

# TOWN OF SAUGEEN SHORES

## OFFICIAL PLAN



**Adopted by Council: December 10, 2012**

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(Office Consolidation – ~~September 2014~~October 2024)

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## INTRODUCTION

The Official Plan is a general land use guide, the purpose of which is to guide land use decisions and manage change in the Town. In accordance with the Planning Act, an Official Plan shall contain, “goals, objectives and policies established primarily to manage and direct physical change and the effect on the social, economic and natural environment of the municipality.”

The Planning Act requires local policies to be consistent with policy statements issued by the Province, such as the Provincial Policy Statement, 2005. The Provincial Policy Statement provides direction on matters of Provincial interest related to land use planning. The Official Plan is also required to conform to the policies of the County of Bruce Official Plan.

## STRUCTURE OF THE PLAN

The Official Plan is divided into 6 Sections, each of which is described in the following Sections:

**Section 1 (Vision, Goals and Objectives)** contains the Vision of the Town. This Vision is based on an understanding of past and future trends and the wishes of the Town’s residents. The goals and objectives that form the basis of the Plan support the Vision. These goals and objectives also establish a framework for the remaining policies in the Plan.

**Section 2 (General Development Policies)** contains policies that apply to the entire Settlement Area and provide general guidelines that will be considered when reviewing development and planning applications.

**Section 3 (Settlement Area Policies)** contains specific policies that apply to the various land use designations within the Town as set out on Schedule A.

**Section 4 (Transportation)** contains the policies that address, roads and transportation, trails and corridors and the Airport.

**Section 5 (Servicing and Utilities)** contains policies that address sewage and water servicing, stormwater management and drainage and utility policies.

**Section 6 (Implementation and Plan Administration)** describes how the Vision, Goals, Objectives and Policies of the Official Plan will be implemented.

The policies of this Official Plan are also implemented on the following Schedules:

Mod # 16	Schedule A	Land Use
Mod # 15	Schedule B	Transportation
	Schedule C	Built-up and Greenfield Area
	Schedule D	Source Water Protection

## HOW TO READ THIS PLAN

The Plan should be read in its entirety in all instances. When determining the policies that apply to a given property, the following steps should be undertaken:

1. The property should be located on Schedule A to determine the applicable designation.
2. The property should be located on Schedule B and Schedule C to determine the classification of road that services the property and whether the property is in the Built-up Area or the Greenfield Area.
3. The policies of the applicable designation should be reviewed. The policies that reflect the land use designations identified on Schedule A are found in Section 3 of this Plan.
4. Section 2 - General Policies, Section 4 - Transportation, Section 5 - Servicing and Utilities and Section 6 - Implementation, apply to all areas subject to this Plan.
5. The property should be located on Schedule D to determine whether the property is within a Source Water Protection area.

The Official Plan applies to all lands in the Settlement Area of Saugeen Shores including publicly owned lands. Landowners, developers, and all users of this Plan should read all of the relevant policies as if they are cross-referenced with each other. This is a comprehensive document and while specific policies sometimes refer to other policies, these cross-references do not take away from the need to read this Plan in its entirety.

In addition to the policies of this Plan, the policies of the County of Bruce Official Plan and the Provincial Policy Statement shall be considered.

Development for the purposes of this Plan means the creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approvals under the Planning Act including but not limited to: consents, minor variances, zoning amendments, official plan amendments, plans of subdivision, plans of condominium deeming by-laws and site plan control agreements.

## NATIVE LAND CLAIMS

The Chippewas of the Saugeen First Nation and the Chippewas of Nawash First Nation have filed a Native Land Claim for the islands in the Saugeen River, the lands that border the north side of the Saugeen River and the shoreline from the mouth of the Saugeen River northerly around the Bruce Peninsula. This Official Plan is not to be interpreted as influencing the Native Land Claims.



## SECTION 1 – VISION, GOALS AND OBJECTIVES

### 1.1 VISION

Saugeen Shores will continue to be a leader in Bruce County in providing a place for individuals, families, retirees, culture, tourism, business and industrial opportunities. It is the objective of this Plan to help preserve both the identity and the diversity of the unique communities that jointly form the Town of Saugeen Shores while strengthening and enhancing a sense of oneness. The goals and policies of this Plan will be applied evenly across the entire Settlement Area of Saugeen Shores.

### 1.2 GOALS AND OBJECTIVES

#### 1.2.1 Growth Management

##### 1.2.1.1 Goal

It is the goal of this Plan to provide an appropriate amount of housing and employment lands to accommodate an additional 5,000 permanent and seasonal residents and 1,125 jobs through 2031.

##### 1.2.1.2 Objectives

- a) To phase new development in a manner that will ensure that the appropriate physical and social infrastructure is available to ensure that new development does not adversely impact the character of the community or the lifestyle enjoyed by the residents of Saugeen Shores.
- b) To require a minimum of ~~15%~~40% of all new growth to occur in the Built-up Area through intensification.
- c) To encourage the efficient use of land in the Settlement Area.
- d) To prohibit new development that would limit the future expansion of the Settlement Area.
- e) To identify housing opportunities in association with the recreational amenities of the Town.
- f) To identify opportunities for residential infill in the Settlement Area.
- g) To ensure that there are sufficient opportunities for employment growth to ensure a balance between employment and residential growth in the community.

## 1.2.2 Housing

### 1.2.2.1 Goal

It is the goal of this Plan to provide opportunities for a range of housing types and densities to accommodate a diversity of lifestyles, age groups, income levels and persons with special needs and to ensure that new housing styles are in character with existing neighbourhoods.

### 1.2.2.2 Objectives

- a) To encourage all levels of government and the private sector to provide for the development of affordable rental and ownership housing in a variety of forms and locations in the Settlement Area that are accessible and safe.
- b) To designate sufficient lands to support a variety of housing styles.
- c) To require a minimum of ~~35%~~30% of all new housing to be medium or high density development.
- d) To make the most efficient use of infrastructure possible by encouraging infilling and intensification within the existing built-up areas of the Town.
- e) To ensure that new housing is designed to maintain the character of existing built form of the area.
- f) To encourage and assist, where possible, in the development of an adequate supply of affordable housing.
- g) The Town will target a minimum of 30% of new housing be provided as affordable housing.
- h) To expedite the development approval process and other administrative requirements for affordable housing initiatives.
- i) To apply more innovative and flexible zoning to affordable housing initiatives.
- j) To promote the construction of assisted rental housing to meet the needs of low-income households.
- k) To monitor Residential Unit or Building unit activity including the number of affordable and accessible units that is created.
- l) Implementing senior government housing programs.
- m) Working with the County of Bruce to enact a Municipal Housing Facilities By-law under section 210 of the Municipal Act to enable the provision of incentives to the public and private sectors to create new affordable housing.

Mod # 5

Mod # 2

n) Giving initial consideration to the provision of affordable housing where Town-owned lands are deemed surplus to the needs of the Municipality and are being considered for sale and/or alternate use.

o) Endeavoring to provide a grant-in-lieu of residential development charges, and shall consider waiving other fees, such as planning fees and building permit fees, to promote affordable housing developments.

o)p) [Alignment with Design Guidelines as a framework for the planning and design of residential intensification projects within the Town to create more diversity in housing and complete communities for all.](#)

### **1.2.3 Economic Development**

#### **1.2.3.1 Goal**

It is the goal of this Plan to provide opportunities for economic development and diversification in a manner that will provide new and continuing employment growth and opportunities.

#### **1.2.3.2 Objectives**

- a) To ensure that a sufficient supply of employment lands is available for development at all times, for a 20 year time horizon.
- b) To carefully monitor local and regional trends with respect to the supply of land for employment to ensure that an adequate supply in appropriate locations is available at all times.
- c) To encourage wherever possible, through the land use planning process, the retention and expansion of existing businesses in the appropriate areas in the Town.
- d) To encourage the protection of the Town's natural attributes, such as the beaches, rural areas and its Natural Heritage Features to ensure that the recreational and tourism uses that rely upon these attributes can be maintained and enhanced.
- e) To provide flexible land use regulation to enable business to adapt to changing conditions.
- f) To support healthy and vibrant downtowns in Port Elgin and Southampton.

### **1.2.4 Natural Environment**

#### **1.2.4.1 Goal**

It is the goal of this Plan to maintain, restore and enhance the Natural Heritage Features, ecological functions and water resources of the Town.

#### **1.2.4.2 Objectives**

- a) To identify and maintain, restore and enhance important natural heritage features areas such as significant wildlife habitat areas, significant

FOR REVIEW

woodlands, fish habitat, habitat of endangered and threatened species, wetlands, significant valley lands, beach areas and dynamic beach areas.

- b) To protect and improve water quality and hydrological characteristics, functions and processes of Lake Huron, the Saugeen River and its tributaries, aquifers and wetlands.
- c) To maintain, restore and enhance the biodiversity of the natural environment, including connections and linkages between natural heritage features.
- d) To direct development to suitable areas where significant natural heritage features do not exist.
- e) To protect the population and properties from natural hazards by restricting or prohibiting development in areas that exhibit natural hazard characteristics.

## **1.2.5 Arts, Culture and Heritage**

### **1.2.5.1 Goal**

It is the goal of this Plan to identify, conserve and enhance the Town's cultural heritage resources whenever practical and to encourage all new development and redevelopment to respect important cultural heritage features.

### **1.2.5.2 Objectives**

- a) To maintain, restore and enhance the cultural heritage resources of the Town such as its historical landscapes, sites and buildings and unique cultural, architectural, archeological and historic resources.
- b) To use cultural heritage resources to attract additional economic development, increase tourism opportunities and enhance the character of the Town by providing public access to cultural heritage features.
- c) To provide opportunities for the display of art and cultural elements in public area of the community.
- d) To ensure that new development and redevelopment preserves and reflects cultural elements that defines the character of the community which may include natural features such as trees and hedgerows or built features.
- e) To prevent the demolition, destruction, inappropriate alteration or use of cultural heritage resources.

## **1.2.6 Community Character**

### **1.2.6.1 Goal**

Mod # 19

It is the goal of this Plan to recognize that the character of different areas of the Town are distinctive and are characterized by local landscapes, existing buildings and built form.

### **1.2.6.2 Objectives**

- a) To ensure that future development is in-keeping with the character of the nearby area.
- b) To preserve the historic tourist-oriented waterfront community character of Southampton and ensure that the scale of development in that community reflects this character.
- c) To maintain the rural areas by directing the majority of growth to the Saugeen Shores Settlement Area.
- d) To direct large scale developments to the Port Elgin community to promote Port Elgin as a major service centre for surrounding areas.
- e) To protect and enhance the character of downtown areas through community design and protection of significant cultural buildings and features.

## **1.2.7 Lifestyle**

### **1.2.7.1 Goal**

It is the goal of this Plan to ensure that the quality of life in Saugeen Shores will be among the best in the Country for all members of the community.

### **1.2.7.2 Objectives**

- a) To provide a linked, accessible system of public parks, open space, and trails, the provision of public recreation and community facilities, and to preserve and enhance public access to the waterfront and public beach areas for recreational and community use.
- b) To provide policies that promote the beautification of the Town and the provision and retention of green space, including enhanced landscaping and buffering features, particularly within core commercial areas, the waterfront area, along arterial roadways and in employment areas.
- c) To enhance and maintain recreational areas and facilities.
- d) To ensure that all new and existing residents have access to parks, trails and public facilities.

- e) To maintain public access points to Lake Huron and the Saugeen River.
- f) To recognize opportunities for increasing trail connectivity through Planning Act approvals.
- g) To ensure that there is a full range of opportunities for all residents to acquire goods and services, education and employment locally.
- h) To encourage barrier-free access through community and building design and in the provision of public facilities, streets, parks and open space and other public places.
- i) To encourage partnerships between the Town and other institutional entities to improve access to existing facilities.
- j) To encourage the protection of water and air quality.

## **1.2.8 Services and Transportation**

### **1.2.8.1 Goal**

It is the goal of this Plan to ensure that all municipal services meet the needs of present and future residents and businesses in an efficient and environmentally sensitive manner.

### **1.2.8.2 Objectives**

- a) To encourage the efficient use of municipal water and sewer services within the existing built up area and to avoid unnecessary extension of such services to areas within the Settlement Area and Town which are not planned for development.
- b) To avoid conflicts between local traffic and through traffic within the Settlement Area while maintaining the function of Highway 21 as a Provincial Highway.
- c) To provide a framework for the provision of a well-planned transportation network that promotes the safe, efficient movement of goods and people within and through the Settlement Area.
- d) To promote alternative forms of transportation including cycling and walking.
- e) To maintain and improve the pedestrian and cycling trail system in the Town and to ensure the design of new neighbourhoods incorporate options for active transportation.
- f) To consider options for transit delivery in the Settlement Area, including non-traditional forms of transit delivery.

## 1.2.9 Sustainability

### 1.2.9.1 Goal

It is the goal of this Plan to create a healthy, livable and safe community through community development patterns, community design and building design.

### 1.2.9.2 Objectives

- a) To promote efficient land use patterns that protect natural features.
- b) To develop compatible employment and recreation opportunities in close proximity to residential areas to reduce dependency on the automobile.
- c) To design buildings, infrastructure and facilities to minimize energy consumption.
- d) To promote sources of energy or energy conversion processes that significantly reduce the amount of harmful emissions to the environment (air, earth and water) when compared to conventional energy systems, that are compatible with the character of the Town.
- e) To encourage the development and use of local goods and services.

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## 1.2.10 Consultation and Community Engagement

### 1.2.10.1 General Policies

The Town is committed to improving public consultation opportunities and encouraging public participation through transparent and inclusive planning processes in relation to land use planning matters. The Town will achieve this through the following policies:

- a) Effectively using a range of communication methods, to facilitate engagement from all members of the community including alternative public consultation measures to notify prescribed persons and public bodies of proposed developments subject to and in accordance with the Planning Act.
- b) Providing opportunities for public consultation, open communication and input into decisions that may affect the lifestyle enjoyed by current and future residents and business owners in the Town.
- c) Consultations are provided in an accessible manner, including the preparation of information that is appropriate for the hearing or visually impaired as requested.

### ~~1.2.10.1 Goal~~

~~It is the goal of this Plan to improve public consultation opportunities and public participation levels for land use planning related matters.~~



**1.2.10.2 Objectives**

- a) ~~To effectively use the internet to reach and engage all members of the community.~~
- b) ~~To provide opportunities for public consultation, open communication and input into decisions that may affect the lifestyle enjoyed by current and future residents and business owners in the Town.~~
- c) ~~To ensure that consultation is provided in an accessible manner, including the preparation of information that is available in a format that is appropriate for the hearing or visual impaired as requested.~~

## **SECTION 2 – GENERAL DEVELOPMENT POLICIES**

### **2.1 INTRODUCTION**

2.1.1 This Section of the Plan presents the policies that are applicable throughout the Settlement Area of Saugeen Shores regardless of the land use designation, unless otherwise indicated. These policies should be read in conjunction with the vision principles, goals, objectives and policies contained in other sections of the Plan.

### **2.2 BARRIER FREE ACCESS**

2.2.1 In reviewing development applications and when the Town is undertaking public works, consideration will be given to the creation of a barrier free environment.

2.2.2 Barrier free design will be applied to intersections, curb cuts, pedestrian activated signals, public buildings, and all new institutional, recreational, commercial, and industrial buildings.

### **2.3 BROWNFIELDS**

2.3.1 It is the policy of this Plan to encourage the re-use and redevelopment of Brownfield sites. A Brownfield site is a property that is undeveloped or previously developed that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant.

2.3.2 The Town will work closely with the development community to support the redevelopment of Brownfield sites and to search for grants, loans or tax assistance that may be available from the County, Provincial or Federal governments.

2.3.3 If the site of a proposed land use is known or suspected to be contaminated, a study may be required in accordance with Provincial guidelines to determine the nature and extent of the contamination and the requirement for a remedial plan. Where the need is identified, the site shall be restored in accordance with the remedial plan before development occurs to ensure there will be no adverse effects on the proposed use or adjacent land uses.

### **2.4 BUILT HERITAGE RESOURCES, CULTURAL HERITAGE LANDSCAPES AND ARCHAEOLOGY**

#### **2.4.1 Introduction**

2.4.1.1 It is a goal of this Official Plan and any subsequent implementing documents to identify and conserve built heritage resources, heritage properties, heritage attributes, cultural heritage landscapes and archaeological resources.

## **2.4.2 Cultural Heritage Inventories**

2.4.2.1 Council may pursue the development and use of comprehensive inventories of cultural heritage features, including entering into a data sharing agreement with the Ministry of Culture, to assist in conservation efforts. These inventories may include built heritage resources, cultural heritage landscapes, archaeological sites and areas of archaeological potential.

## **2.4.3 Heritage Districts**

2.4.3.1 Council may by By-law designate conservation districts pursuant to the Ontario Heritage Act and the policies of this Section. Prior to the passage of a By-law to establish a conservation district, Council shall be satisfied that the area is of historical or architectural heritage and satisfies one of the following criteria:

- a) A significant number of buildings should reflect an aspect of the historical heritage of a community by nature of its historical location and significance of setting.
- b) A significant number of buildings should exhibit an architectural style of construction that is significant historically or architecturally to the community, Province, or Country.
- c) The area may contain other notable physical, environmental, and aesthetic characteristics which in themselves do not constitute sufficient grounds for the designation of a district, but which lend support when evaluating the criteria for designation.
- d) The district may be in an area surrounding several individually designated buildings or sites.

## **2.4.4 Building Designation Under The Ontario Heritage Act**

2.4.4.1 Built heritage resources or cultural heritage landscapes, such as individual buildings may be designated pursuant to the Ontario Heritage Act and the policies of this Section. Prior to the consideration of the designation, Council shall be satisfied that one of the following criteria is satisfied:

- a) The building or property is strongly associated with the life of a person who played an integral role in the development of the Town of Saugeen Shores and/or is recognized locally, nationally or internationally;
- b) The building or property is the location of, or is associated in a significant way, with a significant local, national or international event;
- c) The building has an architectural style that is distinctive and representative of a period of history and/or is the work of a recognized architect; and,
- d) The building or property is considered to be an easily recognizable landmark in the Town and contributes to the character of the community.

## **2.4.5 Preservation Of Heritage Resources**

- 2.4.5.1 It shall be the policy of Council to encourage the preservation of buildings and sites having historical, architectural and/or archaeological value. Council recognizes that there are archaeological resources of past Aboriginal and pioneer era settlement within the Town and important archaeological evidence of historic activities, which would be of value in future conservation of the built environment.
- 2.4.5.2 Council shall work with the Ministry of Culture to identify and maintain a list of possible heritage buildings and sites. This inventory will be the basis for the preservation, restoration, and utilization of heritage resources.
- 2.4.5.3 Council may designate and regulate heritage resources under appropriate legislation, including the Ontario Heritage Act, the Planning Act, and the Municipal Act, whenever deemed feasible.
- 2.4.5.4 Council may establish criteria and guidelines to determine and regulate heritage resources.
- 2.4.5.5 Council, with the advice and assistance of a designated committee, may regulate and guide alterations and additions of heritage resources.
- 2.4.5.6 Streetscape, building facade improvements and new buildings shall be designed to create a continuous, attractive environment throughout the downtowns of Port Elgin and Southampton.
- 2.4.5.7 Development that is adjacent to significant cultural heritage resources shall be encouraged to be of an appropriate and compatible scale and character.
- 2.4.5.8 Existing mature trees shall be maintained unless they have the potential to impact human health and safety. The planting of new native species shall be encouraged in appropriate locations.

## **2.4.6 Archaeological Resources**

- 2.4.6.1 It is recognized that there are areas in the Town that have been demonstrated or have the potential to contain archaeological resources. Where development is proposed in or adjacent to lands that may have potential for archaeological remains, an archaeological assessment may be required to be prepared by the owner, as determined in consultation with the appropriate authority.

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## **2.5 ENERGY EFFICIENCY AND CONSERVATION**

- 2.5.1 The Town shall promote energy conservation by encouraging developers to implement techniques such as innovative building design, efficient road patterns, lot layout orientation and landscaping techniques that minimize energy use.
- 2.5.2 Council shall encourage involvement in energy conservation programs.

2.5.3 The Town is committed to assist in energy conservation. Under the Ontario Municipal Act – 147 (1) Energy Conservation Program, the Town may provide for and/or participate in energy conservation programs such as the improvement of energy systems in municipal buildings and encouraging families and businesses to use off peak demand times.

2.5.4 To encourage energy conservation through planning that promotes pedestrian and cycling activities in the Town.

## **2.6 ENVIRONMENTAL FEATURES**

### **2.6.1 Introduction**

2.6.1.1 Environmental features include habitat of endangered or threatened species, significant wildlife habitat, wetlands, significant valleylands, areas of natural and scientific interest, significant woodlands and fish habitat. The protection of environmental features is important to the local economy as the tourism industry is dependent upon the health of the natural environment. Additionally, the general health of the population benefits from clean air, clean water and the biodiversity that is maintained by protecting and enhancing environmental features.

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2.6.1.2 Until such time when environmental features mapping is available and is incorporated into this Plan, this Plan will rely on the Environmental Hazard designation, Special Policy Area #4, and the Significant Woodlands Study mapping to achieve much of the Town's environmental goals and objectives. New development proposed in or adjacent to the Environmental Hazard designation must also address all of the applicable environmental features issues.

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### **2.6.2 General Policies**

2.6.2.1 Where any development including public works is considered, the impact of the proposal on the environmental features shall be considered prior to any approvals being given.

2.6.2.2 Lands that are adjacent to environmental features shall contain and maintain appropriate buffer areas to protect the environmental feature.

2.6.2.3 The development of recreational trails in natural features are permitted, provided the natural feature is capable of sustaining the type and amount of traffic envisioned for the trail.

2.6.2.4 Development that is located in or adjacent to an environmental feature, and supported by the policies of this Plan, may be subject to Site Plan Control.

### **2.6.3 Significant Habitat Of Endangered Or Threatened Species**

2.6.3.1 The Endangered Species Act requires the protection of significant habitat of endangered or threatened Species. Portions of the Town may be habitat for species at risk. All development must ensure that the habitat of endangered

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species or species at risk is protected.

2.6.3.2 No development or site alteration shall be permitted in habitat of endangered or threatened species or species at risk.

2.6.3.3 Detailed mapping showing the habitat of endangered or threatened species within the Settlement Area of the Town is not included on Schedule "A" to this Plan. When and if mapping does become available, such areas will be designated for protection in this Plan where appropriate.

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2.6.3.4 Development and site alteration may be permitted on adjacent lands only if it has been demonstrated through an Environmental Impact Statement that there will be no negative impacts on the habitat of endangered or threatened species.

2.6.3.5 Significant habitat of threatened or endangered species shall be zoned in the Zoning By-Law to preclude new development within such areas.

#### **2.6.4 Significant Wildlife Habitat**

2.6.4.1 Detailed mapping showing significant wildlife habitat within the Settlement Area of the Town is not included on Schedule "A" to this Plan. When and if mapping does become available, such areas will be designated for protection in this Plan where appropriate.

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2.6.4.2 Development or site alteration proposed in or adjacent to significant wildlife habitat is not permitted unless an Environmental Impact Statement has been approved by Council which demonstrates that there will be no negative impact on the significant wildlife habitat.

2.6.4.3 Significant Wildlife Habitat shall be zoned in the Zoning By-Law to preclude new development within such areas.

#### **2.6.5 Fish Habitat**

2.6.5.1 Where development is proposed in a water feature or adjacent to a water feature that has the potential to contain fish habitat, an Environmental Impact Statement shall be required.

2.6.5.2 Development and site alteration shall not be permitted in fish habitat, except in accordance with Provincial and Federal requirements.

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#### **2.6.6 Wetlands**

2.6.6.1 Wetlands are defined as lands that are seasonally or permanently flooded by shallow water as well as lands where the water table is close to the surface; in either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic or water tolerant plants. Specific areas shall be identified or confirmed as wetlands by the Town, in consultation with the appropriate authority.

2.6.6.2 The MacGregor Point Provincially Significant Wetland is located within the southernmost portion of the Settlement Area of Saugeen Shores. The limits of the wetland are identified by Ministry of Natural Resources mapping. Should any additional wetlands be identified in the future, the wetland(s) will be recognized on the Schedules of this Plan and designated for protection.

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2.6.6.3 Development or site alteration shall not be permitted within any wetlands.

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2.6.6.4 Where development or site alteration is proposed on lands adjacent to a wetland, an Environmental Impact Statement shall be required.

2.6.6.5 Wetlands shall be zoned in the Zoning By-Law to preclude new development within such areas.

## **2.6.7 Areas Of Natural And Scientific Interest**

2.6.7.1 Areas of Natural and Scientific Interest (ANSIs) are areas of land and water that represent significant geological (earth science) and biological (life science) features. Earth science ANSIs include areas that contain examples of rock, fossil and landform features in Ontario. Life science ANSIs are areas that contain examples of the many natural landscapes, communities, plants and animals.

2.6.7.2 Development shall not be permitted in a Life Science ANSI. Development may be permitted adjacent to a Life Science ANSI and on or adjacent to an Earth Science ANSI subject to the preparation of an Environmental Impact Statement and confirmation that the proposed development will have no negative impacts on the natural features or their ecological functions.

## **2.6.8 Tree Preservation and Significant Woodlands**

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2.6.8.1 "Significant Woodlands" refer to areas occupied by trees, woodlots or forests that provide important environmental and ecological functions. The woodlands, in addition to being important habitat to the biological community, provide an important balance in the distribution of open space and passive recreation within an urban setting.

2.6.8.2 This Plan promotes the maintenance, restoration and enhancement of the woodland areas of Saugeen Shores. The woodland areas are described as:  
a) lands within 'Special Policy Area 4' as identified on Schedule 'A' to this Plan; b) lands subject to the Town of Saugeen Shores Significant Woodlands Review, as identified on Schedule 'A' to this Plan as the 'Significant Woodlands Overlay'; c) woodlands that have an area of 4 hectares (10 acres) or greater that are not identified on Schedule 'A' to this Plan.

a) Section 3.20 contains policies for lands within 'Special Policy Area 4'; other woodlands policies within Section 2.6.8 do not apply to lands within 'SPA 4'.

b) Section 2.6.8 contains policies for lands subject to the Significant Woodlands Review.

c) Woodlands having an area of 4 hectares (10 acres) or greater are considered “significant woodlands”; development or site alteration shall not be permitted within these woodlands. Development may be permitted on adjacent lands in accordance with Section 2.6.11. Certain lands within the Significant Woodlands Review are also part of woodlands that have an area of 4 hectares (10 acres) or greater; in such cases, development or site alteration may be permitted subject to the policies of this Section.

