

SECTION 8 - URBAN FRINGE

8.1 INTRODUCTION

There are several areas throughout the County that either abut or are adjacent to serviced settlement areas and which are the site of varying amounts of non-farm development. Generally, development in these “fringe” areas is in the form of strip or ribbon development along public roadways and it has taken place with private water and sewage services.

Most of these “fringe” areas have existed for several decades and predate current planning controls. Many of the areas have been recognized as designated “fringe” areas in local Official Plan documents for the purposes of recognizing existing development and permitting new development on a regulated or controlled basis. The size and extent of development within these areas varies considerably. The smallest consists of a cluster of a few dwellings along a boundary road while the largest covers an approximate 100 hectare area consisting of a mixture of residential, commercial, and industrial type uses.

Notwithstanding the efforts of local municipalities to control and regulate the “fringe” area development, various proposals for development have resulted in friction between the host Township and their neighbouring serviced urban municipality. While there may be several reasons for this friction, the one reason which is common and consistent regardless of the location of the “fringe” area is the appropriateness of fringe area development from a land use planning and servicing perspective. With current County and local municipal restructuring efforts and the amalgamation of serviced urban municipalities and their neighbouring rural Townships into single municipalities, many of the reasons for a rural municipality to consider “fringe” development will have been removed. The opportunity now exists for development issues within these areas to be looked at from a basic land use planning and servicing perspective and the opportunity does exist for the extension of services to facilitate the logical and orderly growth or expansion of the serviced urban area.

This section of the County Plan provides a policy basis for dealing with growth and development issues in these existing “fringe” areas. The policies deal with the current situation where municipal services such as water and sewage do not exist and provide direction in how to deal with development issues on an interim basis until such time that full municipal services are extended to these areas.

8.2 GOALS

The following goals are established for the "Urban Fringe" designation:

- (a) To appropriately recognize those “fringe” areas throughout the County that have been previously designated in local Official Plan documents;
- (b) To identify the limits of these “fringe” areas and to prevent the spread of non-farm related development beyond these limits;

- (c) To permit existing non-farm development within these “fringe” areas and to permit very limited amounts of new non-farm development;
- (d) To minimize the extent of new development on private services;
- (e) To minimize potential for land use conflict between uses;
- (f) To establish an appropriate policy basis for dealing with development issues within the “fringe” areas until such time that they are incorporated into the overall servicing and growth strategy for their neighbouring serviced urban area;
- (g) To encourage the further study and assessment of these areas from a servicing and development standpoint within a restructured municipal form.

8.3 **LAND USE DESIGNATION AND MAPPING**

Policies for the "Urban Fringe" designation shall apply to the areas shown as "Urban Fringe" on Schedule "A" (Land Use Plan) to this Official Plan. The Schedule "A" map consists of the County-wide map which shows the general location of the “Urban Fringe” designation and a number of smaller inset maps (e.g. Schedule “A4-1”, “A4-2”, etc.) Which show the specific boundaries for the “Urban Fringe” designation.

8.4 **DEFINITION/PERMITTED USES**

Uses existing at the date of adoption of this Official Plan in the designated “Urban Fringe” areas shall be considered as permitted uses under the policies of this Official Plan. Generally, the uses consist of residential, commercial, industrial, institutional, recreational, and utility type uses. New development within these designated areas is prohibited with the exception of the limited types of development permitted by the specific policies of Section 8.5.

8.5 **POLICIES**

8.5.1 **Residential Uses**

Existing residential uses and enlargement/construction of buildings and structures associated with same are permitted in the “Urban Fringe” designation.

New residential uses and the intensification of existing residential uses involving additional dwelling units shall not be permitted.

Where enlargement/construction of buildings associated with existing residential uses are proposed, the following criteria shall apply:

- (a) Lot size must be appropriate for the proposed enlargement/ construction;

- (b) Existing water and sewage services must be capable of serving the enlarged residential use and the enlargement/construction shall not have any negative impact on the existing water and sewage service;
- (c) Design of the proposed enlargement/construction should be consistent with and in harmony with the general form of the surrounding uses.

Home occupations and bed and breakfast establishments shall be permitted as accessory uses.

8.5.2 **Commercial and Industrial Uses**

*AMENDED
BY OPA
No. 6*

Existing commercial and industrial uses and the enlargement of same are permitted in the "Urban Fringe" designation. New commercial and new industrial uses shall not be permitted except where an existing commercial or industrial use is being converted to either a similar or non-similar type use which is generally more compatible with the surrounding uses than the existing commercial or industrial use. Where enlargements of existing commercial or industrial uses are proposed or where a conversion of use is proposed, the following criteria shall apply:

- (a) Lot size shall be appropriate for the use;
- (b) The use must be a "dry" operation where waste water/discharge is minimal;
- (c) Existing water and sewage services must be capable of serving the use and the enlargement or conversion shall not have a negative impact on the existing services;
- (d) There should be no significant increase in traffic associated with the enlargement or conversion. Access provisions must be acceptable to the appropriate road authorities;
- (e) Adequate off-street parking and loading/unloading facilities shall be provided;
- (f) Adequate distance separation and buffering shall be provided from adjacent residential areas or other sensitive uses such as seniors housing or hospitals. Distance separation shall be addressed through the local municipal zoning by-law while buffering (e.g. fencing, landscaping) shall be considered at the site plan stage.
- (g) Site plan agreements pursuant to the provisions of Section 41 of the Planning Act, R.S.O. 1990, shall be required for enlargements of existing uses and conversion of uses.

8.5.3 **Recreational, Institutional, and Utility Uses**

Existing recreational, institutional, and utility uses and the enlargement of same are permitted in the “Urban Fringe” designation. The establishment of new recreational, institutional, and utility uses shall not be permitted.

Where enlargement of existing recreational, institutional, and utility uses are proposed, the following criteria shall apply:

- (a) Existing water and sewage services must be capable of serving the enlarged use and the enlargement shall not have a negative impact on the existing services;
- (b) There shall be no significant increase in traffic associated with the enlargement of use. Access provisions must be acceptable to the appropriate road authorities;
- (c) Adequate off-street parking and loading/unloading facilities shall be provided;
- (d) Adequate buffering shall be provided and such buffering may be in the form of fencing, landscaping and/or additional setback provisions;
- (e) Site plan agreements pursuant to the provisions of Section 41 of the Planning Act, R.S.O. 1990 shall be required for all enlarged recreational, institutional, and utility uses.

