

## **MUNICIPALITY OF TRENT LAKES**

### **NOTICE OF ADOPTION OF AN OFFICIAL PLAN AMENDMENT (OPA No. 46)**

**TAKE NOTICE** that the Council of the Corporation of the Municipality of Trent Lakes adopted Official Plan Amendment No. 46 to the Official Plan of the Township of Galway-Cavendish and Harvey on the 13th day of August, 2013, by By-law No. B2013-067, in accordance with the provisions of Sections 17 and 21 of the *Planning Act*, RSO 1990, as amended.

#### **LOCATION OF SUBJECT LANDS**

The proposed Official Plan Amendment No. 46 applies to Lot 26, Concessions 1 and 2 (Geographic Township of Burleigh – Northern Division), Lot 1, Concession 2 (Geographic Township of Anstruther), and Lot 1, Concession 5 (Geographic Township of Anstruther), all now in the Municipality of Trent Lakes (former Township of Galway, Cavendish and Harvey). The subject lands are shown on the attached copy of Schedule “A”, “B” and “C” of Official Plan Amendment No. 46.

The Amendment is also a general revision to the Official Plan, as it applies to the entire municipality, to change the name of the Official Plan.

#### **PURPOSE AND EFFECT OF THE OFFICIAL PLAN AMENDMENT**

Official Plan Amendment No. 46 was initiated by the Council of the Municipality of Trent Lakes to correct the municipal boundaries as shown on Schedules “A-3”, “B-3” and “C” of the Official Plan of the Township of Galway-Cavendish and Harvey to reflect the current municipal boundaries in the vicinity of the lands described above. The Amendment established the appropriate land use designations and symbols within those lands, including the Recreational Dwelling Area and Crown Lands designations. The Amendment was not based on any new development or land use proposal, but was intended to correct the boundaries of the Schedules listed above for lands that are currently within the Municipality of Trent Lakes.

The proposed Official Plan Amendment also has the effect of changing the name of the Official Plan of the Township of Galway-Cavendish and Harvey to recognize the new name of the municipality, the Municipality of Trent Lakes.

#### **APPROVAL AUTHORITY**

The County of Peterborough is the approval authority for Official Plan Amendment No. 46. Any person or public body is entitled to receive notice of the decision of the County of Peterborough if a written request to be notified of the decision (including the person’s or public body’s address) is submitted to:

County of Peterborough  
County Court House  
470 Water Street  
Peterborough, Ontario  
K9H 3M3

**ADDITIONAL APPLICATIONS**

Information available to the Municipality indicates that the subject lands (the whole of the municipality) are also the subject of a draft Comprehensive Zoning By-Law identified as File No. 13-04.

**ADDITIONAL INFORMATION**

Additional information relating to Official Plan Amendment No. 46, including a copy of the Amendment, is available to the public for inspection at the Municipal office at the address noted below, during regular office hours.

**Dated at the Municipality of Trent Lakes this 22nd day of August, 2013.**

Lois O'Neill, M.P.A., Clerk  
Municipality of Trent Lakes  
P.O. Box 820, R.R. 3  
701 County Road No. 36  
Bobcaygeon, Ontario  
K0M 1A0  
Telephone (705) 738-3800  
Fax (705) 738-3801



**THE OFFICIAL PLAN OF THE TOWNSHIP  
OF GALWAY-CAVENDISH AND HARVEY**

***OFFICE CONSOLIDATION***

**CORPORATION OF THE TOWNSHIP OF  
GALWAY-CAVENDISH AND HARVEY**

701 County Road 36  
P.O. Box 820  
Bobcaygeon ON K0M 1A0

This document is available in large print or alternative formats.

**THE OFFICIAL PLAN OF THE TOWNSHIP OF GALWAY-CAVENDISH AND HARVEY  
CONSOLIDATION**

This is an office consolidation inclusive of Official Plan Amendment No. 7, which served to merge the official plans of the former Township of Harvey and the Townships of Galway-Cavendish, and includes Amendments approved as of 2010 and amendment No. 30 which was a general update amendment (which came into effect February 26, 2010).

**Prepared For:**

The Council of the Corporation of the  
Township of Galway-Cavendish and Harvey

**Prepared By:**

EcoVue Consulting Services Inc.

**- Disclaimer -**

This edition comprises an Office Consolidation and has been prepared for the purposes of convenience only. For accurate reference recourse should be had to the official documents. Since this document has not been certified, the Township cautions that users should not rely on the information enclosed herein to their detriment. Certified copies of the official documents should be obtained from the Township office.

CERTIFICATE

AMENDMENT NO. 30  
OFFICIAL PLAN OF THE TOWNSHIP OF  
GALWAY-CAVENDISH AND HARVEY

The attached explanatory text and Schedules "A1", "A2", "A3", "A1-1", "A1-2", "B1", "B2", "B3" and "C", constituting Amendment No. 30 to the Official Plan of the Township of Galway-Cavendish and Harvey, was prepared by the Council of the Township of Galway-Cavendish and Harvey and was adopted by the Council of the Township of Galway-Cavendish and Harvey by By-law No. B2009-57 in accordance with the provisions of Sections 17 and 21 of the *Planning Act*, R.S.O. 1990, on the 26<sup>th</sup> day of May, 2009.

Signed: *Anna Flynn*  
Reeve

Signed: *Pat Kemp*  
Deputy Clerk

CORPORATE SEAL OF  
MUNICIPALITY

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This amendment to the Official Plan of the Township of Galway-Cavendish and Harvey, which has been adopted by the Council of the Township of Galway-Cavendish and Harvey, is hereby approved in accordance with the provisions of Sections 17 and 21 of the *Planning Act*, R.S.O. 1990, as Amendment No. 30 to the Official Plan of the Township of Galway-Cavendish and Harvey.

January 26, 2010  
Date

*Bryan Weir*  
Bryan Weir  
Director of Planning  
County of Peterborough

THE CORPORATION OF THE  
TOWNSHIP OF GALWAY-CAVENDISH AND HARVEY

BY-LAW NO. B2009-57

Being a By-law passed pursuant to the provisions of Sections 17 and 21 of the *Planning Act*, R.S.O. 1990, as amended.

The Council of the Corporation of the Township of Galway-Cavendish and Harvey, in accordance with the provisions of Sections 17 and 21 of the *Planning Act*, R.S.O. 1990, as amended, hereby enacts as follows:

1. Amendment No. 30 to the Official Plan of the Township of Galway-Cavendish and Harvey, consisting of the attached explanatory text and Schedules "A1", "A2", "A3", "A1-1", "A1-2", "B1", "B2", "B3" and "C", is hereby adopted.
2. That the Clerk is hereby authorized and directed to make application to the County of Peterborough for approval of Amendment No. 30 to the Official Plan of the Township of Galway-Cavendish and Harvey.
3. That the Clerk is hereby authorized and directed to proceed with the giving of notice under Section 17(23) of the *Planning Act*.
4. This By-law shall come into force and take effect on the day of final passing thereof.

Enacted and passed this 26<sup>th</sup> day of May, 2009.

Signed:

Sharon Flynn  
Reeve

CORPORATE SEAL OF  
MUNICIPALITY

Signed:

Pat Kemp  
Deputy Clerk

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Certified that the above is a true copy of By-law No. B2009-57 as enacted and passed by the Council of the Township of Galway-Cavendish and Harvey on the 26<sup>th</sup> day of May, 2009.

Signed:

Pat Kemp  
Deputy Clerk

CERTIFICATE  
OFFICIAL PLAN  
OF THE  
FORMER TOWNSHIP OF HARVEY  
AMENDMENT NO. 7

The explanatory text and attached schedules, constituting Amendment No. 7 to the Official Plan of the former Township of Harvey, was initiated by the Council of the Township of Galway-Cavendish and Harvey, and was adopted by the Corporation of the Township of Galway-Cavendish and Harvey by By-law No. B2000-72 in accordance with the provisions of Section 17 of The Planning Act, R.S.O. 1990 on the 24<sup>th</sup> day of October, 2000.

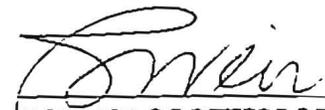
  
REEVE, THOMAS FLYNN

CORPORATE SEAL  
OF MUNICIPALITY

  
CLERK, JOHN MILLAGE

This Amendment to the Official Plan of the former Township of Harvey which has been prepared and adopted by the Council of the Township of Galway-Cavendish and Harvey is hereby approved in accordance with the provisions of Section 17 of The Planning Act, R.S.O. 1990 as Amendment No. 7 to the Official Plan of the former Township of Harvey *subject to the attached modifications.*

*January 3<sup>rd</sup>, 2002*  
DATE

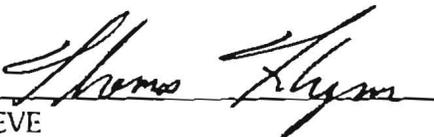
  
COUNTY OF PETERBOROUGH  
*Director of Planning*

ADOPTION BY-LAW FOR  
OFFICIAL PLAN AMENDMENT  
BY-LAW NO. B2000-72  
TOWNSHIP OF GALWAY-CAVENDISH AND HARVEY

The Council of the Corporation of the Township of Galway-Cavendish and Harvey in accordance with the provisions of Sections 17(22) and 21 of The Planning Act R.S.O. 1990 hereby enacts as follows:

1. The Official Plan and all amendments thereto of the Townships of Galway and Cavendish which was initially approved by the Minister of Municipal Affairs in part on October 13, 1988, together with subsequent modifications and amendments thereto, is hereby repealed.
2. Amendment No. 7 to the Official Plan of the former Township of Harvey consisting of the attached text and schedules, is hereby adopted.
3. The Clerk is hereby authorized and directed to make application to the County of Peterborough for approval of the aforementioned Amendment No. 7 to the Official Plan of the former Township of Harvey.
4. This By-law shall come into force and take effect on the day of the final passing thereof subject to the approval of the County of Peterborough.

Enacted and passed this 24<sup>th</sup> day of October, 2000.

Signed   
REEVE

Signed   
CLERK

CORPORATE SEAL  
OF MUNICIPALITY

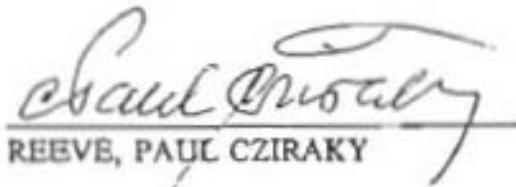
I, John Millage, Chief Administrative Officer and Clerk-Treasurer of the Township of Galway-Cavendish and Harvey do hereby certify that the above is a true copy of By-law No. B2000-72 as enacted and passed by the Council of the Township of Galway-Cavendish and Harvey on the 24<sup>th</sup> day of October, 2000.

Signed   
CLERK

CERTIFICATE PAGE FOR OFFICIAL PLAN

OFFICIAL PLAN  
OF THE  
TOWNSHIP OF HARVEY

The Official Plan of the Township of Harvey, consisting of the attached explanatory text and Schedules "A", "B", "A-1" and "A-2" was prepared by the Council of the Corporation of the Township of Harvey, and was adopted by the Council of the Township of Harvey by By-Law No. 90-52 in accordance with the provisions of Section 17 of the Planning Act, S.O. 1983, as amended, on the 31st day of July, 1990.

  
REEVE, PAUL CZIRAKY

CORPORATE SEAL OF  
MUNICIPALITY

  
CLERK, JOHN MILLAGE

The Official Plan of the Township of Harvey, which has been prepared and adopted by the Council of the Township of Harvey is hereby approved in accordance with the provisions of Section 17 of the Planning Act, S.O. 1983, as amended, as "The Official Plan of the Township of Harvey."

July 30, 1993  
DATE:

"Original Signed by Brian D. Riddell"  
ASSISTANT DEPUTY MINISTER  
MINISTRY OF MUNICIPAL AFFAIRS

**ADOPTION BY-LAW FOR OFFICIAL PLAN**  
**BY-LAW NO. 90-52**

Being a by-law to adopt an Official Plan for the Township of Harvey.

The Council of the Corporation of the Township of Harvey, under Section 17 (6) of the Planning Act, S.O. 1983, hereby enacts as follows:

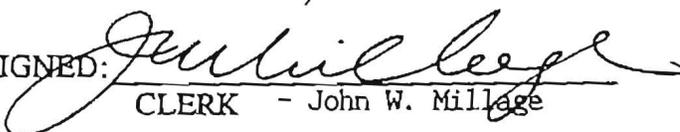
1. The Official Plan and all amendments thereto of the Township of Harvey, save and except Secondary Plan Area No. 1 (Sandy Point), formerly part of the Official Plan of the North Kawartha Planning Area which was approved by the Minister of Housing on December 4, 1979, is hereby repealed.
2. The Official Plan of the Township of Harvey, consisting of the attached maps and explanatory text is hereby adopted.
3. The Clerk is hereby authorized and directed to make application to the Minister of Municipal Affairs for the approval of this repeal and the approval of the attached Official Plan of the Township of Harvey.
4. This By-Law shall come into force and take effect on the day of final passing thereof.

Read a First Time this 31st day of July, 1990.

Read a Second time this 31st day of July, 1990.

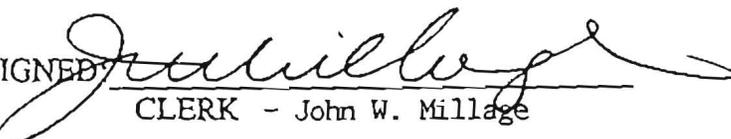
Read a Third time and Finally passed this 31st day of July, A.D. 1990.

SIGNED:   
REEVE - C. Paul Cziraky

SIGNED:   
CLERK - John W. Millage

CORPORATE SEAL  
OF MUNICIPALITY

Certified that the above is a true copy of By-Law No. 90-52 as enacted and passed by the Council of the Township of Harvey on the 31st day of July, 1990.

SIGNED:   
CLERK - John W. Millage

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## **1.0 TITLE AND COMPONENTS**

This Plan is approved by the Ministry of Municipal Affairs and Housing and the County of Peterborough shall be known as “The Official Plan of the Township of Galway-Cavendish and Harvey”.

The text of this Plan and the attached Schedules “A1”, “A1-1”, “A1-2”, “A2”, “A3”, “B1”, “B2”, “B3” and “C” constitutes The Official Plan of the Township of Galway-Cavendish and Harvey.

The Official Plan is based on background study data. This supplementary information does not form part of the Official Plan.

## 2.0 PURPOSE OF THE PLAN

This Official Plan is a statement of public policies, set out by means of text and land use schedules, intended to provide a framework for the future growth and development of the Township of Galway-Cavendish and Harvey. The policies as set out in this plan are designed to provide guidance for the physical development of the Township, having regard for relevant social, economic and environmental matters, during the next 20-year planning period to the year 2020.

### **3.0 BASIS OF THE PLAN**

The Township of Harvey (former) and the Townships of Galway and Cavendish (former) were the subject of municipal restructuring, which took effect on January 1, 1998. The Official Plan for the former Townships of Galway and Cavendish was approved in October of 1998; while the Official Plan for the former Township of Harvey was approved in July of 1993.

So as to ensure the application of a unified land use planning policy framework throughout the entire Municipality, the Council of the Township of Galway-Cavendish initiated a consolidation of the two existing Official Plans.

The Official Plan is based on a comprehensive review and analysis of background information collected for the preparation of the former plans. Background information included a review of existing land use in the Township, studies related to the municipality's physiography, population demographics, the area's economic climate, natural resources and environmentally sensitive areas, agricultural potential, established Township planning policies, the conversion of seasonal dwellings to permanent dwellings, overall past development trends, and the traditional role that hamlet and settlement areas have fulfilled in the municipality's development. Where required, this information has been updated.

The analysis of this background information has established the criteria on which this plan has been prepared. The following factors have provided direction in the formulation of this Plan's policy statements which will direct future land use and development in the Township of Galway-Cavendish and Harvey.

- i) This Plan applies to the entire area that comprises the Townships of Galway-Cavendish and Harvey.
- ii) The prime physical characteristics of the Township are its topography and prominent location in the Kawartha Lakes area, with extensive shoreline along Pigeon, Little Bald, Big Bald, Buckhorn, lower Buckhorn and Lovesick Lakes,

which compromise a large segment of the Trent-Severn waterway along the southern boundary of the Municipality. The central and northern areas of the Township remain primarily undeveloped, with the exception of seasonal residential uses associated with numerous other inland lakes. It is a land of lakes and woods interspersed with rocky hills and outcrops all of which makes it extremely attractive for a wide variety of outdoor leisure time activities and recreation residential uses. It is also situated within two or two and a half hours driving time from Metropolitan Toronto and less from centres such as Oshawa and Peterborough. This combination of physical attractions and nearby population centres, with rising leisure time and living standards, all contribute to a rapidly increasing pressure for development primarily in the southern portions of the Township.

- iii) Agricultural activities are confined to a limited number of farming operations in Harvey and northwest Galway. Substantial areas of wilderness remain with the Crown.
- iv) The population growth within the Township over the next twenty years is projected to be relatively moderate. Correspondingly, new residential development in the Township will be encouraged to take place in existing hamlets and other concentrated areas of development. Residential development in the remainder of the Township should be consistent with rural nature of the Township and be directed to lands of marginal agricultural capability and not possessing high mineral or forest resource potential.
- v) Waterfront residential and recreational development is located throughout the water resource areas of the Township. The demand for such development will continue. Any future development of waterfront lands should have regard for the ability of the water resources to support future development.
- vi) The conversion of seasonal residential dwellings to permanent residences is a significant local planning issue. These dwellings are concentrated along the shoreline of various lakes in the Township. Many are located on private roads without municipal services of any kind. The conversion of such dwellings to

permanent residences must be directed to those areas which can most readily accept increased population densities and all such associated uses, without creating a financial liability to the Township.

- vii) The preservation of environmentally sensitive areas (including significant wetlands) and local water quality will become increasingly important in maintaining the quality of life for those residents abutting the many water bodies in the Township.
- viii) Consideration has been given to input to this Plan as provided by the Kawartha Region Conservation Authority and the Ministry of Natural Resources in identification, management and protection of floodplain lands and other environmentally sensitive and hazard lands in the Township.
- ix) The preparation of this Plan has placed certain emphasis on the need for the Municipality to pursue the enhancement of the commercial/industrial component of the total assessment base.
- x) The Plan is intended to reflect the preferences of all inhabitants of the municipality and every effort should be made to preserve and enhance the existing fabric and character of the Township community lifestyle.
- xi) Council supports the need for a broader study of Pigeon Lake to examine lake water capacity levels. Subject to such participation being financially feasible to the Township, Council will take part in a future study of the lake in conjunction with other municipalities sharing the Pigeon Lake watershed; and provided the County of Peterborough, City of Kawartha Lakes and the Province initiate and likewise financially participate in such a study.
- xii) Council recognizes the importance of lake capacity as a planning issue relative to shoreline development throughout the Municipality and strongly supports lake rejuvenation programs of the Ministry of Environment and encourages the participation of cottage associations so as to maintain or improve the current level of water quality.

## 4.0 GOALS AND OBJECTIVES

The following goals and objectives provide the basis and direction for more detailed policies contained in this Official Plan. The goals reflect, as much as possible, the present and future needs and values of the Township.

The objectives are policy statement upon which the general development policies, the land use policies, the land use designations and the implementation policies for the Municipality are based.

### 4.1 RESIDENTIAL DEVELOPMENT

#### Goal

To direct the location and type of future residential development within the Township.

#### Objectives

- i) To direct residential development to the existing areas of residential development and the Township's hamlets.
- ii) To control the establishment of new residential areas in the Township.
- iii) To maintain high standards for residential development in the Township.

### 4.2 COMMERCIAL AND INDUSTRIAL DEVELOPMENT

#### Goal

To encourage commercial and industrial development in the Township within the best interests of the rural land base and existing residential and environmental circumstances.

#### Objectives

- i) To maintain and strengthen the residential/farm to commercial/industrial assessment base.

- ii) To promote future commercial/industrial development within close proximity to existing designated commercial and industrial development.
- iii) To ensure that new commercial and industrial development is not located where it would jeopardize existing and future residential applications or disrupt environmentally sensitive areas.
- iv) To support commercial/industrial activities of a home occupation/home industrial type nature, throughout the Township.
- v) To maintain adequate separation distances between industrial uses and sensitive land uses.

### **4.3 DEVELOPMENT**

#### Goal

To direct new development to existing hamlets and built-up areas, and lands of marginal agricultural or resource value.

#### Objectives

- i) To require adequate and comprehensive study of all new development proposals to ensure that such development will be within the overall best interests of the Township, and that proper cost effective land use patterns result.
- ii) To discourage premature and isolated residential development in areas which would create an adverse economic burden on the Township, and detract from the rural character of the Municipality.

### **4.4 RESIDENTIAL CONVERSION**

#### Goal

To ensure that the conversion of seasonal residential dwellings to permanent residential dwellings only occur where most suitable to the long term development of the entire Township.

Objectives

- i) To require extensive review of all applications for conversion to ensure that such development is within the overall best interests of the Township.

**4.5 SHORELINE**

Goal

To preserve and protect the natural environment abutting the extensive shoreline areas of the Township for indigenous fish and wildlife habitat and recreational uses of the Township residents.

Objectives

- i) To permit shoreline development where appropriate with the approval of the respective regulating bodies.
- ii) To permit shoreline development in the Township in accordance with good resource management practices.
- iii) To discourage any form of alterations to the natural shoreline associated with water-oriented development.

**4.6 ENVIRONMENTAL LANDS**

Goal

To properly monitor, manage, and maintain the Township's floodplain, wetland, and environmentally sensitive/unique areas and their environs to protect and enhance the natural environment.

Objectives

- i) To identify the floodplain areas within the Township and to control development so as to minimize the risk to life and property in the event of a flood.
- ii) To permit development in the floodplains of the Municipality only in accordance with accepted floodplain management techniques.

- iii) To identify and encourage the conservation and management of provincially and locally significant wetlands in the Township.
- iv) To encourage the preservation of wildlife habitat areas for those animal and bird species native to this area of the Province.
- v) To encourage the conservation and long term management of the woodlands in the Township.
- vi) To encourage development to locate on lands which are not environmentally sensitive.

## **4.7 NATURAL RESOURCES**

### Goal

To provide for the optimum use and development of the Township's natural resource base through management based on sound economic, social, environmental and land use planning practices.

### Objectives

- i) To ensure that new development does not disrupt the natural shoreline areas and habitat and spawning environments which are essential to the continuity of flora, fauna and fish species within the Township and abutting lands.
- ii) To ensure that new development does not jeopardize the commercial development of an existing natural resource including mineral aggregate deposits and woodlots.
- iii) To assist in the determination and development of existing natural resources which have commercial value.
- iv) To encourage the utilization of sound management practices to ensure the continuity of renewable natural resources such as wildlife, fish populations and woodlots.

- v) To ensure that where development affects the beds of watercourses which are under Federal jurisdiction and administered by the Trent-Severn Waterway, approvals from the appropriate authorities are obtained.
- vi) To preserve those lands of high agricultural capability to ensure that their agricultural potential is recognized and protected. Such lands shall have soil classes of 1, 2, 3 or 4, or which exhibit characteristics of on-going viable agriculture.
- vii) To implement the guidelines of the Minimum Distance Separation Formula when considering proposals for development within the Township.
- viii) To have regard for the Provincial Policy Statement.
- ix) To gather inventories and background studies which characterize the natural environment within the Township in order to identify additional areas of sensitivity as well as areas best suited for future development by studies submitted during the planning period as well as any studies performed by the Township or other agencies.

## **4.8 SOCIAL AND HOUSING**

### Goal

To create an environment which promotes the well being and safety of the residents of the Township, and, which offers a range of opportunities in terms of the work place and living, recreational and cultural pursuits.

### Objectives

- i) To encourage the provision of an adequate supply of housing accommodation, by type and tenure, in relation to the needs and demands of both present and future inhabitants of the Township in a form that generates a choice of lifestyles.
- ii) To consider the future development of institutional housing of a senior citizen and rent-geared-to-income nature, in conjunction with neighbouring municipalities.

- iii) To co-operate with other concerned agencies and levels of government in the provision of an adequate level of educational, recreational, protection, health and welfare facilities and services in response to the needs of the Township's population.
- iv) To promote the maintenance and reinforcement of the existing community structure consistent with the historic trends and the ability of the community to sustain further growth so as to minimize disruption to the community and the natural environment.
- v) To enhance the historic and cultural heritage of the Township.
- vi) To ensure future access to open space, recreational and parkland areas for the citizens of the Township, and, wherever possible, design such facilities in such a manner as would compliment facilities provided by other agencies.

#### **4.9 SERVICING, ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT**

##### Goal

To safeguard environmental protection and to provide an adequate supply of potable water through ensuring that appropriate servicing is promoted for new development or redevelopment within the township. First consideration shall be given to higher forms of servicing including full municipal or communal servicing for all development. The protection of the natural environment should be a leading factor in establishing acceptable growth rates, patterns and location of all development.

##### Objectives

- i) To ensure that municipal infrastructure is planned for and utilized to the fullest to accommodate development by committing to prepare multi-year servicing plans as a component of planning for growth management.
- ii) To promote servicing strategies within the Township to accommodate multiple unit/lot development while encouraging environmental protection.

- iii) To investigate the need for a higher level of servicing in built-up or hamlet areas of the Township.
- iv) To require that servicing options for development be investigated and that the specific method of servicing chosen be justified prior to accepting the proposal.
- v) To protect ground and surface water resources by requiring the submission of hydrogeological assessments and surface water assessments which verify that development or changes in land use will not adversely impair water quality.

#### **4.10 ARCHAEOLOGICAL, BUILT HERITAGE AND CULTURAL HERITAGE RESOURCES**

##### Goal

To ensure that Cultural Heritage Resources in the municipality are managed in a responsible manner which perpetuates their use while maintaining the heritage value and benefit to the community.

##### Objectives

- i) To identify and conserve heritage resources through appropriate means.
- ii) To consult with the Local Architectural Conservation Advisory Committee in the identification and conservation of heritage resources.

#### **4.11 COUNTY GOALS AND OBJECTIVES**

The Municipality recognizes that the jurisdiction of certain matters, authorities, and initiatives lies with the County of Peterborough.

## **5.0 LAND USE POLICIES**

### **5.1 GENERAL DEVELOPMENT POLICIES**

#### **5.1.1 General**

The land resources of the Township of Galway-Cavendish and Harvey shall be used and/or developed in accordance with the land use pattern shown on the Land Use Schedules and the policies contained within the plan. The General Development Policies should be read in conjunction with and do not preclude other specific policies in this plan.