2.6.8.3 Significant woodlands within the Significant Woodlands Review were identified based on woodland size, size of woodland interior, proximity to other woodlands and known natural heritage features, strength of existing linkages, and presence of significant vegetation communities or species. As identified in the Significant Woodlands Review, the interior of the woodlands is defined as a continuous area of 2 hectares or greater and is measured 100 metres from the edge of the woodland feature.

2.6.8.4 Primarily these lands comprise a small portion of a larger wooded feature along the Lake Huron shoreline that runs north. It is recognized that a small portion of the significant woodland is within the designated Settlement Area that has been serviced with municipal sewer and water and other municipal services. Many of the lands within this area are designated as Residential and the lands are required to meet the Town’s growth projection in Section 1.2 of this Plan. The objective is to therefore permit new development in accordance with the underlying designation, in a way that protects and maintains interior woodland features and values.

2.6.8.5 Development and site alteration shall not be permitted in these significant woodlands unless it has been demonstrated through the preparation of an Environmental Impact Statement that interior woodland features and values are retained.

2.6.8.6 Development in the interior shall be discouraged. If developments are proposed within interior areas, the proponent shall be required to undertake an Environmental Impact Study. The contents of the Environmental Impact Study shall be determined through pre-consultation with the Town and SVCA. For developments adjacent to the ‘Significant Woodlands Overlay’ or in non-interior areas, an Environmental Impact Statement may be required. Standard mitigation measures and remediation tools shall be applied, such as:

- a) Tree preservation and retention plans with the objectives of minimizing tree removal and disturbance, and protecting vegetation communities of conservation concern, and that consider clustering built form techniques;
- b) Re-planting plans that incorporate appropriate native species. Re-planting shall occur either on the land subject to development or on other lands within or near the significant woodland feature. The ratio of new trees planted to trees removed shall be at least 2:1, and only those new trees for the purposes of restoring and/or establishing natural features habitat shall be considered;



- c) Lot grading and drainage plans designed to maintain surface and ground water and/or hydrogeologic functions of the abutting interior areas;
- d) Other measures for impact avoidance and mitigation in woodlands, recommended in Table 9 of the Significant Woodlands Review (prepared by NRSI, August 2012).

2.6.8.7 Recommendations contained in an Environmental Impact Study shall be implemented through appropriate Zoning By-law provisions, site plan control or subdivision agreements, and other appropriate land use planning tools.

2.6.8.8 Where a property is zoned for residential development and fragmentation of a significant woodland exists, an Environmental Impact Statement may not be required.

2.6.8.9 Through subdivision and development applications the proponent will be required to address how tree preservation will be achieved. During the course of a development application, assessments shall be undertaken to determine the best techniques for preservation of the woodlands functions. Prior to granting approval, the Town shall determine the adequacy of the techniques. Council will encourage the preservation of trees through the use of site plan control or subdivision agreements or through the use of a Tree Preservation By-law.

## **2.6.9 Natural Features Linkages**

2.6.9.1 It is the policy of this Plan to identify and improve linkages between natural heritage features. Linkages provide important pathways for local species movement between habitat areas.

2.6.9.2 Linkages are generally comprised of vegetative corridors and are often associated with water features. The Town shall encourage the use of Site Plan Control and site specific zoning to protect and develop linkages between natural features of the Town.

## **2.6.10 Source Water Protection**

2.6.10.1 The Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Plan was approved in 2015 in accordance with the Ontario Clean Water Act, 2006. The purpose of the Source Protection Plan is to protect existing and future sources of drinking water for municipal residential drinking water systems. The source protection plan identifies vulnerable areas for the protection of drinking water sources: municipal Wellhead Protection Areas (WHPA) and Intake Protection Zones (IPZ), as well as Highly Vulnerable Aquifers (HVA) and Significant Groundwater Recharge Areas (SGRA).

The Source Protection Plan identifies that Municipalities are responsible for, among other things, using planning tools to manage risks from significant drinking water threats. It is the objective of this Town of Saugeen Shores Official Plan to:

- a) Support the implementation of Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Plan, as may be amended from time to time;
- b) Protect existing and future sources of drinking water for future use;
- c) Incorporate source protection objectives into the land use planning process to ensure that existing and future drinking water resources are not compromised in the future as a result of land use decisions;
- d) Encourage the establishment of water conservation measures as a way to meet water supply needs;
- e) Ensure the protection of drinking water sources by recognizing vulnerable areas such as intake protection zones, significant groundwater recharge areas, highly vulnerable aquifers as well as event-based areas and by controlling development within these zones that are deemed to pose a significant threat to the quality or quantity of the drinking water sources.

2.6.10.2 The Zoning By-law shall identify land uses that are not permitted within areas of Source Water Protection.

2.6.10.3 At present time, the majority of residents within the urban areas of Port Elgin and Southampton obtain their drinking water through a municipally owned water system, which receives its supply from Lake Huron through an intake located off of Southampton.

Schedule D-1 to this Plan identifies the Southampton Drinking Water Intake Protection Zone.

Schedule D-2 identifies the Southampton Drinking Water Intake Events Based Area. Within Events Based Areas EBA-13,000 and EBA-22,5000 as delineated within the approved Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Plan and shown in Schedule D-2 to this Plan. Policies G-01 and G-02 may apply to land uses stores and handle of more than 13,000 litres in the EBA-13,000 and more than 22,500 litres in the EBA-22,500.

For the purposes of this Section 'Fuel Storage Facility' shall refer to facilities where gasoline or an associated product (any other liquid product used as a fuel) is handled, loaded or dispensed to be used as a fuel in motor vehicles, or as a fuel oil.

2.6.10.4 The majority of rural residents obtain drinking water from private wells. Significant portions of the Town of Saugeen Shores are located within Highly Vulnerable Aquifers and Significant Groundwater Recharge Areas, as identified on Schedule D-3 to this Plan. Impacts to groundwater quality and quantity will be considered in planning decisions within these areas.

## **2.6.11 Adjacent Lands**

2.6.11.1 Adjacent lands are those lands that are contiguous to a feature and are considered integral to the protection, and functioning of a feature and development or site alteration of these lands could have a negative impact on the feature or area. An EIS may be required where development is proposed on adjacent lands. For the purposes of this Plan, adjacent lands are defined as all lands within:

- a) 120 metres of the boundary of a Provincially Significant Wetland;
- b) 50 metres of the boundary of other wetlands;
- c) 30 metres of any watercourse;
- d) 120 metres from the boundary of a Provincially or Regionally Significant Area of Natural and Scientific Interest – Life Science;
- e) 50 metres from the boundary of a Provincially or Regionally Significant Area of Natural and Scientific Interest – Earth Science;
- f) 120 metres from the habitat of an endangered or threatened species;
- g) 120 metres from the boundary of fish habitat;
- h) 120 metres from a coldwater stream;
- i) 120 metres from significant wildlife habitat;
- j) 120 metres from a significant woodland; and,
- k) 50 metres from the Environmental Hazard Designation.

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## **2.6.12 Environmental Review Policies**

2.6.12.1 It is a policy of the Town to require land use proposals within and/or abutting lands designated as Environmental Hazard to be reviewed by Council and appropriate government agencies in order to ensure that development which has the potential to seriously impair ecological processes and natural features by virtue of the type and scale of the proposed land use or the cumulative impacts of it and other land uses in its vicinity is not permitted within the Plan area. The Environmental Impact Statement shall assist in determining whether the development should be permitted, and if so, what environmental safeguards shall be necessary.

2.6.12.2 Depending on the scale, intensity and type of development proposed, a number of environmental studies, as determined by the Town or various government agencies, may be required at the proponent's cost prior to the Town's making a decision on the development. An Environmental Impact Statement shall be required for all development proposals within lands designated as Environmental Hazard or land adjacent to the Environmental

Hazard designation and/or on lands in or adjacent to any natural heritage feature(s), as specifically noted by the policies of this Plan. After consulting with the Saugeen Valley Conservation Authority, the requirements for an EIS shall be determined by the Town.

## **2.7 GREEN ENERGY POLICIES**

### **2.7.1 Introduction**

2.7.1.1 The Town of Saugeen Shores recognizes the limited jurisdiction of municipalities to plan for and regulate energy projects undertaken in accordance with the Green Energy and Economy Act. However, it is the policy of the Official Plan to provide direction for use and siting for Green Energy infrastructure in the Town.

### **2.7.2 General Policies**

2.7.2.1 When commenting on proposed Green Energy projects, Council shall consider potential land use planning impacts including but not limited to: noise, visual impact, impact on the landscape, stormwater management, shadows or light reflection, impact on environmental features, impacts on agriculture and impact on property value.

2.7.2.2 Should Provincial legislation change, Council will consider the potential impacts outlined in this Section when reviewing applications for Green Energy projects.

2.7.2.3 Prior to providing comments on Green Energy proposals Council may require the proponent to submit any or all of the following studies and materials:

- a) A noise study to identify the setbacks or other mitigation measures, if any, required to meet the applicable Ministry of the Environment standards;
- b) A visual impact study analyzing the impact on the landscape as viewed from arterial roads and area residences and the mitigation measures required, if any;
- c) A study on impacts on storm water management and potential impacts of ground and surface waters;
- d) A study analyzing the potential amount of adverse shadow or light reflection effects on sensitive uses adjacent to the subject property and the related mitigation measures, if any;
- e) A study of any impacts on environmental features and functions such as bird migration and feeding activities;
- f) A study outlining the potential impact on agriculture and required mitigation measures; and,

- g) A property value benchmark study to review the potential effect of the proposed development on properties in the area of the proposal in comparison to other properties in the Town.

2.7.2.4 Green Energy projects that contribute power to the Provincial electrical network shall be considered as industrial uses and shall be subject to Site Plan Approval and Development Charges. This policy shall not apply to green energy projects located on principal residential buildings.

### **2.7.3 Wind Turbines**

2.7.3.1 Wind turbines used to generate electricity can have significant visual, environmental and amenity impacts depending on their location. Large Wind turbines are not permitted in the Settlement Area.

2.7.3.2 The Zoning By-law shall establish minimum setback requirements for sensitive land uses from wind turbines. The Town may consider the Ministry of the Environment "Noise Assessment Criteria in Land Use Planning" [Publication LU-131] as a guideline.

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### **2.7.4 Small Wind Energy Conversion Systems (SWECS)**

2.7.4.1 A Small Wind Energy Conversion System (SWECS): means a single mechanical power generating device or turbine which converts wind to electrical power that produces less than nameplate capacity rating of 50 kilowatts kW and is intended only to generate electricity for the use of the individual lot upon which the system is located. A SWECS may be permitted as an accessory structure to a permitted agricultural, industrial or institutional use on a property within the Settlement Area, subject to the requirements of the Zoning By-law. The Zoning By-law may establish minimum lot size and minimum setbacks from property lines for a SWECS in order to ensure compatibility with abutting land uses. In no case shall a SWECS be permitted on a lot:

- a) that is smaller than 0.4 hectare (1 acre) in area;
- b) that is not capable of providing a setback from every lot line equal to the permitted height of the SWECS; and,
- c) that cannot provide a minimum setback of 91 metres (300 feet) from any part of the SWECS to the nearest residential lot line.

### **2.7.5 Solar Energy Systems**

2.7.4.1 Solar energy systems are permitted within the Settlement Area provided they are mounted on the roof of a primary or accessory building.

## **2.8 HAZARD POLICIES**

### **2.8.1 Introduction**

2.8.1.1 It is a goal of this Plan to direct development away from hazardous areas, such as floodplains, steep and unstable slopes, organic and unstable soils, erosion susceptible areas, as well as flooding, erosion and dynamic beach hazards associated with Lake Huron. These natural hazards may be severe enough to cause property damage and may pose a risk to public health and/or safety if the lands were to be developed. In addition to those lands designated as Environmental Hazard, the following policies apply to lands that exhibit hazardous characteristics.

### **2.8.2 General Policies**

2.8.2.1 Within all lands designated Environmental Hazard, development and site alteration shall be prohibited or restricted.

### **2.8.3 Lands Prone to Watercourse Flooding**

2.8.3.1 Lands prone to watercourse flooding are defined as those lands adjoining a river, channel or stream that are susceptible to flooding during the Hurricane Hazel Flood Event Standard (formerly known as the Regional Storm flood). Specific policies for these areas are found in Section 3.18 of this Plan.

### **2.8.4 Lands Prone to Lake Huron Flooding and Erosion**

2.8.4.1 Lands prone to Lake Huron flooding and erosion include an area measured 15 metres landward from the 100 Year Lake Flood Line, which includes an allowance for wave uprush, erosion and other water related hazards. In particular locations along the shoreline, a dynamic beach hazard exists. Specific policies for these areas are found in Section 3.18.4.2 of this Plan.

### **2.8.5 Steep and Unstable Slopes and Areas Susceptible to Erosion**

2.8.5.1 Lands prone to steep and unstable slopes and erosion are defined as those lands adjacent to slopes and located within the 100 year erosion rate and/or the stable slope allowance. Development should be set back an appropriate distance from the top of bank, as determined by the Saugeen Valley Conservation Authority. An increased or reduced setback from the top of bank may be considered if a technical study is completed to the satisfaction of the Saugeen Valley Conservation Authority.

2.8.5.2 The Zoning By-law may define steep slopes and may establish minimum setback requirements from steep slopes.

## **2.8.6 Unstable Soils**

- 2.8.6.1 Unstable soils, including organic soils, are generally associated with wetlands. Where development is proposed in areas of unstable soils, a Geotechnical Study may be required.

## **2.9 LAND USE COMPATIBILITY**

- 2.9.1 The proposed development and redevelopment of all land in the Town must generally be compatible with adjacent land uses. Residential areas and other sensitive land uses shall be protected from undesirable air quality and excessive noise and vibration through the policies of this Plan and the use of Site Plan Control.
- 2.9.2 Developers proposing to locate residential or other sensitive land uses near industry, airports, arterial roads and/or provincial highways or new commercial or industrial development proposed in proximity to existing residential development may be required to carry out noise, air quality and/or vibration assessments and determine control measures which are satisfactory to the Ministry of Environment and/or the Town and which meet the Ministry's recommended sound, air quality and vibration limits.
- 2.9.3 The Town may use Site Plan Control, and the implementing Zoning By-law, to require buffering between uses of land where there may be conflicts such that one use may detract from the enjoyment and functioning of the adjoining use. Such buffering will be considered in light of the Ministry of Environment's guideline entitled "Guideline D-6 Compatibility Between Industrial Facilities and Sensitive Land Uses", as amended from time to time, and may include landscaping, screening and the separation of uses by extra distance between them.
- 2.9.4 Added conditions such as increased yard requirements, planting strips, fencing, and/or berms, deflective lighting, are all added requirements that may be imposed to offset aspects of incompatibility between any two land uses as may be set out in the implementing Zoning By-law.

## **2.10 MOBILE HOMES/TRAILERS**

- 2.10.1 Mobile homes and trailers shall not be permitted except in accordance with the policies of Section 3.4.4 of this Plan.
- 2.10.2 Notwithstanding the above, site-specific amendments to the Zoning By-law may be considered for a mobile home site to provide temporary accommodation during the construction phase at Bruce Nuclear, subject to the provision of full municipal services, site plan control, location outside of the Environmental Hazard designation and an agreement between the Town and the landowner specifying the length of time that such temporary accommodation may be provided.

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## 2.11 SUBDIVISION OF LAND

### 2.11.1 Introduction

2.11.1.1 This section contains policies that are to be considered with every application to subdivide land. Proposed lot creation shall comply with the policies of the underlying land use designation identified on Schedule "A" Land Use Plan and the provisions of the Town's Zoning By-law.

2.11.1.2 The preferred means of lot creation in the Settlement Area is by plan of subdivision or condominium where one or more of the following applies:

- a) The development requires the provision of new public roads or other municipal infrastructure (including parks and hard services); and/or,
- b) It is necessary to ensure that the entire land holdings or area is developed in an orderly and efficient manner.

2.11.1.3 The Town may enter into a Subdivision Agreement as a condition of the approval of any application made under Section 51 or 53 of the Planning Act. Such agreements shall ensure that the necessary internal or external services be provided by the developer to the specifications established by the Town.

### 2.11.2 New Lots By Consent

#### 2.11.2.1 General Criteria

2.11.2.1.1 In considering lot creation by consent, the Town and the approval authority shall be satisfied that the proposed lot creation conforms to the following criteria:

- a) Frontage on a public road that is maintained year-round can be obtained;
- b) Safe and suitable access is available, which meets municipal, County or Provincial transportation objectives, standards and policies for safety and access;
- c) The site contains a suitable building envelope and can be appropriately serviced with appropriate water services, sewage services, stormwater services, schools, and fire protection;
- d) The development will not have a negative impact on the drainage patterns in the area;
- e) The division of land represents infilling in a Built-up Area or a minor extension of such area~~The division of land represents infilling in a Built-up Area or a minor extension of such area and the proposed lots are compatible with the lot area, frontage and density pattern of the surrounding area;~~
- f) The division of land represents orderly and efficient use of land, and its

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approval would not hinder future development of the retained lands;

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- g) The development has considered road widenings that may be required to be dedicated to the appropriate authority;
- h) The proposed development meets the requirements outlined in Section 51(24) of the Planning Act and the Bruce County Official Plan~~The proposed development meets the requirements outlined in Section 51(24) of the Planning Act;~~
- i) The division of land will result in a developable portion of the lot outside of the limits of the Environmental Hazard designation or outside of a natural heritage feature. Lot creation may be permitted adjacent to a natural heritage feature subject to the results of an Environmental Impact Statement;
- j) The division of land is not located entirely in a floodplain or the 100 Year Erosion Limit or any other physical constraint as determined by the Town;
- ~~k) The division of land is not located on a mineral aggregate resource or mineral deposits, as identified by the Province, or the County of Bruce, or within 123 metres of the limit of an existing licensed extractive industrial operation unless it is demonstrated through a Planning Report. Development may be permitted within 123 metres of an operation subject to the recommendations of a Planning Report; and,~~
- h)k) The development shall not preclude or constrain the continuation or expansion of extractive operation(s) within the licensed area.

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2.11.2.1.2 The Town may enter into a Subdivision Agreement as a condition of the approval of any application made under Section 51 or 53 of the Planning Act. Such agreements shall ensure that the necessary internal or external services be provided by the developer to the specifications established by the Town and shall ensure that the development does not negatively impact the Town financially.

### 2.11.3 Subdivision And Condominium Development Policies

2.11.3.1 This section is intended to contain general Plan of Subdivision and Condominium policies that are to be considered with every application for Plan of Subdivision or Condominium. Regard should also be had to the specific policies dealing with lot creation in each land use designation.

2.11.3.2 Prior to the consideration of an application for Plan of Subdivision or Condominium, Council shall be satisfied that:

- a) the approval of the development is not premature and is in the public interest;
- b) the lands will be appropriately serviced with infrastructure, schools, parkland and open space, community facilities and other amenities, as required;
- c) the density of the development is appropriate for the area;

- d) the subdivision or condominium, when developed, will be easily integrated and connected with existing development in the area;
- e) the subdivision or condominium conforms with the environmental protection and growth management policies of this Plan; and,
- f) the proposal conforms to Section 51 (24) of the Planning Act, as amended.

2.11.3.3 The Town shall enter into Subdivision and Condominium Agreements as a condition of the approval of Plans of Subdivision or Condominium. Such agreements shall ensure that the necessary internal or external services will be provided by the developer to the specifications established by the Town and shall ensure that the development does not negatively impact the Town financially.

2.11.3.4 Model homes may be permitted following draft approval subject to an agreement with the Town.

#### **2.11.4 Condominium Conversion**

2.11.4.1 Condominium conversion is the change of an individually owned building to a condominium structure. This could include the conversion of rental apartments to condominium units, the conversion of a hotel or motel to condominium units or the conversion of a non-residential building to smaller condominium non-residential units.

2.11.4.2 The Town recognizes that the maintenance of its rental housing supply is a priority. It is particular important because rental housing is an important component of affordable housing in the Town.

2.11.4.3 The Town understands that conversion of rental housing to condominium ownership has the potential to reduce the supply of affordable and entry level housing opportunities available to local residents.

2.11.4.4 Where conversion of a residential rental property to condominium ownership is proposed, the proponent shall supply a rental housing analysis demonstrating that there will be no negative impact on the affordability of rental housing within the Town.

2.11.4.5 Applications for condominium conversion shall be supported with the following information:

- a) A Planning Report that details how the proposed development conforms to all applicable policy and regulations including Section 51 of the Planning Act;
- b) An Engineers Report in accordance with Section 9.4 of the Condominium Act. The requirements of the Engineering Report should be determined in consultation with the Chief Building Official for the Town and may

include such items as a review of foundations, structural compliance, electrical systems, heating systems and other building utilities;

- c) A Sanitary and Water Systems Report should be prepared to detail the current water and sewage services for the development;
- d) Where a condominium conversion is approved, the proponent shall be required to enter into an agreement with the Town including servicing agreements to ensure that on-site services are monitored and maintained at no expense to the Town; and,
- e) Any other information that is required by the Town to make a decision on the application.

### **2.11.5 Part Lot Control**

- 2.11.5.1 Where the Town determines that it is appropriate, lot creation may occur through the use of Part Lot Control Exemption by By-law, in accordance with the provisions of the Planning Act.
- 2.11.5.2 Where site plan approval is required, applications for part lot control shall be submitted after the site plan approval is granted. Where site plan approval is not required part lot control exemption applications may be submitted after the registration of the M-Plan.
- 2.11.5.3 The By-law will contain a sunset clause causing the exemption from part lot control to lapse after a maximum period of up to 3 years (or a lesser period of time depending on the circumstances of the application). Lots cannot be created or adjusted after this lapsing date has expired.
- 2.11.5.4 At the request of the property owner, Council may at its discretion, extend the term of the exempting By-law. The exempting By-law may not be extended after it has lapsed.
- 2.11.5.5 Council may consider an application to extend the time period identified in the By-law and amend the By-law to extend the time period specified for the expiration of the By-law without the approval of the County of Bruce (S. 50(7.4)).
- 2.11.5.6 Council may also, without approval from the Approval Authority, repeal or amend the By-law to delete part of the land described in it.
- 2.11.5.7 Council may add conditions to the part-lot control By-law.

## **SECTION 3 – SETTLEMENT AREA POLICIES**

### **3.1 INTRODUCTION**

- 3.1.1 The Saugeen Shores Settlement Area consists of all developed lands and associated vacant lands where future urban growth is promoted. Lands in the Settlement Area are separated into 14 different designations as identified on Schedule A. In general the Settlement Area is comprised of the two traditional urban areas of Port Elgin and Southampton as well as parts of Saugeen Township.
- 3.1.2 The function of the Settlement Area is to accommodate a wide range of land uses that meet the needs of local residents, businesses, surrounding rural residents and visitors. Residential development and commercial and industrial uses and Community uses such as schools, hospitals, and intensive recreational, cultural, and administrative facilities serving the local and area residents is also to be encouraged to locate in the Saugeen Shores Settlement Area.

### **3.2 OBJECTIVES**

- 3.2.1 To maintain an appropriate balance and supply of lands for residential, commercial, industrial, institutional, and recreational uses, for a 20 year time horizon.
- 3.2.2 To establish a land use pattern that ensures that services and utilities are efficiently utilized.
- 3.2.3 To encourage new development on municipal water and sewage disposal systems.
- 3.2.4 To make the Saugeen Shores Settlement Area the focus of growth.
- 3.2.5 To ensure that new development and redevelopment are compatible with existing or planned neighbouring land uses.
- 3.2.6 To encourage infilling and provide opportunities for redevelopment and intensification of the Built up area, including Brownfield sites, where appropriate in the Settlement Area.
- 3.2.7 To preserve the historic character of the Settlement Area by requiring new development to complement the positive elements of the existing built form.
- 3.2.8 To minimize the negative effects of development on natural heritage features, sites of historical, geological or archaeological significance and areas of mineral aggregate or mineral deposit.
- 3.2.9 To maintain and enhance the core areas as the economic focus of the community.
- 3.2.10 To create balance within the commercial structure by providing appropriate locations for new and expanded retail facilities within the Core Commercial

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designation where practical and compatible. Where the Core Commercial is not a viable location in terms of available land or building area, such facilities may be accommodated within other components of the planned commercial structure as appropriate.

- 3.2.11 To provide opportunities, through the designation of industrial lands for a range of clean, space-extensive industrial and employment uses, for a 20 year time horizon.
- 3.2.12 To ensure the provision of educational, institutional, and cultural facilities in suitable locations to adequately serve all interest groups.
- 3.2.13 To protect natural hazard and natural heritage features from incompatible development.
- 3.2.14 To ensure the adequate provision of passive and active open space and trails to satisfy the recreational needs of local resident's active lifestyles and to support tourism.

### **3.3 CONCEPTS GUIDING FUTURE DEVELOPMENT IN THE SETTLEMENT AREA**

#### **3.3.1 Supply of Serviced Residential Land**

- 3.3.1.1 The Town shall strive toward maintaining a ten-year supply of serviced, draft approved and registered lots and units at all times, in order to accommodate projected housing demand.
- 3.3.1.2 The Town shall maintain a twenty-year supply of lands designated as residential for new residential development to accommodate projected housing demand.

#### **3.3.2 Servicing**

- 3.3.2.1 Residential development shall be located and designed in such a manner as to minimize land consumption and efficiently use infrastructure and public service facilities by encouraging cost effective development at appropriate densities and in appropriate locations. The Zoning By-law may include minimum densities and maximum lot sizes to implement this policy and the policies of this Plan.
- 3.3.2.2 The Town will attempt to maintain a level of both hard and soft services to meet the growing needs of an expanding population and to service the demographics of the population in a manner that is within the financial means of the Town.

#### **3.3.3 Housing**

- 3.3.3.1 Where appropriate, alternative standards for residential development may be implemented to reduce housing costs and to achieve urban design objectives. Where such alternative standards are proposed, they shall be

supported by appropriate studies that assess the impacts and benefits of such alternative standards, all of which would be subject to Town approval.