8.5.4 **Home Occupations**

Home occupations that comprise a secondary use carried on entirely within a single-detached dwelling may be permitted. Such home occupations shall be small-scale in size; shall be conducted only by the person or persons residing in the dwelling; and must clearly be secondary to the main use of the dwelling as a private residence and not change the character of the dwelling as a private residence. Not more than one home occupation shall be permitted per dwelling. The local municipality’s implementing Zoning By-law shall contain provisions to regulate matters such as the types of activities to be permitted, the size of home occupation areas, parking, and signage.

8.5.5 **Bed & Breakfast Establishments**

Bed & breakfast establishments carried on entirely within a single-detached dwelling may be permitted. Such bed and breakfast establishment must clearly be secondary to the main use of the dwelling as a private residence and not change the character of the dwelling as a private residence. Bed and breakfast establishments shall satisfy all applicable requirements of the Perth District Health Unit, particularly in regard to water supply and sewage disposal. The local municipality’s implementing Zoning By-law shall contain specific zoning

requirements for the purpose of regulating and controlling bed and breakfast establishments.

8.5.6 **Zoning By-law**

The local municipality's implementing Zoning By-law shall zone land in accordance with the above policies. Existing uses shall be recognized as permitted uses and the enlargement of same shall be permitted by the By-law. An amendment to the local municipality's Zoning By-law shall be required prior to the conversion of any commercial or industrial use to a similar type use which is generally more compatible with the surrounding area than the existing use.

8.5.7 **Further Study**

With the current County and local municipal restructuring programs, the municipal boundary between many of the designated "Urban Fringe" areas and their neighbouring serviced urban area will disappear. The opportunity to incorporate these previous "fringe" areas into the overall planning and servicing programs for the serviced urban areas will exist.

It is a policy of this Official Plan to encourage the further study of the designated "Urban Fringe" areas within their new municipal context to determine the feasibility and appropriateness of incorporating them into the overall land use planning and servicing programs for the serviced urban areas. Such studies should consider all of the "Urban Fringe" areas associated with a particular serviced urban area on a collective basis as opposed to a fragmented or piecemeal basis.

In the event that a study of the "Urban Fringe" areas surrounding the serviced urban area concludes that the "Urban Fringe" areas should be incorporated into the overall land use planning and servicing program for the serviced urban area, the policies of this Official Plan should be amended so as to permit an appropriate range of uses in these areas based on the provision of municipal water and sewage services. Similar to new development within the serviced urban areas today, one of the prerequisites for considering new development within these former "fringe" areas would be the availability of municipal water and sewage services.

In the event that a study of the "Urban Fringe" areas surrounding a particular serviced urban area concludes that such areas should not be incorporated into the overall land use planning and servicing program for the serviced urban area, policies of this Official Plan shall remain in force with new development limited to the types specifically permitted by the preceding sections.

8.5.8 **Specific “Urban Fringe” Areas Adjacent to the Town of Listowel**

Based on previous proposed Official Plan policies and discussions between Listowel and Elma and Wallace Councils concerning municipal servicing, this Official Plan contains specific policies for the three “Urban Fringe” areas located adjacent to Listowel. These three areas are identified as the area north of Listowel (shown on Schedule “A4-1”), the area east of Listowel (shown on Schedule “A4-2”), and the area west of Listowel (shown on Schedule “A4-3”). The policies which apply to these specific “Urban Fringe” areas are set out below:

8.5.8.1 **“Urban Fringe” Areas on Schedules “A4-1” and “A4-2”**

The “Urban Fringe” areas shown on Schedules “A4-1” and “A4-2” shall be subject to the following policies:

8.5.8.1.1 **Permitted Uses**

Permitted uses shall be general commercial uses, highway commercial uses, light industrial uses, limited recreational/open space uses, and limited residential uses.

8.5.8.1.2 **New Development**

New development will occur through the infilling process, extensions of built-up areas in the designated area, or the conversion of uses.

8.5.8.1.3 **New Lot Creation**

It is intended that new lot creation will occur primarily through the consent/severance process. The policies of Sections 8.6 and 16.3 of this Plan shall apply to all applications for consent/severance.

Notwithstanding the above, the plan of subdivision process may be an acceptable means of lot creation where Council is satisfied in regard to matters such as the proposed use, the scale of the development, the provision of private water and sewage services, land use compatibility, and site suitability. The policies of Section 16.2 of this Plan shall apply to all applications for plans of subdivision.

AMENDED BY OPA No. 95

8.5.8.1.4 **Residential Uses**

Permitted residential uses shall be limited to single-detached dwellings, and existing semi-detached dwellings, home occupations, and bed and breakfast establishments and such uses shall be permitted only in those parts of the subject “Urban Fringe” area which are described as Registered Plan No. 290 and Registered Plan No. 509, as well as the existing lots immediately to the

north (i.e. one lot) and south (i.e. one lot) of the Registered Plan No. 509. The following criteria shall apply:

- (a) The minimum lot size shall be appropriate for the use and consistent, where possible, with adjacent residential uses. The local municipality's implementing Zoning By-law shall establish the minimum lot size requirements;
- (b) Municipal water and sewage services with sufficient capacity to serve the use must be available. Where a municipal servicing strategy has been adopted, interim servicing through the use of individual water supply and sewage treatment systems may be permitted until such time as municipal servicing is installed;
- (c) Access must be available to a public road which is developed to municipal standards and which is maintained on a year-round basis. Access must not generate conditions that are considered to be hazardous to traffic movement on the surrounding road network;
- (d) Factors such as land use compatibility, suitability of soil type for development, site characteristics, impact on natural environment, and drainage characteristics/impacts must be given consideration; and
- (e) For new lots created within Registered Plan No. 509, as well as the existing lots immediately to the north (i.e. one lot) and south (i.e. one lot) of the Registered Plan No. 509, additional building setbacks and/or screening are required to the satisfaction of the Municipality of North Perth, in order to buffer the proposed new residential uses from the existing industrial development in the area.