#### **5.1.2 Financial Considerations**

In order to protect the financial position of the municipality the timing, nature and location of the new development shall be such that the demand for municipal services is not excessive in relation to the taxable assessment. Any new large-scale development that would create a significant increase in the demand for services shall not be permitted unless it can be demonstrated that the overall ratio of municipal debt to taxable assessment will not be adversely affected.

In reviewing development applications, the municipality will have regard to the residential to non-residential assessment ratio, and will endeavour to maintain a favourable balance of assessment in order to ensure a sound economic basis for the municipality.

The provision of services to all new development will, wherever possible, be the responsibility of the land developer through agreement with the municipality. In those cases where services will benefit only a few residents or those residents directly involved, the municipality may provide the services under the Local Improvement Act.

#### **5.1.3 Liaison With Other Boards**

The municipality shall maintain liaison with School Boards in order to ensure that there is consistency between new development and the area's educational facilities.

#### **5.1.4 Unserviced Development**

All development that is not to be served with municipal sewer and water must have the approval of the Ministry of Environment or its agents before proceeding. The minimum lot size for any unserviced development shall be in accordance with the relevant sections of this plan, although the Ministry of Environment or its agent may increase these minimum standards and impose other conditions or restrictions where necessary in the interest of the health and safety of the residents of the Township. The applicable policies of Section 5.1.23 Servicing, shall apply.

#### **5.1.5 Public Uses**

Except as specifically provided elsewhere in this Plan, public parks, playground, water access site, playfields, public utilities and other public community, institutional or quasi-institutional uses which provide services to the general community shall be permitted in all areas designated on Schedules "A1, "A1-1", "A1-2", "A2", "A3", "B1", "B2" and "B3" provided that:

- a) Such use is necessary in the area, that it can be made compatible with its surroundings and that adequate measures are taken to reduce an environmental impact or incompatibility with surrounding uses;
- b) Adequate off-street parking is provided;
- c) The erection of buildings, with the exception of flood control works, will be prohibited in identified floodplains without the written approval of the Ministry of Natural Resources and the governing Conservation Authority; and
- d) Such uses shall be directed away from lands where Classes 1 to 3 soils predominate as defined by the Peterborough County Soils Report No. 45.

#### **5.1.6 Electric Power Facilities**

- a) All existing electric power facilities and the development of any new electric power facilities including all works as defined in The Power Corporation Act, such as transmission lines, transformer stations and distributing stations shall be

permitted in any land use designation without an amendment to the plan provided that such development satisfied the provisions of the Environmental Assessment Act, and the Environmental Protection Act, including regulations made under the Act, and any other relevant statutes. Ontario Power Generation Inc. shall be required to consult with the Municipality regarding the location of new transformer stations.

- b) Other electric power facilities including buildings and facilities not used directly for the generation and supply of power shall comply with the other provisions of this plan and the implementing by-law.
- c) The above policies, however, do not preclude the Municipality's right to participate in discussions on the location criteria of new electric power facilities.

#### **5.1.7 Accessory Uses**

- a) Wherever a use is permitted in a land use designation, it is intended that uses, buildings or structures normally incidental, accessory and essential to the use be also permitted.
- b) Home occupation uses shall generally be permitted as an accessory use in conjunction with permanent low density residential development and shall be appropriately regulated to ensure that they are compatible with surrounding uses.
- c) Notwithstanding the provisions of (i) above, it is not the intention of this policy to permit the location of accessory structures within floodplain areas.

#### **5.1.8 Mobile Home Parks**

Mobile homes and mobile home parks shall not be permitted as a form of housing in the Township of Galway-Cavendish and Harvey.

Notwithstanding, a mobile home may be permitted as a temporary dwelling during the construction of the main residence on a lot to which an active building permit has been issued, provided the mobile home ceases to be used once the main residence is occupied and the mobile home is subsequently removed from the lot.

### **5.1.9 Trailers**

The use of recreational travel trailers shall be prohibited within all land use designations within the Township except those lands which are appropriately designated for trailer park use. Recreational travel trailers may be permitted as a temporary dwelling during the construction of the main residence on a lot to which an active building permit has been issued, provided the recreational travel trailer ceases to be used as a residence or accessory residence once the main residence is occupied.

### **5.1.10 Protection of the Environment**

Environmentally Sensitive Areas include lands that contain such inherent biological values as provincially or locally significant wetlands, cold-water watercourses, Areas of Natural and Scientific Interest (ANSI) and other more locally significant natural areas. Environmentally Sensitive Areas may also possess any one of the following characteristics: flood susceptibility, poor drainage, organic soils, erosion prone soils or steep slopes. In some instances, the environmental values and/or hazards associated with such areas may make them unsuitable for development.

Environmentally Sensitive Areas are important elements of the Municipality's ecosystem, which require proper conservation and management in order to maintain the environmental health of the community. Owners of lands that contain Environmentally Sensitive Areas will be encouraged to be good land stewards. It is intended that Environmentally Sensitive Areas be conserved and protected to the greatest extent possible, including public ownership, if feasible.

Where possible, the approximate extent and location of these environmentally sensitive areas have been identified on Schedules "B1", "B2" and "B3", and/or designated as "Environmental Protection" or "Environmental Protection/PSW" on Schedules "A1", "A2", "A3", "A1-1" and "A1-2". All such lands are subject to the policies of Section 5.9 "Environmental Protection" of this Plan.

Not all lands having environmentally sensitive features are designated as "Environmental Protection" on the Land Use and Transportation Plan – Schedules "A1", "A2" and "A3" – due to the size and/or sensitivity of the feature, the degree of hazard it

creates, or a lack of information. During the review of development proposals lands with sensitive features may be identified. Depending on their significance and/or hazardous nature, such features shall be protected. An application to develop on or adjacent to such a feature shall be subject to the applicable policies of Section 5.1.10 of this Plan.

#### 5.1.10.1 Natural Environmental Features

The Municipality recognizes the need to develop policies that will protect and where possible enhance the significant natural environmental features within the Township of Galway-Cavendish and Harvey. As such this Plan recognizes the following natural environmental features and their functions:

- a) Flood Plains
- b) Steep Slopes
- c) Unstable Soils
- d) Significant Wetlands and Other Wetlands
- e) Fish Habitat
- f) Significant Wildlife Habitat
- g) Significant Woodlands
- h) Significant Valleylands
- i) Significant Habitat of Endangered Species and Threatened Species
- j) Significant Areas of Natural and Scientific Interest (ANSIs)

#### 5.1.10.2 Objectives

- a) Natural features and areas shall be protected for the long term.
- b) The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored, or, where possible, improved, recognizing linkages between

and among natural heritage features and areas, surface water features and ground water features.

- c) The prohibition of incompatible land uses within significant and sensitive environmental features and areas.
- d) To encourage the general public and the private development industry to participate in the co-ordination and implementation of sound management initiatives and practices as they relate to the identified natural environmental features of the Municipality.
- e) To identify, in consultation with the Ministry of Natural Resources and the Conservation Authorities, significant woodlands and significant valleylands, and significant wildlife habitat and significant habitat of endangered and threatened species, for the purposes of protection as specified in the Provincial Policy Statement (PPS). This Plan may be amended accordingly to recognize significant woodlands and valleylands and significant wildlife habitat when mapping of these features is available.

#### 5.1.10.3 General Policies

- a) Decisions made by the Township Council affecting planning matters shall be consistent with the provisions of Section 2.1 of the Provincial Policy Statement, the *Natural Heritage* policies.
- b) Where determined by the Municipality, in consultation with the local Conservation Authority, the Ministry of Natural Resources or the County of Peterborough, the Municipality shall require the developer to prepare an Environmental Impact Study (EIS) as part of any proposal for development or site alteration, where potential exists for a negative impact on the natural environmental features, functions and/or adjacent lands.
- c) The scope of an EIS report, required by subsection ii) above, shall be determined by the Municipality. With the exception of proposals that have little potential for

negative impacts, the EIS report will be completed by a qualified professional, approved by the Municipality.

- d) All EIS reports shall be approved by the Municipality in consultation with the local Conservation Authority and/or the Ministry of Natural Resources, and shall address the following:
- i) A detailed description of the development proposal;
  - ii) A description of existing on-site and adjacent land uses including the land use designations identified on Schedules “A1”, “A2”, “A3”, “A1-1” and “A1-2” of this Plan;
  - iii) The identification of all land uses or activities that may negatively impact on the natural environmental feature or their ecological functions;
  - iv) The delineation of the environmental features including those identified on Schedules “B1”, “B2” and “B3” of the lands subject to the development proposal;
  - v) A detailed description of the mitigation measures and monitoring program to be undertaken as part of the development proposal which will ensure no negative impacts to the features or their ecological functions; and
  - vi) Any other site-specific information deemed necessary by the Municipality in consultation with the local Conservation Authority and/or the Ministry of Natural Resources.
- e) The shorelines of the Kawartha Lakes are identified as a significant natural feature within the Township. Special measures should be considered when the Municipality is reviewing development proposals along the shoreline to minimize potential negative impacts on the water quality of the Lakes. These may include measures such as development setbacks, maintaining the natural vegetation and physical characteristics of the shoreline, and effective stormwater management.

#### 5.1.10.4 Environmental Protection Areas

The areas designated Environmental Protection and Environmental Protection/PSW on Schedules “A1”, “A2”, “A3”, “A1-1” and “A1-2” of this Plan play an important role in the preservation of the Municipality’s natural environmental systems, including wetlands, water courses and shoreline areas. The Environmental Protection designation also includes natural hazard areas and features, which may pose a threat to life and property due to inherent characteristics such as floodplains, erosion and dynamic beach hazards, and steep slopes. The policies that apply to such areas are set out in Section 5.9 of this Plan.

#### 5.1.10.5 Significant Wetlands

Wetlands are lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case, the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens.

Periodically soaked or wet lands being used for agricultural purposes, which no longer exhibit wetland characteristics, are not considered to be wetlands for the purpose of this Plan.

For the purposes of this Plan, “significant wetlands”, as defined in the Provincial Policy Statement, means an area identified as provincially significant by the Ontario Ministry of Natural Resources using evaluation procedures established by the Province, as amended from time to time.

The policies of Section 5.9 of this Plan shall apply to significant wetlands within the Municipality and/or identified on Schedules “B1”, “B2” and “B3” of this Plan.

#### 5.1.10.6 Areas of Natural and Scientific Interest

Significant Areas of Natural and Scientific Interest (ANSIs) are areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education.

The following policies shall apply to the significant Life Science and Earth Science ANSIs identified on Schedules “B1”, “B2” and “B3” of this Plan:

- a) Development **and site alteration** shall not be permitted in significant ANSIs unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.
- b) Development and site alteration shall not be permitted on adjacent lands to significant ANSIs unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.
- c) For the purposes of this policy “adjacent lands” shall mean those lands within 50 metres of identified significant ANSIs, as shown on Schedules “B1”, “B2” and “B3” of this Plan.

#### 5.1.10.7 Fish and Wildlife Habitat

Areas having fish habitat are not specifically identified on the Land Use Schedules of this Plan. Identified areas of significant wildlife habitat are shown on Schedules “B1”, “B2” and “B3”. The Municipality may undertake additional studies and surveys to identify and designate, in consultation with the Ministry of Natural Resources, additional fish habitat and significant wildlife habitat areas for protection and conservation from incompatible land uses and activities.

For the purposes of this Plan:

- a) Fish habitat, as defined in the *Fisheries Act, c. F-14*, means spawning grounds and nursery, rearing, food supply, and migration areas on which fish depend directly or indirectly in order to carry out their life functions; and
- b) Wildlife habitat includes areas where plants, animals and other organisms live and find adequate amounts of food, water, shelter and space needed to sustain their populations. Specific wildlife habitats of concern may include areas where

species concentrate at a vulnerable point in their annual or life cycle; and areas that are important to migratory or non-migratory species.

The following policies shall apply to fish habitat and significant wildlife habitat within the Township:

- a) Development or site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements. The Municipality shall consult with the Department of Fisheries and Oceans or the local Conservation Authority to determine such requirements.
- b) Where development and/or site alteration is proposed within 30 metres of a waterbody or watercourse, an EIS will be required to assess the potential impact on fish habitat, in accordance with the policies contained in Section 5.1.10.3 of this Plan.
- c) Development and site alteration shall not be permitted in significant wildlife habitat unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.
- d) Development and site alteration shall not be permitted on adjacent lands to significant wildlife habitat unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.
- e) For the purposes of this policy “adjacent lands” shall mean those lands within 50 metres of significant wildlife habitat.

#### 5.1.10.8 Coldwater Lake Trout Lakes

Highly sensitive lake trout lakes and moderately sensitive lake trout lakes are identified on Schedules “B1”, “B2” and “B3” of this Plan. The following policies shall apply to these lakes:

*a) Highly Sensitive Lake Trout Lakes*

Beaver Lake, Pencil Lake, Fortescue Lake, Crystal Lake, Cavendish Lake, Concession

Lake, Salmon Lake, and Bottle Lake within the Township of Galway-Cavendish and Harvey have been designated as highly sensitive or “at capacity” Lake Trout Lakes.

The creation of new lots by consent or plan of subdivision/condominium shall be prohibited on highly sensitive “at-capacity” lakes. This policy applies to all lands within 300 metres of the normal high water marks of such capacity reached lakes, whether or not the subject lands are in a land use designation that permits residential development or other forms of development.

Notwithstanding this policy, Council may consider the creation of new lots in unique or special circumstances where it can be demonstrated, in consultation with the Ministries of Environment and Natural Resources that one or more of the following conditions exist:

- i) Drainage of the proposed lot flows to a separate, non-sensitive watershed as a result of the physical features of the property;
- ii) Detailed site-specific hydrogeological studies show that the drainage of the sewage effluent will effectively result in a circuitous flow path that extends for at least 300 metres before reaching the lake;
- iii) That new technologies in sewage disposal systems intended to serve any proposed development have been accepted by the Ministry of the Environment and will result in no adverse effects on lake water quality;
- iv) That any conventional sewage disposal system designed to serve a new development will be set back a minimum of 300 metres from the high water mark;
- v) That a detailed site-specific hydrogeological and soil study which assesses phosphorous distribution, mitigation velocity and long-term soil retention capabilities.
- vi) Existing lot of record (existing at the date of approval of this Official Plan) may be issued a building permit for uses permitted by the Zoning By-law. The greatest development setback achievable shall be provided for

existing lots of record on highly sensitive lake trout lakes in order to minimize negative impacts on water quality. At a minimum, a 30-metre development setback with maintenance of the natural vegetative cover should be provided.

*b) Moderately Sensitive Lake Trout Lakes*

Catchacoma Lake, Gold Lake, and Mississauga Lake have been designated as moderately sensitive Lake Trout lakes.

A site-specific lake impact assessment shall be prepared to demonstrate that the lake is capable of supporting a proposed development, based on water quality parameters established by the Ministry of the Environment.

Site-specific lake impact assessments shall consist of a “best management” approach to the development of a lot. Biophysical information such as the siting of a dwelling or other building, septic system and buffer zone, and an evaluation of the soil type, depth and slope of the land should be included in the assessment. The Municipality may consult with the Ministry of the Environment when requesting these types of assessments.

In cases where a lake-wide capacity assessment has been undertaken, the Municipality will use the information in that assessment to determine whether the lake can support additional development.

#### 5.1.10.9 Warm Water Lakes

Warm water lakes include all lakes in the Township that are not classified as Coldwater Lake Trout Lakes.

New development adjacent to warm water lakes will be evaluated having regard to all applicable policies of this Plan, particularly with respect to the protection of water quality, fish habitat and other natural heritage features.

#### 5.1.10.10 New Lake Water Quality Information

Certain lakes in addition to lakes named in Section 5.1.10.8 have been the subject of previous water quality studies or lake capacity studies, including Picard Lake, White Lake, and Trounce or Birch Bark Lake. In addition, some lake communities are preparing lake management plans to identify specific environmental and social values, such as lake character that is a result of its location, size, physical and natural attributes and historic development. The Municipality may have regard to these studies, lake plans, or new approved studies that are available when evaluating development proposals, in consultation with the Ministry of the Environment or other applicable agency. The recommendations of such studies, lake plans, and approved lake capacity studies or water quality studies may be incorporated into this Official Plan by amendment, in consultation with the Ministry of the Environment or other applicable agency.

#### 5.1.10.11 Water Setbacks

New development shall be set back sufficiently from any water body or watercourse to promote the protection of water quality and natural stream and valley lands.

Shoreline development inclusive of sewage system leaching beds shall be set back from the high water mark of water bodies and watercourses to encourage minimal adverse impacts on both the shoreline and water body/watercourse.

For the purpose of this Plan and the implementing Zoning By-law, all new development on a lot shall be set back a minimum of 30 metres from the established high water mark of water bodies and watercourses.

Notwithstanding anything in this section to the contrary, structures such as septic tanks, pump houses, boat houses, docks, open decks and stairs shall be a permitted use and may encroach into the 30-metre setback without a minor variance provided that the property owner can demonstrate to the Township's satisfaction and, if appropriate, the authority having jurisdiction over the waterway, that it does not negatively affect the waterfront environment. If addressed in the Zoning By-law, applicable standards must be met (i.e., deck width, area, etc.).

Structures legally existing as of October 22, 2008 that do not comply with the required setback provision that require replacement due to structural defects or destruction by fire or other natural causes, or demolished by permit, will be permitted to be replaced on the same footprint and may only be enlarged in accordance with the provisions of the Zoning By-law, and where the enlargement does not further encroach into the 30-metre setback.

Sewage system leaching beds requiring replacement due to structural damage or malfunction should be set back a minimum of 30 metres from the high water mark if possible or to the greatest setback that is achievable to the satisfaction of the Peterborough County-City Health Unit. Due to their importance to ensuring public health and/or safety, a minor variance will not be required in the case where the replacement leaching beds must be located within the 30-metre water setback.

Vacant lots of record as existing on October 22, 2008 shall attempt to have structures and septic systems set back as far as possible from the high water mark. In this regard, a minor variance or a zoning by-law amendment for a reduced setback for existing vacant lots of record may be permitted provided that the variance:

- a) maintains the intent of the Zoning By-law;
- b) is minor in nature;
- c) maintains the intent of this Plan regarding environmental objectives; and
- d) is desirable and appropriate for the area.

Minor variances or zoning changes to accommodate proposed expansions of a structurally permanent nature to existing structures and/or septic systems that further reduce any applicable minimum water setback shall not be permitted unless it is a matter of public health and/or safety.

Severances for lot additions should not be recommended if the lot addition would leave a remnant parcel which would not be capable of maintaining the 30 metre water setback.

#### 5.1.10.12 Endangered Species and Threatened Species

The following policies shall apply to the significant habitat of endangered species and threatened species within the Township:

- a) Development and site alteration shall not be permitted in the significant habitat of endangered species and threatened species.
- b) The location of the significant habitat of endangered and threatened species is not specifically identified on the Land Use Schedules of this Plan. The Municipality will review development applications using the best and most up-to-date available information on endangered and threatened species location that is available from the Ministry of Natural Resources.
- c) Development and site alteration shall not be permitted on adjacent lands to the significant habitat of endangered species and threatened species unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.
- d) For the purposes of this policy “adjacent lands” shall mean those lands within 50 metres of an identified significant habitat of endangered species and threatened species.

#### 5.1.10.13 Definitions of Development and Site Alteration

For the purposes of Section 5.1.10 of this Plan, the following definitions of “development” and “site alteration” shall apply:

- a) “Development” means the creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the *Planning Act*, but does not include:
  - i) activities that create or maintain infrastructure authorized under an environmental assessment process; or

- ii) works subject to the *Drainage Act*, including the maintenance of existing municipal and agricultural drains.
- b) “Site alteration” means activities such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site.”

### **5.1.11 Wayside Pits and Wayside Quarries**

Wayside pits and quarries used on public authority contracts shall be permitted, without the need for an amendment to this Plan or rezoning, in any designation except a residential land use designation that is zoned for residential use, or land designated or zoned Environmental Protection or Environmental Protection/Provincially Significant Wetlands (PSW), provided that the use conforms to the *Aggregate Resources Act*.

On prime agricultural lands as defined in the Provincial Policy Statement, wayside pit and wayside quarry extraction may occur provided the agricultural rehabilitation of the site is professionally carried out and substantially the same acreage and average soil quality for agriculture are restored. Complete rehabilitation of prime agricultural lands is not required if:

- a) there is a substantial quantity of mineral aggregates below the water table warranting extraction; or
- b) the depth of planned extraction in a quarry makes restoration of pre-extraction agricultural capability unfeasible; and
- c) the applicant has considered alternative sources of supply (on prime agricultural lands where rehabilitation to agriculture is possible, on poorer quality agricultural lands, and on lands identified as designated growth areas) and found them unsuitable. Where no other alternatives are found, prime agricultural lands shall be protected in this order of priority: specialty crop areas, and Canada Land Inventory Classes 1, 2 and 3; and
- d) rehabilitation to agriculture is maximized in the remainder of the licensed area.

For the purposes of this section, a wayside pit or a wayside quarry means a temporary

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

Prior to the removal of any material from the subject site, the landowner may be required to enter into a development agreement with the Municipality. The agreement should include:

- i) Dust control measures; and
- ii) An exact indication of the routes to be used by gravel trucks and guarantees with respect to road damage.

In some instances, Council may consider it appropriate to waive the development agreement.

#### **5.1.12 Minimum Distance Separation (MDS) – Agriculture**

New land uses, including the creation of lots, and new or expanding livestock operations, shall comply with the Minimum Distance Separation 1 (MDS 1) and the Minimum Distance Separation 2 (MDS 2) Formulae contained in the publication *Minimum Distance Separation (MDS) Formulae, Implementation Guidelines*, Publication 707, Ministry of Agriculture, Food and Rural Affairs, Queen's Printer, Toronto, 2006, as amended from time to time.

The implementing Zoning By-law may establish regulations for the application of the Minimum Distance Separation 1 (MDS I) Formulae to existing lots.

#### **5.1.13 Trent-Severn Waterway**

The Municipality recognizes the national historic significance of the Trent-Severn Waterway, and the natural and cultural resources of the shorelands adjacent to the Waterway. Council will have regard to the applicable recommendations of the Trent-Severn Waterway Management Plan in the implementation of this Official Plan.

#### **5.1.14 Alterations to Lakes and Waterways**

The straightening, changing, filling, diverting or interfering with the existing channel or

shoreline of any watercourse or lake within the Township shall not occur without the written consent of the local Conservation Authority, Ministry of Natural Resources and/or Trent-Severn Waterway.

#### **5.1.15 Development Charges**

To assist in defraying costs of expanding existing service levels, the Municipality shall pass a by-law in accordance with the Development Charges Act; authorizing the application of a development charge for specified forms of development and/or redevelopment.

#### **5.1.16 Forest Resources**

In lands designated Rural and Environmental Protection on Land Use Schedules, "A1", "A1-1", "A1-2", "A2", "A3", "B1", "B2", and "B3", landowners shall be encouraged to recognize forest resources as an integral part of their total agricultural operation, both as a source of income from various forest products, and as an important agent in providing essential soil and water conservation benefits. In this respect, landowners will be encouraged to:

- a) Manage forest resources in accordance with proper forest management practices, in consultation with the Ministry of Natural Resources;
- b) Retain existing tree cover, insofar as it is practical;
- c) As appropriate, maintain and establish tree and shrub cover on low agriculture capability soils and in hazardous areas such as steep slopes, major drainage swales, and flood prone areas, in order to reduce runoff rates and minimize soil erosion;
- d) Encourage the retention and establishment of windbreaks to reduce wind erosion; and
- e) Encourage reforestation on non-productive farmland.

#### **5.1.17 Condominiums**

New condominium projects may provide additional opportunities for residential and

commercial/industrial development, ownership and private equity participation. In this regard, the Township will consider new forms of condominium developments under the Condominium Act, 1998, such as vacant land condominiums, having regard to the following matters:

- a) The ownership of common facilities such as access roads, open space and recreation areas, stormwater management systems, water and sewage systems, and common-use buildings and other facilities, including standards for the design, operation and maintenance of these facilities;
- b) The provision of services such as garbage collection and snow removal;
- c) Where applicable, the provision of adequate financial securities to ensure that common facilities and services do not become a financial burden on the Municipality; and
- d) All applicable policies of this Plan.

#### **5.1.18 Group Homes**

For the purpose of this Plan, a Group Home shall be defined as a single housekeeping unit in a residential dwelling in which three to ten residents excluding staff or the receiving family, live under responsible supervision and who, by reason of their emotional, mental, social or physical condition, or legal status, require a group living arrangement for their well being. The home shall be licensed or approved for funding by the Provincial Government and maintained in compliance with municipal by-laws. (This shall not include foster homes).

Group homes may be permitted in the Rural and Hamlet designations, subject to an amendment to the Township's Comprehensive Zoning By-law, and shall comply with the following:

- a) Group homes locating within the municipality should generally accommodate the needs of residents of the Township and vicinity;
- b) Group homes, with the exception of those group homes which are licensed under the Charitable Institutions Act, R.S.O. 1980 or the Ministry of Correctional

Services Act, R.S.O. 1980, shall be permitted on any lands designated for residential purposes;

- c) Group homes licensed under the Charitable Institutions Act, R.S.O. 1980 or the Ministry of Correctional Services Act, R.S.O. 1980, or secure custody children's residences shall be permitted only in a specific Institutional designation;
- d) The Council of the Township of Galway-Cavendish and Harvey may pass a by-law to provide for the registration and licensing of all group homes under Section 236 of the Municipal Act, R.S.O. 1980;
- e) Existing group homes which do not meet the requirements of the Township's Comprehensive Zoning By-law may continue to operate subject to the maintenance of the required licenses;
- f) Council will assure a reasonable number of group homes will be permitted and may pass by-laws to provide for the following group home regulations:
  - i) the maximum number of residents in a group home;
  - ii) a maximum number of group homes per 1,000 people;
  - iii) a minimum distance between group homes; and
  - iv) specific locational requirements;
- g) For the purposes of the above regulations, group homes may be categorized by type with consideration given to the following criteria:
  - i) The subject lands shall have frontage on a publicly owned street, assumed and maintained year round;
  - ii) The availability of municipal services to the site;
  - iii) The group home shall be of a design which maintains the scale, density, appearance and character of the existing land uses in the surrounding neighbourhood;
  - iv) The proposed location of the group home shall be in close proximity to community services which are normally required by the residents of the

group home;

- v) There shall be a documented local need for the type of group home which is proposed and the availability of the social and health facilities, resources and services capable of adequately handling the needs of the group home residents must be identified;
- vi) The group home facility shall occupy the entirety of the dwelling unit on the subject lands, and shall comply with all applicable Building Code and Fire Code Regulations;
- vii) The proposed group home shall comply with any distance separation requirements established in the implementing zoning by-law;
- viii) The land, building or structures of the proposed group home shall conform to the provisions of the Township's Comprehensive Zoning By-law.