- 3.3.3.2 The Town will target a minimum of ~~35%~~30% of new housing units in the form of medium and high density multi-unit development.
- 3.3.3.3 The Town will encourage the development of rental housing in the Settlement Area.
- 3.3.3.4 The Town recognizes that the desired housing mix for the Settlement Area includes housing at the lower and upper ends of the housing market. Opportunities for high-end housing associated with a recreational amenity or environmental feature should be considered in order to provide a broad range of housing choices. Limited high-end housing of this nature will be considered by an amendment to this Plan. The amendment will establish lot size and density and the relationship of the housing to the recreational amenity or environmental feature.

### **3.3.4 Affordable Housing Initiatives**

#### **3.3.4.1 Mixed Use Development**

- 3.3.4.1.1 The Town may promote the conversion of vacant or under-utilized upper level or rear of buildings in the Core Commercial Designation and the Office Residential Designation to residential apartment units in order to intensify the use of existing buildings and to increase the population density of commerce areas. Reductions to parking requirements or other requirements may be considered by Council where affordable housing units are provided.

#### **3.3.4.2 Alternative Development Standards**

- 3.3.4.2.1 The Town may consider the use of alternative development standards through the use of site specific Zoning By-laws that would result in the provision of more affordable housing opportunities, including accessory apartments.

#### **3.3.4.3 Subdivision Development**

- 3.3.4.3.1 In order to encourage a variety of unit values in a development, the design of subdivisions will be encouraged to provide for varying lot sizes and Residential Unit or Building unit styles.

- 3.3.4.3.2 The Zoning By-law may establish minimum densities in order to ensure the efficient use of services and infrastructure and to encourage a variety of unit styles.

#### **3.3.4.4 Housing for those with Special Needs**

- 3.3.4.4.1 The Town shall improve access to affordable housing that is safe for people with social and special needs, including, but not limited to, assisted housing for low income earners, individuals with disabilities and seniors through the development of a variety of housing styles and housing sizes.

- 3.3.4.4.2 The Town shall work with local groups to determine special housing needs and support local efforts for appropriate applications and proposals for social and special needs housing.
- 3.3.4.4.3 The Town shall consider alternative approaches to providing housing specifically targeted to the future senior population and persons with disabilities.

**3.3.4.5 Affordable Housing Determination**

- 3.3.4.5.1 The determination of affordable housing shall be based on the policies and definitions of the Provincial Policy Statement.

**3.3.5 Intensification**

- 3.3.5.1 The Town has established a minimum intensification target of ~~15%~~10%. This means that a minimum of ~~15%~~10% of all development is to occur in the Built-up Area. The Built-up Area is comprised of the developed properties in the Settlement Area. The remainder of the Settlement Area is considered the Greenfield Area while the area that separates the Built-up Area and the Greenfield Area is known as the Built Boundary. Schedule C identifies the delineation of these three areas for intensification purposes.

- 3.3.5.2 The following criteria shall be considered when evaluating proposals for housing intensification and infilling within the Built-up Area:

- a) Availability of municipal services to accommodate the increased demand, including such services as water, sanitary sewers, storm drainage and parkland;
- b) Off-street parking is adequate;
- c) Compatibility with the existing neighbourhood character in terms of scale, massing, height, siting, setbacks, parking and amenity area so that a transition between existing and proposed buildings is provided;
- d) Existing vegetation is maintained where possible;
- e) Community services and other neighbourhood conveniences are accessible; and,
- f) Capability to provide adequate buffering and other measures to minimize any identified impacts.

**3.3.6 Settlement Area Expansion**

- 3.3.6.1 A Settlement Area expansion is not necessary to accommodate the future growth anticipated during the time horizon of this Official Plan.



### **3.3.7 Additional Residential Units**

#### **3.3.7.1 Definitions**

3.3.7.1.1 This Plan recognizes two types of Additional Residential Units. Additional Residential Units that are within a principal Residential Unit or Building unit and those units that are located in an accessory building. The policies of this section provide guidance for the development of Additional Residential Units within the Town of Saugeen Shores Settlement Area.

3.3.7.1.2 Additional Residential Unit means a self-contained Residential Unit or Building unit with a kitchen and bathroom facilities that is of a secondary nature to the principal Residential Unit or Building.

#### **3.3.7.2 General Policies**

3.3.7.2.1 Additional Residential Units may be subject to site plan control and municipal registration.

3.3.7.2.2 ~~Additional Residential Units shall be permitted in a diverse range of housing types. An Additional Residential Unit is permitted within a detached Residential Unit or Building, semi-detached Residential Unit or Building or a row house.~~

3.3.7.2.3 Additional Residential Units are permitted on lots that are legally conforming with respect to use, and legally complying with respect to lot and building performance standards.

3.3.7.2.4 Additional Residential Units shall be permitted on lots fully connected or partially connected to municipal services, an ARU is permitted where the lot area is greater than 0.4 ha, or where private servicing is supported by a Nitrate Study in accordance with Section 4.7.5.8 of the County Official Plan.

#### **3.3.7.3 Additional Residential Units in the Principal Residential Unit or Building Unit**

3.3.7.3.1 Where the Zoning By-law permits Additional Residential Units, the Zoning By-law shall establish performance standards to regulate, minimum lot area, unit size, location and spacing between buildings, outdoor amenity areas, landscaping requirements, parking requirements, building alterations, size and number of driveways in order to ensure that the character of the residential area is maintained.

3.3.7.3.2 The Zoning By-law may provide performance standards that allow up to ~~three~~ three ~~(3)two (2)~~ Additional Residential Units within the Principal Building per lot.

#### **3.3.7.4 Additional Residential Units in Accessory Structures**

- 3.3.7.4.1 Additional Residential Units within an Accessory Residential Building, including but not restricted to Garden Suites, may be regulated via Temporary Use By-laws to the provisions of this Plan, the County of Bruce Official Plan, and the Planning Act.

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**3.4 GENERAL RESIDENTIAL DEVELOPMENT POLICIES**

**3.4.1 Low Density Development**

**3.4.1.1 Identification**

3.4.1.1.1 ~~The Town considers single detached buildings, semi-detached buildings, duplex buildings, townhouse buildings, multi-unit buildings, additional residential units and converted buildings with no more than four units to be low density residential development. Unless the criteria set out below for Medium or High Density Development have been met, the lands designated “Residential” on Schedule ‘A’ are for low density residential development. Low density residential uses are also be permitted in the Recreational designation where full municipal services are provided. The Town considers single detached, semi-detached, duplex Residential Unit or Buildings, and converted Residential Unit or Buildings with no more than two units to be low density residential development. Unless the criteria set out below for Medium or High Density Development have been met, the lands designated “Residential” on Schedule ‘A’ are for low density residential development.~~

**3.4.1.2 Minimum/Maximum Density**

3.4.1.2.1 ~~Although existing densities within the Residential designation are in the order of 7 to 11 units per gross hectare, the Town encourages better utilization of existing designated residential lands, to limit sprawl, increase housing diversity and set the stage for active transportation and the potential for public transportation. In a desire to promote efficient development, the following minimum gross residential density will be permitted when assessing applications for new Low Density Residential development: Although existing densities within the Residential designation are in the order of 7 to 11 units per gross hectare, the Town encourages better utilization of existing designated residential lands. In a desire to promote efficient development, the following minimum and maximum gross residential densities will be permitted when assessing applications for new Low Density Residential development:~~

<b>Housing Types</b>	<b>Maximum Density</b>	<b>Minimum Density for Greenfield Development</b>
<del>Low Density</del> <del>Residential building containing up to a maximum of 4 units</del> <del>Single-detached Semi-detached</del>	<del>22 units per gross hectare</del> <del>30 units per gross hectare</del>	15 units per gross hectare <del>20 units per gross hectare</del>

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Approval may be granted for developments that do not meet this density when justified and appropriate. In the Greenfield Area, an applicant /

~~developer requesting a reduced density must provide planning justification at the time of application. Approval may be granted for developments that do not meet this density when justified and appropriate. An applicant / developer requesting a reduced density must providing planning justification at the time of application.~~

**3.4.2 Medium Density Development Policies**

**3.4.2.1 Identification**

~~3.4.2.1.1 The Town considers medium density development to be any combination of more than four units that is not considered high density development in accordance with the policies of this Plan. Medium density residential uses are permitted in the Residential designation and may be permitted in the Core Commercial designation and Highway Commercial designation, subject to the following policies: The Town considers medium density development to be any combination of more than two units that is not considered high density development in accordance with the policies of this Plan. Medium density residential uses are permitted in the Greenfield Area or vacant designated lands in the Built up Area, subject to the following policies:~~

**3.4.2.2 Maximum Density**

~~3.4.2.2.1 The following maximum gross residential density will be permitted when assessing applications for new Medium Density Residential development: The following maximum gross residential densities will be permitted when assessing applications for new Medium Density Residential.~~

Housing Types	Maximum Density
<p><u>Medium Density</u></p> <p><del>Residential building containing more than 4 units</del> Triplexes, fourplexes, townhouses, apartment buildings and other forms of multi-unit dwellings having 3 or more units</p>	<p>9040 units per gross hectare</p>

**3.4.2.3 Development Criteria for Medium Density Residential**

3.4.2.3.1 In considering the development of new medium density residential development proposed by Planning Act applications, Council shall be satisfied that the proposal satisfies the following criteria:

- a) respects the character of existing development, in terms of height, bulk, massing and density using existing land uses adjacent to and near the subject property as a guide to the nature of existing development characteristics;
- b) will not cause a traffic hazard and the surrounding road network has sufficient capacity to accommodate the expected increases in traffic;
- c) Medium Density Residential uses will be encouraged in proximity to arterial or collector roads;
- d) the development can be appropriately serviced with municipal water and sanitary services; and,
- e) the proposed development is appropriately setback, landscaped and buffered from surrounding residential properties.

3.4.2.3.2 All medium density residential development may be subject to Site Plan Control.

3.4.2.3.3 When existing detached Residential Units or Buildings are converted to apartment and/or other compatible uses, the exterior architectural design shall be maintained.

3.4.2.3.4 Where medium density development proposals are considered within the Core Commercial designation, a mixed residential and commercial form of development will be encouraged.

3.4.2.3.33.4.2.3.5 Medium density residential uses may be permitted in the Highway Commercial designation as an integral part of a commercial establishment provided the uses are compatible and they do not constitute a safety hazard.

**3.4.3 High Density Development Policies**

**3.4.3.1 Identification**

3.4.3.1.1 The Town considers development of more than 90 units per gross hectare to be high density residential development. High density residential development may be permitted in the Residential designation, Core Commercial designation and Highway Commercial designation, subject to the following policies:~~The Town considers development of more than 40 units per gross hectare to be high density residential development. High density residential development may be permitted in the Residential designation and the Core Commercial designation subject to the following policies:~~

~~3.4.3.2~~ ***Maximum Density***

~~3.4.3.2.1~~ High density residential development shall be limited to a maximum gross density of 90 units per hectare.

### 3.4.3.33.4.3.2 **Development Criteria for High Density Residential**

3.4.3.3.13.4.3.2.1 In considering the development of new high density residential development proposed by Planning Act applications, Council shall be satisfied that the proposal satisfies the following criteria:

- a) frontage or access to an arterial or collector roads, and/or, be located within or in proximity to, the Core Commercial designation;
- b) located in close proximity to community facilities such as schools, shopping and recreation facilities;
- c) the adequacy of municipal services to accommodate the proposed density of development;
- d) the adequacy of off-street parking facilities to service the proposed development;
- e) the proposed development is appropriately setback, landscaped and buffered from surrounding residential properties; and,
- f) the provision of suitable landscaping and on-site amenities.

3.4.3.3.23.4.3.2.2 High Density development may be permitted by rezoning locations within or adjacent to the Core Commercial Areas without an amendment to this Plan. Where such proposals are considered within the Core Commercial Area, a mixed residential and commercial form of development will be encouraged.

3.4.3.2.3 High Density development shall be subject to Site Plan Control.

3.4.3.3.33.4.3.2.4 High density residential uses may be permitted in the Highway Commercial designation as an integral part of a commercial establishment provided the uses are compatible and they do not constitute a safety hazard.

## **3.4.4 Mobile Home Parks**

### **3.4.4.1 General Polices**

3.4.4.1.1 ~~The establishment of new or expanded Mobile Home Park areas and the conversion of seasonal recreational trailer parks or recreational camping facilities for permanent year-round habitation will require an amendment to this Plan. Proposals for new, expanded or converted Mobile Home Park areas must be accompanied by a Planning Report.~~ Mobile Home Parks may include mobile homes, modular homes and/or park model homes together with accessory and supportive recreational facilities.

3.4.4.1.2 Mobile Home Parks should be developed as an integrated part of a planned development. The development shall have access to arterial or collector roads without the necessity of passing through lower density residential areas. No access shall be permitted directly to Provincial Highways.

3.4.4.1.3 Mobile Home Park developments shall have full municipal or communal

services, including adequate water supply, sanitary sewers, and storm drainage, paved roads, and street lighting. Where partial municipal services are considered, supporting studies must address all applicable servicing options and establish that the development may proceed appropriately on

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partial municipal services. In general, the nature and availability of services necessary to support that development shall dictate the amount, location and timing of development.

- 3.4.4.1.4 The creation of new lots for Mobile Home Park purposes shall primarily occur by plan of subdivision. Consents for the purpose of dividing existing mobile home parks into smaller lots shall be prohibited.
- 3.4.4.1.5 Mobile Home Park lands are not to be used as seasonal recreational trailer parks or recreational camping facilities.
- 3.4.4.1.6 A Mobile Home Park area must have a minimum site area of 4 hectares, and shall have a maximum density of not more than 17 units per gross hectare.
- 3.4.4.1.7 The establishment of new Mobile Home Parks will require an amendment to the Zoning By-law. Mobile Home Park uses will be zoned in a separate zoning category in the implementing Zoning By-law.
- 3.4.4.1.8 Mobile Home Parks shall be subject to Site Plan Control.

### **3.5 RESIDENTIAL DESIGNATIONS**

#### **3.5.1 Introduction**

- 3.5.1.1 The Plan contains two residential land use designations which include the Residential and Shoreline designations.

### **3.6 RESIDENTIAL DESIGNATION**

#### **3.6.1 Purpose**

- 3.6.1.1 The Residential designation applies to lands in the Saugeen Shores Settlement Area where the predominant use of land is residential development or will be for Residential Units or Building units.

#### **3.6.2 Objectives**

- 3.6.2.1 To provide a variety of housing forms and a mix of densities to accommodate all age groups.
- 3.6.2.2 To ensure that future development maintains the character of established residential areas.

#### **3.6.3 Permitted Uses**

- 3.5.3.1 In the Residential designation, a range of residential units or building types are permitted at varying densities. Other uses compatible with residential neighbourhoods may also be permitted such as parks and open space, child care centres, home-based child care, unlicensed child care, home occupations, bed and breakfasts, neighbourhood commercial uses, small scale institutional uses, group homes and additional residential units.

### **3.6.4 General Policies**

#### **3.6.4.1 Home Occupations**

3.6.4.1.1 Permitted home occupation uses are permitted in detached Residential Units or Building units in the residential designation and are those uses that are not disruptive to the neighbourhood and may include; hairdressing and other personal service shops, small goods repair shops, insurance and other office type uses, and home craft type uses. Bed and breakfast establishments will be permitted subject to limitations on the number of rooms and the ability to provide on-site parking as specified in the Zoning By-law.

3.6.4.1.2 Home occupations, shall be subject to the following criteria:

- a) a home occupation shall be totally contained within the Residential Unit or Building unit. Any home occupation that requires the use of any other structure, building, or land on the subject property, except for parking or a sign, will require an amendment to the Zoning By-law;
- b) the total gross floor area of a home occupation shall be restricted in the Zoning By-law;
- c) no external alteration to the Residential Unit or Building that is not customary in residential buildings shall be permitted;
- d) no exterior advertising of the home occupation or display of goods visible from outside the Residential Unit or Building shall be permitted, except in compliance with the Town's Sign By-law;
- e) no parking or storage of commercial vehicles shall be permitted on the premises;
- f) no unreasonable use of lights and, with the exception of permitted bed and breakfast operations, no night time operations shall be permitted;
- g) a home occupation shall only generate low levels of traffic;
- h) no home occupation shall create a safety hazard for the existing residential activities on the site or in the area;
- i) no outdoor storage of materials or goods in support of a home occupation is permitted; and,
- j) the home occupation must be operated by a person residing in the home. The Zoning By-law will restrict the number of outside employees permitted in conjunction with a home occupation.

3.6.4.1.3 Where existing home occupations do not meet the policies of this Plan, they may be placed in a separate zone in the implementing Zoning By-law.

#### 3.6.4.2 **Neighbourhood Commercial**

- 3.6.4.2.1 Small scale commercial uses that provide for the daily needs of the population such as variety/convenience stores, personal service establishments, dry cleaning distribution outlets, neighbourhood business and professional offices, and public uses may be permitted within the Residential designation subject to the policies of this section.
- 3.6.4.2.2 No single establishment shall exceed 200 square metres in gross floor area.
- 3.6.4.2.3 Due to their functions and locations, development proposals for new neighbourhood commercial uses will be evaluated on their ability to complement and integrate with adjacent residential development and to minimize the potential land use conflicts.
- 3.6.4.2.4 Adequate parking shall be provided for all permitted uses, and access points to such parking shall be limited in number and designed in a manner that will minimize the danger to both vehicular and pedestrian traffic.
- 3.6.4.2.5 No open storage shall be permitted in conjunction with a permitted neighbourhood commercial use.
- 3.6.4.2.6 The establishment of new neighbourhood commercial uses will require an amendment to the Zoning By-law. Neighbourhood commercial uses will be zoned in a separate zoning category in the implementing Zoning By-law.
- 3.6.4.2.7 All development shall be subject to Site Plan Control.
- 3.6.4.2.8 Conversion of Residential Units or Buildings to neighbourhood commercial uses in residential areas may be permitted by amendment to the Zoning By-law, but only in special cases where the use can be properly integrated into the neighbourhood.

#### 3.6.4.3 **Small Scale Institutional**

- 3.6.4.3.1 Small scale institutional uses that serve a community and are not significant traffic generators shall be permitted in the Residential designation, including community/neighbourhood halls of less than 500 square metres in floor area, public utilities except those utilities referred to in Section 6.21 of this Plan, neighbourhood recreation facilities and parks, elementary schools, libraries, and facilities for special population groups, centres or elementary schools for the care, boarding or teaching of children, interval houses for the physically abused, special needs housing, child care centres, and senior citizen centres.
- 3.6.4.3.2 New small scale institutional development or redevelopment in the Residential designation shall satisfy the following criteria:
- a) the use will be located on an arterial or collector road as indicated on Schedule "B" of this Plan;
  - b) the building design is similar in scale, density and character to surrounding land uses;

- c) adequate buffering and landscaping transition is provided to protect surrounding existing development;
- d) there is sufficient site area for the provision of adequate off-street parking, loading waste management facilities, landscaping and buffering;
- e) they are able to conform to the policies of the Residential designation.

3.6.4.3.3 Large scale institutional uses such as secondary schools, nursing homes, churches, hospitals, arenas, community centres greater than 500 square metres in floor area, correctional facilities and other large scale institutional uses are required to be located in the Institutional designation.

3.6.4.3.4 Generally, low density residential areas will be restricted to existing institutional uses with the only exceptions being elementary schools and appropriately scaled child care centres.

3.6.4.4 **Converted Residential Units or Buildings**

3.6.4.4.1 A converted Residential Unit or Building is a Residential Unit or Building that has been converted to contain more than one additional Residential Unit or Building unit. Converted Residential Units or Buildings are permitted in the Residential designation subject to the following criteria:

- a) required parking spaces must be provided on the site, in a location other than within the required front yard. The implementing Zoning By-law shall set out the minimum number of required spaces per unit;
- b) there shall be no change to the exterior character of the Residential Unit or Building;
- c) adequate buffering and transition must be provided to surrounding lower density development;
- d) a minimum floor area per Residential Unit or Building unit shall be maintained in accordance with the provisions of the Zoning By-law;
- e) water supply and sewage services are adequate to support the proposed development and/or redevelopment; and,
- f) there is no change in the character of existing development, using the criteria outlined above to determine the effect of the proposal.

3.6.4.5 **Group Homes**

3.6.4.5.1 For the purposes of this section, Group Homes are defined as a single housekeeping unit in a Residential Unit or Building and is licensed and/or funded under Federal or Provincial Statute and in compliance with Municipal By- laws.

3.6.4.5.2 The Town may establish a minimum separation distance between Group Homes to ensure that the character of an area is maintained.

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3.6.4.5.3 Facilities existing on the date the Zoning By-law comes into effect, but not complying with the requirements of the By-law, will be allowed to continue in operation, however, will not be permitted to extend or expand without municipal approval.

3.6.4.6 **Commercial Vehicle Parking in Any Residential Designation**

3.6.4.6.1 To help preserve the residential character and to maintain acceptable noise levels, the parking or storing of oversized commercial vehicles should be prohibited in residential zoned areas. The Zoning By-law may establish maximum size restrictions for the parking and storage of vehicles.

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**3.6.5 Residential Exceptions**

3.6.5.1 SSOPA #15-07.46 'Schmalz'

The lands described as Plan 259, Harbour Block 1, Part Lot 4 to 7, Part Lot 8, Parts 1, 2 and 3 on RP 3R-3503, geographic Town of Port Elgin may be used for a high density residential development consisting of a maximum of 17 residential units. The maximum gross density on the lot shall not exceed 111 units per hectare.

3.6.5.2 SSOPA #5-07.48 'Leigh/Stubbart'

Notwithstanding the Maximum Density development policies of this Plan, the lands described as Part of Lots 14 and 15, South of High Street, geographic Town of Southampton may be used for high density residential development consisting of a maximum of 50 residential units. The maximum residential density on the subject lands shall not exceed 85 units per hectare.

3.6.5.3 SSOPA #14-06.46 'Planning and Engineering Initiatives Limited'

Notwithstanding the 'High Density Housing' policies of this Plan, the lands described as PT Park Lot 1, Plan 111, Part 1 on RP 3R-1727 (Ivings Drive), Town of Saugeen Shores (former Town of Port Elgin) may be used for a medium-high density residential development consisting of a maximum of 45 residential units. The maximum gross density on the lot shall not exceed 88 units per hectare.

3.6.5.4 L-2022-001 Moncrieff – SSOPA No. 18

Notwithstanding the Residential policies of the Plan, on those lands described as PLAN 11 BLK 91 W PT LOT 26 W; PT LOT 27 (Port Elgin) (geographic Township of Saugeen), an additional residential unit is permitted in an ancillary building.

3.6.5.5 L-2022-006 Northport Meadows – SSOPA No. 20

Notwithstanding the 'High Density Development' policies of this Plan, the lands described as SAUGEEN RANGE LAKE PT LOT 46; RP 3R9874 PT PART 1 (Geographic Township of Saugeen), Town of Saugeen Shores, may be used for high density residential development where the maximum gross density shall not exceed 110 units per hectare.

3.6.5.6 L-2021-014 JK Development GP2 Limited – SSOPA No. 21

Notwithstanding the 'High Density Development' policies of this Plan, the lands described as part of SAUGEEN RANGE LAKE PT LOTS;31 AND 32 RP 3R10220 PARTS 2;AND 3, Town of Saugeen Shores, may be used for high density residential development where the maximum gross density shall not exceed 110 units per hectare.

3.6.5.7 L-2023-003 1596666 Ontario Ltd. c/o Becky Maus – SSOPA No. 23

Notwithstanding the 'High Density Development' policies of this Plan, the lands described as part of PLAN 11 BLK 2 LOT 6 TO 8 (Port Elgin Town), Town of Saugeen Shores, may be used for high density residential development where the maximum gross density shall not exceed 102 units per hectare.

3.6.5.8 L-2023-004 5031910 Ontario Ltd. c/o Cobide Engineering Inc – SSOPA No. 25

Notwithstanding the 'High Density Development' policies of this Plan, the lands described as TP PT LOT 33 E ALBERT (Town of Southampton), Town of Saugeen Shores, may be used for high density residential development where the maximum gross density shall not exceed 95 units per hectare.

## **3.7 SHORELINE RESIDENTIAL DESIGNATION**

### **3.7.1 Purpose**

3.7.1.1 The Shoreline Residential designation applies to the predominantly residential and cottage residential area along the Lake Huron Shoreline. Some of the lands designated Shoreline Residential are fully serviced with municipal sewage and water services, other area lands are partially serviced. Lands in the Shoreline Residential designation have historically been recognized primarily as a cottage area. Many cottages in the designation have been converted to year round use. The designation is distinguished from the "Residential" designation for the purposes of the Plan because development in the shoreline area will require additional assessments in accordance with Section 6.3.4.

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### **3.7.2 Objectives**

- 3.7.2.1 To maintain the character of the built form in the Shoreline Residential designation including housing style, height, density and massing.
- 3.7.2.2 To provide limited opportunities for low density housing that can be appropriately serviced.
- 3.7.2.3 To direct any developments greater than 5 lots/units to locations in the Residential designation, which have available municipal sewer and water capacity.
- 3.7.2.4 To preserve and enhance the natural visual quality of lake and river environments.
- 3.7.2.5 To preserve and enhance the natural environment of areas in proximity to the shoreline and river environments including fish and wildlife habitat.

### **3.7.3 Permitted Uses**

- 3.7.3.1 The predominant use of lands shall be for detached Residential Units or Buildings, both seasonal and permanent.
- 3.7.3.2 Existing commercial uses, housekeeping cottages and cabin rental establishments are recognized as permitted uses, however the establishment of new operations shall require a Planning Report and a Settlement Capability Study.

### **3.7.4 General Policies**

#### ***3.7.4.1 Development of Existing Lots***

- 3.7.4.1.1 A number of vacant residential lots exist within the Shoreline Residential designation. Some lots were created prior to any formalized planning and do not comply with the residential lot standards of the current Zoning By-law. Development of existing under-sized vacant lots may occur subject to the

following criteria:

- a) it has been demonstrated that the lot size and physical conditions can be appropriately serviced;
- b) the Town is satisfied that all issues regarding Municipal services have been addressed;
- c) the property is zoned to outline minimum standards that are appropriate for the lot;
- d) the property is located on a road that is maintained year round by the Town or an agreement has been registered on the title of the property to confirm suitable access to the property; and,
- e) as a condition to development, the Town may require the registration of a Site Plan Agreement on title of the lands, addressing issues such as Municipal service provision and road access.

