific regulations. A site evaluation report may be required by the Township to confirm the suitability of the lot for development.
- 5.2.6.7 Back lot development is generally considered a second tier of single detached dwellings on individual lots that are physically separated from the shoreline by a legally conveyable parcel of patented land that has been developed or has development potential. Back lots are usually located in a linear fashion along a road, which generally runs parallel to the shoreline, but back lots may also be located on a road that runs perpendicular to the shore.
- 5.2.6.8 New residential back lots will have a minimum lot area of 2 hectares (5 acres) with a minimum of 90 metres (300 feet) of lot frontage on a year round maintained road.
- 5.2.6.9 Where more than one dwelling exists on a property in a residential compound type situation, the existing development may be permitted, but



the addition of any further dwellings on the property should not be permitted. Expansion of existing buildings or structures or the addition of accessory structures should only be permitted where the intent and principles of the plan will be addressed.

5.2.6.10 Setbacks will be implemented through zoning:

- to establish vegetative buffers for shoreline protection and the protection of habitat, wetlands or other sensitive natural areas;
- to maintain a natural area between buildings, reduce the dominance of built form, ensure compatibility, maintain privacy and attenuate noise; and,
- in the case of shoreline structures, to allow for the movement of boats to boathouses and docks while generally maintaining views and privacy between neighbouring properties.

5.2.6.11 Setbacks are utilized to attenuate phosphorus loadings from storm water as well as to maintain the natural integrity of shorelines, including fish and wildlife habitat. Setbacks are also utilized to reduce or soften the visual impact of development on a lot. Vegetation within the setback should be disturbed as little as possible, and the soil mantle should not be altered.

OPA
No. 2

5.2.6.12 In general, development and site alteration, with the exception of approved shoreline structures, should be set back a minimum of 30 metres (100 feet) from the high water mark of lakes, rivers and streams.

5.2.6.13 A lesser setback may be permitted if:

OPA
No. 2

- it is not physically possible, due to terrain or lot depth features, to meet the required setback on existing vacant lot of record that was in existence prior to August 29, 2005;
- in the case of redevelopment of a property, the imposition of the new setback would result in a more negative impact on the property than allowing reconstruction at the existing setback; and,
- a site evaluation report in support of the request to reduce the setback is submitted, to the satisfaction of the Township (which may include peer review) and at the expense of the proponent.

5.2.7 Commercial Land Use Policies

5.2.7.1 Waterfront commercial uses include:

- tourist commercial uses, which include resort and service commercial uses, and private and public children's camps;
- marinas, which are facilities, buildings and structures located on the shoreline which provide docking, mooring, sales, service, repair and storage of boats; and,
- waterfront contracting operations, located on the shoreline which provide construction, building and barging services to the waterfront community.



- 5.2.7.2 The continued operation, upgrading, expansion and redevelopment of existing commercial properties within the waterfront will be encouraged and facilitated.
- 5.2.7.3 Appropriate limits for the upgrading, expansion or redevelopment of each existing waterfront commercial use will be established by zoning for individual sites. Such limits will ensure that:
- the location, size, characteristics and capacity of the property will be addressed;
 - any increased density of development or intensity of use (such as buildings, structures and facilities, floor area, rooms, boat slips, lot coverage, recreational and leisure facilities) will be appropriate for the site;
 - adequate access and services, including water supply and waste disposal, will be available;
 - compatibility with surrounding properties will be addressed; and,
 - the phasing of development can be accommodated, where appropriate.
- 5.2.7.4 Since the location and impact of new commercial activities cannot be anticipated, new waterfront commercial uses will proceed by amendment to this Plan. Such an amendment should also establish policies to guide the scale, size and density of development, and recognize and respond to the characteristics and capacity of the particular site. At a minimum, the consideration of a new waterfront commercial use through the amendment process will ensure:
- the intent of the plan will be maintained;
 - the site is suitable for the use proposed (appropriate density, intensity of use, location of buildings and structures, and type of facilities);
 - the water frontage is adequate and suitable for the use proposed;
 - adequate potable water and sewage disposal can be provided;
 - access routes are appropriate or can be upgraded to accommodate the additional traffic;
 - the proposal will be made compatible with surrounding properties; and,
 - commercial development will be set back a minimum of 30 metres from the high water mark.
- 5.2.7.5 Waterfront commercial uses, particularly resort commercial and institutional accommodation, should incorporate substantial active and passive open space areas, and integrated recreational facilities.
- 5.2.7.6 All waterfront commercial development will be subject to site plan control.



5.2.8 Open Space and Conservation Uses

- 5.2.8.1 Open space and conservation uses are encouraged throughout the Waterfront designation. The predominant use of lands shall be for passive and active recreation and conservation purposes.
- 5.2.8.2 Permitted uses shall include public parks and access areas for hiking, picnicking, cross-country skiing, snowmobiling, angling, or other similar outdoor recreational activities. Conservation areas including nature study and wilderness areas and private parks (exclusive of campgrounds, trailer parks, or golf courses).
- 5.2.8.3 Only those buildings and structures incidental to the principal permitted recreational uses shall be permitted.
- 5.2.8.4 Recreational uses shall be compatible with adjacent land uses and, where necessary, such facilities shall be designed in such a manner so as to provide adequate spatial separation, buffering, landscaping and/or fencing to ensure that any adverse effects associated with such uses are minimized.
- 5.2.8.5 Open Space areas may be zoned in a separate classification in the implementing by-law where suitable regulations and provisions are established to govern the use and development of such lands.

5.2.9 Waterfront Landings

- 5.2.9.1 Waterfront landings and individual access points are facilities which provide mainland docking and parking facilities required for water access properties. These facilities are generally considered to be accessory to a primary residential or waterfront commercial use. Waterfront landings and individual access points will not include facilities normally associated with a commercial marina use, such as vessel or vehicle sales or rental, fuel storage or sale, or extensive storage structures.
- 5.2.9.2 Waterfront landings and individual access points may be permitted or expanded provided the following matters are addressed and implemented through zoning, site plan, or other municipal agreements:
- the property has adequate area and frontage to accommodate the facility;
 - sufficient docking and parking facilities will be provided to serve the primary residential use;
 - the property, particularly the shoreline, is suitable for the use;
 - access to and from the facility by both water and land is suitable;
 - the facility will not have a negative impact on environmentally sensitive areas, habitat, or heritage areas;
 - the facility will be designed in a manner that is compatible with abutting properties;



- parking facilities will be setback at least 30 metres (100 feet) from the normal or controlled high water mark and a natural vegetative buffer will be maintained within the setback area; and,
- storm water management and construction mitigation is addressed.

5.2.9.3 New waterfront landings and individual access points will be secured through ownership or a registered right of way.

5.2.9.4 The establishment or expansion of a waterfront landing will be subject to site plan control.

5.2.10 Lake Plans and Strategies

OPA
No. 2

5.2.10.1 Council encourages the preparation of Lake Plans and Strategies as a tool to establish and improve communication and good land stewardship practices amongst those who share a lake community and to articulate lake specific principles and goals.

OPA
No. 2

5.2.10.2 Each lake possesses its own character that is a result of its location, size, physical attributes, access and historic development. The mix of uses, extent of natural features and constraints, and individual historic lot standards all combine to generate the uniqueness of a given lake. Lake Plans and Strategies may be developed for specific lakes in the Township that address: different minimum lot standards for new lot creation; regulate redevelopment activities; access requirements; lake level management; fisheries; septic system maintenance and re-inspection, and other issues important to the lake community.

OPA
No. 2

5.2.10.3 The following matters should be addressed where appropriate through a specific Lake Plan:

- Definition of the characteristics and character of the Lake;
- Place in the watershed, drainage basin and related waterways;
- Topography, landscape, shoreline features and hazards;
- Areas of natural constraint to development;
- Shoreline constraints and influences;
- Cultural heritage and historic development;
- Identification of current land use on lake with distinct areas and neighbourhoods shown and type of vegetation cover around lake;
- Sensitive boating issues/areas;
- Public and private open space, recreation areas or trails;
- Access;
- Development potential and capacity;
- Natural areas or landscape features to be preserved;
- Noise and light pollution;
- Water quality; and,
- Specific policies and standards for development.

OPA
No. 2

5.2.10.4 Lake Plans prepared for individual lakes often go beyond land use planning considerations. The land use planning components of a Lake Plan may be



implemented as an Amendment to this Plan. Other features of a Lake Plan will be implemented through the efforts of individual ratepayer organizations.

OPA
No. 2

5.2.10.5 The Township will maintain a registry of Lake Plans that have been prepared within the Township.

OPA
No. 2

5.2.10.6 Development will be encouraged to have regard for the values, principles, policies and stewardship features of individual Lake Plans.

OPA
No. 2

5.2.10.7 Council will have regard for those provisions of the Lake Plan that are related to municipal planning policy but are not yet incorporated into this Official Plan by formal Amendment.

5.3 Rural

5.3.1 Principles and Identification

5.3.1.1 The Rural designation applies to a substantial portion of the land in the Township and generally includes all lands that are not designated Settlement Area, Waterfront or Wilderness.

5.3.1.2 The preservation and promotion of the rural character of the Township and the maintenance of the open countryside are basic principles applicable to all development in the Rural designation.

5.3.1.3 To reinforce the impression of an open and natural landscape, the development pattern will continue to be characterized by large wide lots with varying setbacks.

5.3.1.4 The dominant consideration in addressing Rural development proposals will be the impact on the rural character of the Township. Preservation of the open, natural appearance of the countryside will be a priority. To achieve this, a traditional, low density, dispersed development pattern will be encouraged.

5.3.1.5 Rural estate residential development with more than four lots created shall proceed by registered plan of subdivision. Appropriate studies will be required to determine whether the land has an acceptable supply of potable water and can support the effective operation of a private waste disposal system. Development for more than five lots will require a Water Supply Assessment and Ground water Impact Assessment. An amendment to this Plan shall be required to permit the development of rural estate residential uses.