#### **5.1.19 Islands**

For the purposes of this Plan, 'Island' shall mean any land mass which is completely surrounded by water; and which is recognized by patent. This will include any land mass joining the mainland by any man-made causeway, bridge or access.

Islands located within the corporate limits of the Township of Galway-Cavendish and Harvey will be placed in the Rural or Recreational Dwelling Area designations of this Plan.

In striving to maintain the character of these island areas and the quality of the environment, the following policies will be considered in the control and development of these lands:

- a) It is the intent of this Plan to prohibit the conversion of recreational dwellings to permanent dwellings on islands, unless access to the property from the mainland is provided by a publically assumed road which is maintained year-round by a public road authority.

- b) Development shall generally not take place on islands having less than .7 hectares in area;
- c) All lots located on islands whether created by consent or plans of subdivision shall abut a waterbody and provide for the following:
  - i) The lot for the recreational dwelling has mainland access where adequate off-street parking and boat docking facilities are provided;
  - ii) Lot sizes for island development shall generally not be less than 0.7 hectares and shall be such as to ensure an adequate supply of potable water and for the effective disposal of waste, to the satisfaction of the Health Unit and/or the Ministry of Environment;
  - iii) Lot sizes shall be such as to ensure that buildings are set well back from any shoreline and strategically located so as to maintain the natural shoreline aesthetics and the privacy of adjoining seasonal residents;
  - iv) Existing trees and other natural shoreline vegetation and features on the site shall be retained, wherever possible.

### **5.1.20 Housing**

#### **5.1.20.1 General Policy**

In order to provide for an appropriate range of housing types and densities required to meet projected requirements of current and future residents of the regional market area, Council shall:

- a) Maintain at all times the ability to accommodate residential growth for a minimum of 10 years through residential intensification and redevelopment of land and, if necessary, lands which are designated and available for residential development;
- b) Maintain at all times where development is to occur, land with servicing capacity to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate residential

intensification and redevelopment, and in draft approved and registered plans of subdivision;

- c) Encourage the provision of a mix and range of housing types in the Municipality;
- d) Encourage housing forms and densities designed to be affordable to moderate and lower income households;
- e) Reduce the time to process residential applications to the greatest extent possible;
- f) Encourage residential intensification where practical;
- g) Monitor the provision of affordable housing in the Municipality;
- h) Encourage group homes and consider policies to regulate their location such as separation distances and other policies as required by the Ministry of Health and Long-Term Care, the Ministry of Community, Family and Children's Services, and the Ministry of Public Safety; and
- i) Encourage and support developments for long-term care facilities and retirement homes located in built-up areas subject to the provision of adequate services.

#### 5.1.20.2 Garden Suites

A "Garden Suite" means a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable.

As a general policy, Garden Suites are not a preferred form of housing in the Municipality and shall not be approved except where it can be demonstrated to the satisfaction of Council that a Garden Suite is an appropriate use on a property. A Garden Suite shall require an amendment to the Zoning By-law, and shall be limited to land use designations that permit residential uses as a principal use save and except the Recreational Dwelling Area designation.

Where permitted, Garden Suites shall be regulated as temporary uses under the provisions of Sections 39 and 39.1 of the *Planning Act*. Council may require the owner of the garden suite or any other person to enter into an agreement with the Municipality dealing with such matters related to the temporary use of the garden suite as the Council considers necessary or advisable, including:

- a) the installation, maintenance and removal of the garden suite;
- b) the period of occupancy of the garden suite by any of the persons named in the agreement; and
- c) the monetary or other form of security that Council may require for actual or potential costs to the garden suite.

The implementing Zoning By-law shall contain regulations pertaining to garden suites such as, but not limited to, the zone classifications where they may be permitted, minimum lot area requirements, the maximum number of garden suite buildings per lot, building setbacks, and the minimum and/or maximum dimensions of a garden suite.

#### **5.1.21 Mineral Aggregate Resource Setbacks**

Licensed mineral aggregate operations and areas of known high potential mineral aggregate resources are designated as Aggregate Resource Extraction on Schedule “A1”, “A2” and “A3” of this Plan. Other lands identified as having high potential mineral aggregate resources are identified as Mineral Aggregate Resource on Schedule “C” of this Plan.

The policies of Section 5.10.7 shall apply with respect to proposals for development on or adjacent to lands designated as Aggregate Resource Extraction on Schedules “A1”, “A2” and “A3”, or identified as Mineral Aggregate Resource on Schedule “C”.

Sensitive land uses (as defined in Section 5.1.28 of this Plan) should not be permitted to locate within:

- i) 150 metres of existing licensed sand and gravel pit operations that are above the water table;

- ii) 300 metres of existing licensed sand and gravel pit operations that are below the water table;
- iii) 500 metres of existing licensed quarry operations, or lands identified as Mineral Aggregate Resource for Limestone Bedrock on Schedule “C”; or
- iv) 300 metres of lands identified as Mineral Aggregate Resource for Sand and Gravel on Schedule “C”;

unless studies are completed to demonstrate that the encroachment of the sensitive land uses will not be impacted by such matters as groundwater interference, noise, dust, traffic and vibration.

The above-noted influence areas should be applied reciprocally to new sensitive land uses encroaching upon an existing extraction operation or lands committed for future extraction.

### **5.1.22 Portable Asphalt Plants and Portable Concrete Plants**

#### **5.1.22.1 Definitions**

*Portable asphalt plant* means a facility:

- a) With equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage to bulk materials used in the process; and
- b) Which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

*Portable concrete plant* means a building or structure:

- a) With equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process; and
- b) Which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project.

#### 5.1.22.2 No Requirement for Amendment

Portable asphalt plants and portable concrete plants used by a public authority or their agent shall be permitted in the Industrial, Aggregate Resource Extraction, and Rural designations without amendment to this Plan or the Comprehensive Zoning By-law.

#### 5.1.22.3 Separation Distances

Portable asphalt plants and portable concrete plants must comply with the Ministry of the Environment's recommended separation distances and must obtain the necessary approvals from the Ministry of the Environment.

#### 5.1.22.4 Agricultural Lands

Portable asphalt plants and portable concrete plants establishing upon lands comprised of prime agricultural areas as identified in the Provincial Policy Statement may occur provided the agricultural rehabilitation of the site is carried out and substantially the same acreage and average soil quality for agriculture are restored.

### **5.1.23 Servicing**

#### 5.1.23.1 General Servicing Policies

It is an objective of this Plan to promote environmental protection and to provide an adequate supply of potable water through ensuring that appropriate servicing is available for new development or redevelopment within the Municipality. Planning for sewage and water systems will recognize that:

- a) Municipal sewage services and municipal water services are the preferred forms of servicing for settlement areas such as Hamlets;
  - b) Communal sewage and water services are the preferred means of servicing multiple lots/units in areas where full municipal sewage and water services are not or cannot be provided, where site conditions are suitable over the long term;
- and

- c) Individual on-site sewage and water services (e.g., septic systems and wells) shall be used for new development of five or less lots or private residences where municipal sewage and water services, or private communal sewage and water services are not provided and where site conditions are suitable for the long-term provision of such services.

Notwithstanding the above, individual on-site sewage services and individual on-site water services may be used to service more than five lots or private residences in rural areas that are permitted by this Plan, provided that these services are solely for the following uses and site conditions are suitable for the long-term provision of such services:

- i) Uses related to the management or use of resources;
- ii) Resource-based recreational activities;
- iii) Limited residential development as permitted by the policies of this Plan; and
- iv) Other rural land uses that are permitted by this Plan.

For the purposes of this policy, “rural areas” means lands which are located outside of designated Hamlets.

Where full municipal services are not available an investigation of servicing options shall accompany all development and redevelopment proposals involving multi-lot/unit residential development to determine the most appropriate form of servicing to promote environmental protection. The investigation of servicing options shall address the assimilative capacity of the ground water or surface water to absorb effluent without adversely impacting the natural environment.

For the purposes of this policy, “multi-lot/unit residential development” shall mean six or more residential lots or dwelling units where residences may be permanent homes or primary places of residence.

Where the servicing options investigation deems that the use of private water and sewage systems is appropriate, a hydrogeological assessment prepared by a qualified professional shall be required. The hydrogeological assessment shall investigate

whether an adequate supply of potable water is available for each new lot, and that the site can assimilate wastes from the proposed sewage disposal systems without exceeding Ministry of the Environment guidelines for groundwater impact. Such study must accompany the development application. Where individual services are appropriate, individual lot sizes shall be determined by the greater of the results of the hydrogeological assessment or the minimum lot sizes in the development policies contained in the appropriate sections of this Plan.

Partial services shall only be permitted where they are necessary to address failed services in existing development and within settlement areas to allow for infilling and rounding out of existing developments on partial services.

Unless on full municipal sewage and water services or approved private communal services, industrial and commercial uses will be restricted to those of a dry nature only and will be permitted on individual on-site sewage and water services on lands designated to permit those uses.

For the purposes of this Plan, a use of a “dry nature” shall mean one in which water is not required in the processing, assembling, fabricating, manufacturing, washing or cooling, or similar function of the establishment, and which requires water and sewage disposal facilities only for domestic uses, i.e., for employees and visitors to the establishment.

Municipal ownership and operation of communal sewage systems is required where six or more permanent residences are located on lots or parcels that are held under separate ownership, for example, lots in a plan of subdivision or units in a vacant land plan of condominium. Municipal ownership of the sewage system is not required for a communal sewage system serving six or more permanent residences in a development where the sewage system and the lands comprising the development are in a single ownership, such as a land lease community, a mobile home park, a park model trailer park, or a freehold condominium, municipal ownership of the sewage system is not required. However, a Responsibility Agreement between the owner of the property and the Municipality shall be required. This policy shall apply only to new development or expansions to existing development.

Where communal water services are required for residential development such as plans of subdivision or condominium, the establishment of a communal well will be subject to the approval of Council and to the requirements of the *Safe Drinking Water Act* and its associated regulations.

The establishment of non-municipal drinking water systems that are subject to the *Safe Drinking Water Act* for the purposes of servicing residential development requires written consent of the Municipality if the drinking water system serves six or more private residences. The Municipality may require financial assurance as a condition of development, which may be in the form of a Responsibility Agreement between the owner of the property and the Municipality.

Large subsurface sewage disposal systems with a capacity greater than 10,000 litres per day shall require approval under the Ontario Water Resources Act, and are subject to the Ministry of the Environment's Reasonable Use Guideline.

Consideration may be given to the use of other proven servicing systems subject to the approval of the Ministry of the Environment and the Township Council.

#### 5.1.23.2 Municipal Water Services

Municipal piped water supply services are currently in place for Buckhorn Lake Estates and Alpine Village/Pirates Glen developments.

Lot creation shall be permitted only if there is confirmation of sufficient reserve water system capacity within the municipal water services, and only if development is in compliance with the policies of Section 5.1.23.1, "General Servicing Policies."

The establishment of a municipal drinking water system requires approval under the *Safe Drinking Water Act*.

It is the policy of this Plan to protect wells that provide groundwater for municipal water systems, and to discourage certain land uses within 500 metres of municipal wells. As such, the following commercial and/or industrial uses are discouraged from locating within 500 metres of a municipal wellhead as shown on Schedules "A1", "A2" and "A3" of this Plan, except where the land use is intended exclusively for personal use and not

for commercial and/or industrial uses:

Storage of petroleum fuels;

- a) Storage of petroleum solvents and chlorinated solvents;
- b) Storage of pesticides, herbicides and fungicides;
- c) Construction equipment;
- d) Storage of inorganic fertilizers;
- e) Storage of road salt;
- f) Generation and storage of hazardous waste or liquid industrial waste; and
- g) The establishment of waste disposal sites and facilities.

If additional information becomes available concerning the site-specific delineation of wellhead protection areas and designated vulnerable areas, the Township will work with the Ministry of the Environment and the local Conservation Authority to prepare more detailed wellhead protection policies and mapping and incorporate such policies and mapping into the Official Plan by amendment.

#### 5.1.23.3 Private Communal Sewage and Water Systems

There are several existing private piped service systems in the Municipality. To avoid financially burdening the Township's ratepayers at large, the Municipality will resist any demand to assume responsibility for these private systems. Furthermore, no conversion of any operation presently using private piped services will be permitted if, in the opinion of the Municipality, such conversion would generate demands for municipal assumption of the system.

The establishment of non-municipal drinking water systems that are subject to the *Safe Drinking Water Act* for the purposes of servicing residential development requires written consent of the Municipality if the drinking water system serves six or more private residences. The Municipality may require financial assurance as a condition of development, which may be in the form of a Responsibility Agreement between the owner of the property and the Municipality.

Large subsurface sewage disposal systems with a capacity greater than 10,000 litres per day shall require approval under the *Ontario Water Resources Act*, and are subject to the Ministry of the Environment's Reasonable Use Guideline.

Requirements for the ownership and/or responsibility of private communal water and sewage systems shall be in accordance with the policies of Section 5.1.23.1.

New development on private communal water and sewage systems, where permitted by this Plan, shall only be permitted if there is confirmation of sufficient reserve water and sewage system capacity in the private communal systems.

#### 5.1.23.4 Individual (Private) On-Site Water and Sewage Systems

The majority of existing development in the Municipality is served by individual private, on-site water supply and sewage disposal systems. It shall be a policy of this Plan that new development will be so serviced except in those situations and subject to those conditions noted herein where other types of systems are to be permitted.

When development of any type will utilize individual on-site water supply and sewage disposal systems, this Plan requires compliance with the following policies before such development shall be permitted:

##### a) Lot Sizes

Each lot shall have sufficient area to comply with the requirements of the Health Unit for the soil, drainage and other pertinent conditions of the site, for the type of services proposed and for the type of development to be served. Ultimate density of development shall be determined through hydrogeological assessment by a qualified professional to the satisfaction of the Ministry of the Environment and/or the Township of Galway-Cavendish and Harvey.

##### b) Water Supply Systems

Each proposed water source and supply systems shall meet the quality and quantity requirements of the Health Unit and/or the Ministry of the Environment. If it appears that the operation of a proposed water supply system will impair the water supply to existing development in the vicinity, an assessment of local ground water conditions by

a qualified professional shall be required before approval will be given to the proposed system.

**c) Sewage Disposal Systems**

The preferred method of private sewage disposal shall be a septic tank and tile bed system. If, in the opinion of the Health Unit, a site appears to have unsuitable soil, drainage or other conditions which could adversely affect the operation of a proposed sewage disposal system, soil and similar tests by a qualified professional engineer shall be required before approval will be given to the proposed system.

**d) Substandard System Improvements**

The Municipality shall actively encourage the participation of township residents in any program that the Health Unit or the Ministry of the Environment designed to upgrade or replace existing substandard private supply or sewage disposal systems.

**e) Determination of Treatment Capacity for Hauled Sewage**

The Provincial Policy Statement requires that the determination of sufficient reserve sewage system capacity for individual on-site sewage services shall include treatment capacity for hauled sewage from private sewage services. It is the intention of the Township to work with applicable agencies to investigate options for the determination of treatment capacity for hauled sewage from private services and the implementation of this provincial policy.

**5.1.24 Re-Use of Contaminated and Potentially Contaminated Sites**

Where site re-use or re-development is proposed for lands that are or may be contaminated, Council will request the proponent to undertake a Phase I and if necessary a Phase II Environmental Site Assessment (ESA) to determine whether the environmental condition of the site is suitable for the proposed use.

A site which is contaminated, or may be potentially contaminated, should be assessed through the preparation of an ESA, and Council shall be in receipt of a record of site condition, acknowledged by the Ministry of the Environment, outlining the requirements for restoration before approval for the re-use or re-development of the site is granted.

The Ministry of the Environment should be consulted if it is determined that remedial action may be required.

Planning for the use or re-development of a contaminated or potentially contaminated site shall be undertaken in accordance with the requirements of the Ministry of the Environment.

As information becomes available concerning the location and extent of contaminated or potentially contaminated sites in the Township, this Plan may be amended to identify those sites, together with appropriate policies concerning the use or development of the sites.

Mandatory filing of a Record of Site Condition in the Registry is required for the change of use of a property from industrial or commercial to residential or parkland. Phase I Environmental Site Assessments (ESA) should be carried out at sites which may be contaminated, and Phase II ESAs should be completed if required. Clean-up of contaminated sites should 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.

#### **5.1.25 Heritage Resource Conservation**

Heritage resources include but are not necessarily restricted to archaeological sites, buildings and structural remains of historical, architectural and contextual value, and human-made rural, village and community landscapes of historic and scenic interest.

Council shall recognize the importance of cultural and heritage resources within the Township; and encourage the identification restoration, protection, maintenance and enhancement of such resources.

All new development permitted by the land use policies and designations of the Plan, shall have regard for heritage resources and shall, whenever possible incorporate these resources into any plans which may be prepared for such new development. In

addition, all new development will be accommodated in a manner which preserves and enhances the character of the context in which heritage resources are situated.

Council recognizes that there may be archaeological remnants of prehistoric habitation within the Township, and important archaeological evidence of historic activities which would be of value in the future conservation of the built environment. Council may therefore, facilitate survey by government or private agencies, should these agencies deem it necessary, and will encourage the preservation or rescue excavation of archaeological resources which may be necessary.

#### **5.1.26 Pigeon Lake**

In reviewing development proposals for lands on or in close proximity to the Pigeon Lake shoreline, Council shall require an Environmental Review Report as set out in Section 5.1.10 of the Plan to assess the impacts of development on the waterbody.

#### **5.1.27 Stormwater Management**

It shall be the policy of this Plan that for any development or redevelopment proposal, stormwater runoff shall be controlled and the potential impact on the natural environment shall be minimized.

No development or redevelopment proposal, including a registered plan of subdivision or a block of land which is being developed for residential, commercial, institutional or industrial purposes, shall be permitted if such development will have a significant adverse impact on local and area-wide drainage patterns. A suitable method of accommodating surface water run-off shall be developed and implemented as a condition of approval according to the following policies:

- a) Stormwater management facilities shall be designed and constructed to protect the receiving watercourse and adjacent lands from potential adverse impacts resulting from stormwater runoff including the degradation of water quality, increase in flood potential, interference or reduction of the drainage capacity of an existing watercourse, erosion and sedimentation, and damage or destruction of fish habitat or other environmentally sensitive areas and features.

- b) The municipality may participate in the preparation of watershed and subwatershed management plans with other adjacent municipalities as deemed necessary by Council.
- c) The municipality may undertake the preparation of a comprehensive Master Drainage Plan for a specific watershed area or development area within the Township of Galway-Cavendish and Harvey in consultation with the appropriate Conservation Authority and/or the Ministry of Natural Resources, Ministry of Transportation and/or County of Peterborough. Upon the completion and approval of a Master Drainage Plan by Council, site-specific stormwater management plans for development or redevelopment proposals within the area covered by the Master Drainage Plan shall conform to the policies and requirements of the Master Drainage Plan.
- d) In the absence of a comprehensive Master Drainage Plan, the post-development rate of stormwater flow from a development or redevelopment site should not exceed the pre-development rate. Council may consult with the appropriate Conservation Authority and the Ministry of Natural Resources to determine the most appropriate means to implement this policy for a specific site.
- e) The preparation of a stormwater management plan for a development proposal shall be the responsibility of the developer, and such a plan shall be prepared by a professional engineer. Prior to approving a stormwater management plan, Council shall request comments from the appropriate Conservation Authority, the Ministry of Natural Resources and any other applicable agency with respect to the suitability of the proposed stormwater management measures.
- f) An open drainage channel, stormwater detention/retention facility and adjacent lands which form part of a stormwater management system for a subdivision or other development proposal shall not necessarily be acceptable as part of the parkland dedication requirements under The Planning Act. Such lands shall be landscaped to the satisfaction of Council, and shall be a suitable width and grade to permit maintenance operations.

- g) The retention of existing tree cover or natural vegetation, particularly along watercourses and valleys, and the provision of significant grassed and open space areas, shall be encouraged to closely reflect the groundwater recharge and discharge characteristics of the site.
- h) A residential development or redevelopment proposal involving minor infilling on an existing lot of record or on a new lot created by consent, or the minor extension of an existing built-up residential area not involving a plan of subdivision or a project which is subject to Site Plan Control, generally will not require the preparation of a stormwater management plan. Prior to the issuance of a building permit, Council must be satisfied that drainage from the development will not adversely affect adjacent properties or an existing watercourse.

#### **5.1.28 Land Use Compatibility**

The encroachment of sensitive land uses and industrial uses on one another is discouraged. A separation distance in accordance with the Ministry of the Environment's *Land Use Compatibility* guideline and *Compatibility Between Industrial Facilities and Sensitive Land Uses* guideline will be incorporated between sensitive uses and industrial uses or other facilities that by their nature are incompatible with sensitive uses.

The following minimum separation distances between industrial land uses and sensitive land uses should be provided:

- a) Class 1 Industrial Facility -- 20 metres
- b) Class 2 Industrial Facility -- 70 metres
- c) Class 3 Industrial Facility -- 300 metres

Separation or buffer areas may include open space, berms, walls, fences, vegetation plantings, municipal streets, or another land use different from the two conflicting uses, but compatible with both the industrial and sensitive land use.

Notwithstanding the above, compatibility between sensitive land uses and mineral

aggregate operations shall be considered in accordance with the policies of Sections 5.1.21 and 5.10 of this Plan.

For the purposes of this policy, the following definitions shall apply:

“Class 1 Industrial Facility” means a place of business for a small-scale, self-contained plant or building which produces/stores a product that is contained in a package and has low probability of fugitive emissions. Outputs are infrequent, and could be point source or fugitive emissions for any of the following: noise, odour, dust and/or vibration. There are daytime operations only, with infrequent movement of products and/or heavy trucks and no outside storage.

“Class 2 Industrial Facility” means a place of business for medium scale processing and manufacturing with outdoor storage of wastes or materials (i.e., it has an open process) and/or there are periodic outputs of minor annoyance. There are occasional outputs of either point source or fugitive emissions for any of the following: noise, odour, dust and/or vibration, and low probability of fugitive emissions. Shift operations are permitted and there is frequent movement of products and/or heavy trucks during daytime hours.

“Class 3 Industrial Facility” means a place of business for large scale manufacturing or processing, characterized by: large physical size, outside storage of raw and finished products, large production volumes and continuous movement of products and employees during daily shift operations. It has frequent outputs of major annoyance and there is high probability of fugitive emissions.

“Sensitive Land Uses” means buildings, amenity areas or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse impacts from contaminant discharges generated by a nearby major facility. Examples of sensitive land uses include, but are not limited to, residences, day care centres, and educational and health facilities.

### **5.1.29 Home Occupations and Home Industries**

Home occupations and home industries offer opportunities for small-scale businesses to create new full-time or part-time employment in the Municipality. Home occupations

and home industries are not intended to be activities that are more appropriately located on lands that are specifically designated for commercial or industrial uses.

A “home occupation” means an occupation or business conducted for gain or profit entirely within a dwelling unit by a person residing therein. Home occupations include uses such as an office for a professional or trades person, an art or photographic studio, a work room for a dressmaker, a hairstylist, an art or music teacher, or similar activity.

A “home industry” means a small-scale commercial or industrial establishment that operates entirely within a separate accessory building on the same property as the home of the proprietor. Home industries include uses such as a carpentry shop, a metal/welding shop, an electrical shop, a plumbing shop, small engine repair, small-scale auto repair, a landscaping or landscape contracting business, a nursery greenhouse, a bus/truck parking or maintenance facility, or similar activity.

The following policies shall apply to home occupations and home industries:

- a) Home occupations shall be permitted in all designations that permit residential uses. A home occupation shall not change the appearance of the dwelling as a residence. In addition, the use must be compatible with the surrounding uses and shall not generate significant traffic or include commercial or industrial uses more appropriately located in non-residential areas. Adequate off-street parking shall be provided. The implementing Zoning By-law shall contain specific regulations pertaining to the establishment and operation of home occupations, including the maximum permitted floor area devoted to a home occupation, display of goods and storage, signs, limitations on employees, and the permitted types of home occupation uses.
- b) Home industries shall be permitted only in the Rural land use designation. The establishment of small-scale commercial or industrial uses in an accessory building on the same lot as the proprietor shall be permitted provided that the use is compatible with surrounding uses. Adequate off-street parking shall be provided. The implementing Zoning By-law shall establish provisions to regulate home industries including, but not limited to, the maximum building floor area, the

minimum lot area, display of goods and storage, outside storage, signs, the maximum number of employees, and the permitted types of home industry uses.

### **5.1.30 Crown Land**

Notwithstanding the policies of this Plan, the Municipality recognizes that the use of Crown Lands will be in accordance with the policies of the Ministry of Natural Resources as determined from time to time. It is therefore the policy of Council that the Ministry of Natural Resources have regard for the following when assessing development on Crown Land:

- a) Development occurs in accordance with the provisions of this Plan;
- b) Disposition of land will have no adverse impacts;
- c) Disposition of land for residential lots may require a plan of subdivision in accordance with the provisions of Section 6 of this Plan.

The policies of Section 5.12, "Crown Lands" shall apply as applicable.

### **5.1.31 Boats, Houseboats and Similar Vessels with Sanitary Facilities**

The use of land, buildings or structures for the servicing, docking or landing of boats, houseboats or similar vessels with sanitary facilities shall not be permitted on lands comprising the shoreline of any waterbody within the Municipality; save and except for those which comprise the Trent-Severn Waterway.

### **5.1.32 Nutrient Management By-law**

The Municipality may pass a Nutrient Management By-law under the *Nutrient Management Act* to require that the collection, storage and disposal of wastes from livestock facilities be subject to a Nutrient Management Plan that is approved by the Municipality. This By-law may also require the applicant to file agreements for any off-site disposal of such nutrients.