#### **3.7.4.2 Protecting the Character of Shoreline Areas**

3.7.4.2.1 New development in the Shoreline Residential designation shall be designed to minimize the visual impact of buildings and structures on shoreline areas. Depending on the scale of the development, a Visual Impact Assessment may be required to demonstrate how the development will be designed to ensure that height, bulk, density and massing of built form does not have an unacceptable impact upon the view towards or from the waterfront.

3.7.4.2.2 Buildings in the Shoreline designation shall be sited to limit the removal of vegetation and to preserve significant landscape features.

3.7.4.2.3 The height of buildings in proximity to the shoreline will be limited to maintain the character of shoreline areas and existing development.

#### **3.7.4.3 Undeveloped Land in the Shoreline Residential Designation**

3.7.4.3.1 Not all the land designated on Schedule 'A' as Shoreline Residential has been subject to intensive site evaluations. Consequently, the designation of land as Shoreline Residential is no assurance that any given land is suitable for development. New developments proposed within the designation shall be reviewed using a cautionary approach, with the attention being given in particular to the impacts of new developments on the natural environment. New development proposals shall be assessed on their individual merits and should site conditions be unable to support sound, planned development, new proposals may be refused.

#### **3.7.4.4 Redevelopment in the Shoreline Residential Designation**

3.7.4.4.1 It is recognized that a significant amount of development that will occur in the Shoreline Residential designation over the life of this Plan will occur through redevelopment of existing properties. The Zoning By-law shall contain specific performance standards to ensure that the character of the traditional

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development in the Shoreline Residential designation is maintained by including performance standards to ensure that the density and massing of new development will maintain the traditional character of the area.

- 3.7.4.4.2 When considering applications for redevelopment in the Shoreline Residential designation, Council and the approval authority shall ensure the proposed development maintains the built and natural character of the area, including height, massing and density. Consideration shall be given to maintaining existing vegetation and the planting of native species.

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**3.7.5 Shoreline Residential Exceptions**

## **3.8 RECREATIONAL DESIGNATION**

### **3.8.1 Purpose**

3.8.1.1 The Recreational designation is intended for leisure and tourism-related land uses that are operated by the private sector as a commercial venture.

### **3.8.2 Objectives**

3.8.2.1 To strengthen the economy of the area by developing the Town's recreation and tourism potential.

3.8.2.2 To promote the involvement of the private sector in the delivery of recreation, leisure and tourism opportunities and land uses.

3.8.2.3 To encourage a wide range and balance of active and passive recreational activities within the Town that meet the changing recreational needs of all area residents.

3.8.2.4 To encourage recreational development in areas that possess high recreation capabilities and that do not unduly impact the enjoyment of the permanent residential community or the areas' natural resources.

3.8.2.5 To promote existing tourism uses within the Town and encourage the establishment of additional tourism opportunities, including agriculturally and ecologically-related opportunities, within the Settlement Area.

### **3.8.3 Permitted Uses**

3.8.3.1 Permitted uses shall include existing commercial recreational facilities such as: golf courses; private parks; campgrounds including recreational vehicles; outdoor or indoor sports facilities; existing trailer parks; and accessory residences and offices to a permitted recreational use; and accessory uses such as restaurants, snack bars, parking areas and auxiliary buildings.

3.8.3.2 Low density residential uses shall also be permitted where full municipal services are provided to promote diversification of housing and efficiently use the current recreational land, resources, infrastructure, and public service facilities, and support the use of active transportation.

### **3.8.4 General Policies**

#### **3.8.4.1 *Establishment of Recreational Uses***

3.8.4.1.1 Large scale land uses that serve residents throughout the Town or beyond or, by reason of their size, scale, or range of activities and functions, attract large numbers of people on a seasonal or regular basis, are to be provided with adequate setbacks from adjacent properties, and shall have frontage on a public road that is in proximity to an arterial or collector road of reasonable construction and maintenance that has relatively easy access to the Provincial Highway system or a County Road.

3.8.4.1.2 New large scale recreational uses will require an amendment to this Plan and  
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shall ensure that potential negative impacts on surrounding properties and the natural environment are mitigated. Council may require technical studies to be completed to assist in determining the appropriateness of a proposal.

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- 3.8.4.1.3 New Recreational uses shall be encouraged to be development on municipal water services and sewage services. Where municipal servicing is not available, the proponent shall demonstrate suitability of the site to be serviced to the satisfaction of the Town.
- 3.8.4.1.4 Development proposals may be required to prepare a comprehensive stormwater management plan for all phases of construction and the completed development to the satisfaction of the Town, or the approval authority. The stormwater management plan shall be in accordance with the best management practices prescribed in provincially sanctioned guidelines and interim guidelines and in accordance with Town standards.
- 3.8.4.1.5 All development shall be subject to Site Plan Control.
- 3.8.4.1.6 Where land designated Recreational is owned privately , it is not intended that this land will remain so designated indefinitely, nor will this Plan be construed to imply that these areas are free and open to the general public or that they will be purchased by the Town or any other public agency.
- 3.8.4.1.7 All existing recreational uses at the date of the adoption of this Plan shall be allowed to expand provided they are able to conform to the policies of the Recreational designation and Environmental Hazard designation, and to the zoning requirements.

**3.8.4.2 Conversion of Recreational Lands**

- 3.8.4.2.1 The conversion of lands from recreational purposes to residential purposes ~~shall require an Official Plan Amendment and~~ shall not be permitted, unless it can be demonstrated that the lands are not necessary for the long-term recreational needs of the community. It must also be demonstrated that the lands are required to meet the residential land requirements of the Town. In making this determination, the supply of designated residential lands in the community shall be considered.

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**3.8.5 Recreational Exceptions**

- 3.8.5.1 SSOPA #4-03.48 'Mercer'

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Lots 17 & 18 East of Grenville Street, Lots 17 & 18 West of Anglesia Street, Lots 17 & 18 West of Norfolk Street, Town Plot of Southampton, and the former Anglesia Street road allowance between Lots 17 & 18 West of Anglesia Street and Lots 17 & 18, East of Anglesia Street, Town of Saugeen Shores (former Town of Southampton)

In accordance with the policies of Section 3.8, Recreational Designation of this Plan, the lands subject to Section 3.8.5.1 may only be used for a 'tent and travel trailer park'; 'housekeeping cottages'; 'recreational uses'; 'accessory single Residential Unit or Building unit'; and 'administrative buildings' provided that the 'tent and travel trailer park' and 'housekeeping cottages' shall only be used as a secondary place of residence for seasonal vacations and recreational purposes, and not as the principle residence of the owner or occupant thereof and is not intended for permanent occupancy,

notwithstanding that it may be designed and/or constructed for year round or permanent human habitation. Mobile home units shall not be permitted.

- 3.8.5.2 No buildings, structures, or development of any type including 'camping in tents', shall be permitted.

Notwithstanding the policies of Section 3.18 "Environmental Hazard" designation of this Plan, the lands subject to Section 3.8.5.2 may be used, in addition to those uses permitted in the "Environmental Hazard" designation, for 'camping in tents' only in association with the adjacent lands subject to Section 3.8.5.1, provided that no buildings, structures, or development of any type including 'camping in tents' shall be permitted within 30 metres of any watercourse.

## **3.9 COMMERCIAL DESIGNATIONS**

### **3.9.1 Introduction**

3.9.1.1 The Plan contains four commercial land use designations which include Core Commercial, Office Residential, Highway Commercial, and Marine Commercial. The economy of the Town is focused to a large extent upon providing services to year round and seasonal residents as well as tourists, and the agricultural sector. The two urban centres form the focal points for the service economy.

3.9.1.2 The Town recognizes that to a great degree the social and economic well being of the community is dependent upon a diverse and balanced commercial base, focused on the core commercial areas. There are limits to further business expansion within the core areas, and it is the Town's intention to provide opportunities for commercial activities outside of the core areas in appropriate locations.

## **3.10 CORE COMMERCIAL DESIGNATION**

### **3.10.1 Purpose**

3.10.1.1 The Core Commercial designation represents the historic commercial downtown core within the Port Elgin and Southampton communities. The designation applies to those parts of Port Elgin and Southampton where it is recognized that commercial activity has customarily and historically taken place and where infrastructure has been developed to serve this purpose. It is the intent of the Plan to foster the general business function and encourage the expansion of retail, office and public uses in the Core Commercial Areas.

3.10.1.2 The Core Commercial designation will continue to provide the commercial, business and institutional focal points for the Town. All development and redevelopment will be directed toward retaining and improving the economic viability of land uses within the Core Commercial designation.

### **3.10.2 Objectives**

3.10.2.1 To maintain and enhance the core areas as the economic focus of the community.

3.10.2.2 To enhance the character, identity, vitality, uniqueness and awareness of the two core areas of Port Elgin and Southampton.

3.10.2.3 To maintain the role of the core areas as community gathering places and as the commercial and social focal points for the Settlement Area and the surrounding farm community.

3.10.2.4 To encourage the integration of residential uses in the Core Commercial Designation through intensification by the development of residential units above or behind compatible commercial uses, and through increased residential development within and in the vicinity of the cores.

- 3.10.2.5 To visually enhance the entrances of the core areas.
- 3.10.2.6 To ensure that new development is in character with existing development in the Core Commercial designation.

### **3.10.3 Permitted Uses**

- 3.10.3.1 ~~Permitted uses shall be limited to those commercial establishments offering goods and services that primarily serve the entire Town and surrounding market area. Permitted uses include but are not limited to retail commercial establishments, offices, personal service establishments, banks, places of entertainment, assembly halls, hotels, motels, child care centres, community facilities, public uses, recreational uses, restaurants, convenience stores, residential units accessory to the commercial use on the main floor, and medium and high density residential development in accordance with the medium density and high density residential development policies of this Plan. Home-based child care and unlicensed child care in legally existing single detached and semi-detached dwellings are permitted. Permitted uses shall be limited to those commercial establishments offering goods and services that primarily serve the entire Town and surrounding market area. Permitted uses include but are not limited to retail commercial establishments, offices, personal service establishments, banks, places of entertainment, assembly halls, hotels, motels, child care centres, community facilities, public uses, recreational uses, restaurants, convenience stores, residential units above the first floor or behind the commercial use on the main floor, and high density residential development in accordance with the medium density and high density residential development policies of this Plan. Home-based child care and unlicensed child care in legally existing single detached and semi-detached dwellings are permitted.~~

### **3.10.4 General Policies**

#### **3.10.4.1 Development Form**

- 3.10.4.1.1 It is the intent of this Plan that the Core Commercial designation remains compact in order to create a pedestrian environment and to achieve strong commercial nodes. New development shall be encouraged in the existing Core Commercial designation provided the scale, density and character is in-keeping with development in the area. The expansion of the commercial uses to adjacent residential areas shall be discouraged.

- 3.10.4.1.2 It is the intent of this Plan that the progressive features and positive characteristics, which have developed in the Core Commercial designation be retained and reinforced. Development of vacant sites and redevelopment of existing areas in the Core Commercial designation shall be encouraged in a comprehensive manner with a view to coordinating individual site designs and providing integrated solutions to pedestrian and vehicular traffic circulation problems. This includes the conversion of existing Residential Units or Buildings to commercial uses, provided that the residential character of the Residential Unit or Building and property is maintained. To further these objectives, Council may require that prospective developers of lands in the Core Commercial designation enter into a Development Agreement with

the Town.

- 3.10.4.1.3 Although intensification of use will be inherent in most development or redevelopment, it is the intent of this Plan that in any rehabilitation, conservation, development or redevelopment schemes for the Core Commercial designation place emphasis on the provision of abundant light and air space, the provision of attractive and usable open space available to the public, the aesthetic value of enclosed areas as well as open areas, the importance of public buildings as focal points of civic improvements, the restoration of existing buildings wherever possible, and the retention of historical atmosphere and buildings. High standards of civic design emphasizing unity, coherence, and aesthetic appeal shall be the goal throughout.
- 3.10.4.1.4 Adequate setbacks and/or buffer planting shall be provided between the commercial uses and any adjacent residential and institutional areas. Such buffer planting may include the provision of grass strips, berms, screening, and appropriate planting of trees and shrubs.
- 3.10.4.1.5 No parking requirements will be required within the Core Commercial designation except for land uses requiring overnight accommodation such as hotels or residential uses.
- 3.10.4.1.6 Land uses such as outdoor patios will be assessed as to their impact on nearby residential development and whether appropriate noise attenuation can achieve compatibility.
- 3.10.4.1.7 The Town may undertake a height study to consider appropriate minimum and maximum heights for new development in the Core Commercial designation. The resultant height policies could be incorporated in the Plan.

#### 3.10.4.2 ***Downtown Improvement***

- 3.10.4.2.1 The Town will work with downtown merchants, and property owners to improve the core areas and waterfront areas as tourist destinations.
- 3.10.4.2.2 The establishment of Community Improvement Areas, the study of these areas and the implementation of improvement initiatives shall be considered by Council.
- 3.10.4.2.3 Improvements to the streetscape, individual buildings, parking areas and pedestrian environment are desirable and will be encouraged in accordance with municipal design guidelines.
- 3.10.4.2.4 The historical character of the Core Commercial designation will be enhanced by:
  - a) ensuring that public improvements are sensitive to the heritage character of the area;
  - b) ensuring that essential heritage features are conserved, incorporated or maintained when new uses or development are proposed to a heritage feature;



- c) supporting bonus zoning provisions or transfer of density provisions authorized under the Planning Act as an incentive to the private sector for heritage conservation;
- d) ensuring that the Zoning By-Law imposes both minimum and maximum heights and setbacks in order to maintain compatible and complementing streetscape characteristics within the core and, in particular, adjacent to established buildings of traditional two and three-storey construction at the building line; and,
- e) ensuring that the Town considers the following when reviewing Planning Act applications that propose to increase the height of a building: that the proposed building would be compatible and complementary to the streetscape within the core; that the proposed height increase is in-keeping with the character of the surrounding area; that the proposed height can be adequately serviced by emergency service equipment; that shadows from the building will not impact neighboring property owners or the streetscape.

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**3.10.5 Core Commercial Exceptions**

3.10.5.1 L-2023-002 Slola – SSOPA No. 24

Notwithstanding the 'High Density Development' policies of this Plan, the lands described as part of PLAN 11 BLK 17 LOT 5 W PT; LOT 4 (Port Elgin Town), Town of Saugeen Shores, may be used for high density residential development where the maximum gross density shall not exceed 120 units per hectare.

### **3.11 OFFICE RESIDENTIAL DESIGNATION**

#### **3.11.1 Purpose**

3.11.1.1 The intent of the Office Residential designation is to preserve and add flexibility to the use of older buildings designed and historically used for low density residential uses that, due to their size or location in proximity to the existing commercial areas and/or frontage on an arterial road, provide a unique opportunity for certain types of small-scale commercial use. This Plan recognizes the important role of these established residential areas in creating an attractive edge and gateway to core areas, and seeks to preserve the residential character of the areas while providing for compatible forms of commercial and office uses within the existing buildings in order to support continued use and investment. Any portion of this land use category which abuts a residential land use designation in this Plan shall be developed in a manner that is compatible with the adjacent residential areas.

#### **3.11.2 Objectives**

3.11.2.1 To provide for a transition area between the Core Commercial designation and surrounding areas.

3.11.2.2 To recognize existing commercial, office and small scale institutional uses on the fringe of the Core Commercial designation and to permit the use of existing Residential Units or Buildings fronting on Highway 21 for these uses when compatible with the physical character of the area and surrounding land uses.

3.11.2.3 To permit some commercial flexibility in areas comprised of older residential structures adjacent to the Core Commercial designation while maintaining the residential appearance and character of the area.

#### **3.11.3 Permitted Uses**

3.11.3.1 The permitted uses in the Office Residential designation shall include residential units, bed and breakfast establishment, office, studio and personal service establishments and limited retail uses. Small scale institutional uses such as child care centres, home-based child care, unlicensed child care, places of worship, funeral homes, clinics and clubs are permitted and may be located in separate buildings that maintain the character of the area.

#### **3.11.4 General Policies**

##### **3.11.4.1 *New and Redevelopment***

3.11.4.1.1 Any construction of additions or new structures within this designation shall complement existing adjacent development in terms of its scale, density and character.

3.11.4.1.2 Development of vacant sites in the Office Residential designation and any new construction shall be sensitive to the residential character of the area and incorporate appropriate residential design features.

3.11.4.1.3 The impact of new uses on existing residential development shall be minimized by:

- a) providing buffer strips and/or screening between such uses;
- b) the use of low-impact lighting and signage; and,
- c) ensuring that off-street parking facilities do not adversely impact existing residential development.

3.11.4.1.4 Development in the Office Residential designation may be subject to Site Plan Control.

#### 3.11.4.2 **Zoning By-law Amendment Requirements**

3.11.4.2.1 In considering Zoning By-law Amendments that propose to modify performance standard or add to the permitted uses within a zone, Council shall ensure that the following criteria are satisfied:

- a) the proposed use maintains the intent of the Office Residential policies;
- b) the proposed use would not be considered more appropriate in another land use designation;
- c) the proposed use is suitable for the subject property with regard to the shape of the lands and the intensity of the use proposed. Consideration shall be given to the scale and layout of the buildings, landscaping, parking, etc.;
- d) the proposed use is compatible with adjacent land uses, with consideration given to the height, location and spacing of any buildings involved in the property development, noise and odour emitted from the proposed use, potential loss of privacy for neighbours, and effect on heritage resources;
- e) the existing traffic patterns are not significantly impacted and potential conflicts with pedestrians are avoided;
- f) measures are taken to mitigate potential adverse impacts on surrounding land uses; and,
- g) other relevant matters of concern identified by Council are addressed.

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### 3.11.5 **Office Residential Exceptions**

## **3.12 HIGHWAY COMMERCIAL DESIGNATION**

### **3.12.1 Purpose**

3.12.1.1 The purpose of the Highway Commercial designation is to provide sufficient lands in suitable locations for commercial land uses that are not suited to locate within the existing structures in the core but are supportive of the general commercial needs of the residents of Saugeen Shores, visitors, and neighbouring communities. Retail establishments should be encouraged to locate in the Core Commercial designation of Port Elgin and Southampton. However, it is recognized that retail floor space for medium or large size businesses within the core areas is rare. The Highway Commercial designation is intended for development of larger format commercial uses which due to their size and function may be unable to locate in the Core Commercial designation.

### **3.12.2 Objectives**

3.12.2.1 To encourage Highway Commercial developments that do not adversely affect the commercial activities contained in the Core Commercial designation and encourage medium and high density residential development where compatible with the commercial use.~~To encourage Highway Commercial developments that do not adversely affect the commercial activities contained in the Core Commercial designation.~~

3.12.2.2 To provide opportunities through the Comprehensive Zoning By-Law and other regulations for a range of commercial uses in the Highway Commercial Areas that, due to their size and/or nature of the commercial use cannot reasonably be located in the Core Commercial designation.

3.12.2.3 To maintain the lands within the Highway Commercial designation for the intended development of larger space-extensive uses.

### **3.12.3 Permitted Uses**

3.12.3.1 The predominant use of land shall be for those commercial uses, which because of space and parking demand are not compatible with the compact nature of the core areas, and/or which are dependent upon a high degree of access and visibility to vehicular traffic on main roads. Uses permitted shall include but are not limited to restaurants, automotive uses, retail stores, offices, food stores and hotels/motels. Uses permitted will also include retail uses that require enclosed or open storage such as building supplies, outlet stores, home improvement stores, catalogue stores and services.

3.12.3.2 Institutional uses such as nursing homes, child care centres, and public, private, or commercial schools may also be permitted through a Zoning By-Law amendment. Home-based child care and unlicensed child care is permitted in legally existing single detached and semi-detached dwellings.

3.12.3.23.12.3.3 Medium and High Density residential uses may be permitted in accordance with policy 3.12.4.1.5 and the medium density and high density residential development policies of this Plan.

**3.12.4 General Policies**

**3.12.4.1 New Development**

3.12.4.1.1 New stand-alone retail, office and food stores must have a gross floor area greater than 300 square metres. In buildings where more than one

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commercial unit is proposed to be less than 300 square metres, at least one unit shall be 464 square metres. .

- 3.12.4.1.2 Well planned development will be encouraged by reducing access points by combining exits and entrances or by creating a service road, where possible. To achieve this, similar and compatible “Highway Commercial” uses should be clustered.
- 3.12.4.1.3 Landscaping shall be provided between any “Highway Commercial” use or parking areas and the adjacent road.
- 3.12.4.1.4 The impact of new uses on nearby residential development shall be minimized by:
  - a) providing buffer strips and/or screening between such uses;
  - b) the use of low-impact lighting and signage; and,
  - c) ensuring that off-street parking facilities do not adversely impact existing residential development.

3.12.4.1.5 ~~Residential units as accessory uses may be permitted on commercial lands as an integral part of a commercial establishment provided the uses are compatible, they do not constitute a safety hazard and off-street parking is provided. Residential units as accessory uses will be permitted as an integral part of a commercial establishment provided they do not constitute a safety hazard, and have adequate off-street parking.~~

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3.12.4.1.6 All Highway Commercial uses shall be serviced with municipal water and sewage services unless otherwise approved by the Town of Saugeen Shores or its designated agent.

3.12.4.1.7 Development in the Highway Commercial designation may be subject to Site Plan Control.

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### **3.12.5 Highway Commercial Exceptions**

3.12.5.1 SSOPA #13-06.44 ‘Shoreline Shopping Centres Ltd. (First Pro)’

The lands described as S Part Lot 9, Concession 7, being Part 1, RP 3R-5574; Part 1, 3R-1528 and Part 1, 3R-5620, geographic Township of Saugeen, may be used for commercial development consisting of a maximum of five buildings and the following policies shall apply:

- a) The maximum total ‘gross floor area’ shall be 16,405 sq. metres (176,600 sq. feet). All retail stores shall have a minimum ‘gross leasable floor area’ of 186 square metres (2,000 square feet).
- b) In addition to those uses permitted in the ‘Highway Commercial Designation’ ‘personal service shops’ shall also be permitted. All ‘personal service shops’ shall have a minimum ‘gross leasable floor area’ of 186 square metres (2,000 square feet).

- c) The provisions of this Exception apply to the entirety of the lands as if it is one lot regardless of any future land division.

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3.12.5.2 SSOPA#17-07.48 'Skyline Equities XIII Inc.'

Notwithstanding the Highway Commercial designation policies of this Plan, the lands described as Part Lots 31 to 33, E of Albert St; Pt 1, RP3R-2217, geographic Town of Southampton, may be used for a specific mixed-use commercial and residential development comprising of a minimum commercial floor space of 300 sq. metres and a maximum of a 24 high density residential units, and the following policies shall apply:

- a) Notwithstanding the uses permitted in the Highway Commercial Designation, only one or more of the following uses may be permitted within the commercial space of the building: business or professional office, retail establishment, dry cleaning distribution outlet, video rental establishment, fitness centre and restaurant.
- b) A maximum of one (1) building shall be permitted.
- c) The minimum gross floor area requirement of at least 300 sq. metres for retail, office and food stores shall not apply.

3.12.5.3 L-2021-012 Lord Elgin Estates Development Limited – SSOPA No. 17

Notwithstanding the Highway Commercial designation policies of this Plan, the lands described as SAUGEEN CON LAKE RANGE PT' LOT 48 RP 3R10149 PARTS 1 2; AND 5 (Saugeen Township), Town of Saugeen Shores, may be developed as a mixed-use development consisting of high density residential uses in addition to those permitted in the Highway Commercial designation in Section 3.12.3.

3.12.5.4 SSOPA No. 9 '1817955 Ontario Ltd (Andrew Hill)' – Ask Dawn

Schedule A: Land Use Plan" to the Town of Saugeen Shores Local Official Plan is hereby amended by changing the land use designation on lands described Part of Park Lot 18, Plan 111, Town of Saugeen Shores (geographic Town of Port Elgin) from 'Highway Commercial' area designation to 'Highway Commercial Special' area to permit office uses as a primary use, and to permit 24 residential dwelling units.



### **3.13 MARINE COMMERCIAL DESIGNATION**

#### **3.13.1 Purpose**

3.13.1.1 The Marine Commercial designation recognizes existing marine related commercial use on the shoreline.

#### **3.13.2 Objectives**

3.13.2.1 To take full advantage of the Lake Huron shoreline and the Saugeen River in the development of commercial uses that support the needs of the boating public and waterfront users without negatively impacting the long term sustainability of the natural shoreline environment and water quality, compatible to adjacent and surrounding land uses and sensitive to the constraints imposed by natural shoreline characteristics.

3.13.2.2 To maintain the historic and recreational qualities of existing marine commercial operations.

#### **3.13.3 Permitted Uses**

3.13.3.1 In areas designated Marine Commercial, the predominant use of land will be for commercial uses related to the waterfront. Permitted uses include but are not limited to marinas, restaurants, recreation facilities, installations for the servicing, repair and storage of boats, farmer's markets, boat and bicycle rental, convenience stores and boat clubhouses.

#### **3.13.4 General Policies**

##### **3.13.4.1 Development Policies**

3.13.4.1.1 Continued upgrading of marine facilities will be encouraged to further develop the local tourist industry.

3.13.4.1.2 An Environmental Impact Statement shall be required in accordance with the requirements of this Plan to assess the potential impacts of the development on the natural shoreline environment, water quality, the constraints of the natural shoreline characteristics and possible mitigation techniques. Development approvals and/or permits may also be required from the Saugeen Valley Conservation Authority and/or other agencies.

##### **3.13.4.2 Conversion of Marine Commercial Lands**

3.13.4.2.1 The conversion of lands from the Marine Commercial designation to residential shall require an Official Plan Amendment and shall not be permitted, unless it can be demonstrated that the lands are not necessary for the long-term Marine Commercial needs of the community.

3.13.4.2.2 Where conversion is proposed, detailed public consultation and site planning must be undertaken to ensure that proposed uses maintain the character of the surrounding lands in terms of density, building height, building massing

and architectural style.