8.5.8.1.5 **Commercial Uses**

Permitted commercial uses shall be of a general commercial nature or a highway commercial nature. The following policy/criteria shall apply:

- (a) All major new and/or expanded retail development shall be required to undergo market/impact studies in order to:
 - (i) identify the type and size of retail facilities that are warranted or will be warranted by a certain year;
 - (ii) provide updated information on the performance of the Listowel and surrounding area retail sector and identify the impact of the proposed development on other significant retail locations in the Listowel and surrounding area;
 - (iii) satisfy the local municipal Council that the proposed development is warranted and appropriate from both the market and impact perspectives;

- (iv) enable the local municipal Council to identify the specific requirements and limitations, if any, which should be included in any conditions of approval.

The cost of market/impact studies and other required supporting documentation shall be borne by the proponent. Costs incurred by the local municipality in engaging in peer review for market, traffic and/or planning issues to evaluate the proposal and supporting submissions shall be reimbursed by the proponent.

- (b) Municipal water and sewage services with sufficient capacity to serve the use must be available. Where municipal servicing will be provided based on an adopted municipal servicing strategy but are not yet installed, interim servicing through the use of private water supply and sewage treatment systems may be permitted subject to the following criteria:
 - (i) The insitu soils are suitable for the satisfactory operation of the sewage treatment system;
 - (ii) No raised tile beds are permitted;
 - (iii) The design of the proposed development shall include provision for connections to municipal services when they become available.
- (c) Access must be available to a public road which is developed to municipal standards and which is maintained on a year-round basis. Access must not generate conditions that are considered to be hazardous to traffic movement on the surrounding road network;
- (d) Factors such as land use compatibility, suitability of soil type for development, site characteristics, impact on natural environment, and drainage characteristics/impacts must be given consideration;
- (e) Adequate off-street parking and loading/unloading facilities shall be provided;
- (f) Adequate buffering shall be provided and such buffering may be in the form of fencing, landscaping, and/or additional setback provisions;
- (g) Site plan agreements pursuant to the provisions of Section 41 of the Planning Act, R.S.O. 1990, shall be required for all new commercial uses;
- (h) An amendment to the local municipality's implementing Zoning By-law shall be required, except where existing commercial zoning permits the use;

- (i) Adequate drainage must either be available or readily capable of being made available. When reviewing drainage, consideration shall be given to existing and potential impacts on ground and surface water quality and quantity, adjacent properties and roadways. Where such potentially deleterious materials as liquid fertilizers are stored and handled on-site, appropriate spills containment and contingency plans shall be required.

8.5.8.1.6 **Industrial Uses**

Permitted industrial uses shall be limited to those considered to be light industrial uses and which are deemed appropriate for location in proximity to general commercial and highway commercial uses. The following policy/criteria shall apply:

- (a) Lot size shall be appropriate for the use;
- (b) Generally, all industrial uses should be “dry” operations where water use/discharge is minimal;
- (c) Access must be available to a public road which is developed to municipal standards and which is maintained on a year-round basis. Access must not generate conditions that are considered to be hazardous to traffic movement on the surrounding road network;
- (d) Factors such as land use compatibility, suitability of soil type for development, site characteristics, impact on natural environment, and drainage characteristics/impacts must be given consideration;
- (e) Adequate off-street parking and loading/unloading facilities shall be provided;
- (f) Adequate distance separation and buffering shall be provided from adjacent residential areas or other sensitive uses such as seniors housing or hospitals. Distance separation shall be addressed through the local municipal zoning by-law while buffering (e.g. fencing, landscaping) shall be considered at the site plan stage;
- (g) Site plan agreements pursuant to the provisions of Section 41 of the Planning Act, R.S.O. 1990, shall be required for all new industrial uses;
- (h) An amendment to the local municipality’s Zoning By-law shall be required, except where existing industrial zoning permits the use;
- (i) Adequate drainage must either be available or readily capable of being made available. When reviewing drainage consideration shall be given to existing and potential impacts on ground and surface water quality and quantity, adjacent properties and roadways. Where such potentially deleterious materials as liquid fertilizers are stored and handled on-site, appropriate spills containment and contingency plans shall be required.

8.5.8.1.7 **Site Specific Amendments**

ADDED BY

OPA No.33

- (1) Part of Park Lot IV, Reg. Plan 290, Town of North Perth, (Walton Ave. N., Wallace Ward) (Schedule "A-37"):

Notwithstanding the policies of Section 16.3.2.1 of this Official Plan to the contrary, the creation of five lots (including the remnant lot) shall be permitted within the "Urban Fringe" designation on the above-noted lands.

8.5.8.2 **"Urban Fringe" Areas on Schedule "A4-3"**

The "Urban Fringe" areas shown on Schedule "A4-3" shall be subject to the following policies:

ADDED BY OPA No. 81

8.5.8.2.1 **Permitted Uses**

Permitted uses shall be existing general commercial uses, existing highway commercial uses, conversion of existing general and/or highway commercial uses to similar type uses, light industrial uses, limited recreational/open space uses, and limited residential uses. New business or professional offices shall also be permitted.

8.5.8.2.2 **New Development**

New development will occur through the infilling process, extensions of built-up areas in the designated areas, through conversion of uses, or by amendment to this Plan.

8.5.8.2.3 **New Lot Creation**

It is intended that new lot creation occur through the consent/severance process. The policies of Sections 8.6 and 16.3 of this Plan shall apply to all applications for consent/severance.

8.5.8.2.4 **Residential Uses**

The criteria set out in Clauses (a), (b), (c), and (d) of Section 8.5.8.1.4 of this Plan shall apply.

8.5.8.2.5 **Commercial Uses**

ADDED BY
OPA No. 81

Existing general and highway commercial uses and the enlargement of same are permitted in the Schedule "A4-3" "Urban Fringe" area. New general and highway commercial uses shall not be permitted without an amendment to this Plan except that the conversion of an existing general or highway commercial use to a similar type of general or highway commercial type use which is equally or more compatible with the surrounding uses than the existing general or highway commercial use are permitted. However, new business and professional office uses shall be permitted. Where new business and professional office uses, or enlargements of existing general or highway commercial uses are proposed, or where a conversion of use is proposed, the following criteria shall apply:

- (a) Lot shall be appropriate for the use;
- (b) Municipal water and sewage services with sufficient capacity to serve the use must be available. Where municipal water and sewage will be provided based on an adopted municipal servicing strategy but not yet installed, interim servicing through the use of private water supply and sewage treatment systems may be permitted subject to the following:
 - (i) The insitu soils are suitable for the satisfactory operation of the sewage treatment system;
 - (ii) No raised tile beds are permitted; and
 - (iii) The design of the proposed development shall include provision for connections to municipal services when they become available.
- (c) Access must be available to a public road which is developed to acceptable standards and which is maintained on a year-round basis. Access must not generate conditions that are considered to be hazardous to traffic movement on the surrounding road network.
- (d) Factors such as land use compatibility, suitability of soil type for development, site characteristics, impact on natural environment, and drainage characteristics/impacts must be given consideration.
- (e) Adequate off-street parking and loading/unloading facilities shall be provided.
- (f) Adequate buffering shall be provided and such buffering may be in the form of fencing, landscaping, and/or additional setback provisions.
- (g) Site plan agreements pursuant to the provisions of Section 41 of the Planning Act, R.S.O. 1990, shall be required for all new commercial uses.