### **5.1.33 Bed and Breakfast Establishments**

A "bed and breakfast establishment" means a private single detached dwelling in which

a maximum of three guest rooms are made available for rent to the travelling or vacationing public. A bed and breakfast establishment may offer meals to those persons patronizing the establishment, but shall not be a restaurant that is open to the public, or a hotel, motel or other form of tourist establishment.

Bed and breakfast establishments will be permitted in the Rural, Hamlet and Recreational Dwelling Area designations, subject to the following policies:

- a) A bed and breakfast establishment shall only be permitted in a single detached dwelling;
- b) The property shall be the principle residence of the person operating the bed and breakfast establishment;
- c) The bed and breakfast establishments shall not detract from the residential character of the surrounding area; and
- d) Appropriate regulations shall be included in the Comprehensive Zoning By-law to govern the establishment and operation of bed and breakfast establishments within the Municipality, including the following:
  - i) The maximum number of guest rooms per bed and breakfast establishment (which shall not exceed three guest rooms);
  - ii) The provision of an appropriate number of off-street parking spaces;
  - iii) Restrictions on the type of dwelling in which such use may be established; and
  - iv) Restrictions on the size and nature of advertising signs.

#### **5.1.34 Alternative Energy Systems and Renewable Energy Systems**

Alternative energy systems and renewable energy systems, as defined in the Provincial Policy Statement, shall be permitted in all land use designations within the Municipality, with the exception of the Environmental Protection and Environmental Protection/PSW designations, in accordance with provincial and federal requirements and subject to the applicable provisions of the Zoning By-law. These systems shall be designed and

constructed to minimize impacts on sensitive land uses as defined in the Provincial Policy Statement (including, but not limited to residences, day care centres, and educational and health facilities) and on agricultural operations.

The Zoning By-law may include provisions with respect to alternative energy systems and renewable energy systems including, but not limited to:

- a) definitions for alternative energy systems and renewable energy systems, and classes of these systems, for example, wind energy systems, solar energy systems, large (commercial) scale systems, and small (private) scale systems;
- b) zone categories where alternative energy systems and renewable energy systems, and classes of these systems, shall be permitted and/or prohibited;
- c) zone regulations such as setbacks from property boundaries and land uses, setbacks from specific zone categories, setbacks from roads, and the permitted dimensions of the systems; and
- d) requirements for amendments to the Zoning By-law, where required, to permit alternative energy systems and renewable energy systems.

**5.1.35 Special Policy Area: Part Lots 9 and 10, Concession 7 - Harvey Ward**

Certain lands within Part Lots 9 and 10, Concession 7 are designated as a “Special Policy Area” as shown on Schedule “A1”.

These lands designated Special Policy Area are within an established Recreation Residential and Commercial waterfront area traditionally serviced by a Private Road system. Special policies are required to recognize the unique character of the area to permit redevelopment of lands by registered plan of subdivision on a private road.

Within the Special Policy Area as shown on Schedule ‘A’, the permitted land uses will be in accordance with the policies of the Official Plan regarding those land use designations shown on Schedule ‘A’ of this Plan.

5.1.35.1 Policy Exceptions

Notwithstanding the policies of Sections 5.4.2, 5.4.5 and 6.1.2 of this Plan, a registered plan of subdivision shall be permitted on a private road within the lands designated as Special Policy Area and located within Part Lot 9 and 10, Concession 7 - Harvey Ward.

**5.1.36 Special Policy Area: in Front of Lots 10 – 15, Concession 19 -  
Harvey Ward (Boyd Island)**

The subject lands, being Boyd Island in Front of Lots 10 to 15, Concession 19 (Harvey Ward) shall be subject to the following:

- a. Notwithstanding Sections 5.2.1 and 5.2.3 of this Plan, the uses permitted on lands designated “Rural” shall be restricted to passive recreational uses together with municipal infrastructure and internal access routes. Accessory structures shall generally be intended for the storage of on-site municipal equipment.
- b. Notwithstanding Section 5.4.1 of this Plan, the uses permitted on lands designated “Recreational Dwelling Area” shall be restricted to single unit recreational dwellings on individual lots. Single unit permanent dwellings shall not be permitted, and therefore the policies contained in Section 5.4.7 of the Plan shall not apply.
- c. The lands designated Recreational Dwelling Area shall be developed in accordance with individual lot development plans, which shall be prepared by the developer and approved by the Township prior to final approval of the plan of subdivision.
- d. Special provisions in the Township Zoning Bylaw shall assist in the implementation of the individual lot development plans. Building permit plot plans shall be required to conform to the approved lot plans.
- e. The implementing Zoning By-law shall zone the subject lands in a “Holding (H)” category in accordance with Section 8.5 and Section 8.7 of the Official Plan. The Holding Zone provision shall not be removed

by Council until such time as a subdivision agreement has been executed and registered on title. The subdivision agreement shall include the individual lot development plans that have been approved by the Township, in accordance with paragraph (c) above.

- f. Future lot creation by plan of subdivision, plan of condominium or by consent to sever shall be prohibited. Lot boundary adjustments may be considered subject to the provisions of Section 6.2.1.13 of the Official Plan.

**5.1.37 Special Policy Area: Part of Lots B and C, Concession 16 - Harvey Ward (Oak Orchard)**

Notwithstanding any other provision of this Plan to the contrary, land identified on Schedule "A1" as a Special Policy Area shall be subject to the following:

- i) The lands within the Special Policy Area are designated as Recreational Dwelling Area, and the policies of Section 5.4 shall apply except as provided in Section 5.1.37.
- ii) The lands within Special Policy Area may be developed as vacant land condominium pursuant to Part XII of the *Condominium Act*, 1998.
- iii) Notwithstanding Section 5.4.1, permitted uses may include single unit permanent dwellings, single unit recreational uses, a communal docking/boat mooring facility, open space and recreational uses, private access roads, and a club house for use by the members of the condominium corporation. The club house building may contain a condominium administration office, a condominium manager's dwelling unit, a maximum of three accessory dwelling units for visitors (but not for public, commercial occupation), a coffee shop, a common dining room, a multi-purpose meeting room, a wellness centre or fitness spa, and small-scale commercial uses catering to the residents of the condominium development such as a small-scale retail facility, a personal service establishment and a studio.

iv) The provisions of Sections 6.1.1 and 6.1.2 shall apply to a vacant land condominium except as provided in the Special Policy Area

v) For the purposes of Section 5.1.37 the following definitions shall apply:

a) “Private Communal Sewage and Water Services” means development that is serviced by:

- A sewage works within the meaning of Section 1 of the *Ontario Water Resources Act* that serves six or more lots (including units in a vacant land condominium) or private residences and is not owned by a municipality.
- A non-municipal drinking-water system within the meaning of Section 2 of the *Safe Drinking Water Act, 2002*, that serves six or more lots (including units in a vacant land condominium) or private residences.

b) “Private Non-communal Sewage and Water Services” means development that is serviced by:

- An individual on-site sewage disposal system within the meaning of s.8.1.2, O. Reg. 403/97 under the Building Code Act, for a single detached dwelling situated on a unit in a vacant land condominium, and which does not serve more than one single detached dwelling. This definition shall include an on-site sewage system approved by the applicable approval authority for a club house and related uses permitted in Section 5.1.38 (iii).
- An individual on-site water system, meaning an individual autonomous water supply system that is owned, operated and managed by the owner of the property on which the system is located, and which does not serve more than one single detached dwelling located on one unit in a vacant land condominium. This definition shall include an on-site water

system for a club house and relates to uses permitted in  
Section 5.1.38 (iii)

- vi) Notwithstanding Section 5.1.17(g), development in a vacant land condominium may be serviced by private non-communal sewage and water services, subject to the approval of the appropriate approval authority
- vii) Notwithstanding any provision of this Plan to the contrary, development in a vacant land condominium shall not be serviced by private communal sewage and water services where the Township would be required to assume the ownership and or responsibility of such services. Under no circumstances shall any sewage or water servicing arrangement be permitted where the Township would be required to enter into a Responsibility Agreement
- viii) A Declaration made pursuant to the *Condominium Act*, 1998, shall contain provisions respecting the servicing of residential lots/units with private non-communal water services in the form of drilled wells, or, where well supply is not possible, with a surface water source subject to the recommendations of a Professional Engineer for water quality treatment and security of the source. Such Declaration shall be acceptable to the Township.
- ix) Notwithstanding an provision of this Plan to the contrary, residential lots (units) and common elements within a vacant land condominium may be created and develop which are accessible by private roads forming part of the common elements, and which are managed and maintained by the condominium corporation. Such private roads shall be designed, constructed and maintained to a standard acceptable to the Township, and shall be adequate for access by public emergency service vehicles. Under no circumstances shall the Township assume or maintain a private road that forms part of the common elements in a vacant land condominium.
- x) Notwithstanding an other provisions of this plan to the contrary, vehicle access to lands identified as a Special Policy Area under Section 5.1.38\7 may be provided over a private right-of-way leading from County Road 37 (Lakehurst Road) to the

boundaries of the Special Policy Area

- xi) The implementing zoning bylaw shall contain, among other matters, regulations pertaining to the maximum floor area for a condominium corporation club house building, and development setbacks from the shoreline of Buckhorn Lake to protect the shoreline environment and identified archaeological sites adjacent to the shoreline.
- xii) Holding provisions in accordance with Section 36 of the *Planning Act* and Section 8.7 of the Official Plan shall be applied in the implementing zoning bylaw. The implementing zoning bylaw shall identify the conditions to be satisfied prior to the removal of the Holding symbol.

#### **5.1.38 Special Policy Area: Part Lot 21, Concession 17 – Harvey Ward**

Notwithstanding the policies of 5.2.1 and 5.2.2 of the Rural Designation on lands located in Part Lot 21, Concession 17 of the Harvey Ward, having property number 010-002-93500, a permitted use shall include one dwelling containing two dwelling units. All other provisions of the "Rural" designation shall apply. No consents for the purpose of creating new lots shall be permitted.

## **5.2 RURAL**

The "Rural" designation covers a substantial portion of the lands within the Township of Galway-Cavendish and Harvey. The main purpose of this designation is to protect these lands against indiscriminate and haphazard development and protect the lands for those uses which have historically been associated with them.

### **5.2.1 Permitted Uses**

Permitted uses shall include forestry management uses, passive recreational uses, parklands, small scale commercial and industrial uses at the home of the proprietor, agricultural uses, community and institutional facilities such as places of worship, government offices and schools, wayside or short-form pits and quarries, limited

permanent and recreational residential dwellings at a very low density, and existing uses.

### **5.2.2 Residential Development in the Rural Designation**

The intent of this Plan is to prevent urban development on lands designated as Rural particularly on lands suitable for forestry and specialized forms of agriculture. Residential development should be encouraged to locate in the residential areas as designated on Schedules "A1", "A2", and "A3". In general, consents for residential purposes in the Rural area shall be discouraged and development shall be encouraged by plan of subdivision. However residential severances may be granted in accordance with the policies of Section 6.0 of this Plan.

The creation of residential lots in the Rural designation shall not create strip development along improved public roads.

### **5.2.3 Public and Private Open Space Recreation**

Park and open space uses may be permitted in the Rural designation. Park and open space uses include all uses that are recreational in nature, including parks, playgrounds, beaches, nature trails, and similar uses available to the public. Accessory buildings shall also be allowed. Generally, park and open space uses will be permitted anywhere within the Rural Policy Area provided that there will be no detrimental effects on adjacent uses.

Buildings and structures incidental and accessory to park and open space uses shall be designed to integrate visually and functionally as much as possible with the natural landscape. No building shall be erected on lands subject to flooding or having steeply sloping topography or a high water table.

Adequate parking spaces shall be provided and access points to parking areas shall be located so that no traffic hazard will be created.

Development of new land-oriented recreational facilities will be compatible with surrounding land uses.

#### **5.2.4 Small Scale Commercial and Industrial Uses**

Small-scale commercial and industrial uses serving or related to the rural economy may be permitted in the Rural designation. These include uses such as commercial kennels, contractor's yards, electrical shops, metal-working and welding shops, plumbing shops, woodworking shops, pottery kilns, school bus agencies, family-operated trucking businesses, and similar uses which may be deemed by Council as necessary and appropriate in the Rural areas.

Lots shall be of adequate size to permit the location of the commercial or industrial use in an unobtrusive manner, to provide adequate off-street parking and loading facilities, and to be serviced with water and sewage disposal systems in accordance with the policies of this Plan.

These uses may be regulated in the Township's Zoning By-law as either a principal use of a property in the Rural designation, or as a home occupation or a home industry in accordance with the policies of Section 5.1.29. The Zoning By-law may also regulate matters such as maximum floor area for a small-scale commercial or industrial use on a property.

The employment of persons should generally not exceed five persons. Notwithstanding this policy, for a home industry the policies of Section 5.1.29 shall apply and the permitted maximum number of employees shall be as established in the implementing Zoning By-law.

#### **5.2.5 Wayside Pits and Quarries**

A wayside pit or quarry may be established in the Rural and Aggregate Resource designations, in accordance with the policies of Section 5.1.11. Council, in consultation with the Ministry of Natural Resources, may require that their establishment be subject to the provisions of Section 5.1.10 of this Plan.

#### **5.2.6 Portable Asphalt Plants**

Portable asphalt plants may be established in Rural and Mineral Aggregate Resources designations. Council, in consultation with the Ministry of Natural Resources, may

require that their establishment be subject to the provisions of Section 5.1.10 of the Plan.

### **5.2.7 Agricultural Uses**

The Minimum Distance Separation I (MDS I) formulae and criteria of the Ministry of Agriculture, Food and Rural Affairs and the Ministry of Environment shall be complied with when establishing of any new farming operation, the expansion of an existing farming operation, or the location of another use adjacent to an existing farming operation.

#### **5.2.7.1 Special Provisions for an Abattoir Operation**

An abattoir operation shall be a permitted use in the Rural designation. In order to promote compatibility with surrounding land uses, however, a operation shall comply with the following provisions:

- a) Adequate buffering, to include noise, odour attenuation and visual screening measures, shall be provided for the purpose of reducing or preventing the adverse effects of an abattoir operation on existing or proposed adjacent residential or commercial type uses. The buffer may take the form of an open space, a berm, a fence, vegetative planting or a combination of these features which would be the most suitable in achieving the intended purposes;
- b) The minimum setback from any established or approved residential or commercial land use shall be 125 metres;
- c) Waste disposal systems for an abattoir operation must be acceptable to the Ministry of Environment or its agent.

### **5.2.8 Environmental Concerns**

Any development proposal exclusive of severance applications which deviate from the permitted uses of the Rural designation shall be assessed, as part of the Official Plan Amendment, and may be the subject of an Environmental Review in accordance with Section 5.1.10 to ensure that the proposed use will have no detrimental affect on the

existing environment.

In the review of a proposed development plan, Council, in consultation with the Ministry of Natural Resources and/or the appropriate Conservation Authority and the Trent-Severn Waterway, shall have regard to its potential impact upon natural resources including fisheries, wildlife, forestry, mineral aggregates, Crown Lands, general recreation, areas of natural and scientific interest and ground water resources. Natural shorelines, watercourses and wetlands should be left undisturbed.

### **5.2.9 Zoning**

Rural uses may be zoned in a separate classification in the Township's Zoning By-law. Uses other than those which are specifically rural, which are permitted in the Rural designation, may be zoned in a separate zone in the Zoning By-law.

## **5.3 HAMLET**

Lands designated "Hamlet" recognize the essential mixed use character of these communities and the important role they play as residential, commercial and social centres within the Township of Galway-Cavendish and Harvey. The hamlets identified under this designation include the periphery of Bobcaygeon, Buckhorn, Burleigh Falls, Lakehurst, Kinmount and CatchAcoma. Some lands adjacent to the designated Hamlet areas are designated for a specific use as contained within other policy designations of this Plan. In order to protect and enhance the community focus, the following principles are to be considered in the development and control of the lands designated Hamlet.

### **5.3.1 Permitted Use**

Permitted uses may include permanent and recreational residential dwellings, commercial, small scale industrial, parkland and recreational uses, and institutional and community facilities. Development of lands in the Hamlet designation and involving shoreline, water courses or wetland areas shall be assessed according to the provisions of Section 5.1.10 of this Plan.

### **5.3.2 Pattern of Development**

The future extended development of hamlets will take place primarily in the form of registered plans of subdivision adjacent to and as a natural extension of existing development. Future development will be encouraged in depth rather than in strips along the main roads. All new development shall make adequate provisions for roadway access to permit the further future expansion of development which may be proposed at a later date.

Infilling between existing development either on existing vacant lots or severed lots shall be permitted provided that the new uses are compatible in type and density with the adjacent existing development.

Minor extensions to existing hamlet areas by severance shall be permitted provided that the new uses are compatible in type and density with the adjacent existing development and permit future communal or municipal servicing.

### **5.3.3 Services**

Servicing new development and the infilling of vacant lots and severed lots shall occur in accordance with the policies contained in Section 5.1.23 of this Plan. Where individual sewage disposal and water supply systems are to be used, they must be approved by the Peterborough County/City Health Unit and/or the Ministry of Environment.

### **5.3.4 Residential Uses**

Single unit detached dwellings shall be the primary form of residential development in the hamlet areas. However, apartments over commercial uses, duplexes, semi-detached dwelling units and multiple unit dwellings such as tri-plexes and quad-plexes may be permitted provided the provisions of Section 5.3.5 can be satisfied.

### **5.3.5 Multiple Residential Development**

The establishment of multiple residential uses shall be subject to the following:

- a) Where development occurs on privately owned and operated water and sanitary

sewer systems, a detailed hydrogeological study shall be required and approved by the Township and Ministry of Environment so as to ensure that the site can satisfactorily accommodate the proposed use without jeopardizing the quantity and quality of ground and surface water;

- b) The maximum density for multiple residential development shall generally not exceed 4 units per acre on private services or as determined by the results of a hydrogeological assessment;
- c) Multiple unit dwellings shall be encouraged to include acceptable landscaping standards, and sited so as to minimize their effect on adjacent uses, particularly single unit dwellings;
- d) The proposed development shall have direct access to collector streets or front upon a local street of adequate standard which connects directly to a collector street in order to prevent congestion on local streets.

### **5.3.6 New Residential Subdivisions**

Proposals for new residential developments in the Hamlet designation shall be evaluated based on the following:

- a) The provisions of Section 6.1.1 and 6.1.2 of this Plan;
- b) The site fronts directly on a public road and internal roads are public roads maintained on a year round basis;
- c) The site has a sufficient number of satisfactory access points for the units proposed;
- d) The site is adequately buffered from adjacent uses particularly those of a commercial or industrial nature.

### **5.3.7 Commercial Uses**

Commercial uses generally supplying local commercial needs and the needs of the vacationing and travelling public such as convenience stores, restaurants and retail stores will be permitted in the Hamlet designation, where compatible with surrounding

land uses and the general character of the hamlet. Provisions shall be made for adequate off-street parking together with appropriate buffer planting or screening where commercial uses abut residential uses.

### **5.3.8 Industrial Uses**

Industrial uses generally of a limited extent may be permitted in hamlets. Provision shall be made for adequate off-street parking together with adequate buffer planting or screening, where industrial uses abut residential uses.

### **5.3.9 Location and Requirements of Commercial and Industrial Uses**

Care shall be taken that commercial and industrial uses permitted in the hamlet areas are not noxious under the *Public Health Act* or incompatible with the residential nature of the hamlets. The degree to which these uses will be separated and the adequacy of the buffer planting or screening or other mitigating measures will depend on the nature of the uses involved.

Commercial uses, wherever possible, shall be grouped with existing commercial establishments to form a commercial node.

New industrial uses will not be permitted in areas which have developed as predominantly residential or in the path of logical residential expansion, but they will be encouraged to locate with other industrial uses or in areas where they will be isolated or shielded from residential uses.

New commercial and industrial development or major expansions to existing uses shall require the prior submission and approval of a detailed hydrogeological study, by the Township and Ministry of Environment.

### **5.3.10 Zoning**

Hamlet uses may be zoned in separate classifications in the Township's Zoning By-law.

## **5.4 RECREATIONAL DWELLING AREA**

The Recreational Dwelling Area land use designation primarily applies to those lands

along or in close proximity to the shoreline of water bodies used for limited service and seasonal residential purposes, and permanent residential purposes.

The natural recreational resources associated with the shoreline have attracted a significant level of residential development. It is the intent of this Plan to recognize the development of the shoreline areas for limited service and seasonal residential and permanent residential purposes, while maintaining and/or enhancing the environmental integrity of the waterfront.

New development in the Recreational Dwelling Area designation may be considered to be a “resource-based recreational activity” in accordance with the provisions of the Provincial Policy Statement on an individual site specific basis when it can be demonstrated to the satisfaction of the applicable approval authority that the residential development is functionally linked to the shoreline resource. Residential development on its own will be limited to the creation of not more than three lots, in accordance with the Growth Plan for the Greater Golden Horseshoe except where site-specific locations already had approved zoning or designation as of June 16, 2006.

#### **5.4.1 Permitted Uses**

Permitted uses shall include single unit permanent dwellings, single unit recreational dwellings, existing local commercial uses which are compatible with the surrounding area, the conversion of recreational dwellings to permanent dwellings where appropriate, and parkland.

#### **5.4.2 Pattern of Development**

New recreational dwelling development shall generally take place by registered plan of subdivision, in accordance with the provisions of Sections 5.1.10, 6.1.1 and 6.1.2 of this Plan. Recreational dwelling areas shall have adequate access to the waterfront preferably via waterfront parks or focal points, held in common ownership.

All new development proposals occurring by registered plan of subdivision within the Recreational Dwelling Area designation shall be reviewed in the context of a permanent residential development. In this regard the subdivider shall be responsible for the

construction of all roads to an appropriate Municipal standard, and private water supply and effluent treatment systems shall be designed and approved on the basis of year-round occupancy.

New development proposals within the Recreational Dwelling Area designation shall, wherever feasible, be designed to avoid a linear or strip development pattern adjacent to the shoreline. Development proposals which locate residential uses well back from the shoreline and retain the natural waterfront character and tree cover, shall be encouraged. New development in the form of backlotting and secondary tier development to existing developed areas shall not be permitted.

New development proposals in the Recreational Dwelling Area designation shall recognize the sensitivity of the shoreline in determining the land/water interface; and built structures should be screened from the lake, where possible.

The development of lands within the Recreational Dwelling Area designation may be limited by the ability or capacity of a lake to sustain the proposed new development. In order to ensure that water quality is maintained, proposed shoreline development shall be assessed in accordance with the policies of Sections 5.1.10.7, 5.1.10.8, 5.1.10.9, 5.1.10.10, 5.1.10.11, and any other applicable policy of this Plan.

#### **5.4.3 Services**

All recreational dwelling lots shall be serviced by an adequate supply of potable water and an effective method of waste disposal as determined by the Ministry of Environment and/or the Peterborough County/City Health Unit in accordance with subsection 5.1.23 of this Plan.

#### **5.4.4 Existing Lots**

Recreational dwelling development of existing vacant lots within the Recreational Dwelling Area designation may be undertaken on both private and public roads or on a navigable waterway. Such development shall meet the requirements of the Township's Zoning By-law, and shall be serviced by an adequate supply of potable water and an effective method of waste disposal as determined by the Ministry of Environment and/or

the Peterborough County/City Health Unit.

#### **5.4.5 Limited Service Residential Development and Zoning**

Residential lots in the Recreational Dwelling Area designation may be zoned to permit both permanent and non-permanent residential uses.

A separate zone category may be used for existing residential lots that front onto a private road that is not maintained by the Municipality or any other public road authority. A “limited service residential zone” may be applied to permit non-permanent dwellings, permanent dwellings, and compatible accessory uses. The basis of the limited service residential zone is the existing means of vehicular access, which will affect other municipal services such as road maintenance, snow removal, emergency vehicle access, garbage removal, and school bus access.

Owners of properties within a limited service residential zone category should be aware that the Municipality will not assume any liability for the lack of an appropriate form of public road access, nor assume such private roads or expend monies in relation to any form of improvements to or maintenance of the same.

New development within existing areas that are located in an existing “limited service residential zone” and the creation of new development on the basis of limited service residential development may be considered on a site-specific basis in accordance with all applicable policies of this Plan.

The creation of new lots by consent or by plan of subdivision within an area of limited service residential development shall be in accordance with the policies of Section 6 of this Plan.

Nothing in this Plan shall prevent the material alteration/renovation, reconstruction or repair of an existing dwelling in a limited service residential zone, provided that all applicable regulations of the Comprehensive Zoning By-law are complied with and such work would create no further non-compliance.

The development or redevelopment of an existing lot for a non-permanent dwelling or a permanent dwelling, or the conversion of a non-permanent dwelling shall comply with all

applicable provisions of the Comprehensive Zoning By-law.

#### **5.4.6 Access**

New recreational dwelling development on lots created by consent to sever shall conform to Section 6.2.1.4 of this Plan.

#### **5.4.7 Existing Commercial Development**

Existing local commercial development shall be permitted within the Recreational Dwelling Area designation however, such development will be minor in nature providing a service to the surrounding property owners including such uses as convenience stores and sub-post offices and does not include marinas or gas pumping facilities. The expansion of existing, local commercial uses shall be in keeping with the general character of the recreational dwelling area community. Local commercial uses shall be zoned in a separate category in the Municipality's Zoning By-law. The expansion and development of such uses shall take place on private sanitary waste disposal systems and private water systems.

#### **5.4.8 Islands**

The Official Plan recognizes that single detached recreational dwellings are situated on many of the islands within the Municipality and shall be zoned in a separate category in the Municipality's Zoning By-law.

#### **5.4.9 Zoning**

Residential uses shall be zoned in one or more separate classifications in the Township's Zoning By-law. Commercial uses shall be zoned in a separate classification in the Township's Zoning By-law.

### **5.5 ESTATE RESIDENTIAL**

Lands designated "Estate Residential" predominantly recognize single-unit residences on large lots. This category also recognizes the blending of outdoor recreational uses related to and serving the surrounding residential component.

### **5.5.1 Permitted Uses**

Permitted uses may include permanent residential dwellings with a directly associated recreational component. It is the intent of this plan that the residential development component be developed concurrently or after the recreational component is established and that the residential component be clustered so that the recreation component is the central focus.

### **5.5.2 New Residential Development**

Any further development proposals for the expansion of Estate Residential uses adjacent to the existing designation in Part Lots 11 and 12 Concession 10 shall require an Official Plan amendment and be evaluated on the basis of conformity with the County of Peterborough Official Plan and with the policies contained in this section. Additional development proposals will not be considered until such time as the existing designation is fully developed. Future Estate Residential development will not be considered in any other area of the Township.