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**3.13.5 Marine Commercial Exceptions**

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### **3.14 INDUSTRIAL DESIGNATIONS**

#### **3.14.1 Introduction**

3.14.1.1 In order to diversify the economy and employment base, it is the intent of this Plan to provide opportunities for clean industrial uses. It is also the intention of this Plan to recognize existing licensed resource extraction operations and protect identified resource areas within or partially within the Settlement Area for future resource extraction provided the impacts on existing and future land uses can be avoided or mitigated. Within the Plan area, industrial uses have been grouped into two designations which include Employment and Extractive Industrial.

### **3.15 EMPLOYMENT DESIGNATION**

#### **3.15.1 Purpose**

3.15.1.1 The purpose of the Employment designation is to recognize the location of existing and future industrial lands in order to provide an appropriate supply of employment lands for existing and future businesses.

#### **3.15.2 Objectives**

3.15.2.1 To provide an adequate supply of vacant employment land within the Town and to encourage the expansion of existing employment uses, and the development of additional employment uses, in order to diversify the local employment base.

3.15.2.2 To encourage existing industrial uses in the Town to relocate to lands designated as Employment.

3.15.2.3 To encourage new industrial uses to locate within the Employment designation as concentrated nodes of development, as opposed to scattered uncontrolled development.

#### **3.15.3 Permitted Uses**

3.15.3.1 In areas designated Employment, permitted uses include manufacturing, fabricating, processing, and assembling of goods and materials, warehousing, storage, builder's yards, transportation and communication facilities, education facilities, training facilities, assembly halls and public utilities and limited commercial which would not be more appropriately located in the Highway Commercial or Core Commercial designations. Commercial uses may include automobile, motorcycle and RV servicing. Proposals for new commercial uses shall demonstrate a reasonable need to only be located in 'Employment' lands, and must have a gross floor area greater than 300 square metres.

3.15.3.2 Secondary uses such as wholesale outlets, and offices and showrooms accessory to an industrial operation may also be permitted.

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### **3.15.4 General Policies**

#### **3.15.4.1 New and Existing Industrial Development**

3.15.4.1.1 The Town will encourage the retention and expansion of industrial development, and will not support the redesignation of Employment lands to other land use designations.

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3.15.4.1.2 All industries shall meet the emission standards of the Ministry of the Environment, and where necessary, obtain the approval of the appropriate approval authority with respect to water supply, sewage treatment, waste disposal and emissions including noise, fumes, gas, dust, vibration and odours.

3.15.4.1.3 Open storage of goods or materials shall be adequately screened by planting, berms, fences, or buildings and shall comply with the provisions of the Comprehensive Zoning By-Law.

3.15.4.1.4 Proposals for the redesignation of lands to Employment from another designation shall require an amendment to the Plan, shall be supported by a Planning Report and shall be evaluated based on the following criteria:

- a) Development of the site shall be compatible with existing and proposed uses in the surrounding area;
- b) The area is served by arterial or collector roads;
- c) The site has direct access to roads that can accommodate the anticipated traffic generated by the proposed development;
- d) The anticipated traffic shall not result in additional traffic in surrounding residential areas; and,
- e) Adequate services and utilities are available.

#### **3.15.4.2 Urban Design**

3.15.4.2.1 A high standard of urban design and site planning will be required for all Development of lands in the Employment Designation. New development shall:

- a) enter into a Site Plan Agreement;
- b) incorporate landscape features including the provision of a continuous 15 metre vegetative buffer area along the westerly portion of all properties backing onto Highway 21 and a 10 metre vegetative buffer area along the exterior boundary of the area designated Employment; and,
- c) provide utility servicing by the underground burying of wiring for hydro, telephone and other transmission lines, wherever possible;

- d) limiting the outdoor storage and goods and require visual screening, as set out in the implementing Zoning By-law.

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### **3.15.5 Employment Exceptions**

3.15.5.1 Notwithstanding the Employment policies of the Plan, those lands described as Block F, Plan M-63, (Port Elgin), may be developed and used as an Administrative Building for Bruce County. Similar government services associated with the County of Bruce may be included as a permitted use. Development of any structures will be subject to Site Plan Control.

3.15.5.2 Notwithstanding the Employment policies of this Plan, those lands described as Concession 7 Part Lots 10, 11 & 12 (geographic Township of Saugeen) may be developed and used in accordance with the following provisions:

#### **3.15.5.2.1 Premise and Purpose**

Structural changes occurring in the macro economy pose potential challenges and opportunities for future growth on Employment Lands in Bruce County. Given evolving trends in the Southern Ontario economy towards the knowledge-based sector, Saugeen Shores needs to encourage and accommodate a wide range of business service and office uses in Employment Areas.

The purpose of the Employment Exception 2 designation for the subject lands is to provide an appropriate supply of business park lands in the Settlement Area.

#### **3.15.5.2.2 Objectives**

To recognize the importance of employment lands in accommodating knowledge-based sectors in addition to traditional industrial sectors.

#### **3.15.5.2.3 Permitted Uses**

Permitted uses may include manufacture, assembly, process, fabrication, repair, maintenance and indoor storage of goods, materials, commodities and equipment, enclosed warehousing, self-storage facilities, offices, public utilities, research and development facilities, computer, electronic or data processing establishments, scientific or technological establishments, communication, business and government services, and information technology based businesses, services and industries, construction-related uses, accessory retail and accessory food and beverage.

#### **3.15.5.2.4 General Policies**

Lands may be developed on partial services, accommodating the provision of municipal water services and private septic systems. Such servicing may require special analysis to ensure lot sizes and zoning provisions are appropriate.

The implementing zoning by-law, in addition to outlining the permitted uses and general provisions for the lands shall also provide the following:

- a) For lands with known archaeological resources, an archaeological assessment shall be required prior to any development. A holding provision may be applied to the lands and may not be removed until such an assessment is completed.
- b) For lands in proximity to Concession 6, a D-6 review may be required to accommodate uses that may create nuisances for sensitive uses in the area.

A holding provision may be applied to the lands and may not be removed until such a review appropriately addresses the D-6 Guidelines.

In addition to other provisions contained in the Plan, these lands shall be subject to Site Plan Control and subject to these additional policies:

- i) Incorporate high quality architectural design and landscaping for lands located in proximity to Concession 6 Road.
- ii) Ensure adequate visual buffer along Concession 6 Road.

## **3.16 EXTRACTIVE INDUSTRIAL DESIGNATION**

### **3.16.1 Purpose**

3.16.1.1 The Saugeen Shores Settlement Area contains a portion of glacial beach ridge that is the site of mineral resource extraction operations. The purpose of this designation is to recognize these areas.

#### **3.16.1.1.1 Objectives**

- a) To protect the remaining resource area to allow for future extraction where this activity will not negatively impact existing sensitive land uses.
- b) To encourage the rehabilitation of existing licensed extractive operations that are nearing or have reached expiry, future recreational/open space uses.

### **3.16.2 Permitted Uses**

3.16.2.1 Permitted uses in the Extractive Industrial designation shall be aggregate resource extraction. Accessory uses such as crushing, washing, concrete batching, or other similar uses accessory to aggregate processing, and portable asphalt plants used on a temporary basis on public authority contacts, may be permitted.

### **3.16.3 General Policies**

#### **3.16.3.1 *New Operations or Expansion***

3.16.3.1.1 All rezoning proposals for extractive industrial operations shall be accompanied by a Class A or Class B license report and/or site plan as required for the licensing process under the Aggregate Resources Act. In reviewing licensing and/or rezoning applications to expand existing operations, or in consideration of new operations, the Town shall ensure that provisions are made for:

- a) the protection and maintenance of both on site and off site natural areas;
- b) screening, buffering or appropriate setbacks and site regulations to reduce the visual, noise and air quality impacts of the operation;
- c) the protection of surface and ground water quality and the protection of potable water supply for other uses in the area;
- d) the rehabilitation and/or after use of the site.

#### **3.16.3.2 *Non-Extractive Related Uses***

3.16.3.2.1 A Planning Report shall be required for new development proposed on lands located within 300 metres of the limit of an existing licensed extractive industrial operation to demonstrate that the proposed uses will not preclude or

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constrain continued extraction operations. Any proposed development that would prevent or constrain continued or expanded extractive operations within the licensed area shall not be permitted.

### **3.16.3.3 Site Rehabilitation**

3.16.3.3.1 Aggregate operations shall be encouraged to prepare a Rehabilitation Plan that outlines how the site will be rehabilitated throughout the life of the operation and following the extraction of materials from the site.

3.16.3.3.2 Uses permitted in the Recreational designation shall be permitted on lands designated Extractive Industrial subject to the aggregate resources being extracted, the site being appropriately rehabilitated to the satisfaction of the Town and the license surrendered. An amendment to the Official Plan may not be required for this change in land use, however, an amendment to the Zoning By-law, combined with Site Plan Control approval, shall be required.

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## **3.16.4 Extractive Industrial Exceptions**

## **3.17 INSTITUTIONAL DESIGNATION**

### **3.17.1 Purpose**

3.17.1 The purpose of the Institutional designation is to recognize existing institutional lands in the Settlement Area including schools, medical facilities, government buildings and other large institutional uses.

### **3.17.2 Objectives**

3.17.2.1 To promote the use of public, park, medical, school and other facilities as community facilities and multi-use facilities.

3.17.2.2 To encourage the establishment of regional and community facilities and programs which address the changing needs of the community to locate within the Settlement Area.

### **3.17.3 Permitted Uses**

3.17.3.1 In areas designated Institutional, permitted lands uses include both public and private Institutional uses, including schools, child care centres, churches, museums, hospitals, municipal buildings and nursing homes. Home-based child care and unlicensed child care are permitted in legally existing single detached and semi-detached dwellings. Accessory uses such as parking lots, accessory residences and open space may also be permitted.

### **3.17.4 General Policies**

#### **3.17.4.1 New Institutional Uses**

3.17.4.1.1 Specialized community facilities such as museums and community colleges and regional community facilities such as hospitals, municipal buildings, high schools, and major community centres which serve a large population should



be located in consideration of the following criteria:

- a) Strategically located in order to minimize travel time for the existing and anticipated service area population;
- b) The use should be protected and separated from incompatible uses;
- c) Adequate site area should be provided to accommodate buildings, future expansions, accessory off-street parking and landscaping;
- d) Suitable access to major thoroughfares; and,
- e) Locations adjacent or near Open Space and other Institutional uses will be encouraged.

3.17.4.1.2 Community facilities such as meeting halls, libraries, senior citizens centres, should be located in consideration of the following criteria:

- a) strategically located in order to serve the service centre population;
- b) located to facilitate ready pedestrian and vehicular connections to residential areas;
- c) have adequate access to collectors and arterials; and,
- d) be combined where possible with Open Space and other Institutional uses.

3.17.4.1.3 Proposals for new Institutional development will be subject to rezoning and Site Plan Control.

3.17.4.1.4 Adequate off-street parking areas will be provided. Entrances and exits to parking areas will be limited in number and designed to minimize danger to vehicular and pedestrian traffic in the immediate area.

#### **3.17.4.2 Institutional Uses in the Residential Designation**

3.17.4.2.1 Elementary schools are permitted within the Residential designation but shall require an amendment to the Comprehensive Zoning By-Law. This Plan requires cooperation between the Bluewater District School Board, the Bruce-Grey Roman Catholic Separate School Board and the Town, in planning for future educational facilities and school locations. The location of new school sites will consider the following criteria:

- a) New elementary school sites will be located reasonably central to the areas they are intended to serve. However, this criteria must contain some flexibility given other considerations such as staging of development relative to the timing of need for the site.
- b) New elementary school sites will be located to minimize crossings of major roads by children.
- c) As applications are made to develop various parts of the Town that are

designated for residential purposes, the Council will ensure where possible that public facilities such as parks, libraries and meeting halls are located adjacent to school sites.

- d) Proposed school sites will be located in consideration of the existing and proposed road pattern to ensure efficient access.

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**3.17.5 Institutional Exceptions**

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### **3.18 ENVIRONMENTAL HAZARD**

#### **3.18.1 Purpose**

3.18.1.1 The purpose of the Environmental Hazard designation is to identify lands within the Town that are recognized as being unsuitable for development or have the potential to be unsuitable for development due to the natural hazards associated with the lands. Natural hazard features include floodplains, steep and unstable slopes, wetlands, erosion prone lands, organic and unstable soils, low-lying areas, poorly drained soils, surface water features, as well as flooding, erosion and dynamic beach hazards associated with Lake Huron.

3.18.1.2 The boundaries of the Environmental Hazard designation are flexible to a certain degree and may be subject to revision through consultation with the Town and the Saugeen Valley Conservation Authority. Detailed mapping identifying natural hazards is generally complete and consists of the Environmental Hazard designation on Schedule 'A' to this Plan.

#### **3.18.2 Objectives**

3.18.2.1 To protect the population by preventing incompatible development in areas of natural and man-made hazards.

3.18.2.2 To protect, preserve and enhance the natural heritage features in the Town.

3.18.2.3 To monitor and update the information detailing environmental hazards in the Settlement Area as new information is made available.

3.18.2.4 To ensure the natural heritage features and the natural and open space linkages between and among natural heritage features are protected from incompatible uses, and where possible, enhanced.

#### **3.18.3 Permitted Uses**

3.18.3.1 Permitted uses in the Environmental Hazard designation include conservation uses, forestry, passive outdoor recreation, public greenspace, parks and public utilities.

#### **3.18.4 General Policies**

##### **3.18.4.1 Development**

3.18.4.1.1 No buildings or structures shall be permitted in the Environmental Hazard designation except buildings or structures intended for flood or erosion control, public utilities, or accessory structures to permitted passive outdoor recreational uses.

3.18.4.1.2 Building setbacks may be established in the Comprehensive Zoning By-Law, from the margins of hazard land areas in relation to the extent and severity of the existing and potential hazards.

- 3.18.4.1.3 After consulting with and/or obtaining approval from required agencies such as the Saugeen Valley Conservation Authority, the Town may permit the replacement or rebuilding of an existing building or structure in the Environmental Hazard designation, providing it does not exceed the size or volume of the original structure.
- 3.18.4.1.4 The removal or addition of materials from or to lands within the Environmental Hazard designation is generally discouraged and consideration of impact on surface water quality and drainage patterns must satisfy the requirements of the Conservation Authority.
- 3.18.4.1.5 Where recreation or conservation projects are designed for public or private uses, adequate parking facilities and access points shall be provided in suitable locations where there will be no adverse impacts on the natural features and no risk to safety due to the natural constraints of the site.
- 3.18.4.1.6 Applications to remove lands from the Environmental Hazard designation shall be accompanied by an Environmental Impact Statement to identify that the lands are not part of an environmental feature or Hazard Lands and that development will have no negative impact on the natural features or functions of the area.

#### **3.18.4.2 Lake Huron Shoreline Natural Hazards**

- 3.18.4.2.1 The flooding and erosion hazards shall be defined as the 100 year lake flood level plus a flooding and/or erosion allowance; and, a dynamic beach allowance where applicable.
- 3.18.4.2.2 In the absence of a study providing more detailed information, the flooding and/or erosion allowance shall be 15 metres inland from the 100 year flood level. The dynamic beach allowance shall be 30 metres inland from the flood and/or erosion limit. For the Lake Huron Shoreline located north of South Street in Southampton, to the northerly limit of the Municipality, the shoreline hazard includes the 15 metre flooding and erosion hazard and appropriate setback for the dynamic beach allowance. The dynamic beach allowance often contains sensitive landforms such as dunes and important flora. Any site alteration in the environmentally sensitive portions of the dynamic beach allowance such as filling, grading or vegetation removal will not be permitted unless supported by the results of an Environmental Impact Statement and/or approval from the Saugeen Valley Conservation Authority.

#### **3.18.4.3 Conservation Authority Regulations**

- 3.18.4.3.1 Development, including site alteration that is proposed within the regulated area of the Saugeen Valley Conservation Authority shall be reviewed and considered by the Saugeen Valley Conservation Authority.

#### **3.18.4.4 Watercourse Flooding and Erosion**

- 3.18.4.4.1 For all watercourses within the Town of Saugeen Shores, flood plains shall be managed according to the “one-zone policy”. Under the one-zone policy

no new buildings or structures are permitted anywhere in the floodplain, except in accordance with the Section 3.18.4.1.1, Section 3.18.4.5 – Spill Policy Area and Section 3.18.4.6 – Development in Shallow Flood Areas.

#### **3.18.4.5 Spill Area Policy**

- 3.18.4.5.1 Developments on lands not considered “Hazard Lands”, but identified on zoning schedules as being within 50 metres of a Spill Weir, are considered to be within the Spill Area Policy of the Saugeen Valley Conservation Authority and shall be subject to the policies of the Authority in this regard.
- 3.18.4.5.2 The Saugeen Valley Conservation Authority Spill Area Policy applies to all lands within 50 metres measured horizontally, of a Spill Weir. New developments may be permitted within a Spill Area provided that they meet all applicable policies of this Plan, and are flood-proofed to the elevation of the Hurricane Hazel Flood Event Standard Flood Plain.
- 3.18.4.5.3 Flood-proofing of additions to all existing uses within the Spill Area may be permitted to an elevation less than that of the Hurricane Hazel Flood Event Standard Flood Plain provided that the flood-proofing of the addition is not to an elevation less than that of the floor elevation of the existing use.
- 3.18.4.5.4 Written permission of the Saugeen Valley Conservation Authority is required prior to any construction within the regulated area. In each case an application, describing the proposed construction, must be made to the Authority for its review and consideration.

#### **3.18.4.6 Development in Shallow Flood Areas**

- 3.18.4.6.1 Where new development is proposed in generally the northeast part of the Town despite the policies throughout this Plan which permit development to occur, property owners are advised that there is the potential for flooding in areas not designated “Environmental Hazard” and not within the Spill Area Policy. While the flooding may be infrequent and shallow, the extent of the flooding cannot be shown on the mapping. It is advised that all new development should consider the possibility of flooding and property owners should design buildings accordingly. Design considerations might include: elevating the ground floor level well above surrounding ground levels; elevating building openings; and, elevating or deleting basements.

#### **3.18.4.7 Redesignation of Environmental Hazard Lands**

- 3.18.4.7.1 When more detailed hazard mapping becomes available and is accepted by the Town, or should flood control or other works be undertaken that are acceptable to the Town and the Saugeen Valley Conservation Authority which result in changes in areas designated Environmental Hazard, then this Plan will be amended as required. Applicants are advised to consult with the Saugeen Valley Conservation Authority prior to submitting an application to remove lands from the Environmental Hazard designation.
- 3.18.4.7.2 The following criteria will be taken into account:

- a) the existing environmental and physical hazards;
- b) the potential impact of these hazards;
- c) the proposed methods by which these impacts may be mitigated in a manner consistent with accepted engineering techniques and resource management practices;
- d) the costs and benefits in economic, social and biological value and any engineering works and/or resource management practices needed to mitigate the identified impacts; and,
- e) the preparation of an Environmental Impact Statement.

#### **3.18.4.8 Implementation**

- 3.18.4.8.1 The Environmental Hazard designation will be placed in a separate zone and the Spill Areas will be shown with a shading overlay in the implementing Zoning By-Law. Environmental Hazard Zone boundaries will be amended as more detailed floodplain mapping along the Saugeen River and its tributaries becomes available.

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#### **3.18.5 Environmental Hazard Exceptions**

### **3.19 PARKS OPEN SPACE DESIGNATION**

#### **3.19.1 Purpose**

3.19.1.1 Parks and open space contribute to the quality of life in Saugeen Shores by providing opportunities for all ages for active and passive recreation and outdoor venues for social, cultural, interpretive and other activities and community events. The Parks and Open Space designation recognizes existing public and private open space areas in the Town.

#### **3.19.2 Objectives**

3.19.2.1 To locate new community parks and open space areas in locations that serves both the travelling public and Town residents.

3.19.2.2 To promote the protection of lands which provide scenic vistas or have important natural qualities.

3.19.2.3 To encourage through future development, increased opportunities for trail system development.

#### **3.19.3 Permitted Uses**

3.19.3.1 In areas designated Parks and Open Space permitted uses shall be for all forms of public and private open space, including but not limited to neighbourhood and community parks, playgrounds, picnic areas, swimming pools, golf courses, sports fields, public marinas and recreational facilities such as community centres and arenas. Permitted uses shall also include the Municipal Airport.

3.19.3.2 Campgrounds, recreational vehicles and travel trailer parks shall not be permitted in the Parks and Open Space designation.

#### **3.19.4 General Policies**

##### **3.19.4.1 *New Parkland and Open Space Development***

3.19.4.1.1 The provision of additional “Parks and Open Space” will be guided by a Council approved Parks and Trails Master Plan and will also be subject to the following considerations:

- a) An assessment of the park needs of the particular area.
- b) Neighbourhood and community parks will be located adjacent to elementary and/or secondary school sites, where possible.
- c) Parks will be centrally located to the neighbourhood served, in order to minimize pedestrian distance to park facilities and maximize potential park use.

- d) Where possible, new plans of subdivision shall consider the possibility of linking park areas through natural open space connectors such as shorelines and drainage systems.
- e) Sites planned for active park uses shall be properly drained and physically suitable for active use.

3.19.4.1.2 A provision standard of 1 playground area within 800 metres (generally equivalent to a 10-minute walk) of all residential areas shall be used to guide the provision of public playground facilities in new residential development and for existing residential neighbourhoods. This policy may be applied with greater flexibility in areas designated as Shoreline Residential.

3.19.4.1.3 The Town has identified the need for a large sports field complex, which may not be capable of being located within the Settlement Area boundaries. The Town may consider options for the location of a sports complex in the Settlement Area or the Rural Area.

**3.19.4.2 Parkland Classification**

3.19.4.2.1 A parks classification system defines the role and characteristics of the various types of municipal parkland and is an important element of parks and open space planning. The following parks classification system and provision standards shall be used by Council as a guide for parkland acquisition, development, management and facility provision:

1. Parks Classification System and Provision Standards

PARK TYPE	DEFINITION	PROVISION STANDARD
Neighbourhood Park	<ul style="list-style-type: none"> <li>- Serves passive and active parkland needs within local neighbourhood area but does not provide a high enough level of amenities to draw people from the larger community;</li> <li>- Typically a service radius of 5-10 minutes walking distance (800 metres), within safe and convenient walking distance of majority of neighbourhood residents;</li> <li>- Park size is generally less than 2 ha per park;</li> <li>- Example of facilities/amenities include a backstop for children's baseball, junior-sized soccer fields/playfields, playground equipment, paved areas for informal games/basketball, shaded areas for passive recreation and could include small parking areas if needed.</li> </ul>	1.0 ha/1,000 population



PARK TYPE	DEFINITION	PROVISION STANDARD
Community Park	<ul style="list-style-type: none"> <li>- Serves passive and active parkland needs of the community/Settlement Area;</li> <li>- Generally 15-20 minutes walking distance;</li> <li>- Ideal size ranges from 3 to 8 ha;</li> <li>- Central to service population, accessible by automobile and bicycle, frontage on arterial or collector road, may be coordinated with secondary school sites;</li> <li>- Facility examples: multiple regulation-sized soccer fields, softball and baseball diamonds, football fields, tracks, swimming pools, arenas, picnic pavilions, parking facilities, etc. or special purpose facilities (bandshell, civic features).</li> </ul>	2.0 ha/1,000 population
Regional Park	<ul style="list-style-type: none"> <li>- Accessible to entire community and also attract visitors from outside the community;</li> <li>- Location dependant on areas of unique character/significance;</li> <li>- Size may vary depending on characteristics, but typically 5 ha or larger;</li> <li>- Accessible by automobile, secondary access by pedestrian and bicycle paths;</li> <li>- Regional destination for multi-purpose or specialized activities;</li> <li>- Facility/amenity examples: large public beaches, associated harbour/boat launch &amp; marina facilities.</li> </ul>	0.5 ha/1,000 population
Parkette	<ul style="list-style-type: none"> <li>- Provides limited recreation opportunities for local neighbourhood, core area, beaches, along walkways etc. where the range of facilities and activities may be less than a neighbourhood park and could be as little as a small landscaped area or open space providing visual benefit;</li> <li>- Size is generally less than 0.5 ha;</li> <li>- Does not contain sports fields;</li> <li>- Examples: benches, fountains, swings, short pathways, etc.</li> </ul>	0.5 ha/1,000 population
Greenspace	<ul style="list-style-type: none"> <li>- Environmental lands (woodlands, wetlands, areas of natural constraint, etc.), with some passive leisure opportunities;</li> <li>- An area of parkland in its natural state used for conservation and/or preservation;</li> <li>- Environmental resources with ecological and biological functions that contribute to the health of the community;</li> <li>- May or may not be publicly accessible.</li> </ul>	

### **3.19.4.3 Public Waterfront Policies**

- 3.19.4.3.1 The Lake Huron shoreline area in Saugeen Shores provides for a wide range of community, recreational, tourism, parks and open space and cultural uses. The waterfront is a significant recreational, economic and natural resource in the Town that requires continued maintenance, protection and enhancement. Most of the shoreline area is designated as Environmental Hazard lands due to the flood risks and the sensitive dynamic beach areas that limit development potential. However, this Plan supports the continued and enhanced use of the waterfront for a diverse range of community, recreational, tourism, parks and open space uses, subject to the policies of the “Environmental Hazard” designation. In addition, the following policies shall apply to public use of the waterfront and the provision of parks, open space, trails and recreational opportunities along the waterfront within the Settlement Area.
- 3.19.4.3.2 The Town will continue to provide and enhance a visible, inter-connected and publicly accessible waterfront for a wide range of public and tourism activities while maintaining natural waterfront features and recognizing the limitations created by the flood hazard.
- 3.19.4.3.3 Development of publicly owned waterfront open space will be in accordance with a Council approved Parks and Trails Master Plan and/or Waterfront Strategy.
- 3.19.4.3.4 Public waterfront areas shall be designed to be safe, attractive, inviting and visually separated from private land uses.
- 3.19.4.3.5 Use of and access to publicly owned waterfront areas for community, recreational and tourism activities will be maximized within a framework of ensuring long-term sustainability of the natural shoreline environment.
- 3.19.4.3.6 Private property encroachments on public waterfront access points, municipal parkland, trails, and natural environment areas will not be permitted. Where existing encroachments exist, the Town may enter into lease agreements to recognize the use of these lands. The Town may also develop a by-law to recognize existing encroachments and to regulate how encroachments are to be considered.
- 3.19.4.3.7 A continuous waterfront trail will be implemented in accordance with the Parks and Trails Master Plan where there is sufficient land between the water and a public or private road and where the natural characteristics of the shoreline environment permit. The Waterfront Trail will be connected to existing waterfront public open spaces and other points of interest along the waterfront.
- 3.19.4.3.8 Bonus provisions under the Planning Act may be considered for waterfront development to encourage the dedication of lands for use as a waterfront public open space system.
- 3.19.4.3.9 Public access to the shoreline, in areas of public ownership, shall be

encouraged where feasible through pier or dock facilities for the use of recreational boaters, residents and tourists.

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**3.19.5 Parks Open Space Exceptions**

FOR REVIEW

## **3.20 SPECIAL POLICY AREA DESIGNATIONS**

### **3.20.1 Special Policy Area #1**

- 3.20.1.1 The area designated as SPA (1) on Schedule "A" Land Use Plan includes lands in Port Elgin generally located north of Elgin Street, east of Hilker Street, and west of the Rail Trail and a small area of land east of Wellington Street immediately north and south of River Street. Due to the proximity to the former railway, this area has historically been designated and used for industrial purposes. However, with the abandonment of the railway and location of these lands along the Rail Trail in an area surrounded by established residential neighbourhoods, it is an objective of this Plan to encourage re-development of these lands to residential use over the planning period.
- 3.20.1.2 Existing industrial uses within SPA (1) are recognized as permitted uses and shall be permitted to continue with limited expansion on their existing sites in accordance with the requirements of the implementing Zoning By-law. Any proposed change of use of these lands to another form of industrial use shall be subject to the policies of the "Employment" designation, Section 3.15 of this Plan.
- 3.20.1.3 The redevelopment of lands within SPA (1) to medium or high density residential use is permitted and supported in accordance with the policies for the "Residential" designation, Section 3.6 of this Plan. Setbacks may be required to existing Industrial uses in accordance with Ministry of the Environment Guidelines. Prior to development, the Town may require site investigation by a qualified professional to assess potential contamination and decommissioning requirements necessary to permit use of the lands for residential development.

### **3.20.2 Special Policy Area #2**

- 3.20.2.1 The residential portion of Southampton located between Lake Huron, the Saugeen River, Grosvenor Street, Island Street, Huron Street and Bay Street, designated as SPA (2) on Schedule "A" Land Use Plan, is best characterized as a well-established low density, low rise residential neighbourhood. Most Residential Units or Buildings within this area are one or two storey homes. The implementing Zoning By-law and the assessment of development applications may result in the application of reduced height requirements in order to ensure compatibility with the built form of the existing community.

### **3.20.3 Special Policy Area #3**

- 3.20.3.1 It is recognized that the lands designated SPA (3) on Schedule "A" to this Plan exhibit environmental hazard features due to flooding and/or poor drainage. Development may be permitted in accordance with the Residential policies of this Plan, provided a Stormwater Management Study is completed demonstrating that concerns regarding flood and fill and floodplain management can be dealt with through lot grading and stormwater facilities to

the satisfaction of the Town and the Saugeen Valley Conservation Authority. Furthermore, although the woodlands on the subject property are not considered “significant woodlands”, the proponent shall prepare a tree retention plan to ensure that tree removal be kept to a minimum for the development of the property to the satisfaction of the Town and the Saugeen Valley Conservation Authority. Prior to granting removal of the holding symbol in the Comprehensive Zoning By-law to permit residential development of any portion of the lands within “Special Policy Area #3”, the Town shall consult with the Saugeen Valley Conservation Authority to ensure that the stormwater management policies have been appropriately addressed.

### **3.20.4 Special Policy Area #4**

3.20.4.1 The area designated as SPA (4) on Schedule “A” Land Use Plan, generally encompasses the lands west of the glacial Lake Nipissing bluff, south of South Street, in the former Town of Southampton, and north of Lot 19, Lake Range, in the former Township of Saugeen, but excludes the former Town of Port Elgin and those developed areas existing prior to the date of the adoption of this Plan. It is recognized that much of this special Policy Area exhibits important natural heritage features, such as significant woodlands, significant wildlife habitat, fish habitat, and species of conservation concern. The area also represents a substantial portion of the forested and wetland habitats within the planning area, as well as provides local connectivity of the natural features. Further, a large amount of the area consists of hazardous lands and sites. High groundwater conditions and complex drainage are common.

3.20.4.2 It is also recognized that new residential uses are permitted in specific and limited locations designated as Shoreline Residential that avoid hazardous features. With proper site design, the impacts of the developments on the environment can be minimized, to the extent that is possible, and surface and sub-surface drainage can be addressed. Preliminary Environmental Review Studies have been completed for most of these specific areas.

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3.20.4.3 All lands within SPA (4) not shown as Residential or Shoreline Residential are designated Environmental Hazard and shall be subject to the policies of Section 3.18 of this Plan. For this Special Policy Area, the Environmental Hazard designation includes not just natural hazard elements but also natural heritage features. As such, site alterations and vegetation removal shall not be permitted except in accordance with proper forest management practices and passive recreation uses, such as hiking trails.

3.20.4.4 Minor adjustments to the Environmental Hazard boundary may not require an amendment to this Plan, following consultation with the Saugeen Valley Conservation Authority.

3.20.4.5 New development may be permitted in the areas designated Shoreline Residential within SPA (4) in accordance with Section 3.7 Shoreline Residential of this Plan and the following additional policies:

- a) A site-specific Environmental Impact Statement shall be completed for each development proposal in accordance with Section 6.27.4 of this Plan and the following criteria:
  - i) The Environmental Impact Statement shall focus on the features found within the Shoreline Residential designation and immediately adjacent to it. A detailed study to assess the site in the context of the whole of SPA (4) is not required.
  - ii) Flora and fauna species that are endangered, threatened or of conservation concern shall be identified and protected, with particular attention to the provincially rare Dwarf Lake Iris.
  - iii) A tree retention plan shall be completed, with the objectives of minimizing tree removal and disturbance, and protecting vegetation communities of conservation concern. To help off-set the loss of trees due to development, the tree retention plan shall identify areas where new trees will be provided, either on the lands subject to development or on other lands within or near SPA (4). The ratio of new trees planted to trees removed shall be at least 2:1. Only those new trees for the purposes of restoring and/or establishing natural features habitat, and not for landscaping purposes, shall be considered.
  - iv) In addition to the Stormwater Management Policies of this Plan, it may be required that more detailed drainage and/or hydrogeologic information be produced by the proponent, to ensure potential on-site and off-site effects are fully addressed.
  - v) During the review of development proposals for particular property in the Shoreline Residential designation, land owners will be encouraged to transfer ownership or control of the portion of the property designated 'Environmental Hazard' to a public body or qualified organization to ensure long-term preservation and management of the natural features.

3.20.5 **Special Policy Area #5 SSOPA #15-12.44 'Redhawk Construction Co. Limited (Roger Howard)' – SSOPA No. 2**

N Pt Lots 11, 12 and 13, Con 7; S Pt Lots 11, 12 and 13, Con 8, Pk Lt 24, Plan 111, geographic Township of Saugeen

The lands designated SPA (5) are a Golf Lifestyle Community named 'The Links at Piper's Glen', being a community integrated within the existing golf course, providing for a range and mix of residential units or buildings, commercial and recreational uses, while protecting natural environmental features. Development of lands designated SPA (5) shall be in accordance with a registered Subdivision Agreement, and subject to the following policies:

- 3.20.5.1 Development in the **Low Density Residential** designation shall be in accordance with Section 3.6 'Residential Designation'.

- 3.20.5.2 Development in the **Medium Density Residential** designation shall be in accordance with Section 3.4.2 'Medium Density Development Policies', and may include nursing homes, homes for the aged, and retirement homes. Medium density residential development may be subject to site plan control.
- 3.20.5.3 Lands designated '**Commercial**' shall include a range of service, commercial and retail uses that serve residents of the Lifestyle Community and the travelling public. Development within the Commercial designation shall be subject to site plan control.
- 3.20.5.3.1 New single-use detached retail, office and food stores must have a gross floor area greater than 300 square metres. In buildings where more than one unit is proposed to be less than 300 square metres, at least one unit shall be 300 square metres. The maximum ground floor area shall be no greater than 1,500 square metres per unit to a maximum of two (2) units, and to a maximum retail coverage of 30% across the designation. Permitted uses shall not conflict with 'Core Commercial Designation' uses.
- 3.20.5.3.2 Permitted uses include hotels, motels, restaurants, size-dependent retail stores, convenience stores, personal service establishments (to be implemented and regulated through the Zoning By-law), financial establishments, places of worship, places of entertainment, recreation centres, and miniature golf courses. Automobile-oriented uses (i.e. gas bars, repairs, service, sales) shall not be permitted.
- 3.20.5.3.3 Apartment units are also a permitted use, and shall only be located above ground floor retail uses. Apartment units shall be constructed concurrently with commercial development where applicable, with an overall target of 25% residential component at final built-out across the designated area.
- 3.20.5.3.4 The north-east corner of SPA (5) coincides with the urban settlement area boundary, and is encouraged to be developed as an attractive edge to the community of Port Elgin by incorporating gateway design elements through pre-consultation with the Town.
- 3.20.5.4 Lands designated '**Resort Recreational**' are an Outdoor Hospitality park. Recreational development shall be subject to site plan control, including provisions for berming and extensive landscaping.

- 3.20.5.4.1 The Outdoor Hospitality Park is comprised of dual residential components: a summer travel trailer, RV and mobile home component for weekly or seasonal mobile traffic; and, a year-round cabin component for non-permanent residential use. Residential Units or Building units shall not exceed 25 units per gross hectare. The site and building characteristics, including size, shall be regulated through the Zoning By-law. Cabin units may be subject to design guidelines determined through pre-consultation with the Town.
- 3.20.5.4.2 Occupancy of cabin units shall be restricted and shall not exceed 325 days in one calendar year. Cabin units may be rented; and, cabin pads may be leased upon which off-site cabins may be located. Tenure options shall be limited to rental, lease and condominium tenure through time-share arrangements (or 'fractional ownership'), to be implemented through the Zoning by-law and other planning mechanisms.
- 3.20.5.4.3 A recreation facility is also permitted and may provide both outdoor and indoor uses. Recreational uses may include a seasonal campground, private parks, a golf course, and accessory uses, such as a pool, tennis court, games room, and outdoor play areas. Commercial uses shall be limited to small-scale convenience goods serving the needs of visitors. A bike path, sidewalk, private road and/or walking trail is to connect the commercial, residential and recreational components of the Rail Trail.
- 3.20.5.4.4 Lands designated Resort Recreational must be used for a combination of at least two of the three uses described above (i.e. 1. summer travel trailer, RV and mobile home use; 2. Year-round cabin use; and 3, recreation facility use) with no single use exceeding 66% of the area designated. A single use, not in combination with a second use, shall not exceed 33% of the area designated.
- 3.20.5.5 Lands designated '**Open Space**' shall permit a golf course and accessory uses normally associated with a golf course, such as a clubhouse, restaurant, pro shop, driving range, maintenance facilities, parking areas, pumping stations, and a stormwater management pond.
- 3.20.5.6 Lands designated '**Environmental Hazard**' shall be used in accordance with Section 3.18 'Environmental Hazard'. A driveway to access the maintenance yard is permitted, subject to the appropriate approval authority. A golf course is permitted subject to the implementing Zoning By-law.



## **SECTION 4 – TRANSPORTATION**

### **4.1 INTRODUCTION**

4.1.1 The Town of Saugeen Shores is committed to managing, maintaining and establishing an efficient, cost effective and multifaceted transportation network capable of serving the local community and visitors. The objectives and policies of this Section form the basis for the local transportation network.

### **4.2 OBJECTIVES**

4.2.1 To promote an improved system of arterial, collector and local roads which provide for the safe and efficient movement of local and through traffic.

4.2.2 To ensure that new development does not create traffic hazards.

4.2.3 To support the continual up-keep and improvements to the Municipal Airport and marina facilities.

4.2.4 To promote and guide the establishment of bicycle and pedestrian routes between parks facilities, the core area, the waterfront, the rail-trail, community facilities and residential and employment areas and to require, wherever possible for new developments, pathways, trails and access points that reduce car traffic and promote pedestrian and bicycle travel.

4.2.5 To promote the development of a street and sidewalk network that is accessible.

### **4.3 ROADWAY NETWORK**

#### **4.3.1 Roadway Classification System**

4.3.1.1 Roads are classified according to the function they serve. This Official Plan classifies roads as follows:

- Arterial Roads
- Collector Roads
- Local Roads

4.3.1.2 Schedule B to this Plan identifies the classification of roadways within the Settlement Area. Road classifications that are identified outside of the limits of the Settlement Area do not form part of this Plan but have been included for future information purposes and may be included as part of the Bruce County Official Plan.

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#### **4.3.2 Arterial Roads**

4.3.2.1 Arterial Roads provide for high passenger and commercial traffic volumes. Direct property access to new facilities is discouraged and will be controlled

to limit the spacing of driveways and new public road intersections. Arterial roads are main traffic routes intended for large volumes of long and medium range traffic moving to destinations within or through the Town.

4.3.2.2 Arterial roads shall have a minimum right-of-way width of 26 to 30 metres.

4.3.2.3 It is the intent of this Plan to limit access to Arterial roads. All proposals for new development along arterial roads must consider the impact of the proposed use on the functioning of the arterial road and shared access points may be required.

4.3.2.4 Where development or redevelopment is proposed that has frontage on both an Arterial Road and a Collector or Local Road, access shall be from the Collector or Local Road.

4.3.2.5 The County of Bruce is the approval authority for entrance/access on to a County Arterial Road and may grant or refuse access.

### **4.3.3 Collector Roads**

4.3.3.1 Collector Roads provide service for moderate traffic volumes between local roads and the arterial roads, while at the same time providing access to individual properties.

4.3.3.2 Collector Roads shall have a minimum right-of-way width of 22.0 to 26.2 metres.

4.3.3.3 Direct access to abutting properties is generally permitted along Collector Roads. At the intersection of Collector and Local Roads, direct driveway access shall be provided from the Local Road.

4.3.3.4 Bruce Street is identified on Schedule B to the Official Plan as a Collector Road. Improvements to Bruce Street should consider a right-of-way width of 26.2 metres.

### **4.3.4 Local Roads**

4.3.4.1 Local roads generally carry light volumes of traffic at low speed and provide direct access to abutting land uses. Local roads shall be designed to discourage through-traffic. The minimum right-of-way width for local roads shall be 20 metres.

### **4.3.5 Lanes**

4.3.5.1 The establishment of new private lanes will not be permitted, unless approved through a plan of condominium.

4.3.5.2 The Town of Saugeen Shores contains a number of public lanes that could provide the opportunities for residential intensification within the Built up Area.

- 4.3.5.3 The existing lanes are generally a substandard width to provide appropriate access, servicing and emergency services. The Town may consider a lesser right-of-way width for lanes on the basis of their function as providing access to a limited number of properties.
- 4.3.5.4 The Town may develop a design and engineering manual for the development of existing lanes.
- 4.3.5.5 Where new or redevelopment is proposed on a lane, servicing infrastructure such as roads, water and sewage servicing and utilities shall be developed to the satisfaction of the Town.
- 4.3.5.6 The Town may require the entering of a development agreement between property owners and the Town in order to ensure the site is appropriately designed and serviced.
- 4.3.5.7 Through the implementing Zoning By-law, the Town may create a specific zone to establish permitted uses and performance standards for development that may occur on lanes.
- 4.3.5.8 The Town is not required to assume maintenance of lanes however, the Town may consider assuming maintenance of a lane, subject to the following criteria:
- a) the lane is developed to a municipal standard;
  - b) the lane can provide safe access for emergency vehicles; and,
  - c) agreements as required have been entered into between property owners and the Town

#### **4.4 GENERAL TRANSPORTATION POLICIES**

##### **4.4.1 Rights-of-Way**

- 4.4.1.1 Council shall reserve or obtain the necessary rights-of-way for proposed roads and/or roadway widening as a condition of development approval. Existing and planned municipal rights-of-way shall be protected for future roadways and/or roadway widening in accordance with the intended right-of-way widths established in this Plan for each roadway classification shown on Schedule B. Setbacks from specific road segments required to achieve the ultimate right-of-way widths for each roadway will be established in the Comprehensive Zoning By-law.

##### **4.4.2 Right-of-Way Width**

- 4.4.2.1 At the discretion of Council, deviations from the minimum right-of-way width established in Section 4.3.2 to 4.3.4 may be considered on the merits of an improved streetscape, better utility of the land base, impacts to the social and physical environments, function of the road and life-cycle costs.
- 4.4.2.2 Where extensive development has occurred along existing roads, it is

recognized that the desired right-of-way width may not be achievable.

#### **4.4.3 Road Allowances and Public Lands**

4.4.3.1 The Town will not stop up or sell unmaintained road allowances or other municipal owned land that provide access to properties where there is any possibility that there is a potential future public use for the lands unless alternative access options are available for impacted properties. Road allowances or public lands leading to water or leading to an original Shore Road Allowance shall not be sold to abutting property owners unless there are other more usable public access points leading to the water in the immediate area.

4.4.3.2 Nothing in this section shall obligate the Town to open or improve existing unopened road allowances.

4.4.3.3 Where historic building or structure encroachments exist, the Town may only consider the sale of a Road Allowance or Public Lands in accordance with the policies of Section 4.4.3.1 and where the relocation of the building or structure is not practical or feasible.

#### **4.4.4 Commercial Truck Traffic**

4.4.4.1 In order to improve traffic flows related to truck traffic the Town may:

- a) obtain Provincial and County commitment to improve Provincial and County road connections in and around Saugeen Shores to provide an adequate alternative route for truck traffic moving goods across the Province;
- b) consult with major trucking agencies and industries to establish truck routes for their operations that will avoid residential areas and community activity centres;
- c) restrict land use activities, which generate substantial truck traffic, to industrial or commercial areas and ensure that these areas are adequately served by arterial/commercial roadways away from residential areas and community activity areas; and,
- d) develop a formal truck route By-law to identify particular road sections where trucks are prohibited or restricted by time/day.

#### **4.4.5 Trails And Active Transportation**

4.4.5.1 The Town will encourage new developments and redevelopments to consider the needs of the pedestrian and cycling public whenever possible and will promote the upgrading and expansion of the existing trail and walkway network in accordance with the Parks and Trails Master Plan.

- 4.4.5.2 Schedules A and B identify the location of existing and proposed trails. Development proposals adjacent to existing trails will be encouraged to provide open space links to the trail to encourage its use for non-motorized modes of transportation such as walking and cycling.
- 4.4.5.3 When road improvements are undertaken and new roads are constructed, consideration will be given to promoting active transportation through the development of active transportation routes including, bike lanes and on-road trail routes.
- 4.4.5.4 The Town will aim to ensure sidewalks are provided on at least one side of local roads and on both sides of arterial and collector roads wherever feasible.
- 4.4.5.5 Where new development is proposed adjacent to active transportation routes and trails, the Town may require buffering and screening of adjacent land uses to ensure protection of the recreational use and enjoyment of the trails by the entire community. Buffering and screening may not be appropriate where a trail is developed in association with a Road.
- 4.4.5.6 Where lands to be developed include proposed trails or active transportation routes shown on Schedule B, the Town shall acquire the lands for the trails. Land for trails shall be conveyed to the trails in a condition suitable for trail use.
- 4.4.5.7 The development of a system of multi-use recreational trails linking residential areas, employment areas, community facilities, parks and open space and the waterfront will be guided by a Council approved Parks and Trails Master Plan and the policies of this Plan.

#### **4.4.6 Specialized Transit Initiatives**

- 4.4.6.1 The Town recognizes, as a result of its aging population and higher than average percentage of residents in the senior population cohorts, that services which cater to the needs of the mobility challenged public will become increasingly important over the life of the Plan.
- 4.4.6.2 The Town will encourage the consideration and development of specialized transit initiatives.

#### **4.4.7 Airport**

- 4.4.7.1 The Municipal Airport plays an important role in promoting and supporting tourism in Saugeen Shores. An objective of this Plan is to recognize and support continued tourism and recreational use of the Municipal Airport and to ensure its protection from potentially incompatible land use and development which could compromise flight safety and future viability of airport operations.

4.4.7.2 The Comprehensive Zoning By-law shall establish height and use restrictions on lands surrounding or near the Municipal Airport in order to protect safe flight paths and avoid conflicts of use with airport operations. In absence of studies illustrating current flight paths, the Zoning By-law may establish height and use restrictions for development on lands surrounding the airport runways.

**4.4.8 Design Guidelines**

4.4.8.1 The Town may adopt design guidelines for road, sidewalk and trail design. These guidelines shall outline preferred design standards including surface material, landscape material and utility infrastructure placement.

## **SECTION 5 – SERVICING AND UTILITIES**

### **5.1 INTRODUCTION**

5.1.1 This Section provides the basis for the development of servicing and utility infrastructure in the Town of Saugeen Shores.

### **5.2 OBJECTIVES**

5.2.1 In order to minimize the cost of services provided by all public agencies, no new development in the Town will be permitted in any location where it would contribute to a demand for public services that are not economically feasible to provide, improve, or maintain. Instead, development will be permitted only in locations where demands on public services will be minimized, or where it can most effectively utilize existing services, or where new services can be economically provided and maintained either by the Town or by the developer. As per Section 34(5) of the Planning Act, R.S.O. 1990 Chap.P.13, the ability to properly service the land will determine whether development shall occur, notwithstanding the existence of an appropriate Official Plan designation and/or zoning which would otherwise permit the development.

### **5.3 SEWAGE AND WATER SERVICING**

#### **5.3.1 General Policies**

5.3.1.1 Urban development or redevelopment in the Town of Saugeen Shores shall be directed to the Settlement Area and developed on the basis of municipal water services and sewage services.

5.3.1.2 The extension of services will be a determining factor in the phasing of new development. Where the servicing of new urban development requires extensions and/or improvements to the existing public piped systems, such servicing will generally be financed, constructed, and maintained by the developer before being turned over to the Town.

5.3.1.3 Within the Settlement Area, Council approval will be required before any development is permitted on private individual on-site sewage disposal and/or individual on-site water systems. Approval may be conditional on an appropriate water supply and the suitability of the site to support an individual on-site sewage service. In these instances, the property owner shall enter into an agreement to be held on title that requires connection to municipal services should they become available. New lot creation or redevelopment of existing lots shall also be undertaken in a manner that would facilitate the connection to municipal services and additional lot creation should services become available.

5.3.1.4 When development of any type will utilize a private individual on-site sewage disposal and/or water system(s), then the lot area shall comply with the guidelines of the Ministry of Environment and the requirements of the Town of Saugeen Shores or its designated agent for the type of development proposed and the type of private individual on-site system to be used.

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- 5.3.1.5 Areas currently on private systems will be required to connect to a public system should the services become available.
- 5.3.1.6 A Settlement Capability Study shall be required where private individual on-site sewage disposal systems and/or private individual on-site water systems are proposed for multi-lot or multi-unit development of more than five (5) lots/units or potential for more than five (5) lots/units.
- 5.3.1.7 New development proposals shall not be granted approvals unless adequate uncommitted reserve water and sewage treatment capacity is demonstrated to be available to be allocated to accommodate the development of the site. Any development on public piped, private communal, private individual on-site or partial services must be within the reserve sewage system and reserve water system capacity. The determination of sufficient reserve sewage system capacity shall include treatment capacity for hauled sewage from private communal and individual on-site sewage systems. The availability of uncommitted reserve servicing capacity shall be based on the Ministry of Environment policies and guidelines.
- 5.3.1.8 When the capacity of the water and sewage facilities have been fully allocated and prior to the facilities reaching their hydraulic capacity, the Town shall demonstrate a commitment to the expansion of the facilities in accordance with the municipal servicing strategy/plan, before additional approvals are given to further development proposals. Limitations in the capacity and operating performance of the water and sewage facilities will be recognized as a constraint to the approval and timing of new development proposals.
- 5.3.1.9 It shall be the policy of the Town to not grant sewage allocation until the time of subdivision registration. Draft plans of subdivision sewage allocation shall be limited to three years in order to ensure reserve capacity is efficiently and effectively utilized. Council will not approve new development or issue building permits for development, which would result in flows to the facility exceeding its hydraulic design capacity.
- 5.3.1.10 Council shall consider expansions to the sewage treatments plants, water treatment plant and servicing infrastructure in accordance with the Water and Sewer Master Plan and within the financial means of the Town.
- 5.3.1.11 All services, whether municipal, private communal or individual on-site, shall comply with the requirements of the Ministry of the Environment, the Environmental Protection Act, Ontario Water Resources Act, and other Provincial and municipal requirements, as applicable.
- 5.3.1.12 Schedule "A" identifies the location of all sewage treatment works in the Town.
- 5.3.1.13 No sensitive land uses will be permitted within 150 metres of the sewage treatment cells of the Town's sewage treatment works. In this regard, the Official Plan identifies a 150 metre buffer Methane Buffer Limit around the sewage treatment works.



## **5.4 STORMWATER MANAGEMENT**

### **5.4.1 General Policies**

5.4.1.1 Stormwater management is required to ensure that runoff is controlled so that it does not increase peak flows to any greater extent than pre-development runoff in watercourses that impact on downstream flooding, to control erosion and sedimentation, and to protect and enhance water quality and aquatic habitat.

5.4.1.2 As required by the Town, or other agency, new development proposals may be required to be supported by a stormwater management study prepared by a qualified professional to determine the effect of increased run-off due to development of the site, and to identify stormwater management measures as necessary to control any increases in flows in downstream watercourses, up to and including the 1:100 year design storm.

5.4.1.3 Consideration shall also be given to the recommendations of any watershed and subwatershed studies. These studies will provide guidance when dealing with any new development within the watershed or subwatershed. Subwatershed planning will be supported in areas experiencing urban development pressures and in areas where significant environmental concerns are identified. Priority areas for subwatershed studies may be established in consultation with the Saugeen Valley Conservation Authority. Significant findings and recommendations from these studies may result in amendments to this Plan.