- (h) An amendment to the local municipality's implementing Zoning By-law shall be required.
- (i) Adequate drainage must either be available or readily capable of being made available. When reviewing drainage, consideration shall be given to existing and potential impacts on ground and surface water quality, adjacent properties and roadways. Where such potentially deleterious materials as liquid fertilizers are stored or handled on-site, appropriate spills containment and contingency plans shall be required.

8.5.8.2.6 **Industrial Uses**

Permitted industrial uses shall be limited to those considered to be light industrial uses and which are deemed appropriate for location in proximity to the uses in the Schedule "A4-3" lands. The provisions of Clauses (a) through (i) of Section 8.5.8.2.5 shall apply.

ADDED BY OPA No. 81, 162 and 179, AMENDED BY OPA No. 206

8.5.8.2.7 **Site Specific Policy**

- (a) Part of Lot 30, Concession 1 in the former Township of Elma (605 Mitchell Road South)

The only uses permitted on a 1.5 acre area as shown on Schedule "A" to the Town of North Perth By-law No. 65-ZB-1998 (part of Nichol Properties Inc. lands) shall be the commercial uses permitted by By-law No. 65-ZB-1998, as well as new business and professional offices, and accessory convenience retail uses.

- (b) Part of Lots 12 and 14, Plan 430, Part 7 on 44R-5458, Elma Ward, Municipality of North Perth (Schedule "A-179").

A new highway commercial use described as an automobile washing establishment with an accessory pet washing station shall be permitted on the described lands subject to the following:

- (i) an Amendment to the implementing Zoning By-law be approved to regulate development; and

- (ii) a Site Plan Agreement be entered into with the Municipality of North Perth to address screening and buffering of the use from adjacent properties.

- (c) Part of Lot 30, Concession 1, in the former Elma Ward, Municipality of North Perth (Schedule A-206)

This land use designation will permit a variety of commercial/business

and residential uses on a mixed-use site.

Objectives

1. To ensure a commercial corridor on Mitchell Road South
2. To provide medium to high density housing
3. To ensure uses, built form and building design are compatible with surrounding residential neighbourhoods and are pedestrian-oriented and human scaled in order to positively contribute to the public realm.

Permitted Uses

Mixed-Use buildings are permitted provided that residential units are included on the upper floors of commercial/business uses, and in accordance with the Zoning By-law provisions.

Stand-alone multiple residential uses are permitted provided that there are existing commercial uses on the site. The Zoning By-law will provide provisions for multiple residential uses.

Stand-alone commercial uses are permitted in accordance with the Zoning By-law provisions.

This mixed-use site is expected to continue to evolve over time, and should be designed to support and accommodate this evolution.

While residential uses are permitted and encouraged with lands intended for mixed-use development, it is not the intent of Mixed-Use development sites to lose the planned retail and commercial function. As such, the Zoning By-law may not permit residential development prior to the establishment of a commercial use fronting Mitchell Road South.

This designation may be zoned to discourage uses that would negatively affect the planned density and/or function of the neighbourhood in which they are located. Accordingly, the implementing Zoning By-law may not permit:

- Auto-exclusive uses such as car washes, drive-through facilities, gas stations, sale and/or repair of motor vehicles, commercial parking facilities.
- Commercial uses not compatible with residential uses such as funeral homes and commercial recreation.

Commercial Area Policies

The maximum commercial floor area for all retail and service commercial uses shall not exceed a floor area of 32,000 ft² (2973 m²) of which no more than 19,000 ft² (1765 m²) shall be permitted for retail use.

The minimum commercial floor area for all retail and service commercial uses shall not be less than 13,900 ft² (1292 m²).

Residential Density Policies

A minimum density of 30 units per hectare is permitted. A maximum density of 98 units per hectare is permitted provided that servicing and traffic requirements can be addressed.

The affordable housing target for the subject lands is 15% of the total number of residential units built on-site.

Design requirements

Mixed use sites require a high level of urban design to ensure pedestrian connections across the site, between uses, as well as compatibility with adjacent land uses. In order to ensure a high level of design, an Urban Design Brief shall be prepared as part of a complete site plan application and shall address the following design considerations:

- (a) Commercial uses are required to be located on Mitchell Road South;
- (b) Adequate off-street parking for automobiles and bicycles in accordance with the Municipality of North Perth Zoning By-law and Site Plan design standards;
- (c) Signage for commercial uses are to be designed to be functional and avoid visual clutter and distraction;
- (d) Any required loading and garbage areas shall be located in an unobtrusive area of the site, and will require screening;
- (e) Noise attenuation and mitigation between residential and non-residential uses are required;
- (f) Pedestrian and cycling routes to and within the development shall be planned and designed to minimize conflict with traffic;
- (g) Locate retail, service shops and restaurants at the street level;
- (h) Traffic calming measures shall be included, and co-ordinated with landscaping, lighting and site design features;
- (i) Compatibility shall be provided through the consideration of materials, details, massing and glazing on all sides of all buildings;
- (j) Design the site to building mass as well as primary facades and building entrances be oriented towards the public street;

A landscaping plan and outdoor lighting plan prepared by qualified professionals will be required for the site plan.

Servicing Requirements

All development on the site will have full municipal servicing. The servicing policies in Section 16.1 'Water, Sanitary Sewage System, and Storm Sewers' of the Listowel Official Plan apply to the subject property.

ADDED BY OPA No. 81

8.5.8.2.8 New Commercial Development

New commercial development, other than business or professional offices or those commercial developments established through the conversion of use policies of Section 8.5.8.2.5 of this Plan, shall only be permitted in the "Urban Fringe" designation by amendment to this Plan and shall be required to submit market/impact studies as required by the policies of Section 8.5.8.1.5 (a) of this Plan.

ADDED BY OPA No. 63

8.5.9 **Specific “Urban Fringe” Area in the Township of Perth South (Blanshard Ward)**

This Official Plan includes an “Urban Fringe” area at Lots 12 and 13, South Boundary Concession in the Township of Perth South (Blanshard Ward) which is subject to the specific policies set out below:

8.5.9.1 **Permitted Uses**

Permitted uses in this “Urban Fringe” area shall be as follows:

- (a) farm or agricultural related commercial and industrial uses which are small-scale in nature with the exception that uses such as feedmills, drying operations, farm implement sales and service establishments, livestock assembly operations, and livestock trucking operations (which uses typically are not appropriate in urban areas due to land use compatibility conflicts) are also permitted; and
- (b) farm supplies outlets; garden nurseries; commercial greenhouses; garden display areas; and accessory uses. In addition, limited highway commercial uses shall also be permitted (i.e. automobile and/or recreational vehicle sales and service establishments); and
- (c) industrial uses which include the manufacturing, processing, warehousing, wholesaling, repairing and servicing, transportation terminals, and the storage of goods, as well as the retail, wholesale, and office uses accessory to industrial uses located on the same lot.

8.5.9.2 **Development Criteria**

The following policies/criteria shall apply:

- (a) The expansion of existing industrial uses and the establishment of new permitted uses within the “Urban Fringe” land use designation is encouraged as long as these expanded and new uses are appropriate to the nature of the lands available and the surrounding land uses;
- (b) The clustering of uses to make the best use of the available land areas, provide for the use of shared access and parking facilities, and to minimize the danger to vehicular and pedestrian traffic on municipal streets is encouraged;
- (c) Where municipal services are available, the Township of Perth South Council will encourage industries of a “dry” nature. A “dry” industry can be defined as one which does not need significant amounts of water in its operations and does not impose a disproportionate load on the sewage treatment facilities by generating excessive wastes. The only industrial sewage discharges in the case of a “dry” industry are from employee washrooms, the cooling and pressure testing of equipment or other sources ancillary to the main industrial uses. Consideration should be given to requiring the pretreatment of industrial waste as a means of reducing demand on the municipal services. Where proposals for industrial uses are not considered to be “dry” in nature, pretreatment of industrial waste and/or recycling/ reuse of by-products, as a means of reducing the demand on municipal services shall be required;

- (d) Where municipal services are not available, permitted development within the “Urban Fringe” designation shall be required to satisfy the applicable servicing requirements of Section 17 of this Plan. Proposals for development which, in the view of the Township of Perth South Council, would result in an undue financial burden on the Municipality, especially with respect to the provision of public utilities and other necessary public services, shall not be permitted;
- (e) The establishment of noxious industries as defined in the Public Health and Protection Act will be prohibited;
- (f) Retail outlets shall be permitted only as accessory uses to industrial uses provided the retail outlet involves the retailing of goods produced or stored on the premises and provided the retail outlet is not situated in a building separate from the industrial use. Accessory uses in general shall be permitted only where they will not interfere with or detract from the primary industrial function of the area;
- (g) In order to protect those areas which have been developed for industrial uses, the intrusion of uses which would be incompatible with industrial uses shall not be permitted;
- (h) Access shall be available from a public highway or public road of reasonable construction and year-round maintenance. Access must not create nor generate conditions that are considered to be hazardous to traffic movement on the surrounding road network;
- (i) Industrial uses shall be required to provide adequate off-street parking and loading and unloading areas. The implementing Zoning By-law will set out the number of parking spaces required for industrial uses and the regulations pertaining to loading and unloading facilities;
- (j) Adequate landscaping and buffering shall be provided between industrial uses and adjacent sensitive land uses such as residential uses. Such landscaping and buffering may include fencing, berms, tree and shrub planting, and/or grass strips. In the case of noise and odour producing industrial operations, separation distances between the industry and other incompatible land uses may be imposed by means of the implementing Zoning By-law;
- (k) All open storage areas shall be adequately screened in order to protect the adjacent uses and travelers on public roads from annoying visual intrusions;
- (l) Permitted uses must satisfy the applicable Minimum Separation Distance I provisions;

- (m) Factors such as land use compatibility, suitability of soil type for development, site characteristics, impact on natural environment, and drainage characteristics/impacts must be given consideration;
- (n) Adequate drainage must either be available or readily capable of being made available. When reviewing drainage, consideration shall be given to existing and potential impacts on ground and surface water quality and quantity, adjacent properties and roadways. Where such potentially deleterious materials as liquid fertilizers are stored and handled on-site, appropriate spills containment and contingency plans shall be required;
- (o) Site plan agreements pursuant to the provisions of Section 41 of the Planning Act, R.S.O. 1990, shall be required for all new industrial development; and
- (p) The implementing Zoning By-law shall zone land in accordance with the policies of this Plan. The By-law shall contain suitable provisions for appropriate lot size, adequate setbacks from property lines, appropriate off-street parking and loading requirements, prohibition of obnoxious uses, control over outside storage, buffering, fencing, and lighting.

8.5.9.3 New Development

New development will occur through the introduction of new uses, the infilling process, the extension of the built-up area in the designated area, and the conversion of uses.

8.5.9.4 New Lot Creation

It is intended that new lot creation will occur primarily through the consent/severance process. The policies of Section 8.6 and 16.3 of this Plan shall apply to all applications for consent/severance.

Notwithstanding the above, the plan of subdivision process may be an acceptable means of lot creation where Council is satisfied in regard to matters such as the proposed use, the scale of the development, the provision of full municipal water and sewage services, land use compatibility, and site suitability.

The policies of Section 16.2 of this Plan shall apply to all applications for plans of subdivision.

ADDED BY OPA No. 17

8.5.10 Specific “Urban Fringe” Area in Fullarton Ward

This Official Plan includes an “Urban Fringe” area at Lots 23 and 24, Concession 2, Fullarton Ward, Municipality of West Perth (shown on Schedule “A4-15”) which is subject to the specific policies set out below:

8.5.10.1 **Permitted Uses**

Permitted uses shall be light and general industrial uses, recreational and open space uses, and institutional uses.

8.5.10.2 **New Development**

New development will occur through the introduction of new uses, the infilling process, the extension of the built-up area in the designated area, and the conversion of uses.

8.5.10.3 **New Lot Creation**

It is intended that new lot creation will occur primarily through the consent/severance process. The policies of Section 8.6 and 16.3 of this Plan shall apply to all applications for consent/severances.

Notwithstanding the above, the plan of subdivision process may be an acceptable means of lot creation where Council is satisfied in regard to matters such as the proposed uses, the scale of the development, the provision of full municipal water and sewage services, land use compatibility, and site suitability.

The policies of Section 16.2 of this Plan shall apply to all applications for plans of subdivision.

8.5.10.4 **Industrial Uses**

Permitted industrial uses shall be for manufacturing, processing, warehousing, wholesaling, repairing and servicing, transportation terminals, and the storage of goods. Other uses permitted include retail, wholesale, and office uses accessory to industrial uses on the same lot. The following policies/criteria shall apply:

- (a) The expansion of existing industrial uses and the establishment of new industrial uses within the “Urban Fringe” land use designation is encouraged as long as these expanded and new uses are appropriate to the nature of the lands available and the surrounding land uses;
- (b) The clustering of industrial uses to make the best use of the available land areas, provide for the use of shared access and parking facilities, and to minimize the danger to vehicular and pedestrian traffic on municipal streets is encouraged;
- (c) West Perth Council will encourage industries of a “dry” nature. A “dry” industry can be defined as one which does not need significant amounts of water in its operations and does not impose a disproportionate load on the sewage treatment facilities by generating excessive wastes. The only industrial sewage discharges in the case of a “dry” industry are from employee washrooms, the cooling and pressure testing of equipment or other sources ancillary to the main industrial uses. Consideration should

be given to requiring the pretreatment of industrial waste as a means of reducing demand on the municipal services. Where proposals for industrial uses are not considered to be “dry” in nature, pretreatment of industrial waste as a means of reducing the demand on municipal services shall be required;

- (d) All types of development within the “Urban Fringe” designation shall be required to satisfy the applicable servicing requirements of Section 17 of this Plan. Proposals for development which, in the view of West Perth Council, would result in an undue financial burden on the Municipality, especially with respect to the provision of public utilities and other necessary public services, shall not be permitted;
- (e) The establishment of noxious industries as defined in the Public Health and Protection Act will be prohibited;
- (f) Retail outlets shall be permitted as accessory uses to industrial uses provided the retail outlet involves the retailing of goods produced or stored on the premises and provided the retail outlet is not situated in a building separate from the industrial use. Accessory uses in general shall be permitted only where they will not interfere with or detract from the primary industrial function of the area;
- (g) In order to protect those areas which have been developed for industrial uses, the intrusion of uses which would be incompatible with industrial uses shall not be permitted;
- (h) Access shall be available from a public highway or public road of reasonable construction and year-round maintenance. Access must not create nor generate conditions that are considered to be hazardous to traffic movement on the surrounding road network;
- (i) Industrial uses shall be required to provide adequate off-street parking and loading and unloading areas. The implementing Zoning By-law will set out the number of parking spaces required for industrial uses and the regulations pertaining to loading and unloading facilities;
- (j) Adequate landscaping and buffering shall be provided between industrial uses and adjacent sensitive land uses such as residential uses. Such landscaping and buffering may include fencing, berms, tree and shrub planting, and/or grass strips. In the case of noise and odour producing industrial operations, separation distances between the industry and other incompatible land uses may be imposed by means of the implementing Zoning By-law;
- (k) All open storage areas shall be adequately screened in order to protect the adjacent uses and travellers on public roads from annoying visual intrusions;

- (l) Factors such as land use compatibility, suitability of soil type for development, site characteristics, impact on natural environment, and drainage characteristics/impacts must be given consideration;
- (m) Adequate drainage must either be available or readily capable of being made available. When reviewing drainage consideration shall be given to existing and potential impacts on ground and surface water quality and quantity, adjacent properties and roadways. Where such potentially deleterious materials as liquid fertilizers are stored and handled on-site, appropriate spills containment and contingency plans shall be required;
- (n) The Corporation of the Municipality of West Perth owns land in this designation. Such lands could be developed by means of an industrial subdivision and the lots could be sold for prospective industrial uses;
- (o) Site plan agreements pursuant to the provisions of Section 41 of the Planning Act, R.S.O. 1990, shall be required for all new industrial development;
- (p) The implementing Zoning By-law shall zone land in accordance with the policies of this Plan. The By-law shall contain suitable provisions for appropriate lot size, adequate setbacks from property lines, appropriate off-street parking and loading requirements, prohibition of obnoxious uses, control over outside storage, buffering, fencing, and lighting.

8.5.10.5 **Recreational Uses**

Permitted recreational uses shall be limited to outdoor recreational activities and, without limiting the generality of the foregoing, shall include conservation areas, picnic areas, hiking trails, baseball diamonds, soccer fields, and facilities for clubs involved in recreational activities.

8.5.10.6 **Institutional Uses**

The sewage treatment facility for the Ward of Mitchell is located in this designation and its location is shown in the cross-hatching pattern on Schedule "A4-15". It is a policy of this Plan that the existing sewage treatment facility be recognized as a permitted use. Any improvements that are made to the existing facility and which are located on the lands currently owned and used in connection with the existing treatment facility shall be permitted.

AMENDED BY OPA No. 17

8.5.11 **Site Specific Amendments**

Explanatory Note: The OPAs Nos. referenced in this Section correspond with the OPA numbers from the former local Official Plans and Not the County Official Plan.

(1) Part of Lot 6, Concession 1, Downie Township:

Specific types of farm-related commercial and industrial uses, non-farm related commercial uses, and institutional uses shall be permitted on a 3.7 hectare property at this location subject to the following:

- (a) The permitted farm-related commercial and industrial uses shall be limited to a farm implement sales and service establishment, an animal clinic and animal husbandry services (excluding outside boarding of animals), contracting and trades related to farm buildings and structures, a farm produce outlet, and accessory uses, including accessory retail outlets, wholesale outlets, and office uses, but excluding any accessory residential use. Such uses must be small-scale in terms of building size and number of employees;
- (b) The permitted non-farm related uses shall be a motel with an accessory single-detached dwelling to provide accommodation for the motel owner/proprietor, an automobile sales, leasing, and service business, and a bus depot;
- (c) The permitted institutional uses shall be limited to a church, a private school, and a public school;
- (d) Permitted uses shall not require municipal water and sewage services and shall meet all applicable requirements of the appropriate agency having jurisdiction over these issues;
- (e) Access shall be to Line 34 (Highway 8) and all requirements of the Ministry of Transport shall be satisfied;
- (f) A site plan agreement shall be required;
- (g) An amendment to the Township's implementing Zoning By-law shall be required.

(2) Part of Lot 1, Concession 4, Ellice (OPA No. 6):

Notwithstanding the policy of Section 8.4, uses described as a school bus depot, small-scale industrial uses and accessory uses (excluding any accessory dwelling use) shall be permitted on the existing lot in the extreme south-east corner of Lot 1, Concession 4.

- (3) Part of Lot 6, Concession 1, Ellice (OPA No. 14):

Notwithstanding the policy of Section 8.4, uses described as a retail store, personal service shop, public garage, business or professional office, clinic, automobile service station, car sales establishment, and accessory uses shall be permitted uses on properties in the extreme south-east corner of Lot 6, Concession 1, Ellice Township subject to the following:

- (a) The method of water supply and sewage disposal shall meet all applicable regulations of the appropriate regulatory body;
- (b) Access must not create nor generate conditions that are considered to be hazardous to traffic movement on the surrounding road network;
- (c) An amendment to the Township's implementing Zoning By-law is required; and
- (d) A Site Plan Agreement is required.

- (4) Part of Lot 41, Concession 1, Elma (OP):

Notwithstanding the policy of Section 8.5.8, uses described as Agricultural Society and fair activities, including the keeping of livestock and poultry, and a community living centre/facility shall be permitted on an approximate 8 hectare property in the north-west corner of Lot 41, Concession 1, Elma Township.

ADDED BY (5)
OPA No. 2

- Part of Lot 39, Concession 1, South Easthope Ward (Schedule "A-2"):

Notwithstanding the policy of Sections 8.5.1 and 8.6.1 of this plan to the contrary, the establishment of a new residential use described as a single-detached dwelling and the creation of a new lot for same shall be permitted on the land described as Part of Lot 39, Concession 1, in the South Easthope Ward and more particularly shown on Schedule "A-2" to this Plan. The new lot to be created shall have access to Forest Road. A new water supply is to be provided to the newly created lot; a new water supply provided for the retained lot; and the existing water supply to the dwelling on the retained lot disconnected.

ADDED BY (6)
OPA No. 25
and No. 74

Pt. Lot 2, and Lots 3, 4, 5 and 6, Registrar's Compiled Plan No. 430, and part of Lot 30, Concession 1 in the Elma Ward, Municipality of North Perth (Schedule "A-75"):

Notwithstanding the policies of this Official Plan to the contrary, the redevelopment of the above-noted properties for new highway commercial uses (i.e. uses oriented to serving the traveling public such as: restaurants; automobile service stations; public garages; and motels, as well as retail or wholesale outlets requiring large enclosed or open storage areas such as building supply outlets; and automobile sales and service establishments), as well as a financial institution, medical clinic, business or professional offices, and/or a retail store. The new uses may be developed subject to the following criteria being met:

- (a) That the additional new uses be limited to one building having a maximum gross floor area of 3,530 m² (38,000 ft.²), and that no individual use shall have a gross floor area greater than 1,858 m² (20,000 ft.²);
- (b) That the proponent obtain all necessary access, land use, development, and signage approvals and meet the applicable requirements of the appropriate road authority (i.e. either the Ministry of Transportation and/or the County of Perth) for access to the site;
- (c) An amendment to the implementing Zoning By-law and a Site Plan Agreement with the Municipality of North Perth;
- (d) The proposed municipal servicing must be approved by the Municipality of North Perth; and
- (e) A lot grading and drainage plan is required prior to the issuance of a Building Permit.

ADDED BY (7)
OPA No. 29

Part of Lot 39, Concession 1, South Easthope Ward, Township of Perth East (Schedule "A-33"):

Notwithstanding the policy of Sections 8.5.1 and 8.6.1 of this Plan to the contrary, the establishment of a new residential use described as one single-detached dwelling and the creation of one new lot for same shall be permitted on the land described as Part of Lot 39, Concession 1, South Easthope Ward in the Township of Perth East and more particularly shown on Schedule "A-33" to this Plan. The new lot to be created shall have an area of approximately 8,227 square metres and it will front onto and have access to Forest Road. The requirements of the Canadian National Railway Properties Inc. concerning a warning clause and any necessary abatement measures in respect to noise and vibration related to the CNR railway line shall be implemented through conditions of consent/severance approval at time of the new lot creation.

ADDED BY (8) Part of Lot 15, Concession 2, Logan Ward, Municipality of West Perth
OPA No. 35 (Schedule "A-39"):

Notwithstanding the policies of Sections 8.5.1 of this Official Plan to the contrary, residential development and the creation of new lots for same shall be permitted on the land described as Part of Lot 15, Concession 2, Logan Ward in the Municipality of West Perth and more particularly shown on Schedule "A-39" to this Plan subject to the following:

- (i) that development occurs on full municipal services;
- (ii) that development occurs through the plan of subdivision process;
- (iii) that any subdivision design incorporate public road access opportunities for the property to the west;
- (iv) a Zoning By-law Amendment be approved to regulate development once the details of the plan of subdivision are completed and approved by West Perth Council; and
- (v) that a pedestrian traffic study be completed.

ADDED BY (8A) Lot 10 and Part of Lot 11, Registered Plan No. 286 (Part of Lot 15,
OPA No. 52 Concession 2), Logan Ward, Municipality of West Perth (Schedule "A-55"):

Notwithstanding the policies of Sections 8.5.1 of this Official Plan to the contrary, residential development and the creation of new lots for same shall be permitted on the land described as Lot 10 and Part of Lot 11, Registered Plan No. 286 (Part of Lot 15, Concession 2), Logan Ward in the Municipality of West Perth and more particularly shown on Schedule "A-55" to this Plan subject to the following:

- (a) that development occurs on full municipal services;
- (b) that development occurs through either the consent or plan of subdivision process. If the consent process is used it shall only be used to sever the existing dwelling from the balance of the subject property and the balance of the subject property shall be developed through the plan of subdivision process;
- (c) a Zoning By-law Amendment be approved to regulate development once the details of the plan of subdivision are completed and approved by West Perth Council.

ADDED BY (9) Part of Lot 5, Registered Plan No. 286 (Part of Lot 15, Concession 2),
OPA No. 54 Logan Ward, Municipality of West Perth (Schedule "A-57"):

Notwithstanding the policies of Sections 8.5.1 of this Official Plan to the contrary, residential development and the creation of a new lot for same through the consent process shall be permitted on the land described as Part of Lot 5, Registered Plan No. 286 (Part of Lot 15, Concession 2), Logan Ward in the Municipality of West Perth and more particularly shown on Schedule "A-57" to this Plan subject to the following:

- (a) that development occurs on full municipal services;
- (b) a Zoning By-law Amendment be approved to regulate development once the details of the consent are completed.

ADDED BY (10) Part of Lot 39, Concession 1, South Easthope Ward, Township of
OPA No. 146 Perth East (Schedule "A-146"):

Notwithstanding the policies of Sections 8.5.1 and 8.6.1 of this Plan to the contrary, the establishment of a new residential use described as one single-detached dwelling and the creation of one new lot for same shall be permitted on the land described as Part of Lot 39, Concession 1, South Easthope Ward in the Township of Perth East and more particularly shown on Schedule "A-146" to this Plan, subject to the proponent completing a Feasibility Study as described in the Ministry of Environment's D-6 Series Guidelines completed to the satisfaction of the County.

ADDED BY (11) Lot 26, Registered Plan No. 439, Fullarton Ward, Municipality of West
OPA No. 174 Perth (Schedule "A-174"):

Notwithstanding the policies of Sections 8.5.1 of this Official Plan to the contrary, residential development and the creation of a new lot for same through the consent process shall be permitted on the land described as Lot 26, Registered Plan No. 439, Fullarton Ward in the Municipality of West Perth and more particularly shown on Schedule "A-174" to this Plan subject to the following:

- (a) the method of water supply and sewage disposal shall meet all applicable regulations of the appropriate regulatory body;
- (b) that access to the lot to be created shall be from Fischer Road;
and
- (c) a Zoning By-law Amendment be approved to regulate development once the details of the consent are completed.

ADDED BY OPA No. 47

8.5.12 **URBAN FRINGE AREAS NORTH AND SOUTH OF MILVERTON**

Permitted uses in the “Urban Fringe” designations north and south of Milverton as shown on the attached maps, Schedules “A-70-13” and “A-70-14” and described as part of Lots 6 & 7, Concession 3 and part of Lots 6 & 7, Concession 4 in the Mornington Ward shall be highway commercial type uses and existing residential and existing institutional uses. The permitted “Highway Commercial” uses shall be subject to the “Highway Commercial” policies as set forth in Section 4.3 of the Milverton Official Plan. Existing residential and institutional buildings may be enlarged and/or extended; however, no new residential or institutional uses shall be permitted.

Road access to the “Urban Fringe” area south of Milverton and to Special Policy A south and south-east of Milverton shall not be through abutting residential or recreational areas to the north, but rather from Perth Road 131, Line 61 or industrial areas to the north.

ADDED BY OPA No. 47

8.5.13 **“URBAN FRINGE” AREA WEST OF MITCHELL**

Permitted uses in the “Urban Fringe” designation as shown in hatching on the attached map, Schedule “A-70-15” shall be highway commercial type uses. Existing industrial and agricultural related commercial/industrial uses are also permitted. Permitted highway commercial type uses shall be subject to the “Highway Commercial” policies as set forth in Section 4.3 of the Mitchell Official Plan. New development shall be on the basis of full municipal servicing as opposed to individual on-site servicing.

8.6 **CONSENT/SEVERANCE POLICIES**

The following specific policies shall apply to consent applications which involve land within the “Urban Fringe” designations as shown on Schedule “A” (Land Use Plan). They are intended to implement the foregoing goals and policies and are to be applied in addition to the general consent/severance policies set forth in Section 16.3 of this Plan.

8.6.1 **New Lot Creation**

Except as permitted by Sections 8.5.8 and 8.5.9, consent applications to create new lots for the purpose of permitting new development within the “Urban Fringe” designation shall not be permitted. It is a policy of this Plan that the residential use enlargement permitted by Section 8.5.1 of this Plan, the commercial and industrial use enlargement and conversion of use permitted by Section 8.5.2 of this Plan, and the recreational, institutional, and utility use enlargements permitted by Section 8.5.3 of this Official Plan occur without the need for new lot creation.

8.6.2 **Lot Enlargement**

Consents for the purpose of enlarging existing lots shall be permitted provided that the following policies are satisfied:

- (a) The lot to be enlarged is used for the purpose permitted in accordance with the policies of this Plan;
- (b) The land that is to be severed for enlargement purposes is located within a designated “Urban Fringe” area;
- (c) The area being severed for lot enlargement purposes must be minimal in size and appropriate for the proposed use;
- (d) All of the lots involved in the consent application (e.g. enlarged lot and retained lot) must be in conformity with the provisions of the local municipality’s Zoning By-law. Where such is not the case, consideration shall be given to imposing a condition requiring an amendment to the implementing Zoning By-law to achieve Zoning By-law conformity; and
- (e) The area being severed for lot enlargement purposes must be united with the abutting lot to create one lot for Planning Act purposes.

8.6.3 **Lot Boundary Adjustments/Corrections**

Consents involving lot boundary adjustments/corrections may be permitted provided that such adjustments/corrections are minor in nature. Consideration will be given to the provisions of Section 50(3) and (5) of the Planning Act, R.S.O. 1990 and to the provisions of the local municipality’s Zoning By-law when dealing with such applications.

8.6.4 **Easements and Rights-of-Way**

Consents to create easements and/or rights-of-way may be permitted provided that no new lots are created and that the need is substantiated and acceptable to the consent granting authority.

8.6.5 **General Principles**

The following general principles shall apply to consent applications involving lands within the “Urban Fringe” designation:

- (a) Conflicting or incompatible land use activity should not be created or encouraged in “Urban Fringe” areas;
- (b) Regard shall be had for the protection of natural environment features and for the protection and preservation of existing woodlot areas; and
- (c) Regard shall be had for the protection of drainage systems, both surface ditch and tile drain systems.

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