A report must be prepared and submitted at the expense of applicant which identifies the amount of existing developed and vacant lots in the municipality and vicinity and considers the projected population projections in order to justify the need for the proposal to the satisfaction of the Municipality and approval authority.

The developer shall ensure that regard is given to the Provincial Policy Statement.

Estate residential development shall take place by registered plan of subdivision on private individual sewage disposal and water supply facilities. Consideration should also be given to servicing policies outlined in Section 5.1.23 of this Plan, and a hydrogeological report shall accompany the development application.

The provisions of Sections 6.1.1 and 6.1.2 shall apply to any Estate Residential proposed subdivision.

Estate Residential development should not be permitted in any area subject to flooding or erosion, having steep slopes, exposed bedrock, comprising a provincially significant wetland or having organic soils.

Estate Residential development should not be permitted in any areas with poorly drained soils or areas where there is an excess of water (as a result of elevated water table) because of the possible occurrence of malfunctioning of wells and septic systems.

Estate Residential development should not be permitted in or near potential aggregate resource areas or existing extractive operations; or potential forestry resources or existing timbering operations.

Estate Residential development proposals shall be subject to the policies of Section 5.1.10 and should not be permitted in areas which have existing woodland and wildlife habitat which would be detrimentally affected.

Estate Residential development should be permitted only in areas having direct proximity and access to existing paved roads.

Estate Residential development should be permitted only in areas where there is easy and economic access to community facilities (i.e. within 4 km of a Hamlet) but should not be in areas of potential future urban development.

Estate Residential development should be permitted only in areas which have unique topographical features and tree cover, and are not adversely affected by noise, air pollution or insect infestation. It should be located in proximity to a wooded stream valley, a natural or artificial body of water, special land forms and wooded areas, or on rolling land with varying elevations and vista.

Estate Residential development should be permitted only in areas where there are existing school bus routes and year round road maintenance.

Estate Residential development should not be permitted where it will have an adverse effect on traffic movement on main traffic routes.

Estate Residential development should be encouraged to locate in groups and should in no significant way contribute to a demand for enlargement of schools or for extensions to the existing level of municipal services.

Residential lots within Estate Residential areas shall include a variety of sizes, being no

less than .8 hectares and no greater than 2 hectares in area.

Lots within Estate Residential areas shall be well-proportioned and of regular shape and dimension with the minimum lot frontage being 60 metres.

The maximum number of dwelling units shall be limited to one unit per four hectares of recreational area.

Estate Residential development shall not be permitted as a form of backlotting or second tier development to waterfront areas.

### **5.5.3 Zoning**

Estate residential and recreational uses may be zoned in separate classifications in the Township's Zoning By-law.

## **5.6 COMMERCIAL**

The commercial designation recognizes existing commercial establishments located throughout the Township servicing both the general and the vacationing and transient public.

### **5.6.1 Permitted Uses**

#### **5.6.1.1 General Commercial**

The general commercial uses permitted are those local and highway commercial type uses which are oriented to serve the needs of the general public on both a day to day, and occasional basis. Such uses include existing uses, offices, retail stores, restaurants or other eating establishments, auto service stations, service uses, auto sales establishments and institutional type uses. A residence for a caretaker or owner shall be permitted as an accessory use.

#### **5.6.1.2 Recreation Commercial**

The recreation commercial uses permitted are those which are generally oriented to the waterfront and serve the vacationing and transient public. Such uses include marinas, boat rentals and repairs, resort residential uses such as lodges and condominiums,

rental cottages and cabins, motels, hotels, tent and trailer parks, places of entertainment, restaurants, park and recreation facilities, golf courses, associated retail stores and similar uses. A residence for a caretaker or owner shall be permitted as an accessory use.

#### **5.6.2 Off Street Parking**

Adequate off-street parking shall be provided for all permitted uses and access points to such parking shall be limited and designed in a manner that will minimize the danger to both vehicular and pedestrian traffic.

#### **5.6.3 Buffer Planting**

Adequate buffering, to include noise attenuation and visual screening measures, may be required between a commercial and any adjacent residential uses.

#### **5.6.4 Location and Phasing**

Generally, commercial development will be encouraged as part of the Hamlet area designations. This plan generally recognizes existing established recreation commercial type uses. Proposals for new recreation commercial development will be set back from the shoreline and the preservation of natural vegetation along the shoreline will be encouraged.

#### **5.6.5 Services**

The enlargement or redevelopment of existing commercial activities as well as the development of new commercial establishments shall be contingent upon the provision of an adequate supply of potable water and the installation of an appropriate sewage disposal system, as approved by the Ministry of Environment or its agent.

#### **5.6.6 New Commercial Development Criteria**

New proposed commercial development which is not already designated as Commercial and which is not a small scale commercial use to be regulated as a home occupation or home industry shall require an amendment to this Plan. Such

development shall only take place after the following factors have been given consideration:

- a) The compatibility of the proposed use with adjacent land uses;
- b) The impact of the proposed development on the natural environment, the open space character and the scenic qualities of the Township;
- c) The provisions of Section 5.1.10 of this Plan;
- d) The physical suitability and soil capability of the site for the proposed use;
- e) The convenience and accessibility of the site for vehicular and pedestrian traffic and the traffic safety in relation thereto, and the provision of adequate off-street parking facilities as required by the Township's Zoning By-law;
- f) Buffering and building setbacks;
- g) Water and sewage servicing requirements;
- h) Site design;
- i) Provision of interior street design and possible exterior street realignment.

Any new Commercial development shall front on an assumed public road which is currently maintained on a year-round basis by the Ministry of Transportation or by the Township of Galway-Cavendish and Harvey.

#### **5.6.7 Expansion of Existing Commercial**

The expansion of existing Commercial designations shall be permitted by amendment to this Plan in accordance with the provisions of Section 5.6.6, "New Commercial Development Criteria", provided that all other requirements of the Commercial designation can be met and that such expansion is compatible with surrounding land uses and the general character of the subject area.

#### **5.6.8 Commercial Condominium Development**

Development proposals in the Commercial designation that involve condominium ownership shall be subject to the provisions of Section 5.1.17 and any other applicable

policy of this Plan.

### **5.6.9 Development Plan**

Prior to the development or extension of any commercial lands, an overall site development plan shall be submitted by the owner in accordance with Section 8.6 of this Plan.

### **5.6.10 Zoning**

Commercial uses shall be zoned in one or more separate classifications in the Township's Zoning By-law.

## **5.7 INDUSTRIAL**

The "Industrial" designation is intended to recognize existing industrial uses and to promote the clustering together of new industrial uses as authorized by the Municipality.

### **5.7.1 Permitted Uses**

Those uses permitted within the Industrial designation are those industrial uses which do not use large quantities of water nor generate significant quantities of liquid waste. Such uses may include warehousing or storage uses; wholesale outlets; building products and materials storage, manufacture and sale; farm feed processing, storage and sale; sawmills; manufacturing, fabricating and assembly establishments; a bus or transport terminal; service establishments related to industrial manufacturing; contracting and transportation uses; and a portable asphalt plant. A retail commercial sales and display facility or area may also be permitted, provided that it is an integral part of the industrial establishment. Accessory uses may include a residence for an owner or caretaker and associated office facilities.

### **5.7.2 Services**

Services will be provided in accordance with subsection 5.1.23 of this Plan.

### 5.7.3 Development Policies

Applications for new industrial development proposals on land not designated Industrial in this Plan shall require an amendment to this Plan. In considering such an amendment, Council shall have regard for the following:

- a) The physical suitability and soil capacity of the site for the proposed use;
- b) The impact of the proposed development on the natural environment, the open space character and the scenic qualities of the Township;
- c) The provisions of Section 5.1.10 of this Plan;
- d) The compatibility of the proposed use with surrounding land uses;
- e) The provision of adequate off-street parking and loading space to service the proposed establishment, as required by the Township's Zoning By-law;
- f) Buffering and building setbacks;
- g) Servicing requirements;
- h) Site design; and
- i) Provision of interior street design and possible exterior street realignment.

Any new Industrial development shall front onto an assumed public road which is currently maintained on a year-round basis by the Ministry of Transportation, County of Peterborough or by the Township of Galway-Cavendish and Harvey.

Industrial uses which are considered to be noxious in nature shall not be permitted to locate in close proximity to any established or approved residential use.

### 5.7.4 Development Plan

Prior to the development or extension of any industrial lands, an overall site development plan shall be submitted by the owner in accordance with Section 8.6 of this Plan.

### **5.7.5 Parking and Loading**

Adequate off-street parking, loading and unloading areas shall be required for all permitted uses.

### **5.7.6 Access Points**

Access points to the industrial area shall be limited in number, and designed in such a manner so as to minimize traffic congestion, and ensure safe ingress and egress at the site.

### **5.7.7 Buffering, Screening**

Adequate buffering, to include noise attenuating and visual screening measures, shall be provided for the purpose of reducing or eliminating the adverse effects of an industrial use on existing or proposed adjacent residential and commercial type areas.

The buffer may take the form of open space, a berm, a wall, a fence, or vegetation plantings, or a combination of these features which would be most suitable in achieving its intended purpose.

### **5.7.8 Zoning**

Lands designated Industrial may be zoned in a separate classification in the implementation Zoning By-law. Vacant lands in these designations may be zoned rural, holding or environmental protection based on their specific location.

## **5.8 DISPOSAL INDUSTRIAL**

The “Disposal Industrial” designation recognizes existing solid waste landfill sites in the Township of Galway-Cavendish and Harvey, including active and closed landfill sites. The Disposal Industrial designation also applies to other Township facilities related to waste management including recycling facilities and waste transfer stations.

### **5.8.1 Permitted Uses**

Permitted uses shall include solid waste landfill sites as authorized by the Township and approved as necessary by the Ministry of the Environment. Permitted uses shall also

include municipal (Township- or County-owned and/or operated) recycling facilities and depots and waste transfer stations.

### **5.8.2 Disposal Industrial Area Designation**

Solid Waste landfill sites shall be designated as indicated on Schedule "A1", "A2", and "A3". These designations shall indicate the actual location of the solid waste landfill site and its area of influence, a distance of approximately 500 metres radius from the boundary of the landfill site, except where otherwise indicated. The solid waste landfill site's area of influence shall be subject to the policies of Section 5.8.8 when development of such lands is considered, and when such Disposal Industrial areas are considered for redesignation.

### **5.8.3 Development Policies**

It is not anticipated that a new municipal solid waste landfill site will be required or approved within the Township of Galway-Cavendish and Harvey during the planning time frame of this Official Plan. Notwithstanding, any proposal for a new Disposal Industrial facility shall be considered with regard to the following policies and any other applicable policy of this Official Plan:

- a) The physical suitability of the site for the proposed use;
- b) The compatibility of the proposed use with surrounding land uses;
- c) Potential impacts on the natural environment, with particular emphasis on groundwater quality;
- d) The degree to which the site will be exposed to the public;
- e) The ability of roads accessing the proposed disposal industrial site to carry traffic volumes projected to be generated by the proposed development, and the suitability of the proposed access points to the maintenance of a constant traffic flow pattern; and
- f) The applicable policies of Sections 5.1 and 8.10.3 of this Plan.

Prior to the designation of any new Disposal Industrial area, Council in consultation with

the Ministry of the Environment may require the preparation of background studies to address the above noted issues. Such studies shall be undertaken by qualified individuals and shall be to the satisfaction of Council and all applicable agencies.

Any new Disposal Industrial area shall front on an assumed public road that is currently maintained on a year-round basis by the Township of Galway-Cavendish and Harvey, the County of Peterborough, or the Ministry of Transportation.

Disposal industrial uses shall not be located within close proximity to any established or approved sensitive land use.

An Environmental Impact Study under the provisions of Section 5.1.10.3 of this Plan shall be required to support an amendment to this Plan to permit the establishment of a new Disposal Industrial area.

#### **5.8.4 Development Plan**

Prior to the development of “Waste Disposal” lands, an overall development plan shall be required to ensure the proper integration of adjacent uses. The development plan shall include the following information:

- a) A survey of the entire property including contours, dimensions, watercourses, existing public road, existing easements, or rights-of-way and all existing land uses and structures within 125 metres of the property boundary on which the disposal industrial development is proposed.
- b) A description of the location, height, dimension, and use of all buildings or structure proposed to be erected on the property, as well as setbacks, drainage provisions, proposed entrances, exits and parking areas, landscaping, final landfill contours where application and proposed truck routes to and from the site.

#### **5.8.5 Ministry of Environment**

All Disposal Industrial land use designations for solid waste disposal sites shall be approved by the Ministry of Environment prior to the submission of an application for an

Official Plan amendment.

### **5.8.6 Buffering, Screening**

Adequate buffering, to include noise attenuating and visual screening measures, shall be provided for the purpose of reducing or eliminating the adverse effects of a disposal industrial use on existing or proposed adjacent land uses.

The buffer may take the form of a berm, a wall, a fence, or vegetation plantings, or a combination of these features which would be most suitable in achieving its intended purpose.

### **5.8.7 Zoning**

Disposal industrial uses shall be zoned in a separate zone classification in the Township's Zoning By-law, which shall include setback requirements in accordance with the appropriate guidelines and regulations of the Ministry of Environment. Those lands affected by the "area of influence", for Disposal Industrial designated lands shall be placed in an appropriate zone with a Holding (H) symbol added to the zone category. Removal of the Holding (H) symbol shall be subject to the provisions of Section 8.7.2(b) of this Plan.

### **5.8.8 Closed Landfill Sites**

Former solid waste landfill sites shall be indicated as such on Schedule "A1", "A1-1", "A1-2", "A2", and "A3" of this Plan and shall be zoned in a Holding (H) zone classification in the Implementing Zoning By-law. These sites (and where no site related environmental information is available, lands within a 500 metre radius of the landfill site), are designated for information purposes, and may be utilized for Rural designation purposes without an Official Plan amendment, provided the Municipality in consultation with the Ministry of Environment is satisfied that the following concerns have been satisfactorily dealt with:

- a) Written approval has been received from the Ministry of Environment that the development satisfies the provisions of the *Environmental Protection Act*;

- b) Studies have been carried out to the satisfaction of the Municipality and the Ministry of Environment that show that the development is compatible and can safely take place;
- c) The Municipality shall require the construction and phasing of all development to coincide with the control of any problems identified by the engineering studies;
- d) Studies of gas, leachate and hydrogeology, shall be carried out by a qualified engineer;
- e) The Municipality shall be satisfied with the required studies with respect to any matter regarding structural stability, safety, and integrity of any and all structures;
- f) Notwithstanding the land use designations on Schedule "A1", "A1-1", "A1-2", "A2", and "A3" residential development will not be allowed to proceed on areas identified by subsections (b) and (d) above, as containing organic or chemical wastes.

When the above described concerns have been satisfied, the Holding (H) provision on the former waste disposal site will be removed and the ultimate intended land use can occur.

Where organic or chemical wastes are present, a rezoning under Section 34 of the *Planning Act* may be required to prohibit residential uses within the zone assigned to the lands.

Where the above-noted studies are being undertaken to support the removal of a Holding (H) provision from lands within 500 metres of the landfill site, the studies shall be prepared by the applicant and the Township may retain a qualified consultant to undertake an independent peer review of the studies at the expense of the applicant.

## **5.9 ENVIRONMENTAL PROTECTION**

Lands designated as Environmental Protection on Schedules "A1", "A2", "A3", "A1-1" and "A1-2" are environmentally sensitive and include lands with flood susceptibility, poor drainage, organic soils, erosion prone soils or steep slopes. In addition, this land use designation may include Areas of Natural and Scientific Interest (ANSI), lands that

contain such inherent biological values as provincially or locally significant wetlands and other more locally significant natural areas.

The environmental values and/or hazards associated with such lands act as constraints for development.

### **5.9.1 Permitted Uses**

Lands designated as Environmental Protection are primarily intended for preservation and conservation of the natural land and/or environment, and should be managed in such a fashion as to complement adjacent land uses and protect such uses from physical hazards. Uses such as agriculture, nursery and market gardening and forestry may be permitted. However, buildings and structures other than those required for conservation purposes shall generally be prohibited. The Conservation Authority and/or the Ministry of Natural Resources shall be consulted regarding proposed buildings and structures. In addition, recreational uses shall only be permitted where they are compatible with adjacent land uses.

### **5.9.2 Placing and Removal of Fill**

The placing or removal of fill and site alteration are not permitted in lands designated as Environmental Protection, unless authorized in writing by the Municipality or, where the Conservation Authority's regulations apply, authorized by the Conservation Authority.

### **5.9.3 Detailed Delineation of Environmental Protection Lands**

The boundaries of the Environmental Protection designation are approximate and it is the intent of this Plan that the precise locations will be delineated in the implementing Zoning By-law or at the time of the submission of development applications. Such detailed mapping shall be undertaken in consultation with the local Conservation Authority and other agencies as applicable. In the absence of more detailed mapping, the boundaries of the Environmental Protection designation on Schedules "A1", "A2", "A3", "A1-1" and "A1-2" shall be used as a guide in the preparation of the implementing Zoning By-law.

Where it is determined that lands within the Environmental Protection designation are not environmental constraint lands, the development of such lands shall be reviewed on the basis of the adjoining land use designation, the policies of Section 5.1.10 of this Plan (Protection of Environment), and the general intent and purpose of this Plan. An amendment to Schedules “A1”, “A2”, “A3”, “A1-1” and “A1-2” of this Plan shall not be required to make minor modifications to the Environmental Protection designation provided that the overall intent of the Plan is maintained. The Municipality shall consult with the Conservation Authority and/or the Ministry of Natural Resources and any other appropriate agency when considering this matter.

#### **5.9.4 Privately Owned Lands**

Where any land designated Environmental Protection is under private ownership, this Plan does not intend that such lands will necessarily remain as such indefinitely. In addition, it shall not be construed as implying that such areas are free and open to the general public or that the Municipality or other government agency will purchase the lands.

#### **5.9.5 Application to Re-Designate**

An application to re-designate Environmental Protection lands for other purposes may be given due consideration by the Municipality in consultation with the Conservation Authority and/or the Ministry of Natural Resources or other public agency. Council shall consider the following matters:

- a) The existing environmental and/or sensitive features;
- b) The potential impacts of these environmentally sensitive lands;
- c) The potential impacts on natural features and functions;
- d) The proposed methods by which these impacts may be overcome in a manner consistent with accepted engineering techniques and resource management practices; and
- e) The compatibility of the proposed use with adjacent/surrounding land use.

There is no municipal or public obligation to re-designate or to purchase any land if there is an existing or potential environmental hazard.

### **5.9.6 Park Dedication**

The Municipality may at its sole discretion, choose to accept lands designated Environmental Protection as part or all of a parkland dedication pursuant to the *Planning Act*. The Municipality may also choose not to accept Environmental Protection lands as part or all of the parkland dedication.

### **5.9.7 Flood Susceptible Lands**

The boundaries of the Environmental Protection designation have, in some areas, been defined by detailed engineered floodlines prepared by the local Conservation Authority or the Ministry of Natural Resources. Schedules “A1-1” and “A1-2” show the floodplain areas which have been defined by engineered floodlines.

#### **5.9.7.1 Definitions**

For the purposes of this Section the following definitions shall apply:

“Development” means the creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the *Planning Act*. This shall include the construction, erection or placing of a building of any kind, or the making of an addition or alteration to a building or structure that has the effect of increasing the size or usability thereof, and includes such related activities as site alteration (which includes activities such as grading, excavation, and the placement of fill).

“Flood fringe” means the outer portion of the floodplain between the floodway and the regulatory flood. Flood depths and velocities are generally less severe in the flood fringe than those experienced in the floodway.

“Floodplain” means the area, usually low lands, adjoining a watercourse, which has been or may be subject to flooding hazards.

“Floodproofing” means a combination of structural changes and/or adjustments

incorporated into the basic design and/or construction of buildings, structures and properties subject to flooding, so as to reduce or eliminate flooding hazards.

“Floodway” means the channel of a watercourse and the portion of the floodplain where development and site alteration would cause a danger to public health and safety or property damage. Flood depths and velocities are generally higher than those experienced in the flood fringe.

The floodway represents that area required for the safe passage of flood flows and/or that area where flood depths and/or velocities are considered to be such that they pose a potential threat to public health and safety and/or property damage. For the purpose of this Official Plan, in areas administered by the Ministry of Natural Resources or the Kawartha Region Conservation Authority, the floodway shall be the hydraulic floodway limits, as identified by the Ministry of Natural Resources or the Conservation Authority, and is represented by the Environmental Protection designation on Schedule “A1-1” for Nogies Creek and Schedule “A1-2” for Miskwaa Zibii River.

“Minor alteration/addition” means construction that is less than 50 percent of the market value or floor area of the existing structure or work.

“Regulatory flood” means the approved standard used in a particular watershed to define the limit of the floodplain for regulatory purposes. The flood standard used to define the floodplain limits is the flood resulting from the 1961 Timmins storm-centred event.

#### 5.9.7.2 Floodplain Development Policies

Notwithstanding any other provisions of Section 5.9, on existing lots of record within the limits of the floodplain shown on Schedules “A1-1” and “A1-2”, any new development as defined in subsection 5.9.7.1 shall be subject to the following:

- a) Uses permitted within the floodway, as identified by the Environmental Protection designation on Schedules “A1-1” and “A1-2”, shall generally be restricted to uses permitted in Section 5.9.1, plus those uses existing at the date of approval of this Official Plan.

b) Minor alterations or additions to existing buildings or structures within the floodway may be permitted where such alterations or additions would not be susceptible to flood damage or cause or increase the potential for flood-related damages to existing uses or land on the site, or upstream or downstream of the site. Ingress/egress for the altered building should be such that vehicular and pedestrian movement will not be prevented during times of flooding. Council may consult with the Ministry of Natural Resources or the local Conservation Authority regarding the information required by paragraph (d) of this Section prior to approving such alteration or addition.

c) New development within the flood fringe as shown on Schedules “A1-1” and “A1-2” shall generally be permitted, but shall be undertaken only in conjunction with adequate floodproofing measures acceptable to Council in consultation with the Ministry of Natural Resources or the local Conservation Authority.

New buildings or structures, or alterations or additions to existing buildings or structures that have the effect of substantially increasing the size or usability thereof, shall be floodproofed to the level of the regulatory flood. Any new development should not be susceptible to flood damages, or cause or increase the potential for flood-related damages to existing uses or land on the site or upstream or downstream of the site. Ingress/egress for new building should be such that vehicular and pedestrian movement will not be prevented during times of flooding.

d) For the purposes of Paragraphs (b) and (c) above, the onus will be on the property owner to provide sufficient information as determined by Council in consultation with the Ministry of Natural Resources or the local Conservation Authority to demonstrate that new development and other properties will not be susceptible to flood-related damages.

e) New development in the flood fringe shall conform to the specific policies of the land use designation which applies to those lands.

### **5.9.8 Provincially Significant Wetlands**

Provincially Significant Wetlands are designated as “Environmental Protection/PSW” on Schedules “A1”, “A2”, “A3”, “A1-1” and “A1-2”. The precise boundary of a Provincially Significant Wetland shall be determined in consultation with the Ministry of Natural Resources and/or the Conservation Authority.

In addition to the other policies of Section 5.9 of this Plan, the following policies apply to Provincially Significant Wetlands (PSW) and the lands within 120 metres of them (as shown on Schedules “B1”, “B2” and B3”).

Development and site alteration as defined in Section 5.1.10.13 of this Plan shall not be permitted in Provincially Significant Wetlands.

#### **5.9.8.1 Environmental Impact Study**

Development or site alteration of lands within 120 metres of a Provincially Significant Wetland shall only be permitted in accordance with the underlying land use designation following the completion of an Environmental Impact Study (EIS), conducted by a qualified individual, at an appropriate time of the year, and prepared in accordance with guidelines established by the Ministry of Natural Resources. The EIS may be peer reviewed, and the expense of both the EIS and the peer review are the responsibility of the applicant. The EIS must demonstrate that there will be no negative impacts on the natural features or on their ecological functions. This study should address the following matters:

- a) A description of the wetland, including its boundaries, adjacent lands, and ecological functions on or adjacent to the wetland;
- b) A description of the proposed development or site alteration;
- c) The potential impacts of the proposed development or site alteration on the wetland and the related ecological functions;
- d) Demonstrate how and where development or site alteration can occur such that there will be no loss of contiguous wetland area and no negative impacts on the wetland or ecological functions;

- e) Demonstrate that the proposed development or site alteration will not create a subsequent demand for future development that will negatively impact on wetland functions;
- f) Demonstrate that the development or site alteration proposal will not conflict with existing site-specific wetland management practices;
- g) Outline the proposed methods by which any negative impacts on the wetland or wetland functions can be minimized or eliminated in a manner consistent with acceptable engineering and conservation practices, in consultation with the Ministry of Natural Resources and/or the local Conservation Authority;
- h) Any other matters identified by the Township, the Ministry of Natural Resources or the Conservation Authority; and
- i) A monitoring protocol may be included to ensure the effectiveness of any recommended mitigation measures.

An EIS must be conducted prior to the approval of any development/site alteration, or in support of any application for an Official Plan Amendment, Rezoning, Subdivision, Condominium, Severance or Minor Variance on lands within 120 metres of a Provincially Significant Wetland. As an EIS can differ in scope, Council, in consultation with the Ministry of Natural Resources and/or the Conservation Authority, will determine the type of EIS required (i.e. Comprehensive, Full Site or Scoped Site).

A site plan or development agreement may be entered into between the developer and the Municipality to ensure that the recommendations of the Environmental Impact Studies are implemented.

Where areas identified as Provincially Significant Wetlands are determined by the Ministry of Natural Resources and/or the Conservation Authority not to form part of a wetland, development shall be permitted in accordance with the adjacent land use designation. An amendment to the Zoning By-law, however, will be required.

#### 5.9.8.2 Existing Lots of Record

The policies of this section shall not be applied to prevent the issuance of a building

permit nor necessitate an Environmental Impact Study in support of a building permit on existing lots of record within 120 metres of an identified Provincially Significant Wetland, provided that the lot on which development is to occur is located in a designation other than Environmental Protection, or, if located in the Environmental Protection designation, satisfies all other applicable policies of Section 5.9 of this Plan. Notwithstanding this policy, an EIS shall be required on an existing lot of record if a change in zoning or minor variance is required to permit new development.