5.4.1.4 Stormwater management techniques are constantly evolving as well as being dependent on the location. Thus, new development shall promote the use of best management practices and standards as approved by the Town, while having regard for Sections 1.2.4 and 2.6.

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5.4.1.5 Stormwater management studies shall be required for any new residential development consisting of more than five lots or for commercial or industrial developments with large amounts of impervious area. Such plans may be required for other developments, as determined by the Town, if the area has existing drainage problems or if runoff could significantly affect adjacent lands or water quality. Priority areas for future study include Bruce Road 25. Significant findings and recommendations from these studies will be considered when reviewing new development proposals.

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## **5.5 SOLID WASTE DISPOSAL, LANDFILL SITES**

### **5.5.1 General Policies**

5.5.1.1 This Plan encourages the use of energy efficient and environmentally sound waste disposal.

5.5.1.2 The Town encourages composting and recycling programs.

- 5.5.1.3 Schedule A identifies the location of known active or former waste disposal sites in the Settlement Area.
- 5.5.1.4 A “Methane Buffer Limit” of 150 metres has been identified around the area of landfill on a Solid Waste Management Site at a distance of 150 metres. Sensitive land uses will not be permitted within the Methane Buffer Limit, unless such buildings or structures are for park, recreation or public purposes and unless such buildings or structures have been approved by the Province.
- 5.5.1.5 For any new development or change of use on active and former waste disposal sites, or on lands located within 500 metres of these sites, the Town may require the applicant to undertake a study, prepared by a qualified professional, that evaluates the presence and impact of environmental contaminants including, but not necessarily limited to, methane gas and leachate migration in soils. The study will address the feasibility of mitigation measures if required. If it is found that a potential adverse effect or potential risk to health and safety exist, development may be restricted and/or refused.
- 5.5.1.6 Where significant development or change of use is proposed on a waste site itself, no development will be permitted to occur until the approval from the Province and/or its delegate for the proposed use is obtained in accordance with Section 46 of Ontario’s Environmental Protection Act, as amended from time to time.

## **5.6 TELECOMMUNICATIONS FACILITIES**

### **5.6.1 General Policies**

- 5.6.1.1 Residents and visitors to Saugeen Shores are increasingly dependent on wireless communications to enhance their daily lives from both a business and personal perspective. Emergency response services such as 911 also rely on wireless communication to reduce response times and ultimately keep the Town residents safe. In order to allow better service and increased market competition, new telecommunications infrastructure will be required to be developed.
- 5.6.1.2 While the authority to regulate telecommunication facilities lies with the Federal Government, the Town shall encourage public consultation prior to the establishment of new telecommunication facilities.
- 5.6.1.3 It is the policy of the Town to:
- a) encourage facilities to be located away from visually prominent areas such as the waterfront or cultural heritage landscapes;
  - b) encourage service providers to co-locate infrastructure to reduce the number of structures across the landscape;
  - c) encourage service providers to explore opportunities to use existing structures to reduce the need to construct new structures; and,

- d) encourage service providers to camouflage infrastructure elements within existing architecture.

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## SECTION 6 – IMPLEMENTATION AND PLAN ADMINISTRATION

### 6.1 INTRODUCTION

6.1.1 This Section identifies how the policies of the Plan will be implemented. In this respect, it should not be considered to be all encompassing nor limiting as to municipal authority. These policies should be read in conjunction with the policies contained in other parts of the Plan. The Bruce County Official Plan may be referred to as the applicable policy framework where specific policies are not outlined in this Plan.

6.1.2 This Section also acts as a guide to those who wish to participate in the planning process or who propose developments within the Town. To this extent, efforts have been made to clearly explain the various planning tools available to the Town, when they may be used, and the type of issues they can address.

### 6.2 COMMUNITY IMPROVEMENT PLANS

6.2.1 This Plan considers the entire Settlement Area as a Community Improvement Area. Within the Community Improvement Area the Town may prepare Community Improvement Plans that provide for the coordination of public and private investment and improvements to lands, buildings and infrastructure.

6.2.2 The Town may provide grants or loans to improve properties within the Community Improvement Area in accordance with a Community Improvement Plan approved under Section 28 of the Planning Act. Saugeen Shores Council and Bruce County Council may reciprocate making grants or loans to one another. The Community Improvement Plan will identify specific Community Improvement Project Areas, projects within those areas and criteria to be considered when offering incentives to private property owners. Incentives may be provided for a variety of improvements including but not limited the following:

- façade improvements;
- improvements to signs;
- landscaping;
- parking;
- rehabilitation of brownfields; and,
- adding residential units in existing commercial buildings.

6.2.3 Sites may also be identified that are suitable for new format retail or service commercial opportunities while having regard for the existing commercial development. The Town may also participate in the development of additional or expanded business/industrial park sites and/or the provision of services to privately owned industrial lands so as to ensure an adequate supply of available serviced employment lands within the Town. In doing so,

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the Town shall have regard to the relevant policies of this Plan.

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6.2.4 The Town of Saugeen Shores wishes to encourage businesses and industries to locate within the community to provide employment opportunities and increase assessment base. The Town also wishes to encourage the retention of disposable spending dollars within Bruce County and Saugeen Shores in particular.

### **6.3 COMPLETE APPLICATION REQUIREMENTS AND PRECONSULTATION**

6.3.1 Council and/or its delegate shall not declare any application made under the Planning Act to be complete until Council is provided with information, studies or drawings specified in this Plan that are necessary to inform the public and make a decision on the application. Until an application is submitted that addresses preconsultation and complete application requirements as specified by this Plan and the Planning Act, Council and/or its delegate shall deem such applications to be incomplete.

6.3.2 In order to ensure that all the relevant and required supporting information pertaining to a planning application is provided at the time of submission, Council may, by By-law, require a proponent to attend a pre-consultation meeting with staff prior to the submission of a planning application. Subsequent to a pre-consultation meeting, the Town will determine what supporting information (i.e. reports and studies) is required as part of the complete application submission and inform the proponent of these requirements.

6.3.3 The following information, at a minimum, shall be required as part of a complete application:

- a) Prescribed application fee;
- b) Completed application form together with requisite authorizations, and cost acknowledgement agreement if necessary;
- c) Prescribed information and material as required by Planning Act Regulations;
- d) Covering letter, which outlines the nature of the application and details of the pre-consultation meeting (if applicable);
- e) Concept plans and/or drawings; and,
- f) Any studies as identified as necessary through pre-consultation

6.3.4 The following supporting information may be required as part of a complete application, to be determined through pre-application consultation with staff:

- Transportation Impact Study;
- Functional Servicing Report;
- Settlement Capability Study;

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- Stormwater Management Plan;
- Tree Preservation Report and Plan;
- Hydrogeological Assessment;
- Watershed or Sub-watershed Study;
- Floodline Delineation Report;
- Architectural/Urban Design Study;
- Environmental Site Assessment;
- Planning Justification Report;
- Ministry of the Environment (MOE) Record of Site Condition (RSC);
- Contaminant Management Plan;
- Environmental Impact Statement;
- Archaeological Assessment;
- Heritage Impact Assessment;
- Wind Study;
- Noise Study;
- Vibration Study;
- Geotechnical Study;
- Slope Stability Study;
- Market/Retail Impact Study or Analysis;
- Fiscal Impact Assessment;
- Health Impact Assessment;
- Conceptual Site Plan and Building Elevations;
- Erosion and Sediment Control Plans;
- ~~Record of Site Condition; or,~~
- Copy of the property deed; or,
- Any additional required assessments, evaluations, reports, statements, studies or plans as requested by the Province of Ontario, County of Bruce, Town of Saugeen Shores, or any agency at the sole discretion of the Town.

## 6.4 CONSULTATION AND PROCESSING

6.4.1 Council may pass a Pre-Consultation By-law that requires proponents of Planning Act applications to consult with the Town prior to the submission of an application. The consultation should identify the necessary materials and supporting information, including supporting studies, to be provided with an application to enable an appropriate review of the application.

6.4.2 Where the Town identifies a development application that implements specific objectives of this Plan, the Town will utilize its best efforts to expedite the approval process in accordance with the Planning Act.

## 6.5 COOPERATION WITH ADJACENT MUNICIPALITIES

6.5.1 The policies, activities and services of adjacent municipalities may have impacts on the long range planning goals of the Town of Saugeen Shores. Therefore, the Town adopts the following policies aimed at improving land use and servicing decisions by adjacent municipalities:

- 6.5.2 The Town shall adopt a process for reviewing all commercial, industrial, institutional or residential development applications and planning policy initiatives on nearby lands, which could impact on the integrity and viability of the Town's development.

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6.5.3 The Town shall discourage the creation of new lots on lands adjacent to the Settlement Area that may have a negative impact on the development of existing lands or the expansion of settlement boundaries.

6.5.4 In order to ensure appropriate services to residents living within the greater Saugeen Shores area, the Town may enter into agreements that it finds advisable, relating to the sharing of community services. Such Agreements may deal with roads servicing, recreation, fire protection, policing, garbage disposal and recycling.

## **6.6 DEEMING BY-LAW**

6.6.1 Within the Settlement Area there are plans of subdivision that have been deemed not to be registered plans under the Planning Act.

6.6.2 The application of the deeming regulations of the Planning Act can be advantageously utilized for old plans located within environmentally constrained areas or areas without a realistic opportunity for sanitary sewers, or where the lot fabric would result in lots that are too small for properly functioning septic systems, or where opportunities exist for intensification through the creation of smaller lots.

6.6.3 The deeming regulations should not be applied if the resulting lot pattern is not in keeping with the lot pattern of the established community. When applications are made to apply the deeming regulations of the Planning Act, Council shall have due considerations to the criteria set out in Section 51(24) of the Planning Act and treat the request for deeming in a similar manner as the creation of a new lot. As part of the deeming By-law processes the Town may require notification of property owners in order to ensure public consultation on the impacts of the change in lotting pattern.

## **6.7 DESIGN GUIDELINES**

6.7.1 The Town may adopt design guidelines applicable to the Town as a whole or for specific areas, land uses and or built form to encourage a high standard of urban design. The goals and policies of such Guidelines are to preserve the identity of the unique communities that jointly form the Town of Saugeen Shores and contributes towards a strong community design that is livable and safe with a greater sense of place.~~The Town may adopt design guidelines in accordance with the recommendations of the Saugeen Shore design guidelines study. In order to implement design guidelines, the Town may pass a By-law pursuant to the Planning Act to regulate the exterior design of buildings.~~

## **6.8 DEVELOPMENT CHARGES BY-LAW**

6.8.1 The Town may undertake a Development Charges Study to determine the cost of providing services to new developments, and may implement a Development Charges By-Law enabling the recovery of the costs of servicing new development.

## **6.9 FENCE BY-LAW**

6.9.1 The establishment of fences and the regulations associated with fences can be an important component in achieving the objectives of the Official Plan. The Town of Saugeen Shores has the authority to regulate, by By-law, the height, material and location of fences.

## **6.10 FINANCE**

6.10.1 This Plan makes reference to a number of Community initiatives under the responsibility of the Town. However, the Town should provide and improve services in a fiscally responsible manner.

6.10.2 It must be understood that the Local Official Plan has a life expectancy of 20 years and that all of the projects and priorities referred to in the Plan cannot be initiated or implemented as soon as the Plan is adopted.

6.10.3 It is the intention of the Town, therefore, to only carry out those expenditures and public works that are affordable, given the Town's financial abilities.

6.10.4 The Town shall not grant approval to any development unless it is in a financial position to provide the services required by such development.

6.10.5 The Town shall promote the establishment of a diverse and stable economic base both in terms of job opportunities and tax revenue.

6.10.6 As part of a complete application for major development applications, the Town may require a Fiscal Impact Assessment to outline anticipated short and long term financial impacts on the Town as a result of the proposed development.

## **6.11 HOLDING PROVISIONS**

6.11.1 In accordance with the Planning Act, Council may pass a By-law applying the use of a Holding symbol (H) in conjunction with any zoning category in the Zoning By-law. Where such Holding (H) symbols are applied, no development or new use shall be permitted on such lands unless otherwise permitted in the Zoning By-law or until such (H) symbol is removed by amendment.~~In accordance with the Planning Act, Council may pass a By-law incorporating the use of the Holding symbol (H) in conjunction with any zone of a Zoning By-law. Where such Holding (H) symbols are indicated, no new use may be provided, or building or structure erected on the site unless an application is made to remove the (H) symbol and such application is approved.~~

6.11.2 The Holding (H) symbol shall be applied to the specific lands where such lands are zoned for their future intended use until such time as certain objectives are met. The objective of applying a Holding Provision to the identified lands is to ensure that:

a) the appropriate phasing of development or redevelopment occurs;

b) development does not proceed until services and utilities are available to service the development;

c) agreements respecting the proposed land use or development are entered into; and/or,

d) studies or plans are completed including but not limited to, archaeology, natural heritage, stormwater management.

~~6.11.2 — It is intended that the Holding (H) symbol be used where the ultimate or desired use for specific lands is known, but it is appropriate to delay the actual development until such time as certain objectives are met. The objective of utilizing a Holding Provision is to ensure that:~~

~~6.11.3 — the appropriate phasing of development or redevelopment occurs;~~

~~6.11.4 —~~

~~6.11.5 — development does not proceed until services and utilities are available to service the development; and/or,~~

~~6.11.6 —~~

~~6.11.7 — agreements respecting the proposed land use or development are entered into.~~

## 6.12 INCENTIVES

6.12.1 The Town may pass a By-law in accordance with the Planning Act that authorizes increases in the height and/or density of a specific development proposal permitted under the Zoning By-law, in return for the developer providing facilities, services or other matters which are deemed beneficial to the community.

6.12.2 Increased height and density provisions shall only be awarded to developments where adequate municipal services are available and such increased height and density does not have a negative impact on surrounding lands, uses or places a financial burden on the Town and where one or more of the following criteria are fulfilled:

- a) the development provides for assisted housing, seniors housing or special need housing in accordance with the identified needs of the community;
- b) the development incorporates the preservation and restoration of buildings of historic or architectural value which will serve to meet the cultural heritage objectives of this Plan;
- c) the development incorporates a comprehensive redevelopment plan for lands within the Core Commercial designation of the Town, which provide for the intensification of the land use and serve to reinforce the economic viability of the commercial core;
- d) the development includes the provision of significant community amenities and recreational facilities in locations identified by the Town which serve the identified needs of the community as a whole; or
- e) the development provides enhanced streetscape and/or landscaping features that contribute to civic beautification or “greening” of the community.

6.12.3 The Town may reduce or exempt Development Charges as a form of development incentive where it has been demonstrated that the reduction in Development Charge would be in the public interest.

6.12.4 Where additional development permissions granted, an agreement between the Town and the property may be required to recognize the nature of the additional development permissions.

6.12.5 The Town may pass By-laws in accordance with the Municipal Act that provide incentives for the development of affordable housing units.

6.12.56.12.6 The Town may prepare a feasibility study in support of eligible, designated projects pursuant to the Tax Increment Financing Act and may implement such tax increment financing measures as authorized under the Act.

## 6.13 INTERIM CONTROL BY-LAWS

- 6.13.1 The Town may enact an Interim Control By-law in accordance with the provisions of the Planning Act to restrict development in a specified area for a maximum of two years while a study is being completed.

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## 6.14 LICENSING BY-LAW

6.14.1 Certain land uses will be subject to licensing requirements as specified in a By-law passed by Council under the Municipal Act as the Licensing By-law of the municipality. As a condition of granting of a license for a particular use or activity, the Town will require that the use conforms to the policies of this Plan and is in compliance with the Zoning By-law and any other applicable By-laws of the Town.

6.14.2 Certain land uses will also have minimum separation distances between the use and other land uses considered sensitive or negatively impacted by specific uses. Type II Group Homes for criminal code offenders, adult entertainment establishments and hazardous land uses may fall within the added regulations of both a Zoning By-law and/or licensing requirements.

## 6.15 LEGAL NON-CONFORMING USES ~~NON-CONFORMING USES~~

### 6.15.1 Intent of the Official Plan

6.15.1.1 Existing uses that do not conform to this Plan shall be gradually phased out to bring the affected land use into conformity with the Official Plan and the intent of the Implementing Zoning By-law. As per the Planning Act, this Plan recognizes legal non-conforming permissions where an existing, legal, non-conforming use may continue regardless of this Plan and the Zoning By-Law. In some instances, it may be necessary and practical to allow the repair, strengthening, alteration or reconstruction so long as such repair, strengthening, alteration or reconstruction does not increase the height, volume or extent of non-conformity or non-compliance of the use, building, or structure. In the case of non-conforming uses in natural hazard areas, height and volume may be increased provided the natural hazard features have been adequately addressed to the satisfaction of Saugeen Valley Conservation Authority and Town staff. Reconstruction may also occur provided such use is further from the source of the natural hazard.

6.15.1.2 Applications for the enlargement, extension or alteration of non-conforming uses shall be considered by way of an expansion to a legal non-conforming use application or Zoning By-law Amendment in which the Committee of Adjustment or Council shall have regard for the following principles:

a) The feasibility of acquiring the property for holding, sale, lease or development by the Town for a more appropriate permitted use; and,

b) The possibility of relocating the non-conforming use to another site.

~~6.15.1.1 As a general rule, existing uses that do not conform to the policies of this Plan should gradually be phased out so that the affected land use may change to a use which is in conformity with the goals of the Official Plan and the intent of the Implementing Zoning By-law. In some instances, it may be necessary and practical to allow the extension or enlargement of non-conforming uses where an application for minor variance has been applied for and approved or by placing the use in an appropriate zone in the implementing Zoning By-law. In such instances, Council shall have regard~~

~~for the following principles:~~

- ~~a) The feasibility of acquiring the property for holding, sale, lease or development by the Town for a more appropriate permitted use; and,~~
- ~~b) The possibility of relocating the non-conforming use to another site.~~

## **6.15.2 Role of the Committee of the Adjustment**

6.15.2.1 If the property cannot be acquired or a building relocated, the Committee of Adjustment may, without an Amendment to this Plan, allow an extension or enlargement to a non-conforming use. Prior to such approval, the Committee shall consider the following:

- a) The size of the extension or enlargement in relation to the existing operation;
- b) Whether the proposed extension or enlargement is compatible with the character of the surrounding area;
- c) The characteristics of the existing use in relation to size, bulk, height, setbacks, noise, vibration, fumes, dust, smoke, odours, lighting and traffic generation and the degree to which any of these factors may be increased or decreased by the extension; and,

- d) The possibilities of reducing these nuisances through buffering, building setbacks, landscaping, Site Plan Control and other means to improve the existing situation, as well as minimize the problems from extension.

### **6.15.3 Role of the Zoning By-law**

6.15.3.1 Existing uses which do not conform with the policies of this Official Plan may be zoned in the Implementing Zoning By-law in accordance with their present use, provided that:

- a) the zoning will not permit any change of use or performance standard that may negatively impact adjoining uses;
- b) the uses do not constitute a danger to surrounding land uses, humans or animals by virtue of their hazardous nature; and,
- c) the uses do not interfere with the appropriate development of the surrounding lands.

### **6.16 NOTICE REQUIREMENTS**

6.16.1 In addition to the notice requirements of the Planning Act, public meeting notices shall be provided in accordance with the Town's notice provision policy.

### **6.17 OFFICIAL PLAN REVIEW PROCESS**

6.17.1 The Town shall regularly review and monitor this Plan to ensure alignment with Provincial direction, consistency with the Planning Act, and to address emerging community needs.

The review shall consist of an assessment of:

- a) Changes in legislation and policies including conformity with the County of Bruce Official Plan and their effect on development in the Town;
- b) Strategic direction forming the Policies of this Plan and the degree to which they have been met;
- c) Community needs as a result of changes in demographics, technology, social, economic or environmental factors;
- d) Effectiveness of this Plan in protecting water quality, natural and cultural heritage resources, natural resources and habitat and the environment;
- e) Availability and location of lands for urban development that maintains a desired balance of commercial, industrial and residential lands including that of attainable and affordable options; and
- f) Appropriateness of infrastructure to accommodate planned urban development.

~~6.17.1 The assumptions, objectives and policies of this Plan shall be reviewed at~~



~~least once every five years at a meeting of Council, which shall be advertised in accordance with the Planning Act, as amended.~~

~~6.17.2 The five-year review shall consist of an assessment of:~~

- ~~a) the effectiveness of the Plan in protecting water quality, natural and cultural heritage resources, natural resources and habitat and the general environment within the Town;~~
- ~~b) the continuing relevance of the vision that forms the basis of all policies found in this Plan;~~
- ~~c) the degree to which the objectives of this Plan have been met;~~
- ~~d) the amount and location of lands available for urban development;~~
- ~~e) whether the Town has realized a desirable balance of commercial and industrial assessment in relation to residential assessment;~~
- ~~f) the Town's role within the County and its relationship with other municipalities;~~
- ~~g) development trends in the County and their effect on development in the Town;~~

- ~~h)~~a) review of the appropriateness of sewage, water and stormwater infrastructure to accommodate planned development;
- h) the nature of any Province-wide planning initiatives and their implications on the Town of Saugeen Shores; and,
- i) regard to provincial interests under Section 2 of the Planning Act, as amended from time to time, and, consistency with the Provincial Policy Statement, 2005, as amended or revised from time to time.

## **6.18 PARKLAND DEDICATION**

- 6.18.1 Whenever development or redevelopment of lands is proposed for residential purposes, the Town shall, as a condition of approval, require that up to five percent of such lands for residential development and up to two percent for non-residential development. As an alternative, gross one hectare of land for every 300 Residential Units or Building units for development may be dedicated to the Town for parkland purposes.
- 6.18.2 The Town has the option of accepting parkland it deems appropriate or cash-in-lieu of parkland as permitted by the Planning Act.
- 6.18.3 Lands having environmental constraints may not be acceptable to the Town as parkland.
- 6.18.4 As part of the development review process, the Town may determine the lands required for parkland dedication. Lands to be dedicated must be suitable for use as parkland.
- 6.18.5 Parkland dedication may be required in a manner that contributes to the continued development of trail systems in the Town.

## **6.19 PARKING AND CASH-IN-LIEU REQUIREMENTS**

- 6.19.1 The Comprehensive Zoning By-law contains provisions prescribing a minimum number of parking spaces for specific land uses. In some circumstances, a development proposal is unable to accommodate the required number of parking spaces.
- 6.19.2 If a development is unable to provide enough parking spaces, the Town has the authority to offer an exemption from the parking requirements of the Comprehensive Zoning By-law, and except a cash payment in-lieu of each parking space not provided.
- 6.19.3 The Town may adopt a Cash-in-lieu By-law enabling it to accept cash payments in compensation for insufficient parking spaces involving development or redevelopment proposals.
- 6.19.4 It is the policy of the Town to consider the payment of cash-in-lieu of parking as an effective mechanism for encouraging compact, efficient and viable core areas. However, certain lands uses shall be exempt from requirements to

provide parking or cash-in-lieu thereof as set out in the policies of the Core Commercial designation and the implementing provisions of the Comprehensive Zoning By-law. For those uses that are required to provide parking in these areas, the Town may establish a cash-in-lieu fee, which is less than the true cost of providing new parking spaces as an incentive to development or redevelopment.

6.19.5 Monies raised through cash-in-lieu shall be placed in a special reserve fund, separate from general revenues, dedicated to managing existing public parking resources or for establishing new parking facilities.

6.19.6 In order to determine the actual costs for providing a parking space, and the appropriate fee to be charged for each space levied, the Town shall undertake a parking study.

## **6.20 PROPERTY STANDARDS**

6.20.1 Council may pass By-laws establishing minimum standards of property maintenance and occupancy.

6.20.2 All property within the Town shall be subject to any minimum maintenance and occupancy By-law.

## **6.21 PUBLIC USES**

6.21.1 All existing facilities and the development of any new facilities associated with a public utility, a telephone, television, cable transmission or other similar communications company, or a gas distribution or transmission company, shall be permitted in any land use designation, except within the Environmental Hazard designation, without an amendment to this Plan. The utility or company involved should consult the Town regarding the location of any and all new facilities. Non-linear facilities not contained totally underground will require an amendment to the Zoning By-law and shall be directed to the Rural Area. These uses are also discouraged in the Shoreline Residential Designation and Core Commercial.

6.21.2 All buildings and facilities not used directly for the transmission of data, transmission or reception of an electrical current or signal, a liquid or gas or similar substance, shall comply with all other provisions of this Plan and the Zoning By-law.

## **6.22 PUBLIC WORKS**

6.22.1 It is the policy of the Town that all public works shall be carried out in accordance with the policies of this Official Plan.

## **6.23 SECONDARY PLANS**

6.23.1 Secondary Plans establish a detailed planning framework applied to a specific area in support of the general policy framework established in this Plan.~~The Secondary Plan Process establishes a more detailed planning framework for a particular area in support of the general policy framework~~

~~established in this Plan.~~

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6.23.2 Secondary Plans shall be prepared by the Town, in consultation with and at the expense of the affected landowners within the Secondary Plan Area, or may be funded as growth related studies through the Development Charges Act.

6.23.3 Secondary Plans shall incorporate the following:

- a) Overall development concept for the area, including principles, objectives and assumptions for the development of the area;
- b) Population and household targets for the Secondary Plan area;
- c) More detailed policies on land uses, densities, housing mix and identification of residential densities;
- d) Identification of major community facilities, commercial and institutional sites, schools, parks and recreational trails;
- e) Approximate location of future arterial and collector streets, access points, walkways and bicycle paths;
- f) Appropriate storm water management facilities;
- g) Detailed urban design policies and directions to reflect the character of the area;
- h) Detailed strategy for the protection of the natural environment, including the preservation of natural areas, significant woodlots, ridges, valleys and stream corridors;
- i) Integration with the existing surrounding land uses;
- j) Establishment of an integrated open space and trails system; and
- k) Phasing plans and identification of minimum public infrastructure required for each phase.

6.23.4 As part of the preparation of a Secondary Plan, additional studies may be required, and may include:

- a) Master Servicing Plan, which includes Preliminary Storm Water Management Plan, and sewer and water distribution plans;
- b) Transportation and Infrastructure review;
- c) Environmental Impact Statement;
- d) Urban design guidelines;
- e) Parks, trails and open space plan;

- f) Planning justification report, which includes an assessment of how the secondary plan contributes to the growth management objectives of the Town, establishment of appropriate phasing and staging of development; and,
- g) Heritage and archaeological resource assessment.

6.23.5 Where smaller planning areas exist, the use of less detailed Block Plans may be sufficient as determined by Council. Block Plans assist to coordinate the delivery of services to new development areas.

## **6.24 SIGN BY-LAW**

6.24.1 The Town of Saugeen Shores has the authority to regulate signage through a By-law and permit system. The By-law may apply to the entire Settlement Area or a portion of the Settlement Area.

## **6.25 SITE PLAN CONTROL**

6.25.1 In accordance with the provisions of the Planning Act, all areas within the corporate limits of the Town of Saugeen Shores are a Site Plan Control Area. The intent of a Site Plan Agreement is to ensure that any proposed development is designed to be compatible with adjacent development, appropriately serviced and accessed and otherwise in conformity with the goals and strategic objectives of this Plan.

6.25.2 Site Plan Control and agreements shall be utilized by the Town to ensure:

- a) safe, orderly and functional development;
- b) safety and efficiency of vehicular and pedestrian access;
- c) land use compatibility between new and existing development;
- d) the location, massing and conceptual design of any buildings and structures;
- e) the provision of functional and attractive on-site amenities and facilities such as landscaping, fencing and low impact lighting to enhance the urban design policies of this Plan;
- f) the provision, appropriate placement, and construction elements of required services such as driveways, parking, loading facilities and garbage storage, snow storage and garbage collection;
- g) the preservation and enhancement of vegetative areas;
- h) the provision of easements or grading and site alterations necessary to provide for public utilities and site drainage;
- i) exterior design including character, scale, appearance, and design features of buildings and their sustainable design;

- j) sustainable design elements on any adjoining roadway owned by the Town of Saugeen Shores, including without limitation, trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities;
- k) facilities are designed to have regard for accessibility for person with disabilities;
- l) the proposed development is built and maintained as approved; and,
- m) appropriate dark sky lighting is implemented.

6.25.3 Where through the Site Plan process, landscaping is required or proposed, native species shall be used to the greatest extent possible.

## **6.26 TECHNICAL AMENDMENTS TO THE PLAN**

6.26.1 Council shall not issue public notification under the Planning Act for changes to the Official Plan which facilitate the following:

- a) Change the numbers of sections or the order of sections in the Plan, but does not add or delete sections;
- b) Consolidate previously approved Official Plan Amendments in a new document without altering any approved policies or maps;
- c) Correct grammatical or typographical errors in the Plan which do not affect the intent or affect the policies or maps; and,
- d) Translate measurements to different units of measure; or change reference to legislation; or changes to legislation where that legislation has changed.

6.26.2 In all other instances, notification to the residents of the Town of public meetings held by Council shall be given in accordance with the requirements of the Planning Act.

## **6.27 TECHNICAL STUDIES AND PEER REVIEWS**

### **6.27.1 Introduction**

6.27.1 Where a policy in this Plan requires the submission of technical studies, such studies shall be prepared at the applicant's expense by a qualified professional. When technical studies are submitted in support of any application, the Town may authorize a qualified professional to peer review such studies and provided advice to the approval authority at the applicant's expense.

Mod # 26

## **6.27.2 Planning Report**

6.27.2.1 Where noted in this Plan, a Planning Report will be required for Official Plan and/or Zoning By-law amendments in order to determine the appropriateness of proposed amendments and to identify ways of reducing any adverse impacts on surrounding land uses. A Planning Report will supplement the consideration of compliance with the permitted use, location, scale of development, and other criteria applicable to the relevant land use designation. The Planning Report must be prepared by the applicant to the satisfaction of the Town.

## **6.27.3 Settlement Capability Study**

6.27.3.1 Where required by this Plan, a Settlement Capability Study shall be prepared. Specifically, a study shall be prepared in support of any new development of more than 5 lots/units in the Settlement Area that does not provide municipal water services and municipal sewage services, as part of a complete Planning Act application. The purpose of the Study is to rationalize the type, amount, location and timing of growth and development and to establish the basis for the provision of the services and the necessary infrastructure.

6.27.3.2 The requirements of the Settlement Capability Study include the following:

- a) an analysis of the hydrology and hydrogeology of the area to determine the capability of surface and groundwater resources to provide sufficient quantity and quality of water supply on a sustainable basis;
- b) an assessment of the impact of future development on existing groundwater quantity and quality and on existing sources of drinking water, including municipal, communal and private wells in the area;
- c) an assessment of the long-term sustainability of the soil, hydrologic and hydrogeologic conditions to accept sewage effluent;
- d) an identification of any existing restrictions to future development;
- e) an assessment of surface drainage;
- f) an assessment of the impact of new growth on natural heritage features, ecological functions, hazards, aggregate, mineral and petroleum resources, and agricultural lands;
- g) an assessment of traffic and transportation services and needs in the area; and,
- h) an assessment of the existing servicing systems in the area and their condition.

## **6.27.4 Environmental Impact Statement**

6.27.4.1 Where required by the policies of this Plan, an Environmental Impact



Statement shall be prepared by a qualified professional and shall contain detailed information regarding the eco-system and biological functions of the area. In some instances consideration of hydrogeological and hydrological functions is also required.

6.27.4.2 An Environmental Impact Statement shall be prepared in accordance with the requirements of this Section and shall include a description of:

- a) the proposed undertaking;
- b) the natural features and ecological functions of the area potentially affected directly and indirectly by the undertaking, and their significance and sensitivity to development;
- c) the limits of any Natural Heritage features and their limits of lands potentially impacted by the ecological functions of the features;
- d) the direct and indirect effects to the ecosystem that might be caused by the undertaking;
- e) any natural and human-made hazards that need to be addressed as part of the design (i.e. including steep slopes, flood areas, contaminants, soil conditions);
- f) a Management Plan identifying how the adverse effects will be avoided or minimized over the construction period and the life of the undertaking and how environmental features and functions will be enhanced where appropriate and describing the net effect of the undertaking after implementation of the Management Plan. The Management Plan shall also establish mitigation measures including the limits of buffers and setbacks adjacent to watercourses, waterbodies, valleys, significant wetlands and vegetation to protect the natural feature and its attributes and/or function from the effects of development;
- g) appropriate lot standards and performance standards to protect features from potential impacts of the proposed development;
- h) the duration of impacts to the site; and,
- i) an evaluation of the undertaking's advantages and disadvantages.

Mod # 50

6.27.4.3 Following the submission of an Environmental Impact Statement, Council will not approve any planning applications unless it can be demonstrated that the proposed land use would:

- a) not discharge any substance that could harm air quality, groundwater, surface water and associated plant and animal life or habitat;
- b) be supplied by an adequate supply of water and that the groundwater taking associated with the use will not harm existing water supplies and associated plant and animal life;

- c) not cause erosion or siltation of watercourse or changes to watercourse morphology;
- d) not interfere with groundwater recharge to the extent that it would adversely affect groundwater supply for any use;
- e) not cause an increase in flood potential on or off the site;
- f) maintain/enhance/restore the natural condition of affected watercourses, and protect/enhance/restore aquatic habitat;
- g) not significantly affect the scenic qualities of the area;
- h) not encourage the demand for further development that would negatively affect wetland function or contiguous wetland areas;
- i) enhance and restore endangered terrestrial and aquatic habitat where appropriate and feasible; and,
- j) not have a negative impact on the natural features or ecological functions of significant wildlife habitat and significant woodlands.

Mod # 45

6.27.4.4 The Town has developed Environmental Impact Statement Guidelines, updated from time to time, to assist in implementing this Plan. The Guidelines, as adopted by Council and included as an appendix to this Plan assist development proponents and the Town with the establishment of appropriate Terms of Reference for Environmental Impact Statements and assist with the review of Environmental Impact Statements by Staff or review agencies.

Mod # 51

6.27.4.5 The Town may waive the requirement for the preparation of an EIS, upon recommendation of the SVCA, if the proposal is of such a minor nature or site conditions are such that the preparation of an EIS would serve no useful purpose for the protection of the natural heritage features.

Mod # 50

6.27.4.6 The cost for preparing an EIS shall be the responsibility of the proponent.

**6.28 TEMPORARY USE BY-LAWS**

6.28.1 The Council of the Town of Saugeen Shores may pass By-Laws to permit the temporary use of land in accordance with Section 39 of the Planning Act, for a purpose that is otherwise prohibited on that site by the Zoning By-Law.

6.28.2 A Temporary Use By-Law may not be in effect for more than three (3) years at a time, but Council may grant further periods, of no more than three (3) years, during which the temporary use is authorized.

6.28.3 In consideration of Temporary Use By-Laws, Council shall have regard for:

- a) the proposed use with surrounding uses;

- b) the adequacy of municipal services;
- c) access and parking requirements;
- d) traffic impacts; and,
- e) the conformity of the use with the intent and policies of this Plan.

## **6.29 ZONING BY-LAW**

6.29.1 Zoning by-laws are important tools used by municipalities to implement land use regulations in accordance with the Planning Act. The Town of Saugeen Shores Comprehensive Zoning By-law shall be reviewed following the approval of this Plan by the County of Bruce to ensure that it implements the policies of this Plan.~~The Town of Saugeen Shores Comprehensive Zoning By-law shall be reviewed following the approval of this Plan by the County of Bruce to ensure that it properly implements the policies of this Plan.~~

## **6.30 ZONING WITH CONDITIONS**

6.30.1 Recent amendments to Section 34 of the Planning Act provide municipalities with the authority to implement zoning with conditions. However, at the time this Plan was prepared, the necessary Ontario Regulation had not been brought into effect by the Province.

6.30.2 Subsequent to the enactment of the applicable Regulation, this policy shall enable Council to implement zoning with conditions, provided such a By-law is used exclusively to facilitate and regulate site alteration and development within the adjacent lands to a Natural Heritage Feature or lands Designated Environmental Hazard.

6.30.3 The consideration of a broader application of zoning with conditions will be required through an Official Plan Amendment or an Official Plan Review.

6.30.4 Zoning with conditions may be implemented through an agreement registered on the title of a property.

## **6.31 COMMUNITY PLANNING PERMIT SYSTEM**

6.31.1 The Community Planning Permit System will encourage the building of a greater variety of homes in existing neighborhoods, using a "gentle density" approach while providing transparency and certainty with respect to future uses and built form. The Community Planning Permit System will also promote affordable home building, support local priorities while reducing the complexity of reviewing development proposals.

6.31.2 The community planning permit approval framework combines planning approvals through Minor Variance, Site Plan Control and Zoning By-law Amendments into one permitting system.

6.31.3 The Town may identify a specific area or properties throughout the Settlement Area or choose to enact the entire Settlement Area as a Community Planning

Permit Area and may be subject to a Community Planning Permit By-law. Except for those types of development for which the Community Planning Permit By-law specifies that no permit is required, a permit will be required prior to undertaking any development or site alteration within the Community Planning Permit Area.

6.31.4 A permit shall not be required for the following:

- a) Any development consistent with a site plan agreement pursuant to the Town's Site Plan Control By-law, approved on or before the date of the passing of this By-law;
- b) Any maintenance, repairs or interior renovations to existing development provided that there is no change in use or intensification.

6.31.5 The objectives of the Town implementing a Community Planning Permit System include but are not limited to:

- a) Streamlining the development approval process which will expedite housing development all while providing transparency and certainty with respect to future uses and built form;
- b) Facilitate the timely construction of more affordable housing while diversifying the availability of all housing;
- c) Establish vision and plans for development while reducing the complexity of reviewing development proposals; and
- d) The protection of the environment and preservation of the existing small-town character of existing neighbourhoods and conservation of cultural heritage resources.

6.31.6 Within an area for which a Community Planning Permit By-law has been enacted, the Town of Saugeen Shores Comprehensive Zoning By-law 75-2006, being a By-law to regulate the use of lands and the character, location and use of buildings and structures in the Town of Saugeen Shores, shall not apply, nor shall Site Plan Control By-law 64-2008 if applicable.

6.31.7 If a Community Planning Permit By-law is enacted, the use and development of land shall comply with the permitted uses, standards, and criteria set out in the Community Planning Permit By-law as demonstrated by the issuance of a Community Planning Permit unless the proposed use or development is expressly exempted from a permit as indicated in the Community Planning Permit By-law. Where existing site plan agreements are already registered on a property, those agreements may be amended as long as such amendments comply with the applicable provisions of the Community Planning Permit By-law.

6.31.8 The Community Planning Permit By-law will:

- a) Contain a description of the area to which the by-law applies;

- b) Set out and define permitted uses;
- c) Set out development standards with specific minimum and maximum standards;
- d) Set out complete application requirements;
- e) Set out any internal review and evaluation criteria for permit decisions;
- f) Describe notification procedures for decisions;
- g) Outline any conditions of approval that may be imposed;
- h) Set out the scope of delegated authority, including any limitations; and
- i) Describe the process for amending development permits, development permit agreements and pre-existing site plan agreements.

6.31.9 The permit may allow for defined variations to the standards and provisions outlined in the Community Planning Permit By-Law.

6.31.10 Town initiated amendments or an application to amend the Community Planning Permit By-law shall be supported by a comprehensive planning rationale and will be considered by Council only after submission of the comprehensive planning rationale and public and community engagement has been completed in accordance with the Planning Act.

#### Delegation of Approval Authority

6.31.11 Where a Community Planning Permit By-law has been enacted, Council shall delegate its decision-making authority to issue permits and to execute, amend and release Community Planning Permit Agreements to a Committee or body appointed by Council or an employee of the Town of Saugeen Shores as outlined in the Community Planning Permit By-law. Limits on and criteria for such delegation shall be established in the Community Planning Permit By-law.

#### Conditions of Approval

6.31.12 The Community Planning Permit By-law shall outline any conditions of approval that may be imposed including but not limited to:

- a) Development shall be undertaken in accordance with a Community Planning Permit, including submitted plans, reports and drawings;
- b) Transfer of land for road widenings, including daylight triangles, to the extent established in the Town and County of Bruce Official Plans;
- c) Entering into one or more agreements with the Town and/or other regulatory bodies, to be registered on title, to confirm development proceeds in accordance with the Community Planning Permit and requirement of financial securities;
- d) Requiring that the development does not occur until appropriate municipal services are available to the site;
- e) Providing adequate on-site and off-site service or road infrastructure and works as necessary to service the proposed development;

- f) Conveying part of the land to the municipality to the satisfaction of, and at no expense to, the municipality for a parkland, public roads or transit right-of-way or providing cash-in-lieu of same;
- g) Maintaining the removal of snow from access ramps and driveways, parking and loading areas and walkways;
- h) Providing and maintaining vegetation and landscaping;
- i) Requiring site alteration and grading in accordance with the standards of the Town; and
- i) Monitoring the impact of the development on the environment and adapting property management activities to mitigate any identified impacts.

### **6.32 INCLUSIONARY ZONING**

**6.32.1 The Town of Saugeen Shores may work to develop inclusionary zoning policies in the Built-up Area to require affordable housing units through the development process and to ensure their affordability for a specified time period.**

**Environmental Impact Study Guidelines  
Town of Saugeen Shores**

The Provincial Policy Statement (2005) states that development and site alteration shall not be permitted in:

- significant habitat of endangered and threatened species;
- significant wetlands in Ecoregions 5E, 6E and 7E; and
- significant coastal wetlands.

Development and site alteration shall not be permitted in:

- significant wetlands in the Canadian Shield, north of Ecoregions 5E, 6E and 7E;
- significant woodlands south and east of the Canadian Shield;
- significant valleylands south and east of the Canadian Shield;
- significant wildlife habitat;
- significant areas of natural and scientific interest; and
- fish habitat

unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.

An Environmental Impact Study (EIS) is the method used to assess this issue by identifying and addressing the potential impacts of a specific development on natural features and their ecological functions. An EIS is completed prior to a development application, and the cost is borne by the proponent.

In the Town of Saugeen Shores, an EIS is required when a proposed development is:

- a) in or within 120m of:
  - significant habitat of endangered and threatened species
  - significant wetlands
  - significant woodlands
  - significant valleylands
  - significant wildlife habitat
  - significant areas of natural and scientific interest (life science)
  - fish habitat
- b) in or within 60m of:
  - locally significant wetland
- c) in or within 50m of:
  - significant areas of natural and scientific interest (earth science)
- d) within a(n):
  - 2 year time of travel (WHPA- B) for Wellhead Protection Areas
  - 2 hour time of travel (IPZ-2) for Intake Protection Zones
  - area of karst topography

## **Process**

### **A. Pre-Consultation**

Prior to any work being completed, the proponent must consult with the Town of Saugeen Shores to assess the need for an EIS and its scope. The Town may waive the need for an EIS based on the location, size, and scale of development, and whether or not any other environmental studies are required. If an EIS is required, the scope may be dependent on these factors. The scope will be determined by the Town, in consultation with other agencies if needed (i.e. Saugeen Valley Conservation Authority, Ministry of Natural Resources, County of Bruce).

### **B. Terms of Reference**

The proponent will retain a qualified environmental consultant to undertake the EIS. A Terms of Reference (TOR) will be prepared by the consultant to outline the proposed work and methodology, based on the pre-consultation. These TOR are to be reviewed and approved by the Town/approval authority prior to work on the EIS starting.

### **C. Preparation of the EIS**

The following lists the components of a full EIS. A scoped EIS will require only portions of this list to be completed.

#### **1.0 Introduction**

The introduction is to include a description of the study area, and the reason for the EIS.

#### **2.0 Study Methods**

A description of all study methodology.

#### **3.0 Existing Conditions**

The existing conditions of the site are to be detailed. This includes mapping on high resolution aerial photography. Reporting includes a review of background information available from previous studies in the area, as well as original field work.

##### **3.1 Designated Natural Areas**

Any designated natural areas should be mapped and described. This includes, but is not limited to:

- Locally and provincially significant wetlands
- Areas of Natural and Scientific Interest (ANSI), both life science and earth science
- Environmentally Significant Areas (ESA)
- Significant woodlands
- Wildlife habitat
- Important Bird Areas (IBA)

##### **3.2 Geology and Soils**

The soils, landforms, and surficial geology should be described based on available mapping and literature. Any hazard land mapping should be mapped and detailed.



### 3.3 Hydrology / Hydrogeology

Hydrological and hydrogeological resources and issues must be identified, which include surface water features, recharge and discharge zones, groundwater quality and quantity, groundwater elevation and flow direction, and connections between groundwater and surfacewater. Depending on the scope, more detailed information may be required, as attained through boreholes and surface flow measurements. A pre-development water balance analysis should determine water quantity and quality on site, specifically with regards to natural features such as wetlands, woodlands, and watercourses.

### 3.4 Terrestrial Resources

#### 3.4.1 Vascular Flora

Inventories of the vascular flora on site should include three season surveys to attain a comprehensive list of all species found on site. A list of all vascular flora on site should be made, with specific reference to any significant species (based on current regional, provincial, and national status lists).

Significant species include any of the following:

- Endangered, threatened, or species of special concern designated by COSEWIC (the Committee on the Status of Endangered Wildlife in Canada) or COSSARO (the Committee on the Status of Species at Risk in Ontario),
- Species designated as S1, S2, S3, or S3S4 by the Natural Heritage Information Centre (NHIC),
- Any rare vegetation species listed for Bruce County (Owen Sound Field Naturalists 2010),
- Vascular plant species with a conservation coefficient of 8, 9, or 10, or
- Target species identified in the Great Lakes Conservation Blueprint for Terrestrial Biodiversity for the Kincardine Ecodistrict (Henson and Brodribb 2005).

#### 3.4.2 Vegetation Communities

Vegetation communities on site and around the subject property's perimeter should be mapped and described using the Ecological Land Classification (ELC) method (Lee et al. 1998) and updated to the newest ELC codes (Lee 2008). ELC work should include at least one soil sample in each vegetation community. Any significant vegetation communities should be identified.

Significant vegetation communities include any of the following:

- Designated as S1, S2, S3, or S3S4 by the NHIC, or
- Identified in the Great Lakes Conservation Blueprint for Terrestrial Biodiversity for the Kincardine Ecodistrict (Henson and Brodribb 2005):
  - fresh-moist white cedar – hemlock coniferous forest
  - white cedar swamp.

Wetland vegetation communities must be identified and the wetland boundary mapped and flagged in the field according to the Ontario Wetland Evaluation System for Southern Ontario (OMNR 2002). Wetland boundaries must be identified by a certified wetland evaluator and verified in the field by SVCA trained staff. Confirmed wetland boundaries must be surveyed and shown on all plans.

### 3.4.3 Wildlife

The wildlife community inhabiting the site and using the local area should be detailed. Wildlife lists are to be based on background review from any reports from the area, and the various wildlife atlases available. Appropriate field surveys should also be completed based on the habits of each taxonomic group as described below. Specialized surveys may be required for Species at Risk (SAR) if there is potential for their occurrence in the study area. This is to be determined based on consultation with the MNR. Although surveys for butterflies, dragonflies, and damselflies are generally not required, any species observed incidentally should be listed.

#### Birds

Breeding bird surveys should follow the methods described in the Ontario Breeding Bird Atlas (OBBA) manual (OBBA 2001). Two early morning surveys should be completed between May 24 and July 10, at least 15 days apart. All evidence of breeding must be recorded. All birds observed during other visits to the subject property should be recorded. In the absence of original field work, all birds known from the study area should be compiled based on background research, including the OBBA squares covering the study area.

#### Mammals

Any direct observations of mammals or evidence thereof (e.g. dens, fur, bones, scat) should be recorded. In the absence of original field data, mammals known from the study area should be documented based on the appropriate Ontario Mammal Atlas (Dobbyn 1994) square(s).

#### Amphibians and Reptiles

Anuran (frog and toad) surveys involve evening 3-minute call counts based on the methods described in the Marsh Monitoring Protocol (BSC 2009). In the absence of original field work, all amphibians and reptiles known from the study area should be compiled using the Ontario Herpetofaunal Atlas (Oldham and Weller 2000).

### 3.4.4 Significant Wildlife Habitat

The Significant Wildlife Habitat Technical Guide (OMNR 2000) should be used to assist in evaluating wildlife habitat and defining significant wildlife habitat. Four categories of significant wildlife habitat are described:

- habitats of seasonal concentrations of animals,
- rare vegetation communities or specialized habitat for wildlife,
- habitat of species of conservation concern, and
- animal movement corridors.

The MNR should be contacted for records of Significant Wildlife Habitat in the area of study.

### 3.5 Aquatic Habitat and Fish Species

If waterbodies or watercourses are located on or adjacent to the subject property, an assessment of these must occur. The features should be described and assessed as to the presence of direct or indirect fish habitat. Surveys should be conducted when water is present and additionally provide information on spawning species.

Aquatic habitat surveys should follow the Ontario Stream Assessment Protocol (OSAP) (Stanfield 2005). A scientific collector's permit must be obtained from the MNR to

conduct any electrofishing and/or netting. Benthic sampling should follow the Ontario Benthic Biomonitoring Network (OBBN) protocol (Jones et al. 2007). A fish species list should be assembled through field surveys and background information available from the SVCA and MNR.

#### 3.6 Natural Heritage System

The terrestrial, wetland and aquatic features on site should be evaluated as a whole. Any linkages/corridors between natural features should be identified and their significance evaluated. Any wildlife linkages should be identified. Buffers should be recommended based on relevant policies and consultation with the Town/approval authority. Appropriate buffer dimensions should be determined on a site specific basis and should take into account the significance and sensitivity of the natural heritage feature, its ecological functions, and the type, timing, extent and magnitude of the development proposed.

Natural heritage systems are to be mapped clearly at an appropriate scale using up to date aerial photography. Mapping should include property boundaries, vegetation communities, wetland boundaries, locations of significant species, sensitive habitats, significant wildlife habitats, watercourses, and buffers.

### 4.0 Impact Analysis

#### 4.1 Description of Proposed Development

The proposed undertaking must be clearly described, including the timing of construction and any phasing. Mapping is to show the existing natural features and buffers, overlain with the proposed development. The development plan is to show existing and proposed:

- Roads
- Lot lines
- Buildings
- Driveways
- Septic systems
- Wells
- Lot grading
- erosion/sediment control
- stormwater management
- Restoration and enhancement
- Watercourse crossings or alterations

#### 4.2 Direct Impacts

Direct impacts are those associated with the disruption or displacement of natural features caused by the actual proposed 'footprint' of the undertaking. This includes the extent of vegetation removal and any impacts on watercourses or features on site or on adjacent lands, both temporary and permanent.

#### 4.3 Indirect Impacts

Indirect impacts are associated with changes in site conditions such as re-grading, drainage, and stormwater management and may be observed on-site as well as off-site. Indirect impacts may include sedimentation and erosion, changes in water balance, edge effects, thermal impacts, impacts to wildlife populations, dust, noise, and stray lighting.

#### 4.4 Induced Impacts

Induced impacts result after the development is completed, such as subsequent demand on the resources created by increased habitation and human use of the area and vicinity. Examples of induced impacts include dumping, encroachment into natural areas, feral pets and creation of unauthorized trails.

### 5.0 Recommended Mitigation

Recommendations are to include ways to avoid impact, or where not possible, ways to mitigate impact on the natural features and their functions. This may include various alternatives and modifications to the proposed development and its construction. Recommendations for enhancements and restoration shall also be included. Any residual impacts must be identified.

Monitoring may be required if negative impacts cannot be avoided. The success of mitigation measures to minimize negative impacts will be monitored. The monitoring plan will depend on the extent of the proposed development and may require pre-construction, during construction, and post-construction monitoring. The required monitoring program will be determined in consultation with the Town/approval authority.

### 6.0 Summary

The summary shall provide a description of the proposed development, the anticipated impacts to the natural environment, and a list of all recommendations made in the EIS.

### 7.0 References

The reference section is to include all literature cited, as well as list all authorities contacted for information during the study.

### 8.0 Appendices

The appendices are to include the TOR developed for the project and all species lists. Any pertinent correspondence is to be included.

#### D. Submission of the EIS

The completed EIS will be submitted to the Town/approval authority. The SVCA, MNR, and County of Bruce may be included in this review as appropriate. The EIS may be accepted, accepted based on modifications, or rejected. The Planning Application is made following the acceptance of the EIS.