5.3.2 Permitted Uses

5.3.2.1 Permitted uses include:

- a single detached dwelling;
- a semi-detached or duplex dwelling;
- a hunt camp;



- accessory businesses including home occupations, home industries, and bed and breakfast establishments;
- agricultural uses;
- existing extractive operations;
- forestry uses;
- kennels;
- low intensity recreational activities;
- resource management uses;
- uses in connection with government utilities or departments, and,
- institutional and public uses.

5.3.2.2 Certain other uses may be appropriate on land in the Rural designation, however, their potential for off-site impacts cannot be determined in advance and should be reviewed on a site-by-site basis. Uses such as major recreation uses, commercial and industrial ventures, institutional developments, or resource based operations, may be allowed by site specific zoning amendment, but will not require an amendment to this Plan so long as the general intent of the Plan is maintained.

5.3.3 Development Policies

5.3.3.1 Lot areas and frontages will be sufficient to retain the traditional development pattern and character of the area in which the development is proposed. In this regard, the following provisions apply:

- lot frontages will not be less than 90 metres (300 feet) nor lot areas less than 2.0 hectares (5.0 acres); and,
- a variety of larger lot areas and frontages will be encouraged in any development proposal to enhance the rural character of the Township.

5.3.3.2 Variable setbacks, rights-of-way, larger or smaller frontages, and/or limits to building heights or building envelopes, may be implemented through the Zoning By-law, in order to further the rural design principles of this Plan.

5.3.3.3 Lot creation should incorporate the following design considerations:

- any new lot shall have frontage on a publicly owned and publicly year round maintained road;
- the lots will maintain the character of the area in which they are being developed;
- the physical features of the property will be maintained and major earth moving projects will be discouraged;
- if the property subject to a consent application is located partially or completely within a Natural Feature area shown on Schedules "B" and "C", or in another natural feature discussed in Section 4, specific measures may be required to protect the natural feature(s) on, or in the vicinity of, the site;



- the lots shall have sufficient area to accommodate an on-site sewage disposal system and a potable water supply;
- entrances shall not create a traffic hazard; and,
- the appearance of a continuous row of residential development will be discouraged.

5.3.3.4 When residential severances are proposed, zoning amendment, subdivision, consent, and site plan control processes may be used to ensure that the proposed development is in keeping with the rural character of the area.

5.3.3.5 Accessory home businesses are expected to occur either as home occupations or home industries, as defined in the Zoning By-law. Such uses may be recognized where they would be at a scale consistent with existing uses, and where there would be no nuisance effects on surrounding properties, no significant environmental impacts, and no significant increase in traffic. Site plan control may be used in cases where a home business is to be recognized by Council.

5.3.4 Agricultural Land Uses

5.3.4.1 Agriculture is recognized as a traditional rural use which contributes to the character and landscape of the rural designation. For the purpose of this Plan, agriculture is considered in a broad sense, and includes traditional agricultural uses as well as specialized or alternative operations such as maple sugar operations or hobby farms.

5.3.4.2 The preservation of existing agricultural uses will be supported, and sensitive uses should not be permitted adjacent to existing agricultural operations unless potential impacts can be mitigated.

5.3.4.3 New agricultural operations will be encouraged in the rural area where:

- they are on a parcel of land which is of sufficient size; and,
- environmentally sensitive areas and heritage areas will be protected;

5.3.4.4 New land uses and lots will comply with the Provincial Minimum Distance Separation I formulae. New or expanding livestock operations will comply with the Provincial Minimum Distances Separation II formulae.

5.3.4.5 Agricultural lots will be of sufficient size to:

- accommodate the agricultural use proposed;
- avoid negative impacts on the environment; and,
- avoid negative impacts on ground and surface water quality.

5.3.4.6 Adequate setbacks and buffers will be maintained on agricultural properties along property lines, to ensure compatibility with abutting uses.



5.3.5 Nutrient Management

- 5.3.5.1 The Township will encourage the management of materials containing nutrients in ways that will enhance the protection of the natural environment and provide a sustainable future for agricultural operations and rural development.

5.3.6 Rural Residential

- 5.3.6.1 Rural Residential development is considered to be single detached dwellings serviced with individual water and septic services, located on large lots which front on existing publicly owned and year round maintained roads.
- 5.3.6.2 Rural Residential development should be directed to areas where residential development exists and would be compatible, and should not be located in remote, undeveloped areas, or in close proximity to:
- existing or known mineral or aggregate deposits;
 - aggregate or other resource related industry or activity;
 - incompatible rural industries or businesses;
 - farm operations where a land use conflict would result;
 - incompatible public uses or facilities;
 - hazards or development constraints; or
 - areas of natural features including heritage areas, wetlands, fish or wildlife habitat.

5.3.7 Rural Business

- 5.3.7.1 Rural business includes commercial and industrial uses that are:
- resource related;
 - related to outdoor recreation;
 - space extensive and would not be appropriate in a settlement designation; or,
 - functionally related to, or serving, the rural area.
- 5.3.7.2 Examples of commercial and industrial ventures that may be appropriate in the Rural area include saw mills, fuel wood operations, garden centres, private ski trails, contractors, or boat storage, so long as Council can be satisfied that:
- the proposed use is compatible with the character of the area;
 - adequate water, sewer, parking, loading facilities and landscaping can be provided on site;
 - the use shall not have a negative impact on the enjoyment and privacy of neighbouring properties; and,



- the proposed use is accessed by a publicly owned and maintained year round road that can accommodate the traffic generated by the proposed development.

5.3.7.3 Tourist commercial establishments, including resort commercial establishments, and institutional accommodation or centres may be permitted in the Rural designation by way of a zoning amendment in order to address specific location, development and access concerns.

5.3.7.4 Large scale uses not normally found in the rural area will only be permitted by amendment to this Plan, in order to address specific location, impact, and development guideline concerns.

5.3.8 Other Land Uses (Public and Institutional Land Uses)

5.3.8.1 In considering the establishment of new institutional or public uses, council shall have regard for the following matters in assessing the appropriateness of the location:

- that the proposal is of a scale which may be integrated with the established character of the area;
- that the use is compatible with adjacent land uses and natural features; and,
- that the proposal is accessible from a road that is both publicly owned and publicly maintained on a year round basis.

5.4 Wilderness

5.4.1 This designation applies to all lands in the Township that are owned by the Crown.

5.4.2 It is recognized that the policies of this Plan are not binding on undertakings carried out on Crown Lands by the Crown or its agents, Council will encourage senior levels of government to comply with the policies of this Plan wherever possible. While regulation of Crown lands is outside the jurisdiction of the municipality, the provisions of this Plan are intended to facilitate the utilization of fish, wildlife, minerals and vegetation for economic purposes while ensuring that the quality of the natural environment is maintained, and to facilitate the orderly development and conservation of land and water resources.

5.4.3 The Township supports the development of Crown land for Provincial Parks and Conservation Reserves, to increase the wilderness recreational opportunities available to the residents and visitors of the Township. Other uses and activities supported on Crown managed land include forestry, mining, mineral aggregate extraction, fish and wildlife management, Provincial and Candidate Parks management, management of areas of natural and scientific interest, outdoor recreation and general management of Crown land and water resources.

5.4.4 The Township will pursue, with the Provincial government, the possibility of releasing Crown land in areas where environmental, social, economic, recreational or heritage benefits to the municipality could be accrued.



- 5.4.5 In the event that the disposition of Crown owned land to private ownership occurs, such lands shall be deemed to be in the Rural designation, without the requirement of an amendment to this Plan, until such time as an amendment to a more suitable designation is approved. Where the Province acquires new Crown lands, an amendment to the Official Plan designation shall not be required.
- 5.4.6 The objectives and policies of the Plan for these areas are based on the land-use direction of the Ministry of Natural Resources as described in the Crown Land Use Atlas for Ontario 2004.
- 5.4.7 The provision of outdoor recreation opportunities and the development of resources for the social and economic benefit of residents and visitors shall be encouraged on lands designated as “Wilderness”.

5.5 Mineral Aggregate Resources

- 5.5.1 Mineral Aggregate Resources represent a limited non-renewable resource in the Township. The importance of these resources is recognized.
- 5.5.2 Mineral aggregate operations are governed by the Aggregate Resource Act administered by the Province.

OPA
No. 2

- 5.5.3 The intent of the Mineral Aggregate Resources designation is to identify and protect known non-renewable resources to ensure minerals and mineral aggregates are available at a reasonable cost and located close to markets to meet future needs.
- 5.5.4 Local and regional needs for mineral aggregate should be met with minimal disturbance to the social and natural environment.
- 5.5.5 Mineral aggregate extraction and associated uses are permitted uses within the areas designated “Mineral Aggregate” on Schedule “A”. This designation identifies areas where mineral aggregate extraction is presently carried out and includes known public or private pits or quarries where extraction or harvesting has occurred in the last ten (10) years. Schedule “B” identifies areas where mineral aggregate deposits may exist and have the potential to supply aggregate demand in the future.
- 5.5.6 All extraction operations should be undertaken in a manner that minimizes impacts on the physical environment and adjacent land uses, after issues of public health, public safety and environmental impact have been addressed.
- 5.5.7 New mineral or mineral aggregate operations shall require an amendment to this Plan and the implementing zoning by-law. In addition to the requirements under the Aggregate Resources Act, Council shall require the following information prior to considering an amendment to the Official Plan and zoning by-law:
- A Site Development Plan showing topography, natural features, significant wildlife and vegetation, existing contours, the extent of the development and adjacent land uses;
 - A sketch indicating existing uses within 150 metres of the proposed operation;
 - A description of the location, height, dimensions, and use of all buildings or



structures to be erected on the property including existing grades, final grades, setbacks, stockpile locations and drainage patterns; and,

- A Site Development Plan indicating the proposed rehabilitation of the property and the intended future use of the lands.