#### 5.9.8.3 Lot Creation

No new lot shall be created by plan of subdivision or consent to a land severance, nor shall any zoning by-law amendment to permit a change in land use be enacted by Council within 120 metres of a Provincially Significant Wetland except where all applicable policies of this section are addressed to the satisfaction of the Municipality and the appropriate approval authority.

#### 5.9.8.4 Review of Provincially Significant Wetlands

No new or enlarged Provincially Significant Wetland shall be identified on Schedules "A1", "A2", "A3", "A1-1" and "A1-2" except by amendment to this plan.

Property owners within Provincially Significant Wetlands or within 120 metres of the wetland shall be consulted by the Municipality prior to an amendment to this Plan to identify new or enlarged Provincially Significant Wetlands. Notice to affected property owners shall be given in accordance with the notice requirements of the *Planning Act*.

Where studies are undertaken by the Ministry of Natural Resources or other agencies to reassess Provincially Significant Wetlands boundaries or to identify new or enlarged Provincially Significant Wetlands, the Council requests that the Ministry or Agencies consult with affected property owners and the Municipality prior to the study being undertaken and during the study process.

### **5.9.9 Zoning**

The Environmental Protection and Environmental Protection/PSW designations shall be

zoned in a separate classification in the Zoning By-law.

Building setbacks may be established from the applicable zone boundary based upon the severity of the hazard, the type of permitted abutting use, the need for buffering, and the sensitivity of land features.

Amendments to the Comprehensive Zoning By-law in accordance with Section 5.9.3 of this Plan may be considered without an amendment to this Plan.”

## **5.10 AGGREGATE RESOURCE EXTRACTION**

### **5.10.1 Definitions**

For the purposes of this Section the following definitions shall apply:

“Mineral aggregate resources” means gravel, sand, clay, earth, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under *the Aggregate Resources Act* suitable for construction, industrial, manufacturing and maintenance purposes, but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the *Mining Act*. For the purposes of this Plan, vermiculite shall be deemed to be a “mineral aggregate resource.”

“Mineral aggregate operation” means the extraction of mineral aggregate resources and related activities, and includes:

- a) Lands under licence or permit, other than for wayside pits and quarries, issued in accordance with the *Aggregate Resources Act*, or successors thereto;
- b) Associated facilities used in extraction, transport, beneficiation, processing or recycling of mineral aggregate resources and derived products such as asphalt and concrete, or the production of secondary related products.

### **5.10.2 Permitted Uses**

The uses permitted in the Aggregate Resource Extraction designation shall include mineral aggregate operations. Associated operations such as drilling, blasting, crushing, screening, washing and blending aggregate, aggregate recycling, aggregate

storage, weigh scales, associated buildings and concrete and asphalt batch plants may also be permitted. These associated operations will only be permitted where they are compatible with other uses permitted in the Aggregate Resource Extraction designation and will in no way hamper the rehabilitation of these areas for other land uses.

Lands designated as Aggregate Resource Extraction may also be used for agricultural, resource management, open-air recreation or forestry purposes.

Mineral Aggregate Resource areas are identified on Schedule “C”. These lands may be used in accordance with the policies of the land use designations on Schedules “A1”, “A2” and “A3” of this Plan. However, no new non-aggregate development shall be approved except in accordance with the provisions of Section 5.10.7.

### **5.10.3 General Policy - Official Plan Schedules**

The Aggregate Resource Extraction designation on Schedules “A1”, “A2” and “A3” of this Plan includes lands currently licensed under the Aggregate Resources Act for mineral aggregate operations, and lands identified as having known potential for future extraction of sand, gravel or bedrock resources.

Schedule “C” of this Plan identifies primary sand, gravel and limestone bedrock Mineral Aggregate Resource areas, which are protected for potential extraction subject to the policies of this Plan. These areas are the identified primary sand, gravel and limestone bedrock resources in the Township, and have a high potential for extraction due to the quality of mineral aggregate resources and the lack of known significant constraints to extraction.

The Mineral Aggregate Resource areas shown on Schedule “C” are not a land use designation. The identification of Mineral Aggregate Resource areas on Schedule “C” is intended to ensure that consideration is given to these resources when the Township is considering land use decisions having regard to the policies of this Plan.

It is the intent of this Plan that new or expanded mineral aggregate operations locate within the areas identified as Mineral Aggregate Resource on Schedule “C”. However, Schedule “C” does not necessarily identify all of the resource areas where extraction

may be permitted.

#### **5.10.4 Policies for New or Expanding Mineral Aggregate Operations**

An amendment to this Plan shall be required when a new or expanding mineral aggregate operation is proposed on lands that are not designated as Aggregate Resource Extraction on Schedules “A1”, “A2” or “A3.”

The policies of Section 5.10, Section 8.10.3 (“Amendments”) and any other applicable policy of this Plan shall be addressed to the satisfaction of Council for the adoption of an amendment to this Plan to permit a new or expanding mineral aggregate operation.

Any application under provincial statute to change, vary, or add to the conditions in an existing licence and/or site plan that proposes to increase the tonnage limit of annual extraction and/or that proposes to extract mineral aggregate resources below the groundwater table, shall comply with the provisions of Section 5.10.5 of this Plan, and the Township shall submit comments to the relevant agency.

Notwithstanding any other provision of this Plan, the demonstration of need for mineral aggregate resources, including any type of supply/demand analysis, shall not be required, notwithstanding the availability, designation or licensing for extraction of mineral aggregate resources in the Municipality or elsewhere.

#### **5.10.5 Township Considerations and Information Requirements**

Council shall consider the following matters before a decision is made on an application for an amendment to this Plan or for an amendment to the Zoning By-law to permit the establishment of a new or expanded mineral aggregate operation in the Aggregate Resource Extraction designation:

- a) The extraction of mineral aggregate resources shall be undertaken in a manner that minimizes social and environmental impacts.
- b) A mineral aggregate operation should be screened from public view to the extent possible, in order to protect the scenic characteristics of the area.

- c) Regard shall be given to compatibility with existing adjacent land uses that might be affected by a pit or quarry operation. This may be reflected through measures such as extraction setbacks and/or other mitigative techniques such as the use of vegetation or berms to provide screening, restrictions on the location of machinery, the timing of extraction operations, and the location and condition of haul routes. Any mitigative techniques being established should depend on a site-by-site review, having regard to the policies of this Plan. These requirements may be implemented through:
- i) conditions on the licence and/or site plan under the *Aggregate Resources Act* at the time of licensing by the Ministry of Natural Resources;
  - ii) regulations in a site-specific zoning by-law for the property; and
  - iii) provisions in a development agreement under Section 5.10.6 of this Plan.
- d) As a general policy, a mineral aggregate operation for a pit should not be established within 150 metres of a sensitive land use for a pit above the water table, or within 300 metres of a sensitive land use for a pit below the water table. A mineral aggregate operation for a quarry should not be established within 500 metres of a sensitive land use.

Any setbacks not consistent with the above, and/or mitigative techniques being proposed shall depend on a site-specific review having regard to the policies of this Plan.

For the purposes of this section, “sensitive land use” means a building, amenity area or outdoor space where routine or normal activities occurring at reasonably expected times would experience one or more adverse effect such as noise, vibration, odours and other air emissions, litter, dust and other particulates, and other contaminants, generated by a nearby facility or land use. A sensitive land use and associated activities may include, but are not limited to, one or a combination of:

- i. Residential uses or facilities where people sleep, for example, single-unit dwellings and multiple-unit dwellings, nursing homes, hospitals,

trailer parks, recreational resorts, camp grounds, mobile home parks, etc. These uses are considered to be sensitive 24 hours per day;

- ii. Permanent institutional uses such as schools, churches, municipal offices, libraries, community centres, and day care centres; and
  - iii. Community and neighbourhood parks and playgrounds.
- e) Proposals for mineral aggregate operations shall be evaluated for matters such as, but not limited to, land use compatibility, impacts on groundwater, effects of noise, blasting, dust, and traffic. Recommendations for mitigative techniques shall have regard to Paragraph (c) above and to the policies of this Plan.
- f) A mineral aggregate operation shall not be permitted:
- i) in significant wetlands;
  - ii) in significant habitat of endangered species and threatened species;
  - iii) within 50 metres of a river, stream or lake; or
  - iv) in fish habitat except in accordance with provincial and federal requirements.
- g) A mineral aggregate operation shall not be permitted in significant Areas of Natural and Scientific Interest (ANSI) or significant wildlife habitat unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.
- h) A mineral aggregate operation shall not be permitted on lands adjacent to the following natural heritage features unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions. For the purposes of this policy, the determination of “adjacent lands” shall be as follows:
- i) within 120 metres of a significant wetland;

- ii) within 50 metres of a significant Area of Natural and Scientific Interest (ANSI);
  - iii) within 50 metres of significant wildlife habitat; and
  - iv) within 50 metres of the significant habitat of endangered and threatened species.
- i) All mineral aggregate operations must satisfy the requirements of the authority having jurisdiction as to water supply and groundwater pumping, and waste water disposal.
- j) All mineral aggregate operations must satisfy the requirements of the Ministry of the Environment and/or By-laws of the Municipality as to the control of dust, noise and vibration.
- k) All mineral aggregate operations shall satisfy the requirements of the *Aggregate Resources Act* as to licensing and regulation.
- l) The establishment of all new mineral aggregate operations on lands designated under the *Aggregate Resources Act* shall be in accordance with the applicable provisions of the “Aggregate Resources of Ontario – Provincial Standards” document of the Province of Ontario.
- m) Haul routes and the traffic generated by the proposed mineral aggregate operation shall be considered through the preparation of a traffic impact assessment. The traffic impact assessment shall be undertaken by the applicant and shall be acceptable to the Municipality and the County of Peterborough. The traffic impact assessment shall address, but shall not necessarily be limited to, the projected volume of truck traffic related to the proposed mineral aggregate operation and existing mineral aggregate operations (whether active or not) using the same haul routes, the physical suitability of the haul routes for truck traffic, the nature and volume of existing traffic on the haul routes, requirements for improvements to the haul routes, the location and design of a safe site entrance, and community impacts and safety.

- n) Progressive rehabilitation of mineral aggregate operations will be required. The proposed use of the rehabilitated lands shall be compatible with the adjacent land use designations on Schedules “A1”, “A2” and “A3” of this Plan. Plans for the rehabilitation of the site shall be acceptable to the Township.
- o) A proposed mineral aggregate resource operation within 500 metres of an active or former waste disposal site shown on Schedule “A1”, “A2” or “A3” shall address the applicable policies of Section 5.8 (“Disposal Industrial”) of this Plan.
- p) The application shall address the policies of Section 5.1.10, “Protection of Environment,” to Council’s satisfaction.
- q) An application for an amendment to this Plan to permit the establishment of a new mineral aggregate operation or the expansion of an existing operation, whether or not the lands are designated under the *Aggregate Resources Act*, shall be accompanied by detailed site development plans and reports as listed below or as required by other sections of this Plan. Site plans required by the *Aggregate Resources Act* are acceptable for the purposes of this policy.

The following Site Plans and reports shall be required:

- i) Site Plans including:
  - existing features and land uses on and within 120 metres of the site
  - operations and phasing
  - progressive rehabilitation
  - final rehabilitation
  - cross-sections of the operation
- ii) a hydrogeological report to address the potential for adverse effects of the mineral aggregate operation on groundwater and surface water resources and their uses;

- iii) an Environmental Impact Study (EIS) in accordance with Section 5.1.10;
- iv) a traffic impact study, which shall address the matters of Section 5.10.5(m);
- v) a noise (acoustical) impact study;
- vi) a dust control study;
- vii) a blasting impact study (as necessary for the type of mineral aggregate operation);
- viii) a cultural heritage and archaeological assessment as required by the appropriate authority having jurisdiction; and
- ix) any other reports or studies as deemed necessary by Council or any agency having jurisdiction.

All site plans and technical reports required by this Plan shall be prepared by qualified professionals, and shall address applicable policies or procedures such as the Provincial Policy Statement under the *Planning Act* and the provisions of the “Aggregate Resources of Ontario – Provincial Standards” document of the Province of Ontario.

#### **5.10.6 Development Agreements**

An applicant who wishes to undertake a mineral aggregate operation shall enter into a Development Agreement with the Municipality. This Agreement shall be entered into prior to Council’s enactment of the implementing Zoning By-law or the removal of a Holding provision. Such an agreement may address, but shall not necessarily be limited to the following matters:

- a) The haul routes to be used and requirements for the improvement and maintenance of the haul routes;
- b) Road damage caused by the aggregate trucks, particularly damage to public roads at or near the entrance to the pit or quarry site, shall be

repaired by the pit/quarry operator and that the Municipality may repair the roads and invoice the said operator accordingly;

- c) The timing of operations on a daily, weekly and annual basis;
- d) Arrangements for adequate screening to provide an effective visual buffer between the proposed aggregate operation and any road or surrounding sensitive land use. Such screening shall be established effectively prior to operations of the pit or quarry;
- e) Provisions for the acceptable discharge of process water from washing or screening operations;
- f) Issues of public health, public safety and environmental impact; and
- g) Such other matters as Council may deem necessary and in the public interest.

#### **5.10.7 Protection of Mineral Aggregate Resources and Operations**

For the purpose of this section, “development” means the creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the *Planning Act*.

Development on or adjacent to lands designated Aggregate Resource Extraction on Schedules “A1”, “A2” and “A3” or identified as Mineral Aggregate Resource on Schedule “C”, which would preclude or hinder the establishment of new mineral aggregate operations or access to the resources, shall only be permitted if:

- a) Resource use would not be feasible; or
- b) The proposed land use or development serves a greater long term public interest; and
- c) Issues of public health, public safety and environmental impact are addressed.

Existing mineral aggregate operations shall be protected from development and land use activities that would preclude or hinder their expansion or continued use, or which

would be incompatible for reasons of public health, public safety or environmental impact. The policies of Sections 5.1.21 (Mineral Aggregate Resource Setbacks) and 5.10.5 shall be considered in this regard.

#### **5.10.8 Changes to Schedule “C”**

The boundaries of the lands identified as Mineral Aggregate Resource areas on Schedule “C” of this Plan are approximate. If new mineral aggregate resource information becomes available as a result of future resource testing programs or mapping from the Ministry of Natural Resources, the Municipality may undertake an amendment to the Plan to delete or to recognize new or revised areas of Mineral Aggregate Resource on Schedule “C”.

An amendment to this Plan will not be required for minor changes to the boundaries of Mineral Aggregate Resource areas on Schedule “C”, which are deemed to be suitable by Council after consultation with the Ministry of Natural Resources.

#### **5.10.9 Rehabilitation of Agricultural Lands**

The extraction of mineral aggregates in prime agricultural areas may be permitted as an interim land use provided that progressive rehabilitation of the site will be carried out whereby substantially the same areas and average soil quality for agriculture are restored.

Complete agricultural rehabilitation will not be required if:

- a) There is a substantial quantity of mineral aggregates below the water table warranting extraction; or
- b) The depth of the planned extraction in a quarry does not make restoration of pre-extraction agricultural capability feasible; and
- c) Other alternatives have been considered by the applicant and found to be unsuitable; and
- d) Agricultural rehabilitation in remaining areas will be maximized.

### **5.10.10 Zoning**

Aggregate Resource Extraction uses may be included in a separate zoning classification in the implementing Zoning By-law.

Existing legal pits and quarries shall be recognized in the Comprehensive Zoning By-law. On lands designated Aggregate Resource Extraction, an applicant who wishes to expand an existing operation or commence a new operation must obtain an amendment to the Comprehensive Zoning By-law and, where applicable, a licence from the Ministry of Natural Resources.

Concrete batching plants and asphalt plants shall be permitted only in those areas specifically zoned for such uses.

## **5.11 MINING AREA**

The Mining Area designation recognizes existing areas where mining has been approved by the provincial government and provides criteria for the evaluation of new mines.

### **5.11.1 Permitted Uses**

Permitted uses shall include the mining of minerals and associated operations including storage. In addition, lands designated “Mining Area” may be used for agricultural resource management, open air recreation, or forestry purposes.

### **5.11.2 New Mining Area Designations**

The Municipality recognizes that mining is a use which is generally subject only to provincial government controls. However, when a new mine is proposed in the Townships, the Municipality will work with the agency(s) and company(s) involved and will seek to ensure that all steps are taken to protect the interests of the residents.

In particular, the Municipality will seek submission of the following information and studies for use in evaluation of the proposal:

- a) An environmental impact assessment;

- b) A development plan; and
- c) A traffic engineer's report which outlines potential impact of traffic generated by the development on surrounding areas and methods for resolving or alleviating the problems.

The proposal will also be evaluated based on conformity with the following criteria:

- a) Development shall generally only proceed in accordance with the recommendations of the environmental impact assessment, however, at a minimum the 120 metre buffer zone, as defined in the *Mining Act*, shall be imposed on all areas to be leased for mining purposes from the Ministry of Natural Resources where such areas abut any water or wetland areas. Further, such setback shall be from the high water mark, not the water's edge; and
- b) At a minimum, a buffer zone of 120 metres from all private properties shall be imposed.

Further, the Municipality will require that the Official Plan be amended to recognize the proposed development prior to its approval and will seek public input regarding such an amendment and will seek public available to the provincial agency involved in the approval of the mine operation. Such an amendment will not be adopted until the Municipality is satisfied with the proposed development or until it receives final approval from the provincial government.

Where the Municipality is not satisfied with a proposed development, it will seek modifications to the proposal utilizing available legal mechanisms.

## **5.12 CROWN LANDS**

The "Crown Lands" designation applies to the Provincial Crown Lands within the Township, including Wolf Island Provincial Park and Kawartha Highlands Provincial Park. A large portion of the land area in the Township is Crown-owned. The Ministry of Natural Resources is charged with the responsibility of administering Crown lands, which includes acquisition, disposition and the orderly management and conservation of

the resources on those lands.

#### **5.12.1 Permitted Uses**

Uses permitted within the Crown Land designation shall include those traditionally associated with Crown land management including forestry, outdoor recreation, fish and wildlife management, operations associated with Provincial Parks, and associated buildings and structures as required.

#### **5.12.2 General Policies**

Areas designated as Crown Lands are Provincially-owned lands on which the ultimate use is determined by the Province. The Province shall, however, consult with the municipality and have regard for the established planning policies of the municipality in carrying out its management responsibilities where appropriate.

Council shall seek full consultation with the Province in the park management planning process for Wolf Island Provincial Park and Kawartha Highlands Provincial Park, to ensure that the development and operation of these parks are compatible with the objectives and policies of this plan; and will not result in an undue servicing burden on the Township. The Township acknowledges that the boundaries of such park areas may be the subject of further refinement; and such adjustments will not diminish the applicability of this policy.

The Township recognizes the authority of the Ministry of Natural Resources to administer aggregate permits on Crown Lands under Part V of the *Aggregate Resources Act*. In order to promote the Goals, Objectives and Policies of this Plan throughout the Township, Council shall seek full and public consultation with the Ministry and the applicant prior to providing comments to the Ministry on a proposed aggregate permit. This may include, but may not be limited to, public consultation and review, municipal review of the summary statement and all required technical reports, and direct consultation with the applicant and the Ministry of Natural Resources. In making its comments to the Ministry of Natural Resources, Council shall be consistent with the policies of this Plan.

Prior to Township clearance for the issuance of an aggregate permit for a mineral aggregate operation on Crown Land, the applicant shall be required to undertake a traffic impact assessment in accordance with the requirements of Section 5.10.5(m) of the this Plan, at the expense of the applicant and to the satisfaction of the Municipality.

Prior to Township clearance for the issuance of an aggregate permit for a mineral aggregate operation on Crown Land, the applicant shall be required to enter into a Development Agreement with the Municipality in accordance with the provisions of Section 5.10.6 of this Plan.

The Municipality shall seek full cooperation from the Ministry of Natural Resources in implementing the above-noted Municipal policies for all Crown land aggregate permit applications.

Wherever a land use change or new development is proposed adjacent to the Crown Land designation, Council shall consult with the Ministry of Natural Resources to determine if the Province has concerns regarding the effect of such development, and if specialized development controls are required to minimize any adverse effects on the Provincially owned lands.

Should an area designated as Crown Lands be disposed of by the Province for private ownership, or determined by the Province to be under private ownership, such lands shall be deemed to be within the Rural designation and subject to the policies of Section 5.2 of this Plan.

## **5.13 SECONDARY PLANS**

### **5.13.1 Secondary Plan Requirements**

Secondary Plans will form part of this Plan and will be included by amendment. Secondary Plans may be required for certain areas as a step in the approval process for development and in the implementation of this Plan. More particularly, they will be required where:

- a) Capacity studies and environmental reviews have clarified the intensity of development which may safely be permitted;

- b) Policies expressed in general terms need to be refined or amplified to meet the particular circumstances of an area or a development proposal;
- c) Significant development proposals are made which need to be examined in greater detail;
- d) A new lake, watershed or other area is to be opened for recreation development; and
- e) A development proposal will significantly increase the population of a hamlet area.

Such secondary plan shall be in sufficient detail to clarify design criteria and to show an appropriate solution to any development problems encountered, and may also be required to show where appropriate:

- i) Proposed road classification and layout;
- ii) Proposed system of lotting, open space, public access and blocks set aside for specific purposes;
- iii) Community facilities that may be needed including parks, recreation facilities or a school;
- iv) Areas to be designated for commercial, industrial or institutional purposes;
- v) Areas to be designated as marinas, camp-grounds or any commercial recreation purpose;
- vi) Required design standards for roads, electrical installations and other engineering works;
- vii) The proposed servicing facilities including water supply and sewage disposal systems;
- viii) Master Drainage or stormwater management plan; and
- ix) Development Phases
- x) The traffic impacts from the secondary plan area upon Highway No. 28.

In accordance with the policies of Section 5.13.1 and 5.13.2 Secondary Plans shall apply to those lands identified as Secondary Planning Areas on Schedule "A1" of this Plan. Each Secondary Plan contains text and maps which detail the specific policies and designations which will govern development of the lands so designated.

**5.13.2 Secondary Plan Area No. 1**

Sandy Point Recreation Development as approved, is included as Appendix for information purposes only, and is not part of this Plan.

## 6.0 THE DIVISION OF LAND

### 6.1 SUBDIVISIONS

Council will only recommend the approval of Plans of Subdivision or Condominium which conform to the general policies and land use designations in this Plan.

In evaluating Plans of Subdivision or Condominium and the demand for such development Council will consider all information as specified in The Planning Act, R.S.O. 1990, and any additional information which is deemed by Council to be appropriate (ie. public input).

A Plan of Subdivision shall generally be required where:

- a) the number of lots being created exceeds the relevant provisions of Section 6.2.1.1 of this Plan, or
- b) internal services (roads) are to be created, or
- c) severances will result in irregular shaped lots.

Lots which are not well proportioned or uniform in geometric shape and dimensions shall be deemed to be irregular.

It shall be the policy of this Plan that Council will enter into an agreement with each developer as a condition of the approval of a Plan Subdivision or Condominium. Such an agreement shall set out among other matters the services and dedication of land for park and highway purposes, to be provided by the developer and the specifications for these services. This agreement shall also specify the financial requirements of the Municipality and the means by which the developer will satisfy these requirements.

#### 6.1.1 Policies for New Subdivisions

All proposals for new plans of subdivision for lands appropriately designated or requiring an Official Plan amendment shall be evaluated based on the submission of the following studies and the results of the studies must be satisfactory to the Township that no undue impacts will result from the proposal on the surrounding uses, the natural environment and the municipal financial situation. The requirements may be reduced

depending on the scale of the application, but all studies will be carried out by consultants approved by the Township and the applicant, with costs being borne by the applicant.

- a) A preliminary plan including information on lot orientation proposed road and access alignments, and any other facilities and their relationship to the natural topography and vegetation;
- b) An environmental report, in accordance with the requirements of Section 5.1.10 of this Plan; where deemed appropriate by Council;
- c) In accordance with Section 5.1.23 of the Plan detailed hydrogeological and engineering reports related to the proposed water supply, sewage disposal, stormwater drainage, and erosion and sedimentation control which establishes the feasibility of providing private systems in a manner which will satisfy the requirements of the Township and the Ministry of Environment and/or its agent;
- d) An engineering report evaluating the existing access road system and required improvements, if any;
- e) A financial impact statement evaluating the costs and benefits of the development to the Township where deemed necessary by Council.

### **6.1.2**

The proposal will also be evaluated based on conformity with the following criteria:

- a) Access and internal roads are public roads maintained on a year-round basis;
- b) Compatibility of the development with surrounding uses;
- c) The location of the site complies with the provisions of Section 5.1.21 of this Plan;
- d) Where the site has water access, the development shall require an

Official Plan amendment and must conform with the policies of the Recreational Dwelling Area designation;

- e) The adequacy of utilities, municipal services, and school services.

### **6.1.3**

It shall be the policy of this Plan that Council will enter into an agreement with each developer as a condition of the approval of a Plan Subdivision or Condominium. Such an agreement shall set out among other matters the services and dedication of land for park and highway purposes, to be provided by the developer and the specifications for these services. This agreement shall also specify the financial requirements of the Municipality and the means by which the developer will satisfy these requirements.

### **6.1.4 Plans of Condominium**

Applications for plans of condominium shall be evaluated having regard to the policies of Section 5.1.17, 6.1.1, 6.1.2, 6.1.3 and any other applicable policy of this Plan.

## **6.2 SEVERANCES**

Regard shall be had for Section 6.1 Subdivisions when determining the necessity for a plan of subdivision.

It shall be the policy of this Plan that the Municipality and Land Division Committee shall follow the policies of this Official Plan when assessing consent to sever applications.

Only those applications for severances which conform to the following consent policies, the General Development Policies, the specific policies of the affected designation and the provisions of the *Planning Act*, R.S.O. 1990, shall be considered for approval.

### **6.2.1 General Severance Policies Applicable To All Designations**

#### **6.2.1.1 Number of New Lots**

In the Rural, Recreational Dwelling Area, Estate Residential, Commercial and Industrial designations, the maximum number of lots that may be created by consent per land holding shall be two (2) severed lots and one (1) retained lot.

In the Hamlet designation, the maximum number of lots that may be created by consent per land holding shall be three (3) severed lots and one (1) retained lot, provided that it can be demonstrated to Council's satisfaction that the lots to be severed will not inhibit the logical growth and expansion of the built-up area of the Hamlet, or prevent future access to interior lands.

In all land use designations, a land holding is a parcel of land recorded as a separate parcel in the Land Registry Office at least fifteen (15) years prior to the date of the severance application.

#### 6.2.1.1.1 Land Holdings with More Than One Land Use Designation

Notwithstanding the provisions of Section 6.2.1.1, in circumstances where there is more than one land use designation on a land holding, for example Rural and Recreational Dwelling Area, or Rural and Hamlet, a maximum of three (3) severed and one (1) retained lot may be created by consent per total land holding. Where a lot is partly within the Hamlet designation and partly within another designation, where possible the majority of the lots created by consent should be located within the portion of the holding within the Hamlet designation.

Under no circumstances shall consents be granted that do not conform to the policies of Section 6.2.1.1, nor shall this Official Plan be amended to provide otherwise.

#### 6.2.1.2 Compatibility

Regard shall be had for ensuring satisfactory compatibility between the proposed land use and existing land uses.

#### 6.2.1.3 Lot Sizes

The size of any new lot created by consent should be appropriate for the use proposed and the services available. Consents will only be granted in areas where the undue extension of any major services would not be required.

#### 6.2.1.4 Access

##### 6.2.1.4.1 General Policy for Road Access

Severances that create new lots shall only be considered when both the newly created lot and the retained lot front on an assumed public road that is currently maintained on a year-round basis by a public authority.

##### 6.2.1.4.2 Special Policy for the Recreational Dwelling Area Designation

Notwithstanding Section 6.2.1.4.1, a consent for a new lot in the Recreational Dwelling Area designation may be granted where access is to be provided by either a deeded private road or water only, provided that:

- a) Where the lot to be created by consent to sever represents infilling within existing development or a minor extension of an existing developed area, and where additional development will not create a demand for additional public services;
- b) Where the lot created by consent to sever will have private road access and where the lot fronts on either an existing private road or where the development involves a limited extension of an existing private road; or
- c) Where the lot created by consent will be accessed by water only, the Municipality is satisfied that adequate mainland parking and boat docking/launching facilities can be provided.

##### 6.2.1.4.3 Special Policy for the Rural Designation

Notwithstanding Section 6.2.1.4.1, a consent for a new lot in the Rural designation may be granted where access is to be provided by a deeded private road, provided that:

- a) Notwithstanding subsection 6.2.1.1, a maximum of one (1) severed lot and one (1) retained lot may be created per land holding under this special severance policy;

- b) The minimum lot area of both the severed and retained lots is 4.0 hectares (10.0 acres); and
- c) Both the severed and retained lots shall be zoned to prohibit permanent and recreational residential dwellings. The Zoning By-law shall permit only a hunt camp, bush camp, or other similar use related to outdoor passive recreation, agriculture, or the management of natural resources.

#### 6.2.1.5 Zoning By-law Conformity

The parcel of land to be created by severance and the retained parcel and proposed use shall conform to all applicable provisions of the Township's Zoning By-law, save that the consent to sever may be granted on the condition that a Zoning By-law amendment or minor variance be approved, if required.

#### 6.2.1.6 Water Supply, Sewage Disposal and Drainage

Severances may only be considered when it has been established by the Ministry of Environment or its agent that soil and drainage conditions are suitable to permit the proper siting of buildings, to obtain sufficient potable water and to permit the installation of an adequate means of sewage disposal for both the severed and retained parcels.

In certain situations and locations, hydrogeological studies may be required of the applicant for multi-lot severance applications.

#### 6.2.1.7 Orderly and Controlled Development

In general, residential severances shall be encouraged as infilling in or adjacent to those areas designated Hamlet or clusters of houses in the Rural Area, in an effort to promote orderly and controlled development throughout the municipality.

#### 6.2.1.8 Traffic Hazard

Severances shall not be considered for lands where access may create a traffic hazard because of limited sight lines on curves or grades. Attention should be given to the function of the road in the Transportation Section of this Plan.

#### 6.2.1.9 Access from Provincial and County Roads

Direct access from Provincial Highways should be discouraged. Access to new lots will be reviewed by the Land Division Committee as appropriate. Where proposed severances are considered which would create new lots abutting or adjacent to a County Road the Peterborough County Public Works will be consulted to ensure that the requirements of their entrance by-law is met.

#### 6.2.1.10 Parkland or Cash-In-Lieu of Parkland and Other Dedications

In determining whether a severance is to be granted, regard shall be had for such matters as the dedication of land or cash levies for park purposes, the dedication of land for future road widenings and agreements pursuant to the *Planning Act*, R.S.O. 1990.

#### 6.2.1.11 Easements

Consents for easements shall generally be preferred to consents for new lots where linear rights-of-way are being created, for example, for infrastructure such as electric power transmission facilities, communications/telecommunications facilities or pipelines. The granting of such consents will not result in a reduction of the eligible number of consents for the property, as specified in Section 6.2.1.1.

#### 6.2.1.12 Environmentally Sensitive Areas

Severances will be discouraged in low lying areas, in areas susceptible to erosion and within significant wildlife or biological areas.

Severances shall not be granted for a parcel of land which is subject to flooding or other physical hazard, when the proposed use of the parcel requires that a building be erected other than for flood control or similar purposes by a provincial authority or appropriate Conservation Authority.

#### 6.2.1.13 Lot Lines

Severances which have the effect of changing lot lines and/or do not create additional or buildable lots may be evaluated on their own merits. The granting of such consent

will not result in any reduction of the eligible number of severances for the property.

#### 6.2.1.14 Agricultural Separation

Severances shall not be granted where the proposed use would contravene the Minimum Distance Separation requirements as determined by the MDS formula of the Ministry of Agriculture, Food and Rural Affairs and Ministry of Environment.

#### 6.2.1.15 Agricultural Lands

Severances proposed for lands supporting viable agricultural uses shall generally be considered in accordance with the following:

- a) An application whereby a retiring farmer is intending to build a residence on part of his farm for his retirement;
- b) The proposed lots should be located adjacent to an existing property line, existing developed lot, or defined physical limitations; thereby minimizing any potential impact on on-going farm field activities.
- c) Severance proposals involving lands used for agriculture shall ensure that the viability of the unit is maintained.

#### 6.2.1.16 Additional Lot Applications

An application for severance of an existing lot shall have the effect of creating only one (1) new lot in addition to the retained lot. If two (2) new lots are to be created in addition to the retained lot, an additional application shall be required.

When an application or applications for consent are submitted so as to create new lots, only one parcel of land shall be retained. The checkerboarding of an application or applications is not permitted.

#### 6.2.1.17 Merged Properties

An application for severance involving merged properties which formerly existed as

separate and distinct parcels may be permitted, provided such application is in conformity with the relevant policies of this Plan and the Township's Zoning By-law, and provided no new or additional lots are being created beyond which previously existed.

#### 6.2.1.18 Registered Plans of Subdivision

Severances that have the effect of creating new lots will not be permitted on lots that have been created by a registered plan of subdivision. Notwithstanding this policy, consent for a lot boundary adjustment that does not result in the creation of a new lot may be considered on its own merits.

#### 6.2.1.19 Conditions

Conditions of consent may be established and without limiting the foregoing, the following conditions may be applied:

- a) Registration of notices on title in accordance with the policies of this Plan;
- b) Undertakings for the joining together of lands under the same owner's name;
- c) Responsibility for surveying and fencing;
- d) Adequate provision for stormwater management;
- e) Payment of all applicable development charges, dedications and property taxes.

#### 6.2.1.20 Infilling .

For the purposes of this plan, infilling shall mean a development of land which is located between existing developed properties on the same side of the road or street and are separated by not more than 150 metres; where the proposal will result in the completion or rounding out of the development of the immediate area or neighbourhood.

### **6.2.2 Exceptions**

#### a) Part Lot 17, Concession 18 – Harvey (RAPSON)

Notwithstanding the policies of Section 6.1 and 6.2 herein, a total of four (4) new

waterfront lots may be created by consent, in addition to the retained parcel, on lands described as Part of Lots 16, 17, and 18, Concession 18 of Harvey, having property number 010-004-050.

The creation of a legal right-of-way easement to each of the subject lots shall also be permitted.

b) Part Lot 7, Concession 13 – Harvey (CROWLEY)

Notwithstanding the policies of sub-section 6.2.1.19 of this Plan, these provisions shall not apply to lands described as Part 1 of Plan 45R10647.

c) Part Lot 1, Concession 16 – Harvey

Notwithstanding the policies of Section 6.2 to the contrary, on lands located in Part Lot 1, Concession 16 of Harvey and described as Parts 1 through 10 of Plan 45R8461, a total of six (6) new lots may be created by consent. No further consents for the purpose of creating new lots shall be permitted.

d) Part Lot 18, Concession 18 – Harvey (JEWETT)

Notwithstanding the policies of sub-section 6.2.1.19 of this Plan to the contrary, a fourth residential lot severance from lands described as Part 1 of Registered Plan 45R-7268 may be created through the consent process; provided all other applicable provisions of Section 6.2 are complied with.

e) Part Lot 3, Concession 11- Harvey (Snelgrove)

Notwithstanding the policies of sub-section 6.2.1 of this Plan to the contrary, a third waterfront residential lot severance from property having assessment roll no. 15-42-000-001-044, may be created through the consent process; provided all other applicable provisions of Section 6.2 are complied with.

f) Part Lots 23 and 24, Concession 7 and Part Lots 22, 23 and 24, Concession 8 –  
Cavendish

Notwithstanding the policies of section 6.2 to the contrary, a severance of land having

property number 020-303-081 and designated “Commercial” may be permitted; provided the respective severed and retained parcels remain designated “Commercial” in the Official Plan; and zoned “Tourist Commercial” in the Township’s Zoning By-law and all corresponding regulations are complied with.

For the purposes of the foregoing the policies of subsection 6.2.1.4(c) (Access) shall apply.

That By-law B2006-19, being a by-law to adopt Official Plan Amendment Notwithstanding the provisions of Section 6.2.2 of the Official Plan a total of three new waterfront lots may be created by consent, in addition to the retained parcel: and amend the location of the severance lines as outlined on the attached surveyors sketch of the Whitesands property.

g) Part Lot 18, Concession 15 – Harvey (Chester)

Notwithstanding the policies of Section 6.2.1.1 of this Plan to the contrary, two waterfront residential lot severances from property having assessment roll number 154201000265103 may be created through the consent process; provided that all other applicable provisions of Section 6.2 are complied with.

h) Part Lot 7, Concession 10 – Harvey (Fawcett)

Notwithstanding the policies of Section 6.1 and 6.2 , a total of four (4) new waterfront lots may be created by consent, in addition to the retained parcel, on lands located on Part Lot 7, Concession 10 of Harvey, having property number 010 303 076 02 0000, and as described as Parts 6, 7 , 8 and 9 of Plan 45R-12663.

i) Part Lot 13, Concession 17 – Galway (Anderson)

Notwithstanding the policies of Section 6.1 and 6.2, two new waterfront lots may be created by consent (two severed lots and one retained lot) on lands located in Part Lot 13, Concession 17 of Galway, having property number 15-42-020-201-00.

j) Part Lot 9, Concession 17 – Harvey (Andrews)

Notwithstanding the policies of Section 6.1 and 6.2 to the contrary, a total of four (4) waterfront lots (three severed parcels and one retained parcel) may be created by

consent for the lands designated as “Rural” and “Recreational Dwelling Area” in Part Lot 9, Concession 17 of Harvey, having property number 1-607-01. No further consents for the purposes of creating new lots shall be permitted.

k) Part Lot 4, Concession 11 – Harvey (The Birches Resort)

Notwithstanding the policies of Section 6.1 and 6.2 to the contrary, a total of three (3) waterfront lots may be created by consent, in addition to the retained parcel, on lands designated as “Recreational Dwelling Area” in Part Lot 4, Concession 11 of Harvey, having property number 15-42-010-001-047-00. Lot access onto a deeded private road shall be permitted. No further consents for the purpose of creating new lots shall be permitted.

l) Part Lot 18, Concession 12 – Galway (Collins)

Notwithstanding the policies of Section 6.1 and 6.2 to the contrary one new lot (one severed parcel and one retained parcel) may be created by consent for the lands designated as “Rural” in Lot 18 and Concession 12 in Galway, having property number 020-102-03000. The retained and severed parcels shall be of equal area. Access to the retained and severed parcels may be provided by a deeded private road. Frontage on an assumed public road shall not be required. No further consents for the purposes of creating new lots shall not be permitted.

m) Part Lots 23 and 24 Concession 7 and Part Lots 22 ,23 and 24, Concession 8 – Cavendish

Notwithstanding the policies of Sections 6.1 and 6.2 to the contrary, a maximum of three new waterfront residential lots (three severed lots and one retained lot) may be created by consent on lands designated as “Recreational Dwelling Area” in part of Lots 22, 23 and 24, Concession 7 and 8 of Cavendish, having property number 020-303-08100-0000. The policies of Section 6.2.1.4(c) shall apply with respect to permitting access by water only. No further consents for the purpose of creating new lots shall be permitted.

## 7.0 TRANSPORTATION

### 7.1 ROADS

The Transportation network as set out on the Natural Features and Transportation Plans, Schedules "B1", "B2" and "B3", generally reflects the existing inter-relationship between land use and transportation routes in the Township. The roads are classified according to the jurisdictional function they are intended to perform. Minimum rights-of-way and standards are established for each class of road. The reclassification of roads in the Township may be necessary sometime in the future to reflect changes in land use patterns or intensities of use. Improvements to the roads, such as widening, reconstruction, realignments, turning lanes, and intersection improvements, should be made according to a schedule or priorities established by the various public agencies having jurisdiction over roads. In general, priorities should be based on the nature and extent of the safety hazard where one exists and the volume of traffic on the road. The schedules of road works of the two jurisdictions, provincial and municipal, should be consistent with one another.

#### 7.1.1 Provincial Highways

Provincial highways carry a high volume of traffic at relatively high speeds and connect to major traffic generators. Wherever possible, by-passes should be created around existing small centres to facilitate the movement of traffic. Where residential subdivisions abut a provincial highway, lots should back onto the highway, with no direct access to the highway. Major intersections in the Hamlet policy areas should be provided with street lighting. The municipality shall cooperate with the Provincial government in establishing and maintaining the standards outlined herein.

Direct lot access to Provincial Highway No. 28 requires an entrance permit in compliance with the standards of the Ministry of Transportation and any relevant policies of this Plan.

In addition to all the municipal requirements, all developments adjacent provincial highways are also subject to the requirements and permits of the Ministry of

Transportation.

### **7.1.2 County Roads**

County Roads are designed with the dual function of carrying medium to large volumes of traffic as well as providing property access.

Of the five County Roads servicing the Township, Nos. 36, 37 and 507 are under the jurisdiction of the County of Peterborough; Nos. 49 and 121 are under the jurisdiction of the City of Kawartha Lakes; and No. 503 is the responsibility of Haliburton County.

Property access requires an entrance permit, in compliance with any prevailing entrance by-law.

### **7.1.3 Township Roads**

Township Roads generally carry lower volumes of traffic which access individual properties along their length, or provide access to private roads. Township Roads serve a local traffic function and are under the jurisdiction of the Township of Galway-Cavendish and Harvey.

### **7.1.4 Private Roads**

Private Roads are right-of-ways which may be open to the public, but whose maintenance and responsibility has not been assumed by the Township of Galway-Cavendish and Harvey. These roads are therefore maintained privately, usually by those individuals which obtain access to their properties over the subject roadways. These roadways have originated historically and are generally capable of carrying limited volumes of traffic.

### **7.1.5 Navigation Channel**

The main and secondary channels of the Trent-Severn Waterway abut many shoreline areas of the Township of Galway-Cavendish and Harvey. Proposed works on shorelines adjacent to these waterways require permission of the Trent-Severn Authority in ensuring that navigational hazards will not result.

## **7.2 MINIMUM RIGHT-OF-WAY WIDTHS**

- Provincial Highways - determined by the Ministry of Transportation
- County Roads - 30 metres
- Township Roads - 26 metres (Collector Roads)
- 20 metres (Local Roads)

### **7.2.1 Road Widening Requirements**

Based upon the above minimum right-of-way road widths, appropriate dedications for purposes of road widening shall be required as a condition of granting consents or approval of plans of subdivision.

### **7.2.2 Setback Requirements**

Zoning By-law setback requirements shall be established from the limit of right-of-way widths to ensure that sufficient separation distances are maintained between buildings and traffic flows. The setback requirements of the Ministry of Transportation shall be taken into consideration in the determination of such setback regulations.

## **7.3 ROAD ASSUMPTIONS**

The Township shall not assume any roadway which does not meet minimum acceptable standards, as defined by the Ministry of Transportation. The assumption of such a road must be clearly in the public's interest. No roadway shall be assumed by the Township which would place an undue financial and/or servicing burden on the Municipality.

## **7.4 ROAD MAINTENANCE**

Township Roads which are presently maintained on a year-round basis shall continue to be so maintained and shall take priority when improvements to the Township's roads are considered.

## 8.0 IMPLEMENTATION

### 8.1 EXISTING USES

Any land use existing at the date of approval of this plan that does not conform with the land use designations as shown on Schedules "A1", "A1-1", "A1-2", "A2", and "A3" or the policies related thereto should as a general rule, cease to exist in the long run and shall not be allowed to resume at some later date. In special instances, however, it may be desirable to permit the extension or enlargement of such a non-conforming use in order to avoid unnecessary hardship. It is the intention of this Plan that extensions and enlargements shall be dealt with pursuant to Sections 34 (10) and 45(2)(a) of the *Planning Act*, R.S.O. 1990.

### 8.2 ENLARGEMENTS OR EXTENSIONS

In considering applications for enlargements or extensions, such matters as the possible acquisition of the land by the municipality, the possibility of relocating the non-conforming use and improvements to make the use more compatible with surrounding uses should be evaluated.

### 8.3 EXISTING LOTS OF RECORD

Where a lot having a lesser lot area, lot depth and/or lot frontage than that required herein, or a lot lacking frontage on a public road, or a lot which is deficient in any other way according to the policies of this Plan, is held under distinct and separate ownership from abutting lots as shown by a registered conveyance in the records of the Registry or Land Titles Office at the date of adoption of this Plan, or where such a lot is created as a result of an expropriation, such deficient lot may be used and a building or structure may be erected, altered or used on such smaller lot, provided that the owner complies with all other requirements of this Plan, subject to the following:

- a) The lot has a frontage on an existing public road maintained year-round by the municipality and developed to a standard that meets the requirements of the Ministry of Transportation for subsidy purposes; or,
- b) The owner of said lot can provide to the municipality at the time of application

for a building permit proof that there is a registered right-of-way for the lot giving access to an existing public road maintained year-round by the municipality and developed to a standard acceptable to the Ministry of Transportation for subsidy purposes, in which case only a seasonal use building shall be permitted.

#### **8.4 MAINTENANCE AND OCCUPANCY BY-LAWS**

Council will enact a By-law pursuant to the *Planning Act* setting forth minimum standards for maintenance and occupancy for all buildings and structures. The By-law should have regard for any or all of the following matters or related items and set appropriate standards or conditions:

- a) The physical conditions of yards including the accumulation of debris and rubbish;
- b) The adequacy of sanitation including drainage, waste disposal and garbage;
- c) The physical condition of accessory buildings; and
- d) The physical conditions of dwellings or dwelling units, commercial and industrial properties.

Detailed guidelines for the development of such maintenance and occupancy by-laws are included in Appendix A to this Plan.

#### **8.5 ZONING BY-LAW**

Council will amend the Township's Zoning by-law to reflect the principals, policies and land use designations contained in this Plan. The amendment By-law shall make provision for adequate development standards and establish specific zones and permitted uses which reflect the policies and designations of this Plan. Within each designation, separate zones may be established to ensure that compatible uses will be appropriately grouped.

While the Zoning By-law will normally implement the Official Plan directly, it is not intended to zone all land at the outset for the uses established in order to achieve orderly development and ensure that policies established in this Plan have been met

prior to zoning. Council may pre-zone for infilling and draft approved plans of subdivision in accordance with the policies of this Plan.

## **8.6 SITE PLAN CONTROL**

In accordance with Section 41 of the *Planning Act*, R.S.O. 1990 the entire Corporation of the Township of Galway-Cavendish and Harvey is hereby designated as a Site Plan Control Area.

### **8.6.1 Development**

Section 41(13) of *the Planning Act*, R.S.O. 1990, defines development, in part, as meaning the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability thereof.

### **8.6.2 Designating By-law**

It shall be the policy of this Official Plan that the council shall enact a by-law in accordance with Section 41(13) of the *Planning Act*, R.S.O. 1990 which by-law shall define the class or classes of development that may be exempted from the provisions of Section 41 of The Planning Act, R.S.O. 1990.

### **8.6.3 Exempted Uses**

It shall be the policy of this Official Plan that a By-law passed in accordance with Section 41(13) shall exempt the following from the provisions of Section 41 of The Planning Act, R.S.O. 1990 namely:

- a) Low density residential housing (ie. single family dwellings, duplex or semi detached dwellings);
- b) All farm buildings save and except for those buildings and structures used for the sale of agricultural goods or agricultural related goods and services which are made available to the general public at the site;
- c) All structures and buildings accessory to and incidental to the above

exempted uses including renovations and minor extensions, thereto.

- d) Home industries as permitted by Section 5.1.29 and small-scale commercial and industrial uses in the Rural designation as permitted by Section 5.2.3 shall not be exempted uses in a By-law passed under Section 41(13) of the Planning Act, but residential uses as set out in paragraph (a) above and located on the same lot as a home industry or small-scale commercial or industrial use shall be exempted uses.

#### **8.6.4 Extractive Industrial**

Council may require a site plan agreement for the construction, placing, or extension of buildings or structures in association with a pit or quarry. For the purposes of site plan control, Council may generally accept a site plan prepared in accordance with the requirements of the *Aggregate Resources Act* modified as necessary as a site plan within the meaning of this Official Plan.

#### **8.6.5 Objectives**

The objectives of the Township of Galway-Cavendish and Harvey in exercising Site Plan Control are as follows:

- a) To improve the treatment of site plan details and maintain a consistent municipal standard in a site plan control area;
- b) To ensure safe and efficient access and movement of vehicular and pedestrian traffic;
- c) To minimize land use incompatibility between new and existing development having regard to the massing and conceptual design of proposed buildings or structures and the streetscape or intended character of the area;
- d) To provide functional and attractive on site facilities such as landscaping and lighting;
- e) To control the placement and provision of required services such as

driveway, walkways, parking areas, loading facilities and garbage collection areas;

- f) To secure the conveyance of any easements or right-of-ways in favour of the Municipality for the maintenance or improvement of drainage works, watercourses, roadways or other public utilities and similar undertakings; and
- g) To ensure that the proposed development is built and maintained as approved by Council.

### **8.6.6 Policies**

- a) Where in the Official Plan an area is proposed as a Site Plan Control Area, Council may pass by-laws to provide the Township with the ability to participate in the determination and location of various elements to be included in the development of the overall design.
- b) The passage of said by-laws will assist the Township in ensuring that such developments include all required facilities and design elements, which will assist in the establishing of a compatibility between the new use and the adjacent land uses.
- c) Prior to any development within an area designated as a Site Plan Control Area Council may require one or both of the following:
  - i) plans as certified by an Ontario Land Surveyor showing the location of all existing and proposed buildings or structures and all works and facilities to be provided in accordance with Section 41(7)(a) of the *Planning Act*, R.S.O. 1990, except Part 1;
  - ii) drawings as certified by an engineer and/or architect showing plans, elevation and cross section views for each building to be erected, including massing and conceptual design, the relationship of the buildings to adjacent buildings, streets and exterior public areas, and the provision of interior walkways, stairs and elevators,

to which the public has access.

- (d) As a condition of Site Plan approval, Council shall require the execution of an agreement between the landowner and the Township to ensure that all buildings, structures, works or matters described in clause (c) above are constructed and maintained.
- (e) Council may provide to such ministries or agencies, as Council considers may have an interest in the development, an opportunity to review and comment on submitted draft site plans, as described in (c) above, up to such time as specified by Council.

## **8.7 DEVELOPMENT HOLDING PROVISIONS**

Council may, in a by-law passed pursuant to the provisions of Section 36 of the *Planning Act*, R.S.O. 1990, zone lands for their intended use, and further impose a holding provision to generally prevent or limit the use of those lands until such time as Council is satisfied that further development may take place.

### **8.7.1 Objectives to Holding Provisions**

Council may pass a holding by-law to achieve one or more of the following objectives:

- a) To allow for the orderly phasing of development or redevelopment of land;
- b) To allow for the phasing of available adequate water, sewage disposal, or other municipal services;
- c) To ensure that special design criteria established by the Official Plan have been satisfied;
- d) To allow for the implementation of special design features.

### **8.7.2 The Application of Holding Provisions**

- a) Location Criteria:

Holding provisions may be applied in the following circumstances:

- i) Where lands are designated for a Residential, Rural, Recreational Dwelling

- Area or Hamlet use and a plan of subdivision has received draft plan approval;
- ii) Where lands are designated for a commercial or industrial use and are presently undeveloped but may be readily served by municipal water supply and sanitary sewer services;
  - iii) Where lands are designated for Conservation uses and a plan of subdivision has received draft plan approval;
  - iv) Where lands are identified as "areas of influence" of the "Disposal Industrial Sites" indicated on the land use schedules of this Plan.

b) Removal of Holding Provisions:

The holding provisions shall not be removed from the lands so zoned, and no development shall be permitted until such time as the necessary agreements have been registered on title to ensure that all the provisions of this plan and, if applicable, the conditions of draft plan approval have been or will be complied with; and the general objectives of the holding provisions have been achieved.

For lands identified as "areas of influence" of the "Disposal Industrial" designation and "Former Waste Disposal Sites", the holding provision may be removed when the provisions of Section 5.8.8 of this Plan have been met by the developer.

### **8.7.3 Implementation**

- a) Interim Uses- In the interim period until the holding provision is removed by Council in accordance with the provisions of Section 36 of the *Planning Act*, R.S.O. 1990, as amended, the uses permitted shall be restricted to those existing as of the date of adoption of the holding by-law, and public uses.
- b) Lands subject to holding provisions shall be identified in the implementing zoning by-law by the placement of the suffix "H" adjacent to the zone category.

## **8.8 TEMPORARY USE BY-LAWS**

Council may pass By-laws where appropriate, under Section 35 of The Planning Act, R.S.O. 1990, in accordance with Section 39 of the *Planning Act*, R.S.O. 1990, to authorize the temporary use of land, buildings or structures for any purpose set out therein that is otherwise prohibited by the Township's Zoning By-laws. Such By-laws apply to specific areas defined by the subject By-laws and shall apply for a period of time described by the subject By-laws not to exceed three years from the date of the passing of the By-law as specified by The Planning Act, Section 39, R.S.O. 1990. Council may, by By-law extend the temporary use periods by as much as three years at any one time. When a Temporary Use By-law expires such a use will not be considered to be an existing non-conforming use.

Notwithstanding the foregoing, Council may pass said By-law to permit temporary uses which may not conform to the Official Plan if deemed appropriate.

## **8.9 INTERIM CONTROL BY-LAWS**

Council may pass By-laws where appropriate under Section 38 of the *Planning Act*, R.S.O. 1990, placing a temporary restriction on land uses for a specified period of time as set out in the subject By-laws, in order to permit a review of land use planning policies. Such By-laws shall apply to specific areas defined by the subject By-laws and the period of time specified shall not exceed one year from the date of passing thereof.

## **8.10 INTERPRETATION**

### **8.10.1 General**

The Plan provides a long range development strategy to guide the future growth of the Township of Galway-Cavendish and Harvey. As a result of changing circumstances Council may consider amending the Official Plan.

In determining whether or not an amendment to this plan is required, special regard shall be had to the Purpose and Basis of the Plan and the policies of each land use designation of this document.

### **8.10.2 Land Use Boundaries**

The boundaries between land use designations on Schedules to this Plan are approximate except where they coincide with major roads, railway lines, rivers, transmission lines or other clearly defined physical features. Where the general intent of the plan is maintained, minor adjustments to boundaries will not require an amendment to this Plan.

All numerical figures in the plan should not be interpreted as being absolute and rigid. Minor adjustments will be permitted provided that the intent and spirit of the plan is maintained.

### **8.10.3 Amendments**

An amendment to Schedule "A1", "A1-1", "A1-2", "A2", "A3", "B1", "B2" and "B3" of the Official Plan is required to permit the establishment of areas for uses other than those included in the Land Use Plan. Each Official Plan amendment shall contain background studies and a complete justification for the proposed change.

Amendment procedures as outlined in specific designations shall also apply. All amendments should conform to the goals and objectives contained herein.

It is intended that all figures and quantities contained in this Plan be considered as approximate only. Amendments will not be required for any reasonable variation from these figures.

When submitting an application to the Municipality for an amendment to this plan, regard shall be had for the following:

- a) The need for the proposed use;
- b) The suitability of the site for the proposed use;
- c) The compatibility of the proposed use with adjacent and surrounding uses in the Township and adjacent Municipalities, where applicable;
- d) The physical suitability of the land and water area to sustain itself in relation to the proposed use giving consideration to:

- i) the existing environmental and/or physical hazards;
  - ii) the potential impacts of these hazards; and
  - iii) the proposed methods by which these impacts may be overcome in a manner consistent with accepted engineering techniques and resource management practices.
- e) The location of the area under consideration with respect to:
  - i) the adequacy of the existing and proposed highway system in relation to the development of such proposed areas;
  - ii) the convenience and accessibility of the site for vehicular and pedestrian traffic and the traffic safety in relation thereto;
  - iii) the adequacy of the potable water supply, sewage disposal facilities, and other municipal services in accordance with technical reports or recommendations which the Council shall request from any appropriate authority such as the Ministry of Environment or its agencies deemed advisable;
- f) The potential effect of the proposed use on the financial position of the municipality;
- g) Site design and development criteria;
- h) Impacts on natural resources including mineral aggregates, environmentally sensitive lands, fish and wildlife habitat, areas of natural and scientific interest;
- i) Integration with future development opportunities on abutting lands;
- j) The agricultural capability of the subject lands and the effect such a change in land use would have on these lands and similarly abutting agricultural lands;

- k) The Minimum Distance Separation (MDS) Formulae, in accordance with Section 5.1.12 of this Plan.
- l) Such other matters as may be required by the Municipality.

#### 8.10.3.1 Public Participation

Council shall encourage the active participation of Township residents during the preparation of amendments to the Official Plan in accordance with the requirements of *the Planning Act*, R.S.O. 1990.

### **8.11 PUBLIC WORKS**

The construction of all public works within the Township of Galway-Cavendish and Harvey shall be carried out in accordance with the policies of this Plan.

### **8.12 ZONING BY-LAW AMENDMENTS**

All amendments to the Township of Galway-Cavendish and Harvey Zoning By-law shall be in conformity with the Official Plan.

### **8.13 ALTERNATIVE PUBLIC NOTIFICATION PROCEDURES**

In accordance with provisions of the *Planning Act*, R.S.O. 1990 Council may forego public notification and public meeting(s), with respect to a technical Official Plan Amendment or Zoning by-law Amendment if such will not affect the provisions and intent of the Official Plan or Zoning by-law or an amendment previously enacted to either document, in any material way, and may include the following matters:

- a) Altering the number and arrangement of any provision;
- b) Correcting punctuation or altering language to obtain a uniform mode of expression;
- c) Correcting clerical, grammatical, dimensioning or typographical errors; and
- d) Changes in format.

## **8.14 OFFICIAL PLAN REVIEW**

Council shall from time to time, and not less frequently than every five (5) years from the date of County Council approval, hold a special public meeting of Council for the purpose of determining the need for revisions to the Plan.

## 9.0 APPROVAL AND MODIFICATIONS

The Official Plan of the Former Township of Harvey was approved on July 30, 1993 by the Minister of Municipal Affairs with modifications.

Amendment No. 7 was approved by the County of Peterborough on January 3, 2002 subject to the following modifications which have been incorporated into this consolidation.

APPENDIX A  
SECONDARY PLAN AREA NO. 1  
SANDY POINT RECREATION DEVELOPMENT

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SCHEDULE "A1" - Land Use and Roads Plan

SCHEDULE "B1" - Services

## 1. SECONDARY PLAN DELINEATION

The lands delineated on Schedule "A" to the Official Plan as "SECONDARY PLAN AREA No. 1" may be referred to as the "Sandy Point Recreation Development" and shall be subject to the following policies:

## 2. DEVELOPMENT CONCEPT

The Sandy Point Recreation Development is based on the following development concept:

- (a) **General Concept:** The major residential component of the Sandy Point Recreation Development will take place away from the shoreline. This leaves the shoreline available for Recreational oriented uses such as marina and commercial types of development. The form of development will be controlled so as to avoid any unnecessary intrusion on the amenity offered from the waterway. The development concept involves a variety of housing types generally ranging from attached units in the Central area adjacent to the waterfront to large lot detached residential style development in the areas removed from the waterfront area.
- (b) The Central Area will form a natural focus and will contain a grouping of facilities which will be available to the Sandy Point Recreation Community. These facilities will include a hotel, a tennis complex, a golf complex, a marina and harbour and recreational, community commercial and public services. Higher density recreational accommodation will also be located in and adjacent to this Central Area.
- (c) Major Residential amenities will be located adjacent to the Central Area. These Amenities will include a 9 hole golf course and an equestrian facility. The golf course is located south of the collector road in Lots 4 and 5. The course and the adjacent residential areas have been designed to permit the eventual expansion of the golf course to 18 holes in the future, if desirable. The Equestrian facility will contain riding facilities as well as paddock areas. There will be an opportunity to use certain of the trails throughout the proposal for riding. The equestrian centre is located in the southern portion of Lot 6.
- (d) The residential areas immediately adjacent to the golf course and the equestrian centre are described as estate areas. The intention is to design these areas to afford access and proximity to the adjacent recreational facilities and thus offer a distinct type of recreational residential setting.

- (e) The residential development located in Lots 7 and 8 will be more remote from the actively used recreation facilities and thus will offer a more tranquil residential setting. This area will be linked to the Central Area by trails and by road. These properties are referred to as the Northern Forest Properties.
- (f) The Bear Creek bisects the lands in a north-south manner and an extensive area has been set aside in this area as a natural area. Certain public services will be sited in this area but the area will retain an extensive open character.
- (g) At the eastern portion of the lands an estate area has been set aside. This area will contain large estate type residential dwellings.
- (h) An existing aggregate extraction area is located in the extreme easterly limit of the lands. This operation will be used to provide aggregate for construction of the project and will then be rehabilitated.

### 3. LAND USE POLICY

#### 3.1 General

The lands of the Secondary Planning Area No. 1 shall be developed in accordance with the land use pattern shown on the Land Use and Roads Plan, Schedule "A1", and the policies contained in the Official Plan.

##### 3.1.1 Public Uses

Public Utilities, Public Right of Ways, and other public uses shall be permitted within all land use designations provided that the use is necessary in the area, and measures are taken to reduce any environmental impact or incompatibility with surrounding uses.

##### 3.1.2 Interim Uses

Certain uses and structures intended to be removed upon completion of the construction phase shall be permitted provided that these uses or structures are sited to prevent environmental or aesthetic impact. These interim uses and structures shall include contractors offices, sales offices and model units. The number and siting of these uses and structures shall be established in the development agreement.

##### 3.1.3 Land Use Classifications

The Land Use Plan establishes the pattern of development by dividing the Secondary Planning Area into basic land use classifications. The policies governing the use of the lands within the classifications are described in the following subsections.

##### 3.1.4 Building Height

Building height throughout the Secondary Planning Area No. 1 shall not exceed 10.668 metres.

##### 3.1.5 Density

The residential density throughout the Secondary Planning Area shall not exceed 2 units per gross hectare. For the purposes of this plan, residential density includes permanent residential dwellings, recreational attached units and all other habitable units including units in a lodge, motel, hotel, etc."

## 3.2 CENTRAL AREA COMMERCIAL

Lands designated Central Area Commercial are intended to be of a scale and type to service the day to day needs of the Sandy Point Recreation Community. In addition Commercial Uses related to the Tourist and Boating Population may also be included.

### 3.2.1 Permitted Uses

The uses permitted are those which serve the day to day needs of the Sandy Point Recreational Community and those commercial uses which serve the needs of the travelling tourist. The commercial uses shall include automobile and marine service centres or service stations, craft stores, convenience goods stores, personal service shops and restaurants. In addition, resort accommodation, meeting facilities and convention facilities shall be permitted.

In addition Community Facilities such as Administrative Offices, meeting rooms and places of worship shall be permitted.

### 3.2.2 Maximum Commercial Development

Within the Central Area Commercial designation the Maximum Commercial Development shall not exceed 4,000 square metres in gross floor area.

### 3.2.3 Existing Lodge

The existing lodge shall be improved and expanded and its architectural and historical features retained.

### 3.2.4 Building Design and Landscaping

The scenic qualities of the surrounding area shall not be impaired. The proposal shall include adequate measures to enhance the landscape of the site.

### 3.2.5 Docking, Storage and Parking

Adequate provision shall be made for each commercial use for boat docking, solid waste storage and disposal, storage of materials and goods on site and vehicular parking and access.

### 3.2.6 Lighting, Signs and Accessory Structures

Lighting, signs and accessory structures shall be kept to a minimum and shall be designed to complement the associated uses and sited so as to avoid intrusion upon adjacent properties.

### 3.2.7 Zoning and Site Plan Approval

The Central Area Commercial uses may be zoned in separate classifications. These uses shall be subject to Site Plan Approval in accordance with Section 40 of The Planning Act and the policies of Section 8.6 of the Official Plan.

## 3.3 CENTRAL AREA RESIDENTIAL

The Central Area Residential designation is intended to permit attached residential accommodation of a variety of ownership patterns including leasehold, condominium-style and rental. This accommodation will be extensively recreational in nature and only limited permanent occupancy is intended to take place in this designation.

### 3.3.1 Permitted Uses

The main use of lands in this designation is for recreational use. The residential structure may take the form of single family detached dwellings or attached multiple-unit structures such as low-rise apartments, terraced townhouses and semi-detached units. These residential units may be offered on either a rental, condominium-style or other ownership or leased basis. Accessory uses clearly incidental to and subordinate to the main residential use of the lands may be permitted.

### 3.3.2 Limit of Development - Terraced and Lakefront Rental or Condominium-Style Units

Development of Terraced and Lakefront Rental or Condominium Style Units in this designation shall have a maximum density of 25 units per hectare.

### 3.3.3 Limit of Development - Apartment/Hotel Units

Development of Apartment/Hotel units shall have a maximum density of 140 units per hectare.

### 3.3.4 Maximum Number of Units

The maximum number of units of all types shall be limited to 825 in this designation.

### 3.3.5 Permanent Occupancy

The use of these units for permanent occupancy shall be discouraged except for those staff members and employees required to reside on the premises.

### **3.3.6 Site Plan Control**

Development of these lands for residential purposes shall be subject to site plan control as provided in Section 40 of The Planning Act and the policies of Section 8.6 of the Official Plan.

### **3.3.7 Zoning**

Central Area Residential development may be zoned in separate classifications in the Zoning By-law. Conversion of certain entire buildings of the style described in Section 3.3.2 shall be permitted in accordance with the relevant policies of the Plan.

## **3.4 RECREATIONAL RESIDENTIAL**

The Recreational Residential designation is intended to permit residential development of a recreational nature in a natural setting in close association with recreational facilities and opportunities. This residential development will complement the setting and enhance the recreational experience.

### **3.4.1 Permitted Uses**

Permitted uses shall be limited to single family recreational residential dwellings and accessory uses thereto.

### **3.4.2 Lot Size**

The minimum lot size for each single family dwelling unit shall be 0.4 hectares.

### **3.4.3 Maximum Number of Units**

The maximum number of units permitted in this designation shall be 210.

### **3.4.4 Occupancy**

The intended occupancy shall be as a second home and not as a permanent place of residence.

### **3.4.5 Zoning**

Recreation Residential development may be zoned in a separate classification. In accordance with the provisions of this Plan, a Zoning Amendment shall be required to permit the conversion of occupancy to permanent.

### 3.5 ESTATE RESIDENTIAL

The Estate Residential designation is intended to permit large lot permanent residential development in the eastern portion of the subject lands.

#### 3.5.1 Permitted Uses

Permitted Uses shall be single family residential dwelling units on individual services and accessory uses thereto developed by Plan of Subdivision.

#### 3.5.2 Minimum Lot Size

The minimum lot size shall be 0.5 hectares.

#### 3.5.3 Zoning

Estate Residential uses may be zoned by a separate classification in the Zoning By-law.

### 3.6 RECREATION OPEN SPACE

The Recreation Open Space designation is intended to permit those extensive open-space uses on the subject lands. These uses include a golf course and an equestrian facility together with associated uses and ancillary recreation facilities.

#### 3.6.1 Permitted Uses

The permitted uses are those extensive recreation uses including a golf course and an equestrian centre together with accessory uses such as club houses and incidental commercial uses catering principally to the needs of the recreational users. In addition, intensive recreation uses requiring structures such as tennis courts and swimming facilities shall be permitted on suitable sites.

#### 3.6.2 Site Plans

Recreation uses shall only be developed in accordance with Site Plans approved in accordance with Section 40 of The Planning Act and the policies of Section 8.6 of the Official Plan. Such Site Plans shall have regard to the following matters:

- protection of scenic qualities of the area
- site landscaping
- to avoid impact on the surrounding areas and uses.

### 3.6.3 Land Under Private Ownership

Where lands are designated Recreation Open-Space this shall not be construed as implying that these lands are open to the general public, or that these lands will be accepted as public parkland.

### 3.6.4 Zoning

Lands designated Open Space shall be zoned in a separate zone category in the Zoning By-law.

## 3.7 EXTRACTIVE INDUSTRIAL

The Extractive Industrial designation is intended to permit the operation of the extraction operation in Lot 5, Concession 16 for the duration of the construction of the project. It is intended that this extractive operation shall cease upon completion of the project and the site shall be rehabilitated.

### 3.7.1 Permitted Uses

The uses shall be limited to the extraction and processing of aggregate resources.

### 3.7.2 Operational Guidelines

The operation of the extractive operation shall conform to the provisions of the Pits and Quarries Control Act with respect to setbacks and the limit of onsite operations.

### 3.7.3 Site Development Plan

Prior to initiating the extraction operation a site development plan shall be provided by the owner in accordance with the provision of the Pits and Quarries Control Act. This site development plan may form the basis for a site plan agreement in accordance with Section 40 of The Planning Act and the policies of Section 8.6 of the Official Plan.

### 3.7.4 Zoning

The municipality may require the owner to enter into an agreement prior to the enactment of a zoning by-law amendment to permit the establishment of an extractive operation. This agreement shall include those matters referred to in Section 5.9.4 of the Township of Galway-Cavendish and Harvey Official Plan.

### 3.7.5 Rehabilitation and Reuse

Upon completion of the construction phase of the Sandy Point Recreation Development this extractive operation shall cease and the site shall be subject to an amendment to this Secondary Plan.

### 3.8 HAZARD LANDS

Lands designated Hazard Lands are primarily intended for preservation and conservation and should be managed in such a fashion as to compliment adjacent land uses and protect such uses from physical hazards.

#### 3.8.1 Permitted Uses

Lands designated Hazard Lands are primarily intended for preservation and conservation and should be managed in such a fashion as to compliment adjacent land uses and protect such uses from physical hazards.

Uses such as forestry and recreation of an extensive nature may be permitted. However buildings and structures other than those required for conservation purposes shall generally be restricted.

#### 3.8.2 Zoning

The lands designated Hazard Land shall generally be zoned in a separate classification in the Zoning By-law.

### 3.9 CONSERVATION

Lands designated as Conservation are intended for recreation, conservation or forestry purposes. These lands do not have inherent environmental hazards but are retained in their natural state as a natural buffer and setting for the development.

#### 3.9.1 Permitted Uses

The uses permitted shall be limited to conservation, recreation, forestry or similar uses. Public services and structures related thereto shall be permitted provided they do not detract from the natural setting.

Sewage works shall also be permitted.

### 3.9.2 Zoning

Conservation lands may be zoned in a separate classification in the Zoning By-law.

## 4. TRANSPORTATION

The transportation network as set out on Schedule "A1" reflects the inter-relationship of land use and transportation. Three means of transportation are addressed. These are:

- Roads
- Pedestrian Walkways and
- Boat Launching

### 4.1 ROADS

Schedule "A1" - delineates the road pattern and classification in the Secondary Planning Area No.1.

#### 4.1.1 Alignment Variations

Minor alignment variations shall be permitted to incorporate design consideration including physical land characteristics and the preferred accessibility to certain land uses and aesthetic considerations.

#### 4.1.2 Road Classification

The roads are classified according to anticipated volume, speed and access provided to adjacent lands. The following classifications shall apply:

**Local Access Roads:** are intended to provide access to individual properties and may be in the form of loops, winding roads or cull-de-sacs. The right-of-way widths shall be at least 20.0 metres. Pavement widths shall be at least 6.5 metres.

Drainage shall be by roadside ditches except as required to meet drainage constraints. Sidewalks shall generally not be required.

**Collector Roads:** are intended to provide primary access to the Central Area and to provide a continuous road system through the site. No direct access to individual properties shall be permitted from Collector Roads, although limited access to blocks of residential, commercial and recreational uses may be permitted provided the uses are clustered and access is limited in extent. The right-of-way widths shall be at least 20.0 metres, and pavement widths shall be at least 7.0 metres.

Site triangles shall be incorporated at street intersections. Drainage shall generally be by open ditches, except where curbs and gutters are necessary at major intersections to accommodate turning lanes, in the higher density areas, or to overcome drainage constraints.

4.1.3 All roads shall be constructed in accordance with the Ministry of Transportation standards and the requirements of the Township of Galway-Cavendish and Harvey.

Permanent access shall be provided to the Road Allowance between Concession 16 and 17. This access together with the road on the Road Allowance, shall be upgraded to a standard to be established in the Development Agreement.

Existing Roads within the Secondary Planning Area shall be upgraded to meet the Township standards.

#### 4.1.4 Assumption of Roads

All roads designated as public roads shall be assumed by the municipal road authority in accordance with the terms and conditions established in the appropriate agreement.

#### 4.1.5 External Road Improvement

Improvements necessitated by this development to roads external to the Study Point Recreation Development shall be the subject of further agreements. In general the Sandy Point Recreation Development shall be responsible for the proportional cost of such improvements as determined in the Development Agreements.

## 4.2 PEDESTRIAN WALKWAYS

A Pedestrian Walkway System shall be incorporated into the detailed design of the development. Such walkway system shall as far as possible link all residential areas with the central area and the recreational facilities. This walkway system shall not be assumed by the municipality.

## 4.3 BOAT LAUNCHING AREAS AND MARINAS

The existing boat launching area at the end of the road allowance between Concession 17 and 18 has been retained and will be improved by the Developer. In addition, access to the water for boats will be provided at the marina facilities located in the Central Commercial Area.

## 5. SERVICING

The following policies shall apply to the Secondary Planning Area No.1:

### 5.1 WATER SUPPLY

Schedule "B1" delineates the type of water supply system for each development area. Where specified or required, a single municipal water supply system shall be designed and constructed in phases to conform to the Ministry of Environment standards as the means of servicing these areas.

#### 5.1.1 Assumptions of Services

The water supply system, its distribution system, well(s) or lake intake(s), treatment and storage works, etc., shall be designed and constructed by the developer and shall ultimately be owned, maintained and operated by the municipality in accordance with the terms and conditions established in the appropriate agreements.

#### 5.1.2 Service Design and Phasing

In accordance with policy 5.1 (c) the areas to be serviced by the water supply system will be defined. The design and phasing of the system and its treatment works, etc., will be based on the ultimate demands determined by the Secondary Plan. The system may be completed in sections, but will ultimately be connected to form a single water supply system. Phasing shall be controlled in accordance with terms and conditions established in the appropriate agreements.

#### 5.1.3 Hydrogeological Study

A hydrogeological study shall be carried out and the recommendations incorporated in the subdivision design for the site. The study shall determine the suitability of the groundwater sources for the provision of water supplies for each development area; define the areas to be serviced by individual wells or piped water supply system. The final water supply for each area shall incorporate the recommendations of the hydrogeologist.

#### 5.1.4 Core Area System

The core area shall be serviced on the basis of a municipal water supply system.

### 5.1.5 Alternate Water Supply

If the groundwater sources are found to be inadequate, either due to quality or quantity, a water supply system based upon a lake water intake shall be required.

### 5.1.6 Fire Protection

Lake access shall be provided for fire fighting equipment. Additionally, certain blocks within the core area may utilize lake water to provide protection through sprinkler systems or stand pipes.

## 5.2 SEWAGE TREATMENT SYSTEM

Schedule "B1" designates the areas by type of sanitary treatment systems to be provided.

### 5.2.1 Individual Sewage Disposal Systems

Each lot in the Estate and Recreational designation shall be serviced on the basis of individual sewage disposal systems. Prior to final approval, tests shall be conducted to ensure the suitability of each lot for the system of disposal proposed.

### 5.2.2 Core Area System

The core area shall be serviced on the basis of a municipal sewage disposal system. The piped sewage collection system and associated treatment works shall be designed and constructed in phases by the developer. Ultimately, this system shall be owned, maintained and operated by the municipality in accordance with terms and conditions established in the appropriate agreements.

### 5.2.3 Approval Authority

The design and construction of the sewage disposal systems shall be subject to the requirements of the Ministry of Environment and/or the Peterborough County/City Health Unit.

### 5.2.4 Location of Land Disposal Facility

The location of the land disposal facility shall be the subject of detailed site investigation. The locations identified as "land disposal zones" on Schedule "B1" shall be the first areas to be investigated.

## 5.3 STORMWATER DRAINAGE SYSTEM

### 5.3.1 Master Stormwater Drainage Plan

Prior to the final development approval, a Master Stormwater Drainage Plan shall be prepared which shall outline:

- external and internal drainage areas;
- extent of hazard lands;
- the method of conveying storm drainage under major and minor storm conditions, utilizing natural drainage techniques;
- the methods of providing flood protection of properties adjacent to watercourses and overland routes;
- the method of controlling sedimentation and erosion during and after construction.

### 5.3.2 Drainage Channels

Storm drainage shall generally be conveyed via open roadside ditches and channels. Street catchbasins and shallow storm sewers may be warranted in the high density areas due to drainage constraints or space limitations.

### 5.3.3 Detention Areas

Natural stormwater detention areas and streams should be preserved subject to compatibility with adjacent land uses.

### 5.3.4 Sedimentation Control

Discharges to Pigeon Lake and Bear Creek shall be subject to the implementation of suitable methods to control sedimentation.

## 5.4 PUBLIC UTILITIES

### 5.4.1 Electric Service

Electric service shall be supplied to the development through an agreement between Ontario Hydro and the Developer.

### 5.4.2 Telephone

Telephone service shall be provided by Bell Canada.

## 5.5 ENVIRONMENTAL PROTECTION

### 5.5.1 Forest Management Program

A forest management program should be encouraged to preserve and supplement the forest resources, especially in areas visible to Pigeon Lake.

### 5.5.2 Marine Facilities Design

Prior to approval of the marina facilities, investigations shall be carried out in the following areas:

- to determine the significance of the fish species and the potential impact of the marina construction on the fish population.
- to determine the type and number of berths and docking/launching facilities that are required to meet the needs of the Sandy Point Recreation Community and the Boaters of Pigeon Lake.

The results of these investigations shall form the basis for the final design of the marina facility.

### 5.5.3 Animal Wastes

Animal wastes from the paddock lands shall be managed in a manner to control the visual and odorous impact on the adjacent residences.

### 5.5.4 Construction Noise

Construction activities in the Secondary Plan Area No.1, involving offensive noise levels, shall be subject to controls as to the hours of operation and any noise reducing techniques which can be incorporated into the design of the development program.

## 5.6 SOLID WASTE DISPOSAL

### 5.6.1 Garbage Collection

Collection of private waste within the secondary plan area and haulage to an approved disposal site shall initially be the subject of a development agreement between the developer and the municipality. Ultimately, the township may consider the establishment of a collection system.

### 5.6.2 Disposal Site

The provisions of a waste disposal site which services this development, shall be the subject of a development agreement in which the developer will share the proportionate cost for the establishment of a site.

## 5.7 ARCHAEOLOGICAL AND HISTORICAL SITES

Archaeological and historical sites, if found, during construction shall be documented and suitable means used to protect any significant materials or findings.

## 6. IMPLEMENTATION

The implementation of this Secondary Plan shