

## **SECTION 6 - SETTLEMENT AREAS**

### **6.1 INTRODUCTION**

The type and extent of settlement area development which has occurred in Perth County varies considerably. There are serviced urban areas within which most of the non-farm development in the County has occurred; there are villages where residential and limited business, institutional, and recreational development has occurred; and there are hamlets where limited amounts of residential and non-residential development has occurred. This very basic hierarchy of settlement area development appropriately describes past and present settlement area development in Perth County and is considered an appropriate framework for continued settlement area development in the County.

This Plan takes a very strong approach with respect to the protection and preservation of agricultural lands, the protection and preservation of other resource oriented lands, and the efficient use of development lands. In doing so, policies associated with the resource oriented designations are very restrictive or prohibitive with respect to new non-farm development. Such policies form an integral part of the County's overall growth management strategy in that they force non-farm development to alternative locations in the various settlement areas throughout the County. It is therefore important that this Plan establish a workable framework and policy basis within which continued growth and development can occur in the identified settlement areas. At the same time, the Plan must recognize that many of the County's settlement areas, particularly the village and hamlet areas, have various limitations affecting the type and amount of growth that can reasonably occur at these locations. Of primary importance is the absence or availability of municipal servicing.

### **6.2 SETTLEMENT AREA HIERARCHY**

As noted in Section 6.1 above, a settlement area hierarchy consisting of serviced urban areas, villages, and hamlets is considered as an appropriate framework for continued settlement area development throughout the County. Each of these settlement area components is generally described below:

- 6.2.1 **Serviced Urban Areas** - are settlement areas which provide for a broad range of land uses, including residential, commercial, industrial, institutional, recreational, and utility uses. Full municipal servicing is available and is generally a requirement for new development. Development form is compact and greater efficiency in density of land uses have occurred. The serviced urban areas in the County consist primarily of the lands within the Listowel Ward, the Mitchell Ward, and the Milverton Ward. Each of these serviced urban areas serve as a primary growth and development area for the surrounding rural and agricultural areas. Where full municipal services are established in other designated settlement areas (i.e. larger "Village" areas), the transition of such areas from an unserviced settlement area to a serviced settlement area will be considered through an amendment to the County Official Plan.

6.2.2 **Villages** - are smaller settlement areas that are characterized as having a broad range of land uses and activities. While their significance from the commercial, industrial, and social standpoints have diminished over the years, many still host commercial uses which provide services to the local community, industrial operations that provide local employment opportunities, and institutional uses that serve as focal points for the surrounding rural areas. Development has occurred primarily on the basis of individual sewage disposal and water supply systems and new development has tended to occur through the plan of subdivision, individual consent, and conversion of land use processes. Some of the more recent subdivision development has occurred on the basis of partial municipal servicing (i.e.. municipal water supply). Villages tend to be characterized by development in depth or back lot development.

6.2.3 **Hamlets** - are the smallest of the identified settlement areas and are characterized as having a compact grouping of non-farm related development. Primary land uses are single-detached residential uses; however, some hamlets do host very limited amounts of commercial, industrial, institutional, and recreational development. Development has occurred on the basis of private sewage disposal and water supply systems and has tended to occur through the individual consent and conversion of use processes.

### 6.3 **SETTLEMENT AREA EXPANSIONS**

Proposals for the expansion of designated settlement areas will be carefully considered and reviewed with respect to their impact and effect on the overall planning strategy and policies of this Official Plan. An amendment to this Official Plan will be required for the expansion of a designated settlement area.

A proposal for the expansion of a designated settlement area must be supported by a documented need for the expansion. In considering the issue of need, a 20 year time horizon is to be used (in accordance with the Provincial Policy Statement). Where an expansion proposal involves prime agricultural lands, the issues of alternative locations for expansion and use of lower priority agricultural lands must be satisfactorily addressed. The applicable provisions of the Provincial Policy Statement shall apply in regard to proposals to expand a designated settlement area.

Proposals for settlement area expansions shall address the range of servicing approaches, servicing limits/constraints, impact on the settlement area character, road design, traffic implications, cost/benefit of the development to the municipality.

AMENDED BY OPA No. 142

### **6.3A Second Dwelling Units**

Within the “Serviced Urban Areas”, the “Villages and Hamlets”, the “Urban Fringe” areas adjacent to the Ward of Listowel, and the “Infilling” designations of this Official Plan, Second Dwelling Units are permitted as a means of providing affordable housing and improving efficiencies in the use of municipal infrastructure and public services.

Second Dwelling Units are self-contained residential units with kitchen and bathroom facilities that are accessory to another dwelling (the primary dwelling) and have independent entrance directly to the outside or through a common vestibule. Second Dwelling Units are located within the primary dwelling or within a separate structure that is accessory to a dwelling.

The implementing Zoning By-law for each lower tier municipality shall contain regulations to permit Second Dwelling Units and shall govern such matters as dwelling unit size for both the primary dwelling and the Second Dwelling Unit, spatial separation and setbacks, buffering, alterations to the exterior of the primary dwelling, and parking.

A Second Dwelling Unit may be permitted within any detached, semi-detached, or rowhouse dwelling; or within any building or structure accessory to such a dwelling that is more than 5 years in age and on the same lot as the dwelling.

New Second Dwelling Units must satisfy the following criteria:

- (a) A maximum of one Second Dwelling Unit is permitted per primary dwelling unit. Where another supplementary dwelling (e.g. a garden suite, a mobile home, etc.) exists, an additional Second Dwelling Unit is not permitted;
- (b) Additions to accessory buildings for the purpose of accommodating Second Dwelling Units are not permitted unless approved through a Zoning By-law Amendment or Minor Variance to the local Zoning By-law;
- (c) Second Dwelling Units must be clearly accessory to the primary dwelling;
- (d) Second Dwelling Units must be in keeping with the character of the surrounding neighbourhood;
- (e) Second Dwelling Units must be provided with water and sewage services to the satisfaction of the approval authority;
- (f) 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 adjacent properties and roadways;

- (g) The primary dwelling must be structurally suitable for the establishment of a Second Dwelling Unit and satisfy the building and fire requirements of the Ontario Building Code and all other relevant municipal and Provincial standards;
- (h) Second Dwelling Units are not permitted where a dwelling is only permitted as an accessory use to the main use of the property;
- (i) Second Dwelling Units are not permitted within existing dwellings located within hazardous lands such as flooding hazard lands, erosions hazard lands, or hazardous sites;
- (j) Second Dwelling Units are not permitted on lots which do not meet the minimum lot area requirement of the Zoning By-law;
- (k) Home occupations are generally not permitted within Second Dwelling Units. In situations where the nature of the Secondary Dwelling Unit will accommodate a Home Occupation and where a Home Occupation is not located within the primary dwelling, the local municipality may consider an amendment to its implementing Zoning By-law or Minor Variance to permit a Home Occupation within the Second Dwelling Unit; and
- (l) Second Dwelling Units are not permitted within a mobile home.

6.4  
6.4.1

**SERVICED URBAN AREA**  
**Goals**

The following general goals are established for the "Serviced Urban Area" designation:

- (a) To recognize the importance of serviced urban centres in the County and the role that they play in future growth and development opportunities within the County;
- (b) To provide servicing infrastructure and capacity that is capable of serving projected growth and development;
- (c) To maintain a supply of land capable of accommodating projected growth and development;
- (d) To maximize the use of servicing infrastructure and land utilization by promoting and encouraging a compact, intensified form of development;
- (e) To provide for a wide range of land use activities, including residential, commercial, industrial, institutional, recreational, and utility uses;
- (f) To provide for a wide range of housing types to satisfy the majority of the housing demand within the County;

- (g) To continue in their role as the commerce and social focal points for the rural parts of the County;
- (h) To preserve, conserve, and protect the natural features and attributes which exist in these areas; and
- (i) To provide a friendly, healthy environment within which County residents can live and work.

*AMENDED BY OPA No. 104*

6.4.2 **Land Use Designation and Mapping**

The general goals and policies for the “Serviced Urban Area” designation shall apply to the areas shown as “Serviced Urban Areas” on Schedule “A” (Land Use Plan) and Schedules “A6-1” and “A6-2”

*AMENDED BY OPA No. 104*

6.4.3 **Definition/Permitted Uses**

Serviced urban areas are settlement areas which provide for a broad range of land uses, including residential, commercial, industrial, institutional, recreational, and utility uses. The fully serviced urban areas that form part of the County are the Listowel Ward (former Town of Listowel), Mitchell Ward (former Town of Mitchell), and the Milverton Ward (former Village of Milverton) and they are to serve as the primary growth and development areas for the County. Full municipal servicing is available and is a requirement for new development. It is intended that these serviced urban areas be the principal location for new non-farm related residential, commercial, and industrial growth in the County. The Urban areas of Atwood and Shakespeare are partially serviced with full municipal sanitary services and partial municipal water. It is intended that these partially serviced urban areas will become fully serviced. The local municipality is encouraged to work toward providing full services within the time frame of this plan.

The serviced urban areas of Stratford and St. Marys are geographically within the County but do not form part of the County. These separated municipalities do serve as growth and development areas for rural/agricultural areas surrounding them.

Generally, permitted uses are described as a variety of residential housing types, a variety of commercial uses, industrial uses, natural resource and environment uses, institutional and public utility uses, recreation and open space uses, and other specific uses and/or designations necessary to reflect the unique needs and character of the respective serviced urban areas. While agricultural land uses may be permitted, no new livestock or poultry operations or the expansion of existing livestock or poultry operation shall be permitted.

6.4.4 **General Policies**

6.4.4.1 **Local Official Plans**

Development within the "Serviced Urban Area" designations for the Listowel, Mitchell, and Milverton Wards shall be in accordance with the specific land use designations and policies of existing local Official Plan documents. Each of the serviced urban areas within the County presently has an approved Official Plan document and is required to maintain one through time or until such time that such local Official Plans are incorporated into the County's Official Plan. Any comprehensive reviews/updates of the existing local Official Plan documents and all amendments to local Official Plan documents are required to conform to all applicable policies of this Plan, including the "Serviced Urban Area" policies.

The content and form of local Official Plan documents may vary from one "Serviced Urban Area" to the next; however, they shall contain, as a minimum, general development and land use policies dealing with the following issues:

- (a) Future growth and development and their role in accommodating the County's future projected growth;
- (b) Residential, including low, medium and high density residential uses, affordable housing, special needs housing, infilling and intensification;
- (c) Commercial, including downtown commercial, highway commercial, shopping centre commercial (where appropriate), neighbourhood commercial and other commercial uses, as necessary;
- (d) Industrial, including a broad range of industrial uses;
- (e) Institutional, including health, cultural, and educational facilities, public recreational facilities, government offices, public utilities and related uses activities;
- (f) Natural resource/environmental protection policies;
- (g) Supply of land for future growth and development and the provision of necessary servicing infrastructure and capacity to serve same;
- (h) Community improvement;
- (i) Municipal services;
- (j) Transportation; and
- (k) Implementation policies.

#### 6.4.4.2 **Municipal Services**

All new development in areas designated "Serviced Urban Area" shall be serviced by municipal water supply and sanitary sewage services. An exception to this servicing requirement may be applied in the case of areas identified specifically for limited industrial or commercial development that do not require municipal sanitary sewage services. In such cases, the policies and provisions of Ontario Building Code Act and/or the Ministry of the Environment shall apply.

#### *ADDED BY OPA No. 104*

Limited infill development or redevelopment may be permitted on private water services in the urban areas of Atwood and Shakespeare in accordance with the policies of this plan.

#### 6.4.4.3 **Housing Policies**

Local Official Plans shall contain appropriate policies dealing with housing issues in the "Serviced Urban Area(s)". Such policies shall address the following:

- (a) Maintaining at all times a minimum 10 year supply of land that is designated and available for residential development and residential intensification;
- (b) Maintaining at all times, where new development is to occur, a minimum 3 year supply of lands for residential development with servicing capacity in draft approved or registered plans;
- (c) Encouraging housing forms and densities designed to be affordable to moderate and lower income households; and
- (d) Encouraging residential intensification in existing built-up and newly developing areas. Existing density targets and intensification policies shall be reviewed and updated as appropriate.

#### *ADDED BY OPA No. 97*

#### 6.4.4.4 **Site Specific Amendments**

- (1) Notwithstanding the policies of Section 6.4, Section 6.6, Section 6.6.2, Section 16, and Section 17.2.6 of this Official Plan to the contrary, the creation of "parcels of tied land" through the Common Elements Condominium process under the Condominium Act may be permitted on the properties described below without the need for each "parcel of tied land" to directly front on and have direct access to an existing public road which is maintained on a year-round basis. These properties must directly front on and have direct access to a private road which is a part of the common elements of the Common Elements Condominium and which is built and maintained to standards acceptable to the Municipality of North Perth. The subject properties are:

- (i) Block 187 and Block 188, Registered Plan 44M-33 (Forbes Cres.) in the Elma Ward;
- (ii) Block 158, Registered Plan 563 (Wallace Ave. S.) in the Listowel Ward;
- (iii) Block 159, Registered Plan 563 (Wallace Ave. S.) in the Listowel Ward;
- (iv) Block 11, Registered Plan 44M-3 (Albert Ave. N.) in the Listowel Ward;
- (v) Block 160 and Block 161, Registered Plan 563 (Bamford Dr.) in the Listowel Ward; and
- (vi) Part of Park Lot 7, Registered Plan No 159 (Elizabeth St. W.), in the Listowel Ward.

*ADDED BY  
OPA. 102*

*ADDED BY OPA No. 104*

6.4.5 **Atwood and Shakespeare**

The following policies of this plan are intended to guide land use change in the urban areas of Atwood and Shakespeare.

6.4.6 **New Lot Creation**

It is intended that new lot creation will occur primarily through the plan of subdivision process. Both the County and local municipal Councils must be satisfied in regard to matters such as the proposed use, the scale of the development, the provision of 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.

New lots created by consent in Atwood and Shakespeare should constitute either infilling or the logical, orderly expansion of the existing built-up area to fill in the existing designated areas. The policies of Section 16.3 of this Official Plan shall apply to applications for consent.

6.4.7 **Servicing Requirements**

Not all of the lands in the settlement areas are serviced with municipal water supply. When considering applications for new development the preferred servicing option is connection to municipal water and sewer services.

The following policies shall apply to all development or redevelopment:

- 6.4.7.1 All new development shall be connected to the municipal sanitary sewer system;

- 6.4.7.2 New development shall be directed to areas that allow for extensions to existing water supply, sanitary sewerage and storm water systems in an economic and practical manner;
- 6.4.7.3 New sanitary and storm sewers will be over-sized according to the level of development anticipated by the local municipality relative to the service area;
- 6.4.7.4 Development proceeding by plan of subdivision or multiple unit developments shall be connected to the municipal water supply system;
- 6.4.7.5 Where municipal water is not available or feasible small scale development or redevelopment, including consents for the creation of new residential lots, may be permitted on private wells subject to the approval of the local municipality; and
- 6.4.7.6 Costs for upgrades to municipal water, sanitary sewers and storm sewer systems to service new development shall be paid for by the developer.

Notwithstanding the policies of this plan those land within the Atwood Urban Area that are located north of Line 75 (Monument Road) on Road 164 do not have municipal water or sanitary services. These properties are known municipally as 7316 Road 164, 7319 Road 164, 7337 Road 164, 7335 Road 164 and 7333 Road 164. Small scale development or redevelopment on these lands may take place on existing private services.

6.4.8

**Residential**

Residential development has traditionally been in the form of single detached residences on lots large enough to accommodate private wells and septic systems. With the provision of municipal sanitary services new residential development is anticipated to be on smaller lots and at higher densities than in the past.

The “Residential” designation of land shall mean that the primary use of land in the areas so designated will be for a variety of residential uses and dwelling types. The types of dwellings and permitted uses shall include: but are not necessarily limited to, single-detached dwellings; group home dwellings, semi-detached dwellings; duplex dwellings; triplex dwellings; fourplex dwellings, converted dwellings, townhouse dwellings, and apartment dwellings.

6.4.8.1

**Residential Density**

The following densities shall be used as general guidelines:

- |                            |   |
|----------------------------|---|
| up to 15 units per hectare | single-detached dwellings   |
| 15 - 25 units per hectare  | semi-detached, duplex dwellings   |
| 25 - 40 units per hectare  | triplex, fourplex, row/townhouse dwelling,<br>boarding house, and converted dwellings |
| 40 - 60 units per hectare  | apartments  |

The foregoing densities are general guidelines which the local Council may moderately increase or decrease, dependent upon the specific site circumstances, provision of onsite amenities, and capabilities of municipal servicing systems to accommodate any increase. Also, the dwelling types listed for each density classification shall not be considered exclusively limited to those dwelling types as the local Council may moderately modify these when considering specific residential development proposals.

#### 6.4.8.2 **Single-Detached, Semi-Detached, and Duplex Dwellings**

The following specific policies shall apply when proposals involving single-detached, semi-detached, and duplex dwellings are evaluated:

- (a) Development of this nature shall occur primarily by the plan of subdivision. Development should be at a greater density with smaller lots than has typically been built in the past where such development would generally be compatible in design, and character with existing adjacent and surrounding uses;
- (b) Adequate landscaping, buffering, and screening may be required to maintain the character and quality of the existing residential development in order to ensure that semi-detached or duplex dwelling development does not fragment or change the character of established single-family residential neighbourhoods;
- (c) Semi-detached and duplex dwellings shall be encouraged to be developed in groups or clusters rather than in scattered form;
- (d) Semi-detached and duplex dwellings shall be encouraged to locate in such a manner as to minimize movement and the level of traffic flow through low-density single-family residential neighbourhoods; and
- (e) Proposals which, in the opinion of the local Council, would result in undue financial burden on the municipality, especially with respect to the provision of school facilities, public utilities, or other necessary public services, shall not be permitted.

#### 6.4.8.3 **Triplex, Fourplex, Row/Townhouse and Apartment Dwellings**

The following specific policies shall be applied when proposals involving triplex, fourplex, row/townhouse, and low-rise apartment dwellings, as well as other multiple dwelling development are evaluated:

- (a) Such development should be encouraged to locate in proximity to community and neighbourhood recreation and open space areas and have ready access to commercial facilities;
- (b) Such development shall generally have access to an arterial or collector road in order to minimize high volumes of vehicular traffic on nearby,

quiet, low density residential streets. Access points onto municipal roadways should not create conditions that are hazardous to traffic;

- (c) Such development shall provide for adequate landscaping, buffering, and screening in order to enhance the appearance of the development and to minimize the land use conflicts with adjacent land uses;
- (d) The buildings and structures for this type of development shall be designed in such a way that they are compatible in scale, building height, and character with the surrounding area;
- (e) Upon application for this type of development, council may require that the applicant, through relevant engineering reports, prove that there is adequate capacity or allocation within the municipal service systems to accommodate the projected population of the development. Should the required capacity not be available, the proposal shall be considered premature until such time as sufficient capacity or allocation becomes available;
- (f) A site plan shall be required for all multiple family residential development involving more than 2 dwelling units except conversions of existing dwellings to multiple residential use.

The site plan shall indicate proposed building area, building elevations, parking and landscaping areas, points of access to abutting streets, elevation plans indicating the lot grades before and after construction, and a surface drainage plan. The applicant shall be required to enter into a site plan agreement under the authority of Section 41 of the Planning Act, RSO, 1990 if the local Council considers such an agreement necessary.

#### 6.4.8.4

#### **Conversion of Dwellings to Multiple Residential Use**

The following specific policies shall be applied when proposals involving the conversion of existing dwellings to multiple residential are evaluated:

- (a) Regulations for the minimum unit sizes, parking requirements, landscape requirements and other consideration shall be set out in the implementing municipal Zoning By-laws;
- (b) Where a dwelling is of sufficient size, no external alterations or additions will be permitted which would change the character of the building or neighbourhood, excepting those changes required for fire and safety purposes;
- (c) Dwellings subject to conversion should be situated in proximity to community recreation and open space areas and have ready access to commercial facilities;

- (d) Sufficient landscaping and buffering shall be provided around converted dwellings in order to minimize any apparent land use conflicts with adjacent land uses;
- (e) Adequate road access and off-street parking shall be provided, the number of required parking spaces shall be set out in the implementing Zoning Bylaw;
- (f) Municipal sanitary, storm, and water supply services must be available and have sufficient capacity to accommodate the development; and
- (g) A site plan shall be required for all conversions involving the creation of more than one (1) new dwelling. A site plan agreement pursuant to the provisions of Section 41 of the Planning Act, RSO 1990 may be required for such conversions.

#### 6.4.8.5 **Quality of Residential Environment**

Within residential areas, the local Council may pass by-laws to enhance the quality of the residential environment. Such by-laws may include, but are not restricted to, the following:

- (a) The designation of particular architectural and/or historic buildings for heritage conservation under Part IV of the Ontario Heritage Act;
- (b) The control of the removal of trees on public property under the Municipal Act;
- (c) Regulation of a constant line of building setback from the street line, consistent with existing buildings;
- (d) Regulation of the height of new buildings consistent with the prevailing height of buildings in the surrounding area;
- (e) Sign control or closing of streets to discourage their use as routes for heavy volumes of through traffic; and
- (f) A noise control by-law under the Environmental Protection Act.

#### 6.4.8.6 **Residential Development Pattern**

Residential development shall be encouraged to:

- (a) locate in areas which will minimize the cost of providing municipal services;
- (b) locate in areas which will be compatible with adjacent existing and proposed development;
- (c) locate in areas which will be adjacent to existing built-up areas;

- (d) be of an acceptable scale in relation to existing development;
- (e) generally be directed to locations where access is available from local and collector roads as opposed to direct access onto arterial roadways; and
- (f) be appropriately landscaped, buffered, and screened in order to maintain or enhance the visual amenities of the development when abutting rail lines, existing commercial/industrial uses, or different types of existing residential uses.

6.4.8.7 **Mobile Homes and Trailers**

Mobile homes and trailers shall not be permitted as dwellings in the "Partially Serviced Urban Area" land use designation, except by amendment to this Plan. The terms "mobile home" and "trailer" will be defined in the implementing Zoning By-law.