5.5.8 A new Aggregate Quarry requiring an Amendment to this Plan shall be limited to areas:

OPA
No. 2

- Farther than 300 metres from a residential or sensitive land use;
- Farther than 1,000 metres from a boundary of a Settlement Area; and
- Farther than 1,000 metres from the Waterfront designation.

5.5.9 The Township may pass a by-law under The Municipal Act to regulate extractive operations. This by-law shall include a provision whereby an applicant who wishes to undertake an extractive operation shall enter into an agreement with the Township prior to Council's enactment of the necessary Zoning By-law. Such an agreement may include:

- arrangements for the rehabilitation of the area after, or in stages during, use;
- timing of blasting or crushing operations;
- visual screening;
- use of access roads;
- hours of operation;
- retention or processing of waste water and other pollutants; and,
- site plans showing the property as it will appear during use and after rehabilitation.

5.5.10 The implementing Zoning By-law shall place all existing licensed mineral aggregate operations in separate zones that permit quarry and pit operations, and a zone that permits only pit operations. The implementing Zoning By-law will contain setbacks for extraction operations from adjoining properties zoned for sensitive land uses, municipal roads and property boundaries.

OPA
No. 2

5.5.11 Environmental studies shall be required to assess the impact of development that is proposed within 500 metres of a quarry, within 300 metres of a pit below the water table, or within 150 metres of a pit above the water table.

5.5.12 The Township, in consultation with Ministry of Natural Resources, may permit other land uses or developments in areas with aggregate resource potential as shown on Schedules "B" and "C" without amendment to this Plan provided that:

- extraction of the aggregate is not feasible;
- the proposed land use or development serves a greater long term interest of the general public than aggregate extraction;
- the proposed land use or development would not significantly preclude or hinder future extraction; and,
- issues of public health, public safety and environmental impact are addressed.



5.6 Mineral Resources

- 5.6.1 It is the intention of Council to work with the Ministry of Northern Development and Mines to obtain information regarding mineral resources, to identify areas of mineral potential and abandoned mine sites.
- 5.6.2 For the purpose of this Official Plan, mining is understood to include above ground and underground work, pits and quarries used for mineral extraction, as well as associated processing, transportation, waste and tailing storage, and directly related activities. Mining excludes pits and quarries used for aggregate extractions as part of the aggregate policies.
- 5.6.3 Mineral exploration and mine development will be encouraged through the identification of mineral deposits and areas of mineral potential as “Areas of Mining Potential” on Schedule ‘B’ once this information becomes available.
- 5.6.4 Mining and related activities will only be permitted outside of identified settlement areas. The compatibility of mining activities with surrounding land use designations will determine the specific nature of permitted mining and mining related activities.
- 5.6.5 The establishment of mining related activities shall be subject to the approval of the Ministry of Northern Development and Mines under the Mining Act and the Environmental Protection Act and will require an amendment to the Official Plan and the zoning by-law.
- 5.6.6 An influence area will be used as a means of protecting existing land uses in the vicinity of proposed mining operation from a land use conflict and reciprocally to protect Areas of Mining Potential and mining operations from the encroachment of incompatible land uses. Development may be permitted in the influence area only where the impacts of mining operations can be properly mitigated. The influence area shall be 1,000 metres (3,280 feet). The establishment or modification of the influence area should be carried out in consultation with the Ministry of Northern Development and Mines and the Ministry of Environment and may be done without an amendment to this plan.
- 5.6.7 Known abandoned mine sites, along with a 1,000 metre influence area, have been identified on Schedule ‘A’ as a “Mining Hazard”. Proposals for development on or adjacent to these sites shall be prohibited until the nature and extent of any hazards have been mitigated based on a technical report prepared by professionals qualified in this field and approved by the Ministry of Northern Development and Mines.

5.7 Waste Management

- 5.7.1 Waste Management facilities include operating or closed waste or sanitary landfill sites certified by the Ministry of the Environment and Energy. Permitted waste sites shall include sewage treatment sites, landfill sites for disposal of domestic waste, inert material landfills, automobile wrecking yards, and hauled sewage sludge disposal sites. Ancillary uses such as recycling depots and transfer



stations may also be permitted. Disposal of liquid industrial, radioactive or toxic waste shall not be permitted.

- 5.7.2 All waste management sites operating in the Township, whether publicly or privately owned, shall be operated in a manner that safeguards the environment and protects nearby residents and sensitive land uses from undue impact. No residential use is permitted in conjunction with a licensed waste management site.
- 5.7.3 The Township of Algonquin Highlands will continue to use the existing waste disposal sites, designated Waste Management Industrial on Schedule “A”. Arrangements for the disposal of solid wastes will be reviewed, from time to time, by Council.
- 5.7.4 All operating waste management sites shall be covered by a current Certificate of Approval issued by the Ministry of Environment under the provisions of the Environmental Protection Act.
- 5.7.5 No Waste Disposal facility will be located within 500 metres of development other than compatible uses, such as an aggregate operation, a forestry use or a suitable industrial use, after the evaluation of the presence and impact of any adverse effects or risks to health and safety and the identification of any necessary remedial measures has been completed.
- 5.7.6 Land used for the disposal of waste may have an effect on the future uses of these lands and possibly affect the future use of adjacent lands. In recognition of this, waste disposal assessment areas will be identified as lands for which an assessment must be made for lands within 500 metres of the perimeter of an existing or previous waste disposal site to ensure that any future development will occur in a manner which is cognizant of the prior use in the area for waste disposal so as to safeguard all future uses.
- 5.7.7 No reuse of a closed waste disposal site or a site used for the disposal of wastes may be undertaken for a period of 25 years without the consent of the Ministry of the Environment under the Environmental Protection Act, the Ontario Water Resources Act and the Environmental Assessment Act.
- 5.7.8 Waste Management Areas shall be zoned in a separate classification in the implementing zoning by-law.



Section 6 General Policies

6.1 Bed and Breakfast Establishments

6.1.1 Bed and breakfast establishments provide accommodation to tourists and the travelling public and may be permitted as an accessory use within a single detached dwelling provided that:

- the physical character of the dwelling is not substantially altered;
- the use does not have a negative impact on the privacy and enjoyment of neighbouring properties;
- the number of rooms available for rent does not exceed three (3); and,
- adequate water, sewage disposal, parking facilities, buffering and access are provided on the site.

6.1.2 The Zoning By-law shall further define a bed and breakfast use and contain other appropriate provisions.

OPA
No. 2

6.2 Shoreline Structures

OPA
No. 2

6.2.1 A boathouse, wet-slip boathouse, being a boathouse extending from the high water mark into a waterbody, or a dryland boathouse, being a boathouse located on land behind the high water mark, may be permitted as an accessory structure within the geographic townships of Sherborne, Livingstone and McClintock.

6.2.2 Neither a wet-slip boathouse or a boat port shall be permitted as an accessory structure within the geographic township of Stanhope.

OPA
No. 2

6.2.3 The use of a boathouse for residential purposes is prohibited.

OPA
No. 2

6.2.4 Shoreline structures must comply with the policies and regulations of the Township, the Department of Fisheries and Oceans, the Ministry of Natural Resources and the Ministry of the Environment.

OPA
No. 2

6.2.5 Specific regulations for shoreline structures will be established in the Township's Zoning By-law.

6.3 Community Improvement

6.3.1 It is the intent of this Plan to ensure that growth and change are managed in such a fashion as to make efficient use of land, infrastructure, public services and facilities. Through Community Improvement policies, Council may give direction to the maintenance, improvement, rehabilitation and upgrading of residential, commercial and industrial designated areas.

6.3.2 Council may designate the whole or any part of the municipality as a Community Improvement Area pursuant to the applicable provisions in the Planning Act.



- 6.3.3 A Community Improvement Area shall mean an area in which community improvement is required because of unsuitability of buildings or for any reason.
- 6.3.4 The municipality may construct, repair, rehabilitate or improve buildings within a Community Improvement Area.
- 6.3.5 Council may solicit funds from upper levels of government and the private sector to financially assist in contributing towards improving a Community Improvement Area.
- 6.3.6 Community improvements may include:
- Fostering the well-being of main streets;
 - Planning public streets and places to ensure they are safe, lively and accessible to all;
 - Improvement or enhancement of infrastructure for active transportation;
 - Supporting a diversified economic base; and,
 - Ensuring an efficient use of infrastructure.
- 6.3.7 The business core of Dorset shall be considered a Community Improvement Area. Community improvements to be considered for this area may be developed in conjunction with the abutting municipality.
- 6.3.8 The Town may adopt a Property Standards By-law to regulate and enforce Property Standards within the Town.

OPA
No. 2

6.4 Cultural and Heritage Building Conservation and Archaeological Resources

- 6.4.1 The Township recognizes the value of its cultural, heritage and archaeological resources. These resources shape the character of the municipality and contribute to the quality of life within the Township.
- 6.4.2 The Township's heritage and archaeological resources should be identified, conserved and enhanced wherever practical. Cultural heritage resources are those uses which have played a historic role in the development of the municipality in relation to early settlement and/or are culturally or architecturally significant. Cultural heritage resources include: archaeological resources, archaeological sites, cemeteries and burials, buildings and structural remains of historical, architectural and contextual value; and rural areas and villages or significant landscapes, ridgelines or vistas of historic interest.
- 6.4.3 The character and quality of life of the Township is enriched by its history and past traditions. This Plan will promote this history by ensuring the identification, protection and conservation of the Township's cultural heritage resources. Specifically, this Plan will:
- Encourage the development of a comprehensive inventory of the Township's cultural heritage resources;
 - Use cultural heritage resources to attract additional economic development, increase tourism opportunities and enhance the character of the Township;

OPA
No. 2

OPA
No. 2



- Ensure that the nature and location of cultural heritage resources, including archaeological resources, are documented and considered before land use decisions are made;
- Ensure that historic portages are identified and protected; and,
- Encourage development that is adjacent to cultural heritage resources to be appropriate in scale and character.

OPA
No. 2

6.4.4 The Ontario Heritage Act provides the framework for the conservation of cultural, heritage and archaeological resources within communities in Ontario. The Heritage Act may be used to conserve, protect and enhance the cultural heritage in the municipality through the designation, by by-law, of individual properties, conservation districts, heritage areas, and archaeological sites. A Municipal Heritage Committee may also be established pursuant to the Heritage Act to advise and assist Council on conservation matters related to cultural heritage resources.

6.4.5 A Municipal Heritage Committee pursuant to the Ontario Heritage Act, may be established by Council to provide advice on matters relating to the historical, cultural and architectural significance of cultural heritage resources.

OPA
No. 2

6.4.6 Where heritage resources are designated under the Ontario *Heritage Act*, no alteration or demolition shall be undertaken which would adversely affect the reason(s) for designation except in accordance with the Ontario *Heritage Act*.

6.4.7 Council will seek to conserve cultural heritage landscapes and built heritage resources when making development and infrastructure decisions which may affect those resources. Council will have regard for cultural heritage resources in the undertaking of municipal public works. When necessary, Council will require satisfactory measures to mitigate any negative impacts on significant heritage resources.

6.4.8 The Township recognizes that there may be archaeological remnants of prehistoric and early historic habitation within the Township, as well as areas exhibiting archaeological potential. Council may, in cooperation with the Ministry of Culture and the Ministry of Consumer and Business Services, require archaeological impact assessments, surveys and/or the preservation on-site, or rescue excavation of, significant archaeological resources by archaeologists licensed under the Heritage Act that might be affected by any future development.

6.4.9 Council shall ensure adequate archaeological assessment and consult appropriate government agencies, including the Ministry of Culture and the Ministry of Consumer and Business Services when an identified marked or unmarked cemetery is affected by land use development. The provisions under both the Cemeteries Act and the Heritage Act shall apply where appropriate.

6.4.10 Council recognizes that archaeological potential will be determined for individual development applications and building permits through the use of provincial screening criteria, or qualified mapping developed based on the known archaeological records within the Township. Archaeological potential criteria include features such as proximity to water, current or ancient shorelines, rolling



topography, unusual landforms, any locally known significant heritage areas such as portage routes or other places of past human settlements.

- 6.4.11 Council may seek to undertake the preparation of a Cultural Heritage Master Plan which will identify and map known land-based cultural heritage resources and areas of potential for archaeological resources. The Master Plan will outline policies, programs and strategies for the purpose of conserving significant cultural heritage resources, and will promote, educate and involve the community in the Township's cultural heritage.
- 6.4.12 Council may choose to maintain a cultural heritage resource database for land use planning purposes, resulting in inventories of any significant provincial registered archaeological sites, mapped archaeological potential areas, heritage buildings, heritage districts and/or cultural heritage landscapes located within the Township.
- 6.4.13 Council may maintain the integrity of archaeological resources by adopting zoning by-laws under Section 34 of the Planning Act, to prohibit any land use activities or the erection of buildings or structures on land which has been identified as a site of significant archaeological resources.
- OPA No. 2 6.4.14 To ensure a greater degree of protection to designated heritage resources, Council may enter into agreements with property owners, or may attempt to secure conservation easements, in order to protect those features of a building or structure deemed to have particular heritage value.

6.5 Energy Conservation and Reduction of Light Pollution

- 6.5.1 The wise management and conservation of energy resources can be promoted by the Township through various activities. The Township will encourage the use of an orderly and compact urban development pattern that can minimize the need for automobile trips *and facilitate the use of active transportation*.
- 6.5.2 The Township may investigate ways in which the Zoning Bylaw and subdivision and development standards can be modified to encourage energy conservation, *facilitate active transportation* and reduce light glare.
- 6.5.3 The use of alternative energy sources, the use of landscaping and building orientation to reduce energy costs, and methods of lighting that limit the amount of light directed or escaping towards the sky and reduce ambient night lighting, will be encouraged in the design of new and redeveloped residential and non-residential facilities in the Township.

OPA
No. 2

- 6.5.4 Sensitive lighting which is oriented downward, is low wattage, energy efficient, and minimizes glare will be encouraged, throughout the Township, in order to:

- Prevent conflicts with abutting uses and preserve privacy;
- Prevent impacts on wildlife and hazards to navigation; and,
- Preserve the night sky.

OPA
No. 2

- 6.5.5 The Township may, as part of its site plan approval procedures, require the preparation of a lighting plan that incorporates night-sky sensitive lighting initiatives.



OPA
No. 2

- 6.5.6 The Township supports the use of alternative or renewable energy systems to meet current and future energy needs. Alternative and renewable energy systems will be permitted in each designation in accordance with provincial and federal requirements.

6.6 Group Homes

- 6.6.1 Group homes may be permitted in all designations that permit residential development, subject to the provisions of the Zoning By-law. The Zoning By-law may differentiate between open custody and closed custody group homes, and shall establish location and size criteria for group homes.
- 6.6.2 In general, a group home shall be a licensed single housekeeping unit with residents who, by reason of emotional, mental, social, physical or other conditions, require a group living arrangement. The group home should complement and fit in with the character of the surrounding residential community, and may provide accommodation for up to 10 residents at any one time.

6.7 Home Occupations and Industries

- 6.7.1 Home businesses are an increasingly important component of the local economy. Privately operated legal businesses may be permitted as a secondary use in residential dwellings (home occupation) and accessory buildings (home industry), provided they maintain the integrity and character of the neighbourhood, are compatible with surrounding uses, and that the home occupation shall not generate traffic or parking demand in excess of that normally experienced in a residential area, nor will it have a negative impact on highway corridors.
- 6.7.2 The Zoning By-law may incorporate standards for home occupations and industries by:
- identification of the zones which shall permit or regulate various forms of home occupation or home industry;
 - restrictions on the number of people who may be employed in the home occupation or industry;
 - limiting maximum floor area of the business;
 - requiring continuation of the residential appearance of the building; and,
 - regulating buffering, signs, and parking standards.
- 6.7.3 The standards will take into consideration the adequacy of lot size, on-site services and separation distances to ensure compatibility with adjacent land uses.

6.8 Mobile Home Parks

- 6.8.1.1 Development of new mobile home parks or a major expansion of existing facilities shall require an amendment to this Plan, but are not permitted in the Rural designation.
- 6.8.1.2 Mobile home parks shall generally be developed, owned and operated as a single unit. Ownership and maintenance of internal roads, services,



common elements, open space areas and buildings shall be the responsibility of the owner/operator.

- 6.8.1.3 The development of mobile home dwellings on individual lots dispersed throughout the Municipality will not be permitted.
- 6.8.1.4 The provision and maintenance of on-site facilities and services shall be addressed in a site plan agreement between the Township and the owner.
- 6.8.1.5 Where development is permitted on the basis of communal water and sewage works, the developer shall be responsible for the installation of such works and the payment of monies into a Trust Fund established with a Corporation registered under the Loan and Corporations Trust Act, which Trust Fund is established to the satisfaction of both the Township and the Ministry of the Environment to provide for the long term maintenance and/or replacement of the communal services. Development shall not be permitted on communal services if assumption and maintenance of the communal services will have a detrimental effect upon the finances of the Township.
- 6.8.1.6 Regard shall be had for the natural features and physical characteristics of the site in order to minimize any environmental impacts.
- 6.8.1.7 In areas where the existing topography or vegetative cover affords only limited protection from adjacent boundary roads, tree screening and earthen berms may be required to supplement existing tree cover so as to buffer the proposed mobile home park development from traffic on boundary roads. The means of buffering shall be undertaken with a view to creating privacy and preventing the development from becoming a visually dominant element in the rural landscape.
- 6.8.1.8 Where it is demonstrated that the development of a mobile home park will result in a need to upgrade local roads or require the extension of any other service by the Municipality, the application shall be considered premature unless the proponent is prepared to undertake the construction of such public works to the satisfaction of, and at no cost to, the Municipality.
- 6.8.1.9 Adequate off street parking facilities shall be provided for all permitted uses, and access points to and from a mobile home park development shall be limited in number and designed in a manner that will minimize danger to both vehicular and pedestrian traffic.
- 6.8.1.10 Mobile home parks shall be zoned in a separate zoning classification in the implementing zoning by-law, with suitable provisions and regulations prescribed to govern the future development and use of lands.

6.9 Hunt Camps

- 6.9.1 Hunt camps, which are used only as a temporary base for hunting, trapping and/or fishing activities, may be permitted within the Rural designation. A hunt camp shall not be required to front on a public road and may be serviced by any type of sewage disposal system approvable under the Building Code Act.



- 6.9.2 The policies of this Plan are not binding on undertakings carried out on Crown Land by the Crown or its agents, but the policies of this Plan will be binding on any lands that cease to be Crown lands. Council will encourage all levels of government to have regard to the policies of the Plan wherever possible, and will recognize existing hunt camps on lots that do not meet the size requirements of these policies.

6.10 Municipal Road Allowances

- 6.10.1 Development of any kind on a Township road allowance will not be permitted, without the approval of the Township.
- 6.10.2 The occupation of a road allowance may be authorized for an abutting land owner, where the Township does not have an immediate use for that road allowance, or portion thereof, and such occupation would not interfere with municipal or public use of the road allowance.
- 6.10.3 Original shoreline road allowances may be closed, and the portion of the road allowance above the normal high water mark conveyed to the abutting owners provided that:
- it has no present or potential use as a public waterfront area, harbour, beach, trail, portage, public access to the water, public travel, or any other municipal purpose;
 - it does not include or affect a significant sensitive environmental, natural, or heritage area, which should be retained by the municipality for protection; and,
 - it does not contain significant historical or cultural features, which should be retained the site.
- 6.10.4 The conveyance of shoreline road allowances may be considered in order to correct existing building encroachments.
- 6.10.5 Road allowances leading to water should not be closed and conveyed to abutting owners, and will not be conveyed to abutting owners where they would represent the only existing public land providing access to a waterbody, unless a comparable or better parcel located in the vicinity is provided in exchange, and such an exchange would be advantageous to the Township and in the public interest.
- 6.10.6 Where an existing building encroaches on a road allowance leading to water, a lease may be granted for an amount of time to be specified by the Township and no further encroachment or enlargement should be permitted.

6.11 Parkland Dedication & Recreational Trails

- 6.11.1 As a condition of development or redevelopment, the Township may require an applicant to dedicate a portion of the gross area being developed for parks or other public recreational purposes, for the provision of public open space other than roads or to facilitate recreational trail connections. Alternately, the Township may require a payment of cash in lieu of parkland as per Section 51.1 of the Planning Act, and as follows:



- Up to two percent of the land may be conveyed to the municipality for land proposed for commercial or industrial development; and,
- In all other cases, up to five per cent of the land may be conveyed for park purposes

6.11.2 Parkland dedication requirements will be established in a Municipal By-law, for lands not developed at the time of passage of this Plan, and generally:

- shall not include lands which are unsuitable for parkland development or lands used for storm water management;
- shall be taken on lands adjacent to a waterbody, wherever possible; and,
- in some instances, may include environmentally sensitive lands.

6.11.3 Recreational trails play a significant role in the health and economy of the community. Through development applications reviewed in accordance with the policies of this Plan, Council will encourage the maintenance and integration of existing hiking/snowmobile *and water* trails, and the establishment of new, public recreational trails which diversify year-round recreational opportunities, promote year-round tourism, preserve the natural environment of the Township, and which connect to other municipalities.

OPA
No. 2

6.11.4 Recreational trails will be permitted in all land use designations except where the creation of such a trail would be detrimental to an identified natural feature or function.

OPA
No. 2

6.11.5 The Township will support the continuation and expansion of the existing trail systems and recreational programs in the Township by:

- Recognizing the importance of recreational trail associations, recreation clubs and other community groups and their recreation programs;
- Incorporating the principles of active transportation, including the Haliburton County Cycling Master Plan, into municipal infrastructure projects, where possible and economically feasible; and,
- Developing a Trails Master Plan to provide the basis for the establishment of an expanded trail network in the Township.

OPA
No. 2

6.11.6 A number of public water access points are provided on many of the lakes in the Township and are shown on Schedule “B”. These access points are maintained by the Township, the province or federal governments. The importance of these in providing the public with water access to the lakes is recognized. The Township will maintain, as feasible, the existing municipal access points and may establish additional public water access points where possible and feasible, and encourages the provincial and federal governments to support the continuance of those access points under their jurisdictions.

OPA
No. 2

6.11.7 The maintenance, enhancement and restoration of vegetative buffers along shorelines in municipal parks and other municipal lands is strongly encouraged.



6.12 Permanent Asphalt Plants

Permanent asphalt plants will only be permitted by amendment to this Plan, after the potential for off-site impacts has been determined.

6.13 Portages

- 6.13.1 Existing portages shall be protected from incompatible uses. Development on sites adjacent to portages shall be setback a sufficient distance to ensure that there is no conflict between the portage uses and the abutting uses.

6.14 Wayside Pits and Quarries, Portable Asphalt Plants

- 6.14.1 A wayside pit or wayside quarry means a temporary pit or quarry opened and used by or for a public authority or its agent, solely for the purpose of a particular project or contract of road construction. A portable asphalt plant means a facility with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process, which is designed to be dismantled and moved to another location as required.
- 6.14.2 Wayside pits, wayside quarries and portable asphalt plants are permitted throughout the Township without an amendment to this Plan or the Zoning By-law, except in areas of existing development or environmental concern.
- 6.14.3 Plans submitted by applicants for wayside pits, wayside quarries, or portable asphalt plants will be reviewed by the appropriate Provincial agencies, and the anticipated time frame for the proposed use will be made available to the public.
- 6.14.4 Discontinued sites will be rehabilitated back to their former use, and any physical plant shall be removed from the site upon completion of the public project. An inspection and report, prepared to the satisfaction of the Township, will be required to ensure that the property has been appropriately rehabilitated.

OPA
No. 2

6.15 Housing

- 6.15.1 A diversified housing base, reflecting the varied needs of the Township's residents in the settlement, waterfront and rural areas will be encouraged.
- 6.15.2 The Township will explore a variety of means to increase the supply of affordable rental and ownership housing.
- 6.15.3 The development of special needs housing, such as long-term care facilities and retirement homes, is encouraged in appropriate locations in settlement areas.



Section 7 Services and Utilities

- 7.1 Council shall stimulate the growth of the tourist industry by improving the existing infrastructure, public services and facilities to satisfy present and future demands of the permanent residents, seasonal residents and tourists.
- 7.2 Works undertaken by Council under the Capital Works budget shall conform to the policies and the intent of this Plan. Council shall consult with the County of Haliburton and any other agencies in the preparation of the Capital Works budget to ensure coordination in the construction of public works.
- 7.3 Water and sewage disposal services in the Township are currently provided on a private basis. Development shall proceed on the basis of individual on-site systems.
- 7.4 Development shall not be permitted where the proposed development may adversely affect the water supply or sewage disposal system on adjacent lands. A hydrogeological study may be required to be undertaken by the proponent to ensure there is a sufficient supply of potable water and that the land is suitable for a private waste disposal system.
- 7.5 Where a private septic system is proposed, which will handle more than 4500 litres per day, such as for a highway commercial operation, tourist camp, etc, a hydrogeological impact report will be required. This report must demonstrate soil suitability, sufficient area for effluent treatment, and site suitability. This report will require provincial review and approval.
- 7.6 All new development must satisfy the provincial requirements for sewage and water. Each development application for more than five lots or five units of residency, or for industrial or commercial occupancy, will be preceded by an evaluation of servicing alternatives, including justification for the proposed form of servicing for the review and approval of the Province. Where multi-lot or multi-unit residential development is approved to proceed for more than five lots on individual wells and individual subsurface sewage treatment systems, a Water Supply Assessment and Ground Water Impact Assessment will be prepared by the applicant in accordance with the Ministry of Environment and Energy Guidelines and submitted to the Province for approval, where required. The report shall demonstrate potable ground water quality, adequate ground water yield, negligible ground water quality interference, soil suitability and sufficient available area for effluent treatment.
- 7.7 Where development is proposed, appropriate storm water management and construction mitigation measures shall be implemented.
 - 7.7.1 Proponents should use best management practices and address the effect of storm water upon receiving waterbodies with respect to velocity, sedimentation, water quality and identified significant fish or other habitat.
 - 7.7.2 Any application for commercial or industrial development must be accompanied by a storm water management report prepared by a qualified professional, to the satisfaction of the Township (which may include peer review) and at the expense of the proponent.



-
- 7.8 Public utility authorities may be permitted to locate all work defined by Provincial Statute in any land use designation provided the use meets the appropriate requirements of the Zoning By-law and conforms to this Official Plan. Such works include roads, buildings, structures or utilities.
 - 7.9 Public services and utilities will be planned and implemented in accordance with the requirements of the Environmental Assessment Act. The Township shall be advised of plans for new public works before any applications for permits are approved.
 - 7.10 Contaminated sites may be placed in a Holding Zone, which may be removed when the site has been acceptably decommissioned or cleaned up, in accordance with the Ministry of the Environment's Guideline for Use at Contaminated Sites in Ontario, to the satisfaction of the Township, as required by a site remediation plan and subject to the submission of a Provincially recognized Record of Site Condition.



Section 8 Transportation

8.1 General

- 8.1.1 The Township shall endeavour to ensure there are appropriate transportation facilities to move people, goods and services within and through the municipality.
- 8.1.2 A safe and efficient transportation system based on and designed to facilitate the movement of people and goods to and from various land uses within the municipality is encouraged.
- 8.1.3 In planning for the development of a well defined network of local roads, the Township of Algonquin Highlands should ensure that decisions concerning the extension of existing roads or the construction of new roads, is in harmony with the system of Provincial Highways, County Roads, Township Roads, and the road network in adjoining municipalities, both existing and proposed.
- 8.1.4 Active transportation (e.g., bicycling and walking) can play a positive role in improving mobility and the quality of life as part of a balanced transportation system. The Township will support the development of bicycle and walking routes, and will use the Haliburton County Cycling Master Plan as a resource to help inform future planning.
- 8.1.5 A network of trails created through private and public initiatives may be encouraged within the municipality to complement the transportation system. All development shall respect the environment.

OPA
No. 2

OPA
No. 2

8.2 Airport

- 8.2.1 The municipal airport is illustrated on Schedule “A” to this Plan.
- 8.2.2 The Airport provides essential aviation services and general aviation services, and supports economic development and improved quality of life for the Township and the County.
- 8.2.3 As one of the Township’s and the County’s strongest opportunities for increased investment, efforts to support the marketing and growth of the Airport shall be made.
- 8.2.4 Aviation corridors and rights-of-way for transportation and infrastructure facilities will be protected for future use.
- 8.2.5 Existing and future development capabilities of the airport shall be protected through the provision of appropriate buffers between the airport and sensitive land uses and preventing the encroachment of land uses that would impede airport operations such as those that emit significant amounts of smoke, dust or steam or facilities containing significant amounts of food garbage such as sanitary landfill sites.
- 8.2.6 Industries targeted for development in and around the Airport include light manufacturing, forestry, tourism, service, high-tech and other related industries.

OPA
No. 2

OPA
No. 2



8.3 Roads

- 8.3.1 The Township shall maintain a satisfactory road network and will pursue a program to improve road conditions, including improvements to intersection where there are potential traffic hazards.
- 8.3.2 Roads within the Township of Algonquin Highlands are classified according to their predominant functions.
- 8.3.2.1 Provincial Highways, by virtue of their location and physical characteristics are existing or proposed roads which are designed to facilitate the through movement of large volumes of traffic to and from major traffic generating sectors at relatively high operating speeds. To facilitate this function, access to abutting properties should be restricted. Access to Highway 35, as well as development adjacent to the highway and/or located within the area of permit control, is subject to the safety and geometric requirements of the Ministry of Transportation. Permits shall be obtained from the Ministry of Transportation prior to any grading and/or construction taking place.
- 8.3.2.2 County Roads are existing or proposed roads, under the jurisdiction of the County of Haliburton, which function as collector roads and strategic links in the overall road network. County Roads are to be designed to facilitate the movement of relatively high (medium) volumes of local and through traffic at moderate operating speeds, between Provincial Highways, County Roads and Township Roads. Access to abutting properties should be limited, particularly in areas of new development and shall require approval from the County of Haliburton. The design right-of-way width will vary from 26 to 36 metres.
- 8.3.2.3 Township Roads are existing or proposed roads, under the jurisdiction of the Municipality, consisting of two traffic lanes within a standard right-of-way width of 20 metres. Township Roads are intended to facilitate low volumes of local traffic movement at relatively low operating speeds, and access to adjacent properties.
- 8.3.2.4 Private roads are any roads that are not publicly owned and publicly maintained on a year round basis.
- 8.3.3 Policies
- 8.3.3.1 Where additional land is required for widenings, extensions and intersection improvements, such land shall be obtained, wherever possible, in the course of approving plans of subdivision, site plans, and/or consents, in accordance with the provisions of the Planning Act, R.S.O., 1990, c.P. 13, as amended. Right-of-way widths and geometric design standards shall be determined by the Province, the County, the District or the Township, in consultation with the Ministry of Transportation.
- 8.3.3.2 Except as otherwise noted in this plan, no land shall be developed for commercial, industrial, recreational, institutional or community facility purposes unless such lands are accessible by means of an improved public



- road, which is maintained year round, and, which is of an acceptable standard of construction to accommodate the traffic to be generated by the new development and/or redevelopment.
- 8.3.3.3 Residential areas, and other uses of similar sensitivity such as nursing homes, that are proposed in close proximity to a highway or railway line shall be protected from undesirable air quality and excessive noise/vibration through appropriate standards. Developers may be required to carry out noise and/or vibration assessments to determine control measures that meet Provincial requirements.
- 8.3.3.4 Council shall give consideration to the preparation of a Municipal Roads Needs Study. Such a study should include an examination and analysis of municipal roads to determine existing road conditions and, where deficiencies are identified, the expenditures necessary to improve and upgrade municipal roads to suitable standards. Such a study should establish a priority of needs for such works.
- 8.3.3.5 As a condition to the approval of a site plan, as part of the review and consideration of an application to amend this Plan, or the implementing zoning by-law, or, as part of an application for draft approval of a proposed plan of subdivision or plan of condominium, Council may require a traffic impact analysis to determine the adequacy of the existing and/or proposed road network adjacent to the site and to determine the nature and extent of any improvements that may be required to the existing road system to facilitate the development of the lands.
- 8.3.3.6 Council will require, as a condition of the approval of any new development or redevelopment, that sufficient lands are conveyed to the Municipality to provide for a road right-of-way width in accordance with the functional classification.
- 8.3.3.7 In considering development or redevelopment proposals for residential purposes adjacent Provincial Highways or County Roads, Council shall require the submission of a noise analysis that addresses potential impacts and the need to implement increased setbacks, buffering, screening and landscaping or other attenuation measures so as to reduce the negative effects of such roads on proposed adjacent sensitive land uses (including residences, schools and day care facilities).
- 8.3.3.8 Council will not assume or dedicate any roads which do not meet the minimum acceptable standards of the Township.
- 8.3.3.9 All new or existing private roads to be dedicated to the Municipality must be brought up to current Municipal standards prior to being assumed by the Township. Existing seasonally maintained public roads must also be brought up to current Municipal standards before they will be considered for year-round service.
- 8.3.3.10 Private rights-of-way may be permitted to provide access to primarily shoreline residential areas and may be subject to the Ministry of Natural Resources approval where the private rights-of-way cross Crown land.



Private roads are not required to meet the Township's minimum standards for roads unless dictated as per an agreement with the Ministry of Natural Resources and/or the municipality. The municipality shall not be responsible for maintaining private roads or providing services.



Section 9 Implementation and Interpretation

9.1 General

- 9.1.1 The policies in the Official Plan for the Township of Algonquin Highlands shall be implemented through by-laws enacted by the municipality, subdivision agreements, development agreements and site plan agreements.
- 9.1.2 Where clarification is required for the interpretation of any policy in the Plan, reference shall be made to the general policies and, if necessary, the goals of the Plan.
- 9.1.3 Where reference is made to Council in the text of this Plan, it shall mean the Council of the Corporation of the Township of Algonquin Highlands.
- 9.1.4 Schedules “A”, “B”, and “C” form part of this document.

These Schedules show the boundaries and distribution of land use designations and symbols. The designations and symbols are approximate only and are not intended to mark the exact location or extent of the designations and symbols except where such designations and symbols coincide with roads, rights-of-way, railways, pipelines, transmission lines, lot lines, concession lines and watercourses or other clearly recognizable physical features. The exact boundaries shall be defined at such time as the zoning by-law comes into effect.

9.2 Zoning

9.2.1 Comprehensive Zoning By-law

- 9.2.1.1 The comprehensive zoning by-law establishes site-specific regulations to control the growth and development of land in the Township. Such a by-law will, among other matters, set standards and regulations and define more precisely, the uses and limits of areas to be allocated for specific land uses.
- 9.2.1.2 The Township’s comprehensive Zoning By-laws will be updated as necessary to conform to the policies of this plan.
- 9.2.1.3 Zoning may be implemented to identify areas with limited Municipal service provision.

9.2.2 Holding By-laws

- 9.2.2.1 The Planning Act provides for the use of a Holding symbol (H) in conjunction with any land use zone found within the Zoning By-law.
- 9.2.2.2 Holding By-laws shall be implemented by use of the symbol “H” in conjunction with the land use zones of the Zoning By-law, and may include provisions for interim permitted uses, such as existing uses and minor extensions thereto, and other uses which are deemed compatible with



surrounding land uses and will not adversely affect the future development potential of the land.

9.2.2.3 The purpose of the Holding Zone is to:

- Prevent or limit the use of land in order to achieve orderly development;
- To ensure that any required studies have been completed;
- To allow for the implementation of special design features; and,
- To allow for the entering into of a site plan agreement as a requirement of the development process.

9.2.2.4 Generally, the Holding symbol should be applied to vacant land to delay the development of the land if one or any of the following circumstances apply:

- When the land may eventually be developed, but is considered to be premature or inappropriate for immediate development or redevelopment;
- When adequate infrastructure currently available;
- When development or redevelopment is anticipated in accordance with the provisions of this Plan but where the details of such development have not been determined; or,
- When land assembly is required to permit the orderly development of the land.

9.2.2.5 Application to remove the Holding (H) symbol will be considered in accordance with the provisions of the Planning Act, and will include confirmation that the proposed development is no longer premature or inappropriate.

9.2.3 Interim Control By-laws

Council may wish to review or undertake a planning study with respect to land uses within the municipality or in any defined area and may pass an interim control by-law for a period of time not exceeding one year from the date of passing of the by-law prohibiting the use of the land, buildings or structures except for as set out in the by-law. The total time period may be extended up to two years from the date of the passing of the interim control by-law.

9.2.4 Temporary Use By-laws

9.2.4.1 Council may authorize the temporary use of lands, buildings or structures, pursuant to Section 39 of the Planning Act, provided that the following requirements are complied with:

- the use generally conforms with the intent of this Official Plan;
- the use is compatible with surrounding land uses and activities;
- such temporary uses or activities do not result in hazardous conditions for either vehicular or pedestrian traffic; and,
- that relevant parking and service area requirements are complied with.



9.2.4.2 Such a by-law shall define the area to which it applies and prescribe the period of time for which the authorization shall be in effect, having regard for the appropriateness and temporary nature of the use or activity.

9.2.4.3 Upon expiry of the temporary zoning by-law, the use must cease to exist.

9.2.5 Non-Conforming Uses

9.2.5.1 Any land use legally existing prior to the approval of this plan which does not conform to the permitted uses of this plan or the implementing zoning by-law, shall be gradually phased out so that the affected land may change to a use which is in conformity with the relevant provisions of the Official Plan and the zoning by-law. In extenuating circumstances, it may be desirable to permit the extension or enlargement of the non-conforming use, in order to prevent undue hardship.

9.2.5.2 Certain uses of land that existed at the date of approval of this plan may be deemed to conform to the intent of this plan for the purpose of a zoning by-law. Such uses may be zoned specifically for their existing use, provided:

- the zoning will not permit any change of use or regulation;
- the zoning will not aggravate the existing situation;
- the use is located outside the flood way portion of a river or stream system's flood plain;
- the use does not constitute a danger to surrounding uses or persons by virtue of their hazardous nature, the traffic they generate, or pollution of air or water, to the extent of interfering with the ordinary enjoyment of property;
- the zoning is not detrimental to or incompatible with abutting uses; and,
- the zoning will not interfere with the desirable development of adjacent areas.

9.2.5.3 Any land use that is illegal, under the existing approved By-laws of the Township, does not become legal by virtue of the adoption of this Plan.

9.2.6 Existing Lots

9.2.6.1 Lots which existed as of the date of approval of this Plan and do not meet the minimum lot frontage and area requirements of this Plan may be recognized in zoning, provided that:

- the lot is suitable and of sufficient size to accommodate the use proposed and the necessary water and sewage disposal services;
- the lot is in general character with the surrounding lots;
- the environmental and development constraints policies of the Plan can be addressed; and,
- any other specific policies of the Plan respecting the development of an existing lot are satisfied.



OPA
No. 2

9.2.7 Non-Complying Buildings and Structures

- 9.2.7.1 Any building or structure legally existing prior to the approval of this plan which does not comply with the regulations and performance standards of this plan or the implementing zoning by-law.
- 9.2.7.2 The implementing zoning by-law shall contain specific provisions regarding the reconstruction, repair, enlargement, renovation or relocation of non-complying buildings and structures.
- 9.2.7.3 The implementing zoning by-law shall contain a specific provision permitting the reconstruction or repair of a non-complying building or structure which is damaged or destroyed by causes beyond the control of the owner.

9.3 Lot Creation

9.3.1 Plans of Subdivision or Condominium Descriptions

- 9.3.1.1 This section applies to any proposal for the creation of 5 (five) or more lots or in situations where the Township identifies that it is in the public interest to proceed by way of subdivision approval or condominium description.
- 9.3.1.2 All applications must be accompanied by a hydrogeology and terrain analysis report (demonstrating that the water quality of the subject and surrounding properties will not be adversely affected and that the impact from the proposed sewage disposal systems will be acceptable), an impact assessment of septic system effluent on the groundwater, and a storm water management report which shall be prepared by a qualified professional, to the satisfaction of Council (which may include peer review) and at the expense of the proponent.
- 9.3.1.3 An aquifer evaluation report will be required to confirm that a suitable water supply can be obtained for each proposed lot.
- 9.3.1.4 Approval from the appropriate road authority for access to the development, and confirmation of road allowance widenings and reserves will be required at the time of application.
- 9.3.1.5 All areas of environmental constraint and significance, including but not limited to those indicated on Schedules "B" and "C", shall be investigated and reported on by qualified professionals, the results and recommendations of which shall be implemented through conditions of draft plan approval.
- 9.3.1.6 Communal water and sewage systems that may service multiple lot development will require approval by the Ministry of the Environment.

9.3.2 Consents to Land Severance

- 9.3.2.1 Consents may be permitted for the creation of up to 5 lots (four new plus one existing), provided the policies of this plan are adhered to.



- 9.3.2.2 Council shall be satisfied that a plan of subdivision is not required for the proper and orderly development of the land. Furthermore, Council may require the proponent to prepare a concept plan outlining the development potential of the lands and to identify previous land divisions on the said property prior to Council considering the consent request.
- 9.3.2.3 The intent and purpose of the Planning Act, Official Plan and Zoning By-law must be maintained.
- 9.3.2.4 The lot should be reasonably well proportioned, of regular shape and dimension, and designed so as to preserve natural features and existing vegetation to the greatest extent possible and must be of sufficient size and configuration to be serviced by private on-site water and sewage disposal systems.
- 9.3.2.5 The lot must front on an existing year round publicly maintained Township road, unless it is located in the Waterfront designation, in which case the provisions of Section 5.2.3 shall apply.
- 9.3.2.6 The lot shall not create a traffic hazard to sight lines, curves, or grades of existing development, as set out in accepted traffic engineering standards.
- 9.3.2.7 The lot shall meet Minimum Distance Separation requirements in the Rural area if there is an agricultural operation in the vicinity.
- 9.3.2.8 Severances will not be considered where the creation of a new lot may:
- be subject to the danger of flooding, erosion, steep slopes, high water tables or other physical hazard;
 - have a negative impact on natural features and environmentally sensitive areas of surrounding lands; or,
 - be in proximity to extractive industrial operations or areas identified as having mineral or aggregate resources.
- 9.3.2.9 Consent applications may be considered to:
- correct lot boundaries; or,
 - convey additional lands to an adjacent lot provided the conveyance does not lead to the creation of an additional building lot and/or create an undersized or irregularly shaped lot.
- 9.3.2.10 Exceptions to minimum lot size and access requirements may be considered by the Township where more than one primary, free standing, substantive and structurally sound building legally exists, subject to the general intent and policies of the plan being satisfied.
- 9.3.2.11 Any application for consent to sever for commercial or industrial purposes must also be accompanied by a storm water management report prepared by a qualified professional, to the satisfaction of the Township.



9.3.3 Part Lot Control Exemption

9.3.3.1 Where the Township determines that it is appropriate, lot creation may occur through the use of Part Lot Control Exemption by by-law, in accordance with the Planning Act.

9.3.4 Use of Development Agreements

9.3.4.1 The Township may require a proponent to enter into municipal agreements as may be required in this Plan and in accordance with relevant Provincial statutes.

9.3.4.2 Development agreements shall deal with all applicable aspects of development including, but not limited to: conceptual design of buildings, landscaping, noise attenuation, visual buffering, parking, access, sign control and design, drainage, grading, lighting, staging, timing, erosion control, maintenance of vegetation, fisheries and wildlife habitat, and stream corridors.

9.4 Deeming

9.4.1 Council may deem any plan of subdivision, or part thereof, that has been registered for eight years or more, not to be a registered plan of subdivision pursuant to Section 50 of the Planning Act, where such subdivision does not conform with the Official Plan.

9.5 Site Plan Control

9.5.1 All areas of the Township are designated as Site Plan Control areas under the provisions of the Planning Act. All uses in the Township may fall under Site Plan Control.

9.5.2 Within a Site Plan Control Area, Council may require the owner of the land proposed for development to submit plans and drawings for approval and to enter into one or more agreements pursuant to the provisions under the Planning Act. Site plans, location plans, elevation plans, landscaping plans and cross-section plans for the development may be submitted for approval. Council may enter into Site Plan Control agreements with the proponent.

9.5.3 Site Plan Control shall be utilized by the Township to ensure:

- safe, orderly and functional development;
- safe and efficient vehicular and pedestrian access;
- land use compatibility between new and existing development;
- the provision of functional and appealing on-site amenities and facilities such as landscaping, fencing and lighting;
- the provision and appropriate placement of required services such as driveways, parking, loading facilities and garbage storage;
- the provision of easements or grading and site alterations necessary for public utilities and site drainage; and,
- the proposed development is built and maintained as approved.



- 9.5.4 Council may prepare Site Plan Control guidelines to assist the proponent in the submission of a Site Plan Control application. The guidelines may describe requirements for massing, landscaping, parking facilities, streetscape design, pedestrian and vehicular access, lighting, refuse/recycling areas, buffering provisions, signage, maintenance of vegetation, fisheries and wildlife habitat, and stream corridors.
- 9.5.5 As part of the Site Plan Control process, the dedication (free of all charge and encumbrance to the appropriate authority) for the following road improvements may be required:
- Land for a widening of the road allowance to Municipal standards. Any road widening obtained under this policy must be taken equally on both sides of the centre line of the existing travelled surface of the road. In circumstances where a road widening must be taken unequally, or in its entirety from one side of the road, only one-half will be taken through Site Plan Control.
 - A dedication for sight triangles and turning lanes at the intersection of public roads, to meet engineering standards as described in the Site Plan Control By-law, may be required to meet applicable Municipal standards where such dedication would extend beyond the road allowance widths stated above.
 - A dedication may be required for an area necessary to construct grade improvements or separations where the proposed development requires such improvements respecting traffic volume or hazards to the road onto which the proposed development abuts or is immediately adjacent to, which extends beyond the road allowance widths as stated above. Such dedication may only be required to the extent that the dedication meets applicable Municipal standards.

9.6 Municipal Land Acquisition

- 9.6.1 The Council of the Corporation of the Township of Algonquin Highlands may acquire land to implement any feature of this Plan in accordance with the provisions of the Planning Act, the Municipal Act, or any other Act.
- 9.6.2 New municipal parks may be established, through the provisions of the Planning Act and Municipal purchases, on the shores of waterbodies and for the preservation of unique natural features.

9.7 Maintenance and Occupancy By-laws

- 9.7.1 Council may enact a by-law setting forth the minimum standards for the maintenance and occupancy or use of property within the Township of Algonquin Highlands and for prohibiting the occupancy or use of property that does not conform to the standards established thereunder. The by-law shall contain provisions for requiring property, which does not conform, to be repaired and maintained in accordance with the prescribed standards, or, for the site to be cleared of all buildings, structures, debris or refuse and left in a graded and levelled condition. The Council for the Township of Algonquin Highlands shall, upon the enactment of a Property Standards By-law, appoint a Property Standards Committee responsible for the administration and enforcement of the said By-law.



9.7.2 Regard shall be had for the following matters in the enactment of the Property Standards By-law:

- the physical condition of yards and passageways, including the accumulation of debris and rubbish;
- the adequacy of sanitation facilities inclusive of drainage and facilities for waste disposal and garbage;
- the physical condition of all buildings or dwellings with particular regard to such matters as: structural standards and appearances; adequacy of heat, light and ventilation; condition of stairs, interior walls, ceilings, floors and plumbing facilities and appurtenances; and, adequacy of electrical services, fire protection, safety and warning devices; and,
- the physical condition of accessory buildings and the property.

9.8 Interpretation of Land Use Designation Boundaries

9.8.1 The boundaries between land uses designated on the Schedules to the Plan are approximate. Where boundaries coincide with roads, railway lines, rivers, transmission lines, lot lines or other clearly defined physical features, they are not open to flexible interpretation. Where the general intent of the Plan is maintained, minor adjustments to boundaries will not require amendment to this Plan.

9.8.2 It is recognized that the boundaries of the Natural Features overlay designations identified in Schedules "B" and "C" may be imprecise and subject to change or refinement. The Township shall determine the extent of the environmental areas on a site-by-site basis when considering any development proposal, in consultation with the appropriate agencies. Any refinement to the designation shall not require an Amendment to this Plan.

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

9.9 Official Plan Review Process

9.9.1 The Official Plan is not a static document and shall be amended periodically to reflect changing conditions and to serve the overall public interest.

9.9.2 This Plan may be amended at any time to incorporate new objectives, policies and specific designations and will be reviewed as a whole by the Council at five year intervals to ensure that it continues to reflect the policies of the Township. The review will include an assessment of:

- the relevance of the goals and objectives that form the foundation of this Plan;
- the extent to which the anticipated development pressures have occurred;
- the suitability of the policies applicable to the various land use designations; and,
- the need for revised or new policy initiatives.



9.10 Official Plan Amendment Review Process

- 9.10.1 While the Plan is intended to provide direction for growth for the future, there is recognition that an Official Plan cannot anticipate all forms of development that may be appropriate and desirable in the community. As such, Amendment to the Official Plan may be initiated or considered by the Township at any time, to ensure that the Plan remains current and relevant.
- 9.10.2 For the purposes of preparing zoning by-laws, subdivision approvals, site plan approvals, and land severances, minor deviations may be permitted without amendment to this Plan provided that such deviations do not alter the intent of this Plan.
- 9.10.3 Requests for site specific changes to the Official Plan may be considered by Council upon application, and will be evaluated on the basis of the following criteria:
- conformity with the overall intent, philosophy, goals, principles and policies of the Official Plan;
 - the need for the proposed use;
 - the extent to which the existing areas designated for the proposed use are developed;
 - the physical suitability of the land for the proposed use;
 - the impact of the proposed use on the environment;
 - suitability of the location of the site for the proposed land use;
 - compatibility of the proposed land use with surrounding uses;
 - the need for and feasibility of the use, where considered appropriate;
 - the impact of the proposal on municipal financial resources, services and infrastructure;
 - the economic benefits and financial implication to the Township; and,
 - regard for the County of Haliburton Official Plan and the Provincial Policy Statement.
- 9.10.4 Studies will be conducted under the auspices of and shall be prepared by a qualified professional, to the satisfaction of Council (which may include peer review) and all costs associated with special studies that are required in the Official Plan are to be paid by the proponent.
- 9.10.5 Notice and public meeting procedures shall follow the provisions of the Planning Act and the regulations thereunder.

When the Township intends to consider a general amendment to this Plan, notice of public meeting shall be circulated to all those owners/tenants listed on the last revised assessment roll.

For site specific Official Plan amendments, the amendment shall be circulated as per Provincial requirements. Council shall ensure that adequate information concerning the amendment is made available including a copy of the proposed amendment and that at least one public meeting is held. Site specific Official Plan amendments shall be processed simultaneously with other applications required to develop the land.



9.11 Alternative Notice Requirements

9.11.1 Official Plan Amendments

- 9.11.1.1 Council may provide by resolution that the setting of a public meeting date and the giving of notice thereof may be delegated to a Committee of Council or an appointed official.
- 9.11.1.2 Where Council proposes to convene any subsequent public meeting or meetings pursuant to Section 17(18) of the Planning Act, as amended, such meetings shall be held not sooner than 10 days after compliance with the requirements for the giving of notice.
- 9.11.1.3 Where it is found necessary to make a technical amendment to the Plan which does not change the effect of the Plan, such as correcting clerical, grammatical or typographical errors or the numbering of provisions, Council may forego the public meeting required pursuant to Section 17(18) of the Planning Act, as amended.
- 9.11.1.4 If, following the giving of notice, a member of the public or an agency advises that there is insufficient time to respond, Council may proceed with the public meeting, but will defer any decision on the application until a subsequent meeting, such subsequent meeting not to be held sooner than 30 days after the given of the original notice for the public meeting.

9.11.2 Zoning Bylaw Amendment

- 9.11.2.1 Where Council proposes to convene a subsequent public meeting or meetings pursuant to Section 34 (14), of the Planning Act, as amended, such meetings shall be held not sooner than 10 days after compliance with the requirements for the giving of notice.
- 9.11.2.2 Where it is found necessary to make a technical amendment to a bylaw, such as correcting clerical, grammatical or typographical errors or the numbering of provisions, Council may forego the public meeting required pursuant to Section 34(14) of the Planning Act, as amended.
- 9.11.2.3 Council may provide by resolution that the setting of a public meeting date and the giving of notice thereof may be delegated to a Committee of Council or an appointed official.

9.11.3 Community Improvement Plans and Amendments

- 9.11.3.1 The public meeting required pursuant to Section 28(4) of the Planning Act, as amended, shall be held not sooner than 20 days after compliance with the requirements for the giving of notice.
- 9.11.3.2 Where Council proposes to convene a subsequent public meeting or meetings pursuant to Section 28(4), such meetings shall be held not sooner than 10 days after compliance with the requirements for the giving of notice.



9.12 Official Plan Implementation

- 9.12.1 This Plan will be implemented through the Planning Act, other applicable provincial legislation and appropriate local and county initiatives.

9.13 Environmental Impact Studies (EIS)

- 9.13.1 Where required elsewhere in this Plan, or as required by the Township and the governing agencies through the development review process, an Environmental Impact Study (EIS) shall be prepared in accordance with the requirements of this section, and in consultation with other appropriate authorities.

- 9.13.2 The purpose of an EIS is to collect and evaluate the appropriate information required to have a complete understanding of the boundaries, attributes and functions of the environmental features, and to make an informed decision as to whether or not a proposed use will have a negative impact on the critical natural features and ecological functions of the environmental feature.

- 9.13.3 The EIS shall include:

- a description and photographs of the physical features on site, including structures, soils, vegetation, wildlife, topography, watercourses and other relevant features;
- a general description of the physical features of the land around the site;
- a description of the ecological and hydrogeological functions of the subject property;
- a summary of the development proposal including a detailed drawing of the proposed development;
- a description of the potential impacts of the development on the physical features of the site;
- a review of alternative development options and alternative methods of mitigating the impacts of the proposed development;
- exploration of opportunities for environmental enhancement; and,
- an implementation and monitoring plan, including mitigation measures and enhancements.

- 9.13.4 The EIS should demonstrate, where applicable, that the proposed use will:

- not discharge any substance that could harm air quality, groundwater, surface water and/or associated plant and animal life;
- be supplied by an adequate supply of water and that the water taking associated with the use will not harm existing water supplies and/or associated plant and animal life;
- not cause erosion or siltation of watercourses or changes to watercourse morphology;
- not interfere with groundwater recharge to the extent that it would adversely affect groundwater supply for any use;
- not cause an increase in flood potential on or off site;
- maintain, enhance, or restore the natural condition of affected watercourses, and protect, enhance, or restore aquatic habitat;



- not significantly affect the scenic qualities of the area; and,
- enhance and restore endangered terrestrial and aquatic habitat where appropriate and feasible.

9.13.5 The EIS shall be prepared by a qualified professional, to the satisfaction of Council (which may include peer review) and at the expense of the proponent.

9.14 Boat Impact Assessment

9.14.1 A boat impact assessment may be required prior to the approval of an application for an Official Plan or Zoning By-law amendment, or upon the request of the Township, where the establishment of a significant boat docking or mooring facility is proposed. A boat impact assessment is intended to evaluate the suitability of a site and the immediate area to accommodate a significant boat docking or mooring facility and its associated boat traffic.

9.14.2 A significant boat docking facility includes:

- a facility or an addition to a facility which from the date of approval of this plan would cumulatively accommodate 15 or more boats;
- a new or expanded facility associated with a commercial use on a narrow waterbody; and,
- the establishment of a new marina, waterfront landing, or boat livery.

9.14.3 A boat impact assessment will consider:

- a description of the proposal including property size and location, environmental influences or development constraints, and physical characteristics of the land and the water interface;
- a plan showing the location, orientation and size of existing and proposed facilities;
- a review of the context and factors related to the boating facility that may affect the use of the water resource, such as existing boat traffic and other water use, size of the water system, expected boat traffic (volume, frequency and distribution), access to the property and the boating facility from the land and water, influences or constraints to navigation, reported accidents or occurrences, and any other pertinent information; and,
- an assessment of the potential impact of the proposal and identification of any mitigation measures which may be required, including suitability of the location, extent, type and orientation of facilities (e.g. docking, lighting, parking), and mitigation measures to reduce impact.

OPA
No. 2

9.15 Complete Application and Pre-Consultation

9.15.1 When considering development or redevelopment of land requiring an application under the *Planning Act*, Council may require the following information and/or studies to be submitted as part of a complete application package:

- Completed application form, including all necessary fees and deposits;
- Copies of the necessary plan or sketch, to scale;



- Evidence of ownership;
- Survey of property, where necessary;
- All necessary reports/studies/plans, which may include:
 - Planning Justification Report
 - Natural Heritage Evaluation
 - Environmental Impact Study
 - Site Evaluation Report
 - Boat Impact Assessment
 - Stormwater Management Report
 - Sediment Control Plan
 - Functional Servicing Report
 - Archaeological Assessment
 - Landscape Plan
 - Lighting Plan
 - Water Quality Impact Assessment

9.15.2 It is strongly encouraged that each applicant consults with the Township prior to submitting an application package to ensure that all necessary information is included.

9.16 Monitoring

9.16.1 The Township will monitor the effect of this plan on an annual basis through an inventory of development activity such as lot creation, building permit activity and land use changes, as well as through review of social, economic and environmental trends.