6.4.8.8 **Senior Citizen Housing, Nursing Homes, and Rest Homes**

Limited high density residential development for senior citizen housing, nursing homes, and rest homes will be permitted. When considering proposals for such development, the local Council shall apply the following criteria:

- (a) such facilities shall be encouraged to locate in areas which are in proximity to the core area so that residents are within walking distance of the full range of facilities and services located within the core area;
- (b) such buildings shall be designed in a manner which compliments and harmonizes with the character of the surrounding area;
- (c) adequate road access and off-street parking shall be provided, with the number of parking spaces being set out in the implementing Zoning By-law;
- (d) adequate landscaping, buffering, and screening shall be provided in order to ensure that the amenities of the surrounding area are protected;
- (e) the appropriate public agencies shall be encouraged to provide adequate senior citizen housing and public and private bodies shall be encouraged to provide nursing home and rest home facilities;
- (f) a site plan shall be required for all new senior citizen housing, nursing homes, and rest homes, and the conditions of a site plan agreement shall be met under the authority of Section 41 of the Planning Act, RSO 1990; and

- (g) senior citizen housing, nursing homes, and rest homes shall be placed in a separate zone classification in the implementing Zoning By-law. An amendment to the implementing By-law shall be necessary in order to establish new senior citizen housing, nursing homes, and rest homes.

#### 6.4.8.9 **Group Homes**

For the purposes of this Subsection, group homes are generally defined as a single housekeeping unit in a residential dwelling accommodating a small number of persons living in a supervised environment who, for social or health reasons, require a group living arrangement. Group homes, in which three to ten persons (excluding supervisory staff or the receiving family) live as a family, must be licensed and/or approved for funding under Provincial Statutes and must serve the local needs and the surrounding rural areas. Group Homes may be permitted in accordance with the following policies.

- (a) **Type and Nature**

There are several types of group homes that may be licensed and/or approved under Provincial and/or Federal statutes. While this Official Plan makes no distinction between group home types, the local municipality may, through its implementing Zoning By-law, identify different category types for group homes and establish regulations appropriate for these category types.
- (b) **Zoning By-law**

An amendment to the local municipal Zoning By-law shall be required prior to the establishment of any group home. The implementing Zoning By-law will set forth provisions and regulations for group home which will address matters such as definitional requirements, separation distances between group home, on-site parking, and licensing/registration requirements.
- (c) **Registration**

The local municipality shall require the registration of group homes in accordance with the provisions of the Municipal Act. As a condition of registration, the owner and/or operator of a group home shall be required to demonstrate compliance with the Ontario Building Code, the Ontario Fire Code, and the local Zoning By-law and Maintenance and Occupancy Standards By-law. Inspections shall be conducted, as necessary, by the local municipality prior to registration. The registration of group homes shall be subject to annual renewal.
- (d) **Public Input**

The local municipality may establish a process for reviewing and approving applications for the registration of group homes and the appropriate means to ensure that the public is informed in a timely manner of any proposal to establish a group home in the local municipality.

6.4.8.10 **Home Occupations**

Home occupations that comprise a secondary use carried on entirely within a single-detached dwelling, a semi-detached dwelling, or a duplex dwelling may be permitted. Such home occupation shall be small scale in size, shall be conducted only by the person(s) residing in the dwelling, and must clearly be secondary to the main use of the dwelling as 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.

6.4.8.11 **Bed and Breakfast Establishments**

Bed and breakfast establishments carried on entirely within a single-detached dwelling or in a detached building accessory to a single-detached dwelling may be permitted. Where permitted, the bed and breakfast establishment must be clearly secondary to the main use of the dwelling as a private residence and not change the character of the dwelling as a private residence. The local municipalities implementing Zoning By-law shall contain specific zoning requirements for the purpose of regulating bed and breakfast establishments.

6.4.9 **Commercial**

Historically, commercial and business uses in Atwood and Shakespeare have developed and located along the main roads, being Main Street Atwood (Highway 23) in Atwood and Line 34 (Highway 7/8) and Perth Road 107 in Shakespeare. Commercial uses such as retail stores, shops, restaurants, banks, gas stations and business office uses have located along these corridors. Development form has been and should continue to be compact in order to achieve a greater efficiency and density of land use and better utilization of servicing infrastructure.

These commercial and business establishments provide a variety of goods and services that serve the local residents as well as the broader area. These commercial uses are important for the community providing goods and services, but they also provide a source of employment for area residents and a source of taxation revenue for the municipality. Accordingly, the preservation and enhancement of these commercial areas is of significant importance to the overall vitality of these settlements and their future growth and development.

6.4.9.1 **Goals and Objectives**

The following goals and objectives are established for the “Commercial” land use designation:

- (a) To provide for a range of commercial goods and services which are needed on a regular basis by residents of the settlement area and its surrounding market area;
- (b) To promote the continued development of commercial and business activities in a compact, attractive, and well defined central commercial/core area;
- (c) To establish policies and performance standards to guide and maintain a desirable level of commercial development;
- (d) To minimize potential for land use conflicts between uses by ensuring compatibility among commercial and business uses and with adjacent land uses;
- (e) To preserve and enhance the character of the Settlement areas commercial area;
- (f) To encourage co-operative and innovative approaches and programs aimed at improving and enhancing the vitality and attraction of the commercial area.

6.4.9.2 **Definition/Permitted Uses**

Within these urban areas all forms of retail and service commercial facilities, business and professional offices, hotels/motels, eating establishments, and places of entertainment shall be permitted.

Proposals for new commercial uses or redevelopment of existing commercial properties shall be considered subject to the following policies:

- (a) Lot shall be appropriate for the use;
- (b) New commercial facilities are encouraged to locate in proximity to existing commercial uses to maintain a compact form and concentration of similar land uses;
- (c) Municipal water and sewage services with sufficient capacity to serve the use must be available. New Commercial development shall not be permitted on private or partial municipal services;

- (d) 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;
- (e) 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;
- (f) Adequate off-street parking and loading/unloading facilities shall be provided;
- (g) Adequate buffering shall be provided and such buffering may be in the form of fencing, landscaping, and/or additional setback provisions;
- (h) 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;
- (i) An amendment to the local municipality's implementing Zoning By-law shall be required; and
- (j) 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.

#### 6.4.9.3 **Residential Uses**

Existing residential buildings and uses are recognized as being permitted within the Commercial designation. New residential units in an existing building may be permitted through conversion within the existing building. Expansion of the building for residential purposes shall be permitted in accordance with the municipalities Zoning By-law.

New residential uses in the "Commercial" designation shall be permitted only in the upper stories of commercial use buildings where they do not interfere with or detract from the primary commercial/business function of the area.

#### 6.4.9.4 **Residential to Commercial Conversion**

The “Commercial” designation includes a number of existing residential uses. Where a proposal has been received for the conversion of a dwelling to a commercial use, the following policies shall apply:

- (a) the building is structurally sound and suitable for the increased use associated with a commercial operation;
- (b) there is sufficient parking available for the proposed use either on the site, on a nearby site, or through municipal parking;
- (c) the proposed use would be compatible with the existing character of the surrounding uses; and
- (d) an amendment to the local municipality’s implementing Zoning By-law shall be required; and
- (e) replacement of existing buildings with new construction is permitted provided that the design and character of the construction is either consistent with adjacent development or appropriate for the area.

#### 6.4.10 **Industrial**

The industrial base of a community is important for ensuring economic growth and for creating employment opportunities which help to sustain population growth. Tax revenue which is generated by industry provides municipal income for use in municipal operating expenditures and provision of services. Industry in Atwood and Shakespeare has historically been smaller in nature and often serving the local and agricultural markets in the area. There are limited opportunities for new industrial uses to be located in these settlement areas. New Industrial uses shall only be established through amendment to this plan. Expansion of existing industrial uses shall be permitted subject to the policies of this plan.

##### 6.4.10.1 **Definition/Permitted Uses**

Permitted industrial uses shall be limited to those considered to be light (Class I) or medium (Class II) industrial uses in accordance with MOE Guideline D-6 “Compatibility Between Industrial Facilities and Sensitive Land Uses”, and which are deemed appropriate for location in proximity to sensitive land uses. The following policy/criteria shall apply:

- (a) Lot size shall be appropriate for the use;

- (b) 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;
- (c) 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;
- (d) Adequate off-street parking and loading/unloading facilities shall be provided;
- (e) Adequate distance separation and buffering shall be provided from adjacent residential areas or other sensitive uses such as seniors housing. 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;
- (f) 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 and expansions to existing uses;
- (g) An amendment to the local municipality's Zoning By-law shall be required; and
- (h) 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.

It shall be a policy of this plan that existing industrial uses located in proximity to sensitive land uses shall not be permitted to expand without amendment to this plan. Such uses shall be encouraged to relocate over time and the lands converted to more appropriate uses.

Where lands adjacent to industrial uses are proposed to be developed or redeveloped the local municipality shall consider mitigation between industrial and sensitive land uses. The local municipality may consider options for mitigation in accordance with MOE Guideline D-6 "Compatibility Between Industrial Facilities and Sensitive Land Uses" or other measures as deemed appropriate by the local municipality.

6.4.11 **Institutional/Recreational**

Institutional/Recreational uses such as schools, churches, cemeteries, public buildings and facilities, and parks and playgrounds shall be permitted. Such uses are intended to serve the needs of the local community.

In evaluating proposals for the various institutional uses, the local Council shall apply the following criteria:

- (a) adequate off-street parking areas shall be provided. The number of required parking spaces shall be set out in the implementing Zoning Bylaw;
- (b) access shall be available from a public roadway and such access must not create nor generate conditions that are considered to be hazardous to traffic movement on the surrounding road network;
- (c) where a proposed institutional use will abut a lot(s) used for residential purposes, adequate provision shall be made for landscaping, buffering, and/or screening;
- (d) existing institutional uses shall be placed in a separate zone classification in the implementing Zoning By-law. An amendment to the implementing By-law shall be necessary in order to establish a new institutional use; and
- (e) a site plan shall be required for all new institutional uses and the conditions of a site plan agreement shall be met under the authority of Section 41 of the Planning Act.

6.4.11.1 Parks and playground areas should be located and designed in such a way as to harmonize with and enhance the surrounding uses. It is the intent of this Plan that parks and playground areas be acquired and developed through the following actions:

- (a) a parkland dedication of 5 per cent or cash-in-lieu shall be required for lands being subdivided for residential purposes pursuant to Section 51 of the Planning Act. Cash-in-Lieu may be used to purchase parkland, upgrade park facilities, or for other public recreational uses as provided in Section 51 of the Planning Act;
- (b) as a condition of development or redevelopment of land, Council may, by by-law applicable to the local municipality or to any defined area or areas thereof, require that land in an amount not exceeding, in the case of land proposed for development or redevelopment for commercial or industrial purposes, 2 per cent and in all other cases 5 per cent of the land to be conveyed to the local municipality for park or other public recreational purposes; and

- (c) through public purchase, donations, gifts, and bequests of land and/or monies.

#### 6.4.12 **Highway Access**

Where a proposed development fronts onto and is to have access to a Provincial Highway, all required permits must be obtained from the Ministry of Transportation for Ontario. Permits are normally required for buildings, new entrances, upgraded entrances, and signs. The owner/developer may be required to provide traffic impact studies and a storm water management plan in support of the proposed development. Any necessary improvements shall be the responsibility of the owner.

The number of highway access points should be minimized. Consideration will be given to providing access to new development via local roads and service roads.

#### 6.4.13 **Re-use of Industrial Lands**

Where Municipal records or other information indicate that a site may be contaminated by a prior or current use, a Phase 1 Environmental Site Assessment (ESA) that documents prior uses may be required to accompany any application for development.

Where this preliminary information indicates the likelihood of contamination, further investigation will be required to determine the extent of contamination and any measures necessary to clean up the site in accordance with Ministry of Environment requirements. No redevelopment of industrial or commercial lands shall be permitted unless the applicant has filed a record of site condition in the Provincial Registry. Clean-up of contaminated sites must be done in accordance with the "Record of Site Condition Regulation" (O. Reg. 153/04) and with the Ministry of the Environment guideline "Records of Site Condition – A Guide on Site Assessment, the Clean-up of Brownfield Sites and the Filing of Records of Site Condition" dated October 2004 or associated guidelines. The Municipality may also request the filing of a Record of Site Condition when reviewing planning applications for development that may be contaminated but do not require mandatory filing.

#### 6.4.14 **Zoning By-law**

The local municipality's implementing Zoning By-law shall zone lands in the urban areas of Atwood and Shakespeare in accordance with the policies of this plan. The Zoning By-law shall contain regulations regarding matters such as permitted uses, minimum lot size, maximum lot coverages, yard setbacks, off-street parking, loading and unloading facilities, landscaping and buffering provisions, and accessory buildings and structures.

6.4.15 **Site Specific Amendments**

Explanatory Note: None to Date

6.4.16 **Consent/Severance Policies**

The following specific policies shall apply to consent applications which involve land within the Partially Serviced Urban Area designation 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.

6.4.16.1 **New Lot Creation**

New lots created by consent should constitute either infilling or the logical, orderly expansion of the existing built-up area to fill out the existing designated areas. Infilling is generally described as the development of a proposed single use between two existing uses which are separated by not more than the width of one lot appropriate for the proposed use and which fronts onto the same side of the public street.

6.4.16.2 **Lot Size**

The lot frontage, depth, and size of all lots proposed to be created in these urban areas must be appropriate for the proposed use and should, wherever feasible, be consistent with lots in the immediate area. The local municipality's implementing Zoning By-law shall set forth minimum lot area and frontage requirements for the different types of permitted uses.

6.4.16.3 **Servicing**

Consents will be granted only where it is clear that there would be no undue extension of any major service that is provided by the municipality. In addition, consent applications involving development on private water services shall satisfy the servicing policies of Section 6.5.4.3 (A) and (C) of this Official Plan.

6.4.16.4 **Residential Development**

Only those applications for residential development which comply with the policies of Section 6.6.4 of this Official Plan will be considered for approval.

6.4.16.5 **Commercial and Industrial Development**

Only those applications for commercial and/or industrial development which comply with the policies of Section 6.6.4 of this Official Plan will be considered for approval.

6.4.16.6 **Institutional, Recreation, and Community Facility Development**

Only those applications for institutional, recreation, and/or community facility uses which comply with the policies of Section 6.5.4 of this Official Plan will be considered for approval.

6.4.16.7 **Land Use Compatibility**

All consent applications for new development will be carefully reviewed to ensure that the use is compatible with neighbouring land uses and appropriate for the property in question.

6.4.16.8 **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 a purpose permitted in accordance with the policies of this Plan;
- (b) The land that is to be severed for enlargement purposes is located within the limits of the designated Partially Serviced Urban Area;
- (c) The area being severed for lot enlargement purposes should 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 implementing 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 to the abutting lot to create one lot for the purpose of Section 50 of the Planning Act.

6.4.16.9 **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 Sections 50(3) and (5) of the Planning Act, R.S.O. 1990 and to the provisions of the local municipality's implementing Zoning By-law when dealing with such applications.

6.4.16.10 **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. All access, development and signage must meet the applicable requirements of the appropriate approval authority.

6.4.16.11 **General Principles**

The following general principles shall apply in the case of consent applications:

- (a) Conflicting or incompatible land use activity should not be created in these 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) When dealing with lot creation proposals, due consideration shall be given to matters such as lot grading, surface drainage, and overall drainage system(s) in the area. Lot grading and drainage plans will be required when deemed appropriate by the local municipality and/or consent granting authority. Where appropriate, lot grading and drainage considerations should be dealt with on a coordinated basis.

6.4.17 **Site Specific Amendments**

*ADDED BY* (1) Part of Lot 22, Concession 1, North Easthope Ward, Township of Perth  
*OPA No 125* East (Schedule "A-123"):

Notwithstanding the policies of Section 6.4 and 16.3 of this Official Plan to the contrary, on the subject lands described as part of Lot 22, Concession 1 in the North Easthope Ward of the Township of Perth East (shown in cross hatching on Schedule "A-123" attached hereto) a lot to be used for passive recreational purposes and that does not have public road frontage may be created subject to the following conditions:

- (a) Access to the passive recreational use lot shall be by an easement across an abutting residential lot to Line 34 (Highway No. 7/8);
- (b) An approved amendment to the Perth East implementing Zoning By-law shall be required in order to regulate the use of the passive recreational use lot;
- (c) No buildings or structures shall be permitted on the passive recreational use lot; and

- (d) The Township of Perth East and the consent granting authority must be satisfied that the ownership of the property is appropriate for the proposed passive recreational use of the subject lands.

## 6.5 **VILLAGES and HAMLETS**

This section contains policies for both the "Village" designation and the "Hamlet" designation. While these are separate and distinct designations in this Official Plan, many of the policies are either the same or similar. For this reason, the policies for the "Village" and "Hamlet" designations have been combined into one policy section with distinctions in policy as noted.

### 6.5.1 **Goals**

The following goals are established for the "Village" and "Hamlet" designations:

- (a) To establish the village/hamlet boundaries and to encourage logical, orderly growth within the identified boundaries. In establishing village/hamlet boundaries, the need to take into account that limits to growth do exist has been recognized;
- (b) To provide a local focus for non-farm development, including residential, commercial, industrial and institutional uses, for the surrounding rural area;
- (c) To permit limited amounts of growth to occur, where appropriate. The amount of growth permitted in a particular village/hamlet will be dependent upon its relative size and the extent of limitations to growth for that village/hamlet. Ideally, the growth of a village area should be responsive to local needs as opposed to growth pressures from outside of the County;
- (d) To encourage a level of growth consistent with the resources of the local municipality; and
- (e) To preserve the natural setting and rural character of the village/hamlet areas.

### 6.5.2 **Land Use Designation and Mapping**

The policies for the "Village" and "Hamlet" designations shall apply to the areas shown as "Village" and "Hamlet" on Schedule "A" (Land Use Plan) to this Official Plan. The Schedule "A" maps consist of the County-wide map which shows the general location of the "Village" and "Hamlet" areas and the smaller inset maps (e.g. Schedule "A1-1", "A1-2", "A2-1", "A2-2", etc.) which show the specific boundaries for the "Village" and "Hamlet" areas.

### 6.5.3 **Definition/Permitted Uses**

The "Village" designation shall mean that areas so designated will be used and developed for a broad range of uses, including residential, commercial, industrial, institutional, recreational, and utility uses. Other uses permitted include home occupations and bed and breakfast establishments.

The "Hamlet" designation shall mean that areas so designated will be used and developed primarily for residential uses. Other uses permitted may include commercial, industrial, institutional, recreational, and utility uses. Home occupations and bed and breakfast establishments are also permitted.

### 6.5.4 **Policies**

#### 6.5.4.1 **New Development**

New development in the "Village" and "Hamlet" areas will occur through the infilling process, the expansion of the existing built-up area (i.e. within existing designated area), or through the conversion of use process.

Infilling is generally described as the development of a proposed single use between two existing uses which are separated by not more than the width of one lot appropriate for the proposed use and which fronts onto the same side of the public street.

Any expansion of the existing built-up area within the "Village" designation must be based on a proven need. As a general rule, the expansion of a village shall be in depth as opposed to being spread out along existing roadways in a linear fashion. Adequate provision shall be made in appropriate locations for future access points from existing roads to areas behind existing development for future backlot development.

Any expansion of the existing built-up area within the "Hamlet" designation must be minor in nature and shall generally be limited to the rounding out or squaring off of the built-up area.

The type and extent of new development permitted may vary from one village/hamlet to the next and will be dependent upon the limitations to growth for each of the villages/hamlets.

#### 6.5.4.2 **New Lot Creation**

The creation of new lots for proposed development in the "Village" designation shall occur through either the consent/severance process or the registered plan of subdivision process. The creation of new lots for proposed development in the "Hamlet" designation shall occur only through the consent/severance process. The policies of Section 6.5.5 of this Plan shall apply to consents/severances while the policies of Section 16.2 shall apply to plans of subdivision.

In considering proposals for the creation of new lots, the scale of development permitted will be dependent on the type of servicing that is proposed and/or available. The applicable policies of the 2005 Provincial Policy Statement shall apply.

#### 6.5.4.3 **Servicing**

In accordance with the policies of the 2005 Provincial Policy Statement, servicing in the “Village” and “Hamlet” areas shall be in the form of municipal services, private communal services, or individual on-site services. While individual on-site sewage and water services are the principal means of servicing today, encouragement will be given to other permitted servicing types as appropriate.

##### (A) Water Services

Water supply for new development shall be by individual on-site, private communal, or municipal water services, with the scale of development, site considerations, and the availability of existing servicing being primary considerations. In accordance with the policy of the 2005 Provincial Policy Statement, individual on-site water services shall be used only for new development of five or less lots or private residences. The proposed method of water supply and the supporting documentation for new development shall be carefully reviewed and considered at the development review stage. The proposed method of water supply must be acceptable to the local municipal Council and the regulatory agencies having jurisdiction. The quality of water to service the proposed development shall meet the health parameters of the Ontario Drinking Water Objectives.

##### (B) Sewage Services

Sewage services for new development shall be by individual on-site, private communal, or municipal sewage services, with scale of development, site consideration, and availability of existing servicing being primary considerations. In accordance with the policy of the 2005 Provincial Policy Statement, individual on-site sewage services shall be used only for new development of five or less lots or private residences. The proposed method of sewage treatment and the supporting documentation for new development shall be carefully reviewed and considered at the development review stage. The proposed method of sewage service must be acceptable to the local municipal Council and the regulatory agencies having jurisdiction of sewage services.

(C) Surface Water Management

Proponents of multiple consent/severance applications, plans of subdivision and multiple residential unit developments, commercial, industrial and recreational uses may be required to submit storm water management plans. Such plans should incorporate appropriate best management practices as may be required by Provincial agencies, the Conservation Authority, and /or the local municipality to manage post development storm water for quantity and quality control. New development should not adversely affect surface water resources.

6.5.4.4 **Residential Uses**

Permitted residential uses in “Village” areas shall be limited to single-detached dwellings, semi-detached dwellings, duplex dwellings, apartments above or to the rear of commercial establishments, and multiple residential development such as small apartment buildings or seniors housing containing eight residential units or less. Garden suites associated with single-detached dwelling uses may be permitted provided the size of the subject lot is adequate to accommodate the additional dwelling and the servicing needs associated with both the principal dwelling and the garden suite. Group homes may also be permitted.

Permitted residential uses in “Hamlet” areas shall be limited to single-detached dwellings, semi-detached dwellings, duplex dwellings, and apartments above or to the rear of commercial establishments.

The following criteria shall apply to the permitted residential types as noted above:

- (A) Single-detached, semi-detached, and duplex dwellings
- (a) method of water service must satisfy the policy of Section 6.5.4.3(A);
  - (b) method of sewage service must satisfy the policy of Section 6.5.4.3(B);
  - (c) minimum lot size shall be appropriate for the use and consistent, where possible, with adjacent uses of a similar nature. The local municipality's implementing Zoning By-law shall establish the minimum size requirement;
  - (d) access must be available to a public road(s) 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;

- (e) where the creation of a new lot or lots is required for the proposed development, the policy of Section 6.5.4.2 must be satisfied;
  - (f) factors such as land use compatibility, suitability of soil type for development, site characteristics, impact on natural environment, and drainage characteristics/impacts shall be given consideration;
  - (g) design of the proposed development should be consistent with and in harmony with the general form and density of existing development; and
  - (h) provision of open space/parkland shall be considered.
- (B) Apartments Above or to Rear of Commercial Establishments
- (a) shall be limited to not more than two dwelling units. Such dwelling units must be secondary to the primary use of the property/building for commercial purposes and must be situated above or to the rear of the commercial area;
  - (b) proposed water service must satisfy the policy of Section 6.5.4.3(A);
  - (c) proposed sewage service system must satisfy the policy of Section 6.5.4.3(B); and
  - (d) lot size must be sufficient to accommodate both the commercial use and the secondary apartment use. The local municipality's implementing Zoning By-law shall establish minimum lot size requirements.
- (C) Apartment Dwellings and Seniors Housing
- (a) must be small scale in nature and are limited to proposals involving eight units or less;
  - (b) method of water service must satisfy the policy of Section 6.5.4.3(A);
  - (c) method of sewage service must satisfy the policy of Section 6.5.4.3(B);
  - (d) access must be available to a public road(s) 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;
  - (e) where the creation of a new lot or lots is required for the proposed development, the policy of Section 6.5.4.2 must be satisfied;

- (f) factors such as land use compatibility, suitability of soil type for development, site characteristics, impact on natural environment, and drainage characteristics/impacts shall be given consideration;
- (g) adequate off-street parking shall be provided;
- (h) design of the proposed development should be consistent with and in harmony with the general form and density of existing development;
- (i) provision of open space/parkland shall be considered;
- (j) site plan agreements pursuant to the provisions of Section 41 of the Planning Act, R.S.O. 1990 shall be required for all new apartment dwellings and seniors housing.

(D) Group Homes

- (a) Group homes may be permitted and for the purposes of this section, group homes are defined as a single housekeeping unit in a residential dwelling in which three to ten persons (excluding supervisory staff or the receiving family) live as a family under responsible supervision consistent with the particular requirements of its residents. The home must be licensed and/or approved as a group home facility by the Province and it must be in compliance with any municipal by-laws.

In determining whether a proposal for a group home is to be permitted, the proposed location must be suitable from a land use compatibility perspective and from a servicing perspective.

Site regulations in respect to group homes may be contained in the implementing Zoning By-laws established by local municipalities.

6.5.4.5 **Commercial and Industrial Uses**

Commercial development and industrial development are permitted; however, permitted industrial development must be dry operations where water use is minimal.

The following criteria shall apply to permitted commercial and industrial uses:

- (a) The size of use is to be appropriate to their particular village/hamlet area setting;

- (b) Permitted industrial operations should be a dry operation where waste water discharges are minimal and which meet the applicable regulations of the appropriate regulatory authority. The recycling/reuse of water in industrial operations is encouraged;
- (c) New industrial operations that produce significant amounts of noise, dust, odour, particulate emissions, or large amounts of truck movements should not be permitted to locate in proximity to existing residential areas. Industrial uses and/or stationary noise sources shall be appropriately designed, buffered and/or separated from residential or other sensitive uses to prevent adverse effects from noise, dust, odour, and other contaminants;
- (d) The use must be one that does not require municipal water or sewer services. The method of water supply must satisfy the policy of Section 6.5.4.3(A) and the method of sewage disposal must satisfy the policy of Section 6.5.4.3(B);
- (e) Access must be available to a public road(s) 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;
- (f) Where the creation of a new lot or lots is required for the proposed development, the policy of Section 6.5.4.2 must be satisfied;
- (g) Factors such as land use compatibility, suitability of soil type for development, site characteristics, impact on natural environment, and drainage characteristics/impacts shall be given consideration. Concerning land use compatibility, consideration shall be given to locating commercial and industrial uses in groups rather than scattered throughout village/hamlet areas;
- (h) Adequate off-street parking and loading/unloading facilities shall be provided;
- (i) Adequate distance separation and buffering shall be provided from adjacent residential areas or other sensitive uses. Distance separation shall be addressed through the local municipal Zoning By-law while buffering (e.g. fencing and landscaping) shall be considered at the site plan stage.
- (j) 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 and industrial uses; and
- (k) An amendment to the local municipality's implementing Zoning By-law shall be required, except where existing zoning permits the use.

6.5.4.6 **Institutional, Recreation, and Community Facility Uses**

Institutional uses such as schools, churches, cemeteries, and government building and facilities and recreational uses and community facilities such as parks, ball diamonds, arenas, swimming pools, and community centres shall be permitted in “Village” and “Hamlet” areas. When considering proposals for these types of uses, the following criteria shall apply:

- (a) The use must be one that does not require municipal water or sewer services. The method of water service must satisfy the policy of Section 6.5.4.3(A) and the method of sewer disposal must satisfy the policy of Section 6.5.4.3(B);
- (b) Access must be available to a public road(s) 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;
- (c) Where the creation of a new lot or lots is required for the proposed development, the policy of Section 6.5.4.2 must be satisfied;
- (d) Factors such as land use compatibility, suitability of soil type for development, site characteristics, impact on natural environment, and drainage characteristics/impacts shall be given consideration;
- (e) Adequate off-street parking shall be provided;
- (f) Adequate buffering shall be provided and such buffering may be in the form of fencing and/or landscaping;
- (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 and industrial uses; and
- (h) An amendment to the local municipality's implementing Zoning By-law shall be required, except where existing zoning permits the use.

6.5.4.7 **Home Occupations**

Home occupations that comprise a secondary use carried on entirely within a single-detached dwelling, a semi-detached dwelling, or a duplex dwelling may be permitted. Such home occupation shall be small scale in size, shall be conducted only by the person(s) residing in the dwelling, and must clearly be secondary to the main use of the dwelling as 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.

#### 6.5.4.8 **Bed and Breakfast Establishments**

Bed and breakfast establishments carried on entirely within a single-detached dwelling or in a detached building accessory to a single-detached dwelling may be permitted. Where permitted, the bed and breakfast establishment must be clearly 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 must satisfy all applicable policies of the Ontario Building Code Act and/or the Ministry of the Environment relating to water supply and sewage disposal. The local municipalities implementing Zoning By-law shall contain specific zoning requirements for the purpose of regulating bed and breakfast establishments.

#### 6.5.4.9 **Highway Access**

Where a proposed development fronts onto and is to have access to a Provincial Highway, all required permits must be obtained from the Ministry of Transportation for Ontario. Permits are normally required for buildings, new entrances, upgraded entrances, and signs. The owner/developer may be required to provide traffic impact studies and a storm water management plan in support of the proposed development. Any necessary improvements shall be the responsibility of the owner.

The number of highway access points should be minimized. Consideration will be given to providing access to new development via local roads and service roads.

#### 6.5.4.10 **Re-use of Industrial Lands**

Applications to develop existing or previously used industrial lands for non-industrial purposes, such as residential and institutional, shall include best available information about the present and past uses of the property sufficient to identify the likelihood of site contamination. Where this preliminary information indicates the likelihood of contamination, further investigation will be required to determine the extent of contamination and any measures necessary to clean up the site in accordance with Ministry of Environment and Energy requirements. The applicant's professional engineer shall affirm that the necessary remedial/clean-up measures have been fully carried out and that the site is suitable for the proposed use.

#### 6.5.4.11 **Secondary Plans**

In the case where a local municipality decides to establish municipal water supply and sewage services for a designated "Village" area, it is the intent of this Plan that a Secondary Plan be prepared for the serviced "Village" area. The Secondary Plan is to establish a more comprehensive policy and land use framework for dealing with development issues and is to take into consideration the future growth and development needs/options for the "Village" area. The Secondary Plan shall be incorporated in the County Official Plan through the amendment process.

6.5.4.12 **Zoning By-law**

The local municipality's implementing Zoning By-law shall zone land in village areas in accordance with the policies for the "Village" and "Hamlet" designations. The Zoning By-law shall contain regulations regarding matters such as permitted uses, minimum lot size, maximum lot coverages, yard setbacks, off-street parking, loading and unloading facilities, landscaping and buffering provisions, and accessory buildings and structures.

6.5.4.13 **Specific Policies for Shakespeare**

Concerning development proposals in Shakespeare, the following policies shall apply in addition to the foregoing policies:

*AMENDED BY OPA No. 47*

- (a) All new development in Shakespeare shall occur within the identified Village boundary.
- (b) With the exception of the areas identified by asterisks on the Schedule "A-70-2", new commercial development shall occur within the commercial development limits identified in the Shakespeare Study; and
- (c) The conversion of residential buildings outside of the identified commercial development limits identified in the Shakespeare Study to other non-residential use shall not be permitted.

6.5.4.14 **Site Specific Amendments**

*ADDED BY OPA No. 22* (1) Part of Lots 87 and 95, Registrar's Compiled Plan No. 398 (Sebringville, Downie Ward, Township of Perth South) (Schedule "A-26"):

Notwithstanding the policies of Sections 6.5.5.1 and 16.3.2.1 of this Official Plan to the contrary, the creation of a fourth lot (including the remnant lot) within the "Village" designation is permitted on the above-noted lands subject to lot grading being approved to the satisfaction of the local municipality.

*ADDED BY OPA No. 26* (2) Part of Lot 29, Concession 8, Logan Ward, Municipality of West Perth (Schedule "A-30"):

Notwithstanding the policies of Sections 6.6.5.1 and 16.3.2.1 of this Official Plan to the contrary, the creation of a fourth lot (including the remnant lot) within the "Hamlet" designation is permitted on the above-noted lands.

*ADDED BY* (2A) Part of Lot 6, Concession 8, Downie Ward, Township of Perth South  
*OPA No. 51* (Schedule "A-54"):

Notwithstanding the policies of this Official Plan to the contrary, the creation of six new lots (including a lot for the existing dwelling) shall be created on the subject property. For the purpose of implementing MDS and making MDS calculations in respect to the closest neighbouring farm operation located directly to the west on the east half of Lot 7, Concession 8 in the Downie Ward, the existing farm dwelling that is located on one of the six lots in the proposed residential development shall be considered in the same manner as a neighbouring farm dwelling would be in any MDS calculation. An approved Plan of Subdivision and an amendment to the Township of Perth South implementing Zoning By-law shall be required for the proposed six lot residential development.

*ADDED BY* (3) Part of Lot 15, Concession 2 in the Mornington Ward, Township of Perth  
*OPA No. 76* East (Schedule "A-77"):

Notwithstanding the policies of Section 6.5.4.4, a use described as a three unit apartment dwelling shall be permitted on part of Lot 15, Concession 2 in the Mornington Ward, Township of Perth East, subject to the following conditions:

- (a) That the apartment dwellings be located in the principal building located on site;
- (b) That the proponent obtain all necessary access, land use, and development approvals and meet the applicable requirements of the appropriate road approval authority;
- (c) That the use must be such that it can be adequately serviced by a private on-site sewage system and a private on-site water supply system; and
- (d) That the proponent obtain an approved Zoning By-law Amendment to the Perth East implementing Zoning By-law to regulate the proposed use, size and scale of the development.

*ADDED BY* (4) Part of Lot 15, Concession 1, Hibbert Ward, Municipality of West Perth  
*OPA No. 133* (Schedule "A-131"):

Notwithstanding the policies of Section 6.5.3 of this Official Plan to the contrary, the permitted uses in the "Village" designation for this property shall be limited to industrial uses, commercial uses (excluding retail stores and food establishments), and accessory uses (excluding any accessory residential use). The policies of Section 6.5.4.5 shall apply in respect to these permitted uses.

### 6.5.5 **Consent/Severance Policies**

The following specific policies shall apply to consent applications which involve land within the “Village” and “Hamlet” 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.

#### 6.5.5.1 **New Lot Creation**

New lots created by consent in “Village” and “Hamlet” areas should constitute either infilling or the logical, orderly expansion of the existing built-up area to fill out the existing designated areas. Infilling is generally described as the development of a proposed single use between two existing uses which are separated by not more than the width of one lot appropriate for the proposed use and which fronts onto the same side of the public street.

#### 6.5.5.2 **Lot Size**

The lot frontage, depth, and size of all lots proposed to be created within “Village” and “Hamlet” areas must be appropriate for the proposed use and should, wherever feasible, be consistent with lots in the immediate area. The local municipality's implementing Zoning By-law shall set forth minimum lot area and frontage requirements for the different types of permitted uses.

#### 6.5.5.3 **Servicing**

Consents will be granted only where it is clear that there would be no undue extension of any major service that is provided by the municipality. In addition, consent applications involving development on private on-site services shall satisfy the servicing policies of Section 6.5.4.3 of this Official Plan.

#### 6.5.5.4 **Residential Development**

Only those applications for residential development which comply with the policies of Section 6.5.4 of this Official Plan will be considered for approval.

#### 6.5.5.5 **Commercial and Industrial Development**

Only those applications for commercial and/or industrial development which comply with the policies of Section 6.5.4 of this Official Plan will be considered for approval.

#### 6.5.5.6 **Institutional, Recreation, and Community Facility Development**

Only those applications for institutional, recreation, and/or community facility uses which comply with the policies of Section 6.5.4 of this Official Plan will be considered for approval.

6.5.5.7 **Land Use Compatibility**

All consent applications for new development will be carefully reviewed to ensure that the use is compatible with neighbouring land uses and appropriate for the property in question.

6.5.5.8 **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 a purpose permitted in accordance with the policies of this Plan;
- (b) The land that is to be severed for enlargement purposes is located within the limits of the designated "Village" or "Hamlet" area;
- (c) The area being severed for lot enlargement purposes should 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 implementing 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 to the abutting lot to create one lot for the purpose of Section 50 of the Planning Act.

6.5.5.9 **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 Sections 50(3) and (5) of the Planning Act, R.S.O. 1990 and to the provisions of the local municipality's implementing Zoning By-law when dealing with such applications.

6.5.5.10 **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.

All access, development and signage must meet the applicable requirements of the appropriate approval authority.

6.5.5.11 **General Principles**

The following general principles shall apply in the case of consent applications involving lands within “Village” and “Hamlet” areas:

- (a) Conflicting or incompatible land use activity should not be created in village/hamlet 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) When dealing with lot creation proposals, due consideration shall be given to matters such as lot grading, surface drainage, and overall drainage system(s) in the area. Lot grading and drainage plans will be required when deemed appropriate by the local municipality and/or consent granting authority. Where appropriate, lot grading and drainage considerations should be dealt with on a coordinated basis.

*ADDED BY OPA No. 34*

6.6 **Special Policy Areas**

6.6.1 **Special Policy Area “A” (Part of Lots 41 and 42, Concession 1, Elma Ward, Municipality of North Perth)**

The Special Policy Area “A” designation for part of Lots 41 and 42, Concession 1 (Elma Ward, Municipality of North Perth) shown on Schedule “A4-2” (shown in hatching on Schedule “A-38” to the County of Perth Official Plan) shall be subject to the following policies:

6.6.1.1 **Permitted Uses**

The primary use of land in this land use designation will be for a variety of residential dwelling types. The types of dwellings permitted shall include: single-detached dwellings; semi-detached dwellings; duplex; triplex; fourplex or converted dwellings; townhouse dwellings; and apartment dwellings.

Other uses permitted in this designation include institutional uses, defined as schools, churches, and cemeteries, nursing homes, daycare centers, senior citizen housing, group homes, neighborhood parks, home occupations, bed and breakfast establishments and neighborhood commercial uses. The following goals, objectives, and policies apply to the subject property.

6.6.1.2 **Principal Goal**

The principal goal is to promote and encourage the provision and rehabilitation of housing to meet the needs of residents while fostering a stable residential environment which minimizes the potential for land use conflicts by preventing the indiscriminate mixing of non-compatible land uses.

6.6.1.3 **Objectives**

The following are the objectives of this land use designation:

- (a) To provide for a wide range of housing choices which respond to the varying needs of community and surrounding area;
- (b) To provide and maintain an attractive and enjoyable living environment;
- (c) To promote housing for senior citizens, the handicapped, and low-income families who might otherwise be unable to find adequate housing through the private market;
- (d) To ensure that residential development occurs in a manner which is consistent with the resources and the and the public services of the local municipality;
- (e) To provide an alternative residential environment for the members of the surrounding farm community; and
- (f) To preserve and enhance the character of the residential environment in the local municipality by encouraging the creative design of buildings and landscaping and through the harmonious integration of new and existing residential development.

6.6.1.4 **New Lot Creation**

It is intended that new lot creation will occur primarily through the plan of subdivision process. Both the County and local municipal Councils must be satisfied in regard to matters such as the proposed use, the scale of the development, the provision of 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.

6.6.1.5 **Residential Servicing Requirements**

It is the intention of this Plan that all development will have full municipal servicing. The servicing policies contained in Section 7.1 of the Listowel Ward Official Plan, entitled "Water, Sanitary Sewage System, and Storm Sewers" shall also be satisfied.

6.6.1.6 **Residential Density**

The following densities shall be used as general guidelines for the subject property:

up to 15 units per hectare	single-detached dwellings
15 - 25 units per hectare	semi-detached, duplex dwellings
25 - 40 units per hectare	triplex, fourplex, row/townhouse dwelling, boarding house, and converted dwellings
40 - 60 units per hectare	apartments

The foregoing densities are general guidelines which the local Council may moderately increase or decrease, dependent upon the specific site circumstances, provision of onsite amenities, and capabilities of municipal servicing systems to accommodate any increase. Also, the dwelling types listed for each density classification shall not be considered exclusively limited to those dwelling types as the local Council may moderately modify these when considering specific residential development proposals.

6.6.1.7 **Single-Detached, Semi-Detached, and Duplex Dwellings**

The following specific policies shall apply when proposals involving single-detached, semi-detached, and duplex dwellings are evaluated:

- (a) Development of this nature shall occur primarily by the plan of subdivision where such development would generally be compatible in lot size, shape, design, and character with existing adjacent and surrounding uses;
- (b) Adequate landscaping, buffering, and screening may be required to maintain the character and quality of the existing residential development in order to ensure that semi-detached or duplex dwelling development does not fragment or change the character of established single-family residential neighborhoods;
- (c) Semi-detached and duplex dwellings shall be encouraged to be developed in groups or clusters rather than in scattered form;
- (d) Semi-detached and duplex dwellings shall be encouraged to locate in such a manner as to minimize movement and the level of traffic flow through low-density single-family residential neighborhoods; and
- (e) Proposals which, in the opinion of the local Council, would result in undue financial burden on the Town, especially with respect to the provision of school facilities, public utilities, or other necessary public services, shall not be permitted.

6.6.1.8 **Triplex, Fourplex, Row/Townhouse and Apartment Dwellings**

The following specific policies shall be applied when proposals involving triplex, fourplex, row/townhouse, and low-rise apartment dwellings, as well as other multiple dwelling development are evaluated:

- (a) Such development should be encouraged to locate in proximity to community and neighbourhood recreation and open space areas and have ready access to commercial facilities;
- (b) Such development shall generally have access to an arterial or collector road in order to minimize high volumes of vehicular traffic on nearby, quiet, low density residential streets. Access points onto municipal roadways should not create conditions that are hazardous to traffic;
- (c) Such development shall provide for adequate landscaping, buffering, and screening in order to enhance the appearance of the development and to minimize the land use conflicts with adjacent land uses;
- (d) The buildings and structures for this type of development shall be designed in such a way that they are compatible in scale, building height, and character with the surrounding area;
- (e) Upon application for this type of development, council may require that the applicant, through relevant engineering reports, prove that there is adequate capacity or allocation within the municipal service systems to accommodate the projected population of the development. Should the required capacity not be available, the proposal shall be considered premature until such time as sufficient capacity or allocation becomes available;
- (f) A specific zoning category shall be established in the implementing Zoning By-law to reflect existing row/townhouse and apartment dwelling development. An amendment to the implementing Zoning By-law shall be required in order to establish a new row/townhouse and/or apartment dwelling use; and
- (g) A site plan shall be required for all multiple family residential development involving more than 2 dwelling units/dwelling except conversions of existing dwellings to multiple residential use.

The site plan shall indicate proposed building area, building elevations, parking and landscaping areas, points of access to abutting streets, elevation plans indicating the lot grades before and after construction, and a surface drainage plan. The applicant shall be required to enter into a site plan agreement under the authority of Section 41 of the Planning Act, RSO, 1990 if the local Council considers such an agreement necessary.

6.6.1.9 **Conversion of Dwellings to Multiple Residential Use**

The following specific policies shall be applied when proposals involving the conversion of existing dwellings to multiple residential use are evaluated:

- (a) Subject to their inclusion by amendment in the implementing Zoning By-law, dwellings having more than 240 habitable square metres shall be permitted to be converted to not more than four separate apartment units for residential purposes. Those dwellings generally having more than 170 but less than 240 habitable square metres shall be permitted to convert to two units for semi-detached and duplex dwelling purposes;
- (b) Where a dwelling is of sufficient size, no external alterations or additions will be permitted which would change the character of the building or neighbourhood, excepting those changes required for fire and safety purposes;
- (c) Dwellings subject to conversion should be situated in proximity to community recreation and open space areas and have ready access to commercial facilities;
- (d) Sufficient landscaping and buffering shall be provided around converted dwellings in order to minimize any apparent land use conflicts with adjacent land uses;
- (e) Adequate road access and off-street parking shall be provided, the number of required parking spaces shall be set out in the implementing Zoning Bylaw;
- (f) Except as provided for in Section 7.1.4 of the Listowel Ward Official Plan, municipal sanitary, storm, and water supply services must be available and have sufficient capacity to accommodate the development; and
- (g) A site plan shall be required for all conversions involving the creation of more than one (1) new dwelling. A site plan agreement pursuant to the provisions of Section 41 of the Planning Act, RSO 1990 may be required for such conversions.

6.6.1.10 **Quality of Residential Environment**

Within residential areas, the local Council may pass by-laws to enhance the quality of the residential environment. Such by-laws may include, but are not restricted to, the following:

- (a) The designation of particular architectural and/or historic buildings for heritage conservation under Part IV of the Ontario Heritage Act;
- (b) The control of the removal of trees on public property under the Municipal Act;

- (c) Regulation of a constant line of building setback from the street line, consistent with existing buildings;
- (d) Regulation of the height of new buildings consistent with the prevailing height of buildings in the surrounding area;
- (e) Sign control or closing of streets to discourage their use as routes for heavy volumes of through traffic; and
- (f) A noise control by-law under the Environmental Protection Act.

6.6.1.11 **Residential Development Pattern**

Residential development shall be encouraged to:

- (a) locate as infilling;
- (b) locate in areas which will minimize the cost of providing municipal services;
- (c) locate in areas which will be compatible with adjacent existing and proposed development;
- (d) locate in areas which will be adjacent to existing built-up areas;
- (e) be of an acceptable scale in relation to existing development;
- (f) generally be directed to locations where access is available from local and collector roads as opposed to direct access onto arterial roadways; and
- (g) be appropriately landscaped, buffered, and screened in order to maintain or enhance the visual amenities of the development when abutting rail lines, existing commercial/industrial uses, or different types of existing residential uses.

6.6.1.12 **Mobile Homes**

Mobile homes and trailers shall not be permitted as dwellings in the "Urban Fringe" land use designation, except by amendment to this Plan. The terms "mobile home" and "trailer" will be defined in the implementing Zoning By-law.

6.6.1.13 **Senior Citizen Housing, Nursing Homes, and Rest Homes**

Limited high density residential development for senior citizen housing, nursing homes, and rest homes will be permitted. When considering proposals for such development, the local Council shall apply the following criteria:

- (a) such facilities shall be encouraged to locate in areas which are in proximity to the core area so that residents are within walking distance of the full range of facilities and services located within the core area;
- (b) such buildings shall be designed in a manner which compliments and harmonizes with the character of the surrounding area;
- (c) adequate road access and off-street parking shall be provided, with the number of parking spaces being set out in the implementing Zoning By-law;
- (d) adequate landscaping, buffering, and screening shall be provided in order to ensure that the amenities of the surrounding area are protected;
- (e) all development of this type shall be required to satisfy the requirements outlined in Section 7.1 of the Listowel Ward Official Plan;
- (f) the appropriate public agencies shall be encouraged to provide adequate senior citizen housing and public and private bodies shall be encouraged to provide nursing home and rest home facilities;
- (g) a site plan shall be required for all new senior citizen housing, nursing homes, and rest homes, and the conditions of a site plan agreement shall be met under the authority of Section 41 of the Planning Act, RSO 1990; and
- (h) senior citizen housing, nursing homes, and rest homes shall be placed in a separate zone classification in the implementing Zoning By-law. An amendment to the implementing By-law shall be necessary in order to establish new senior citizen housing, nursing homes, and rest homes.

6.6.1.14

**Group Homes**

For the purposes of this Subsection, group homes are generally defined as a single housekeeping unit in a residential dwelling accommodating a small number of persons living in a supervised environment who, for social or health reasons, require a group living arrangement. Group homes, in which three to ten persons (excluding supervisory staff or the receiving family) live as a family, must be licensed and/or approved for funding under Provincial Statutes and must serve the local needs of the Listowel Ward and the surrounding rural areas. Group Homes may be permitted in accordance with the following policies.

**Type and Nature**

There are several types of group homes that may be licensed and/or approved under Provincial and/or Federal statutes. While this Official Plan makes no distinction between group home types, the local municipality may, through its implementing Zoning By-law, identify different category types for group homes and establish regulations appropriate for these category types.

### **Zoning By-law**

Group homes may be permitted on the subject property. An amendment to the local municipal Zoning By-law shall be required prior to the establishment of any group home within this land use designation. The implementing Zoning By-law will set forth provisions and regulations for group home which will address matters such as definitional requirements, separation distances between group home, on-site parking, and licensing/registration requirements.

### **Registration**

The local municipality shall require the registration of group homes in accordance with the provisions of the Municipal Act. As a condition of registration, the owner and/or operator of a group home shall be required to demonstrate compliance with the Ontario Building Code, the Ontario Fire Code, and the local Zoning By-law and Maintenance and Occupancy Standards By-law. Inspections shall be conducted, as necessary, by the local municipality prior to registration. The registration of group homes shall be subject to annual renewal.

### **Public Input**

The local municipality may establish a process for reviewing and approving applications for the registration of group homes and the appropriate means to ensure that the public is informed in a timely manner of any proposal to establish a group home in the local municipality.

#### 6.6.1.15

### **Neighbourhood Commercial Uses**

Neighbourhood commercial uses shall be permitted; however, such uses shall be limited to those single retail stores which supply convenience goods and personal services for neighbourhood residents.

In evaluating proposals for neighbourhood commercial uses, the local municipality shall apply the following criteria:

- (a) the need for the use, in a neighbourhood, shall be assessed by the local Council;
- (b) buildings and structures shall be designed and constructed in harmony with surrounding residential uses and measures shall be required to avoid the disruption of the normal enjoyment of a residential neighbourhood as a result of excessive light, odour, noise, traffic congestion, signs, and the assembly of people;
- (c) adequate off-street parking areas and loading and unloading facilities shall be provided, with the number of required parking spaces set out in the implementing Zoning By-law;
- (d) access to neighbourhood commercial use shall be available from a public roadway and such access must not create nor generate conditions that are considered to be hazardous to traffic movement on the surrounding road network;

- (e) where the neighbourhood commercial use will abut a lot(s) used for residential purposes, adequate buffering shall be provided and such buffering may take the form of fencing or landscaping. where buffering measures may not be adequate, special setback requirements or other measures may be imposed. The local Council may consult with the Ministry of the Environment regarding the type of measures necessary to protect the residential areas;
- (f) not more than one accessory residential unit will be permitted above or to the rear of a neighbourhood commercial establishment;
- (g) no open storage will be permitted for neighbourhood commercial uses;
- (h) the floor area of any neighbourhood commercial use shall not exceed 186 sq. metres;
- (i) the location of neighbourhood commercial uses shall be such that they do not create excessive amounts of vehicular traffic which affect nearby quiet residential streets;
- (j) neighbourhood commercial uses shall be placed in a separate zone classification in the implementing Zoning By-law. An amendment to the implementing By-law shall be necessary in order to establish a new neighbourhood commercial use; and
- (k) a site plan agreement shall be required for all new and/or expanding neighbourhood commercial uses and the conditions of the site plan agreement shall be met under the authority of Section 41 of the Planning Act, RSO 1990.

6.6.1.16 **Institutional Uses**

Institutional uses such as schools, churches, cemeteries, and public buildings and facilities shall be permitted. Such uses are intended to serve the needs of the local community.

In those cases where the institutional use is major in nature and serves the entire Listowel Ward and the surrounding area, it is the intention of this Plan to place such uses in a separate land use designation. In evaluating proposals for the various institutional uses, the local Council shall apply the following criteria:

- (a) adequate off-street parking areas shall be provided. The number of required parking spaces shall be set out in the implementing Zoning Bylaw;
- (b) access shall be available from a public roadway and such access must not create nor generate conditions that are considered to be hazardous to traffic movement on the surrounding road network;

- (c) where a proposed institutional use will abut a lot(s) used for residential purposes, adequate provision shall be made for landscaping, buffering, and/or screening;
- (d) existing institutional uses shall be placed in a separate zone classification in the implementing Zoning By-law. An amendment to the implementing By-law shall be necessary in order to establish a new institutional use; and
- (e) a site plan shall be required for all new institutional uses and the conditions of a site plan agreement shall be met under the authority of Section 41 of the Planning Act.

#### 6.6.1.17 **Parkland Areas**

Neighbourhood parks and playground areas shall be permitted. Such uses should be located and designed in such a way as to harmonize with and enhance the surrounding uses. It is the intent of this Plan that parks and playground areas be acquired and developed through the following actions:

- (a) a parkland dedication of 5 per cent or cash-in-lieu shall be required for lands being subdivided for residential purposes pursuant to Section 51 of the Planning Act. Cash-in-Lieu may be used to purchase parkland, upgrade park facilities, or for other public recreational uses as provided in Section 51 of the Planning Act;
- (b) as a condition of development or redevelopment of land, Council may, by by-law applicable to the local municipality or to any defined area or areas thereof, require that land in an amount not exceeding, in the case of land proposed for development or redevelopment for commercial or industrial purposes, 2 per cent and in all other cases 5 per cent of the land to be conveyed to the local municipality for park or other public recreational purposes; and
- (c) through public purchase, donations, gifts, and bequests of land and/or monies.

#### 6.6.1.18 **Plans of Subdivision and Consents**

New development will primarily take place through the plan of subdivision process. Following the primary development of the subject lands through the plan of subdivision process, redevelopment, new lot creation, and reconfiguration of existing lots can occur through the consent process. Any development proposal involving a registered plan of subdivision or a consent shall be subject to the section of this Plan, entitled "Policy for the Division of Land".

6.6.1.19 **Monitoring of Residential Development**

It is the intent of this Plan that all development will take place with full municipal servicing. The local Council shall monitor and, if necessary, limit the number of new residential lots or units being created or constructed in order to attain an acceptable rate of occupancy in existing or approved development prior to the creation or approval of additional residential lots or units.

6.6.1.20 **Home Occupations**

In residential areas, a home occupation that comprises a secondary use carried on entirely within a dwelling unit by the resident may be permitted. The implementing Zoning By-law may contain provisions to regulate the type of permitted use and may establish standards for the scale of use, building extensions, parking, and exterior advertising in order to protect the residential amenity.

6.6.1.21 **Zoning By-law**

The implementing Zoning By-law shall zone land in accordance with the policies of this Plan. The By-law shall contain regulations on matters such as permitted uses, permitted buildings and structures, minimum lot sizes, necessary setbacks, and off-street parking requirements.

6.6.1.22 **Traffic Impact Study**

A Traffic Impact Study, acceptable to the County of Perth and the Municipality of North Perth must be undertaken in order to identify any roadway improvements (Tremaine Ave., S. and Perth Line 86) prior to the development of the subject property.

6.6.1.23 **Implementation**

The aforementioned policies will be implemented as follows:

- (a) through the provisions of the implementing Zoning By-law;
- (b) through the policies of this Plan, entitled "Policy for the Division of Land";
- (c) through municipal control and supervision in accordance with the powers provided in the policies throughout this Plan;
- (d) through the issuance of building permits by the Chief Building Official of the local municipality.

*ADDED BY OPA No. 60*

6.6.2 **Special Policy Area “B” (Part of Lots 37 - 40, Concession 1, Elma Ward, Municipality of North Perth)**

The “Special Policy Area ‘B’” designation for part of Lots 37 - 40, Concession 1 (Elma Ward, Municipality of North Perth) shown on Schedule “A” (shown in hatching on Schedule “A-63” to the County of Perth Official Plan) shall be subject to the following policies:

6.6.2.1 **Permitted Uses**

The primary use of land in this land use designation will be for a variety of residential dwelling types. The types of dwellings permitted shall include: single-detached dwellings; semi-detached dwellings; duplex; triplex; fourplex or converted dwellings; townhouse dwellings; and apartment dwellings.

Other uses permitted in this designation include institutional uses, defined as schools, churches, and cemeteries, nursing homes, daycare centers, senior citizen housing, group homes, neighborhood parks, home occupations, bed and breakfast establishments and neighborhood commercial uses.

6.6.2.2 **Goals, Objectives, and Policies**

The goals, objectives, and policies of Section 6.6.1.2 through 6.6.1.23, save and except Section 6.6.1.22 of the County of Perth Official Plan apply to the subject property.

*ADDED BY OPA No. 60*

6.6.3 **Special Policy Area “C” (Part of Lots 37- 40, Concession 1, Elma Ward, Municipality of North Perth)**

The “Special Policy Area ‘C’” designation for part Lots 37 - 40, Concession 1 (Elma Ward, Municipality of North Perth) shown on Schedule “A” (shown in stippling on Schedule “A-63” to the County of Perth Official Plan) shall be subject to the following policies:

6.6.3.1 **Permitted Uses**

The predominant use of land in this area shall be for manufacturing, fabrication, processing, assembly packing, printing, publishing, warehousing, wholesaling, storage of bulk goods, repairing, trades, servicing operations, and transportation terminals.

In addition, other permitted uses include public utilities and works yards, material and service suppliers which directly and primarily serve industry, laboratories or research facilities, equipment rentals, and retail, wholesale, and office uses accessory to industrial uses on the same lot.

6.6.3.2 **Principal Goals**

The principal goals of the “Special Policy Area ‘C’” designation are as follows:

- (a) to encourage industrial development which will be beneficial to the Municipality;
- (b) to ensure that industrial development occurs in a manner which is orderly and compatible with neighboring land uses; and
- (c) to ensure that future industrial development occurs in an orderly manner so as to avoid the undue extension of municipal services.

6.6.3.3 **Objectives**

The following are the objectives of the “Special Policy Area ‘C’” designation:

- (a) to create an atmosphere attractive to industrial investment and development;
- (b) to expand the employment opportunities available to the residents of the Municipality;
- (c) to encourage the development of light, dry industry which will not impose a burden on municipal service systems;
- (d) to minimize the potential adverse effects of industrial areas on other land uses and the residents of the community;
- (e) to promote and create attractive industrial environments through aesthetic and functional site design measures;
- (f) to maintain an adequate industrial land reserve in order to provide for the expansion of existing industries, to facilitate industrial relocations, and to provide for new industrial growth; and
- (g) to protect industrial areas from intrusion by those non-industrial uses which are incompatible with an industrial area.

6.6.3.5 **Location**

It is the intent of this Plan to encourage the expansion of existing industrial uses and to permit a variety of new industrial uses within the “Special Policy Area ‘C’” designation as long as these new uses are appropriate to the nature of the lands available and the surrounding land uses.

6.6.3.6 **Development of Industrial Areas**

The local Council shall encourage the clustering or grouping of industrial uses in the designated areas so as 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.

6.6.3.7 **Dry Industries**

The local Council will encourage the development of industries of a “dry” nature. A “dry” industry is 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.

6.6.3.8 **Servicing Requirements**

All types of development within the “Special Policy Area ‘C’” designation shall be required to satisfy the applicable servicing requirements of Section 7.1 of the Listowel Ward Official Plan. Proposals for development which, in the view of the local 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.

6.6.3.9 **Pretreatment of Wastes**

In accordance with the provisions of the Municipal Act, the local Council will consider the passage of a sewer use by-law requiring pre-treatment of industrial waste prior to discharge to the municipal sewer system.

6.6.3.10 **Accessory Uses**

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.

6.6.3.11 **Incompatible Uses**

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. The local Council may consider the requirement of larger setbacks and buffers for residential uses abutting land designated for industrial purposes.

6.6.3.12 **Access**

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.

Development adjacent to Provincial Highways requires building/land use, entrance and sign permits from the Ministry of Transportation for Ontario.

6.6.3.13 **Off-Street Parking and Loading Facilities**

Industrial uses shall be required to provide off-street parking and loading and unloading area sufficient in quantity and satisfactory in location for the needs of the development and convenience of the user. 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.

6.6.3.14 **Landscaping, Buffering, and Screening**

Where industrial uses abut residential and institutional uses, there shall be adequate buffering and landscaping provided which may include fences, 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 abutting or adjacent incompatible land uses may be imposed by means of the implementing Zoning By-law.

6.6.3.15 **Open Storage Areas**

All open storage areas shall be appropriately and adequately screened in order to protect the abutting and adjacent uses and travelers on public roads from annoying visual intrusions.

6.6.3.16 **Industrial Relocation**

The local Council shall encourage industries which are presently outside the "Industrial" designation and the "Special Policy Area 'C'" designation to relocate, particularly to effect the expansion of their operations, within areas designated for industrial purposes.

In the long term, Council shall encourage the conversion of such industrial sites to uses more in harmony with the character of the surrounding area.

6.6.3.17 **Municipal Involvement**

The local Council should investigate the possibility of acquiring land for industrial purposes within the Municipality of North Perth. Such lands could be developed by means of an industrial subdivision and the lots could be sold for prospective industrial uses.

6.6.3.18 **Division of Land**

Where the division of land (i.e. plans of subdivision or consents) is involved in the development of the industrial areas, the policies of Section 16 of the County of Perth Official Plan entitled “Policy for the Division of Land” must be satisfied.

6.6.3.19 **Site Plan**

The local Council shall require a site plan for any new industrial development and the expansion of existing industrial development within the “Industrial” land use designation. The conditions of the site plan agreement shall be met under the authority of Section 41 of the Planning Act, RSO 1990.

6.6.3.20 **Zoning By-law**

The implementing Zoning By-law shall zone land in accordance with the policies of this Plan. The By-law shall contain suitable provisions for adequate setbacks from property lines, appropriate off-street parking and loading requirements, prohibition of obnoxious uses, control over outside storage, buffering, fencing, and lighting.

6.6.3.21 **Separation Distances Between Industrial Uses and Sensitive Land Uses**

In accordance with Provincial policy, consideration shall be given to the issue of separation distances between industrial uses and sensitive land uses (e.g. residential uses and several types of institutional uses) by the local Council when reviewing and considering proposals for new and/or expanded industrial development. Where industrially designated areas abut or are adjacent to sensitive land use areas (e.g. residential designation), the types of industrial uses permitted should generally be limited to light industrial uses which have the least potential for impact on the neighbouring sensitive land use areas. Mitigative measures such as separation distances, berms, landscaping, and site and building design are to be considered when addressing potential impacts on the neighbouring sensitive land uses.

Those parts of the subject area which abut and/or are immediately adjacent to lands designated “Residential” and the southerly part of the subject property which abut the boundary road (i.e. Line 84) between the Listowel Ward and the Elma Ward are to be considered as buffer/ transition areas. In these areas, permitted industrial uses shall be limited to those which have little or no impact on the neighbouring residential lands or the agricultural lands to the south and east in the Elma Ward. Permitted industrial development may also include government offices; recreational uses such as a bowling alley, miniature golf, fitness centre, tennis courts; equipment rental establishments; assembly halls; service type commercial uses such as automobile repair establishments, automobile washing establishments; showroom facilities. In planning and designing for specific uses within these buffer/ transition areas, consideration shall be given to matters such as separation distances, landscaping, and building and site design in order to minimize potential for impact on neighbouring sensitive land uses.

The local Council must be satisfied that the above policies are met and that general compliance with the policies of County of Perth Official Plan is achieved prior to giving final zoning approval in respect to specific development proposals.

6.6.3.22 **Implementation**

The policies of the “Industrial” land use designation will be implemented as follows:

- (a) through the review by the local Council of all development proposals involving industrial uses;
- (b) through the provisions of the implementing Zoning By-law;
- (c) through the policies of the section of this Official Plan entitled “Policy for the Division of Land”;
- (d) through local municipal control and supervision over new development in accordance with the powers provided in the policies throughout this Plan;
- (e) through the provisions of a sewage control by-law passed under the provisions of the Municipal Act;
- (f) through provisions of the local municipal Maintenance and Occupancy Standards By-law;
- (g) through municipal co-operation with the industrial community in North Perth in order to foster an environment conducive to industrial growth; and
- (h) through the issuance of building permits by the local municipal Chief Building Official.

*ADDED BY OPA No. 65*

6.6.4 **Special Policy Area “D”**

The “Special Policy Area “D” designation for part of Lots C and 4, Concession 3 in the Township of Perth South (Gore of the Downie Ward) shown on Schedule “A” (shown in hatching on Schedule “A-66”) to the County Official Plan shall be subject to the following policies:

- (a) Permitted Uses – permitted uses shall be industrial uses, public service/utility uses (e.g. stormwater management facility), and accessory uses. Permitted uses shall be developed on the basis of municipal servicing (e.g. water supply, sanitary sewage, etc.);
- (b) The identified natural heritage features on the subject property (i.e. as identified in the final Environmental Impact Study prepared by Earth Tech and consistent with the preliminary Impact Study material prepared by Earth Tech and dated November 2, 2005) shall be protected and

preserved and shall be left outside to the development area on the subject property;

- (c) The recommendations of the environmental management plan prepared for this property and identified in the final Environmental Impact Study prepared by Earth Tech and consistent with the preliminary Impact Study material prepared by Earth Tech and dated November 2, 2005) shall be implemented in respect to development on the subject property;
- (d) An amendment to the Township of Perth South's Zoning By-law shall be required, which amendment will permit the uses noted above and which shall place the identified natural heritage features in the appropriate "Natural Resources/Environment Zone"; and
- (e) A site plan agreement pursuant to Section 41 of the Planning Act shall be required for industrial development on the subject property. The site plan agreement must be to the satisfaction of the UTRCA, County, and Township.

*ADDED BY OPA No. 147*

**6.6.5 Special Policy Area "E"**

The Special Policy Area "E" designation for Part of Lots 29 and 30, Concession 1 in the geographic Township of Elma, Municipality of North Perth, shown on Schedule "A" - Land Use Plan and Schedule "A4-3" – West of Listowel to the County Official Plan shall be subject to the policies of Subsection 6.6.1 (Special Policy Area "A")."

*ADDED BY OPA No. 150*

**6.6.6 Special Policy Area "F"**

The Special Policy Area "F" designation for Part of Park Lot 5, Plan 194, in the geographic Township of Wallace, Municipality of North Perth, shown on Schedule "A" - Land Use Plan to the County Official Plan shall be subject to the policies of Subsection 6.6.1 (Special Policy Area "A")."

*ADDED BY OPA No. 158*

**6.6.7 Special Policy Area "G"**

The Special Policy Area "G" designation for Part of Lot 19, Registered Plan 487, in the geographic Township of Wallace, Municipality of North Perth, shown on Schedule "A" - Land Use Plan and Schedule "A4-1" – North of Listowel to the County Official Plan shall be subject to the policies of Subsection 6.6.1 (Special Policy Area "A")."

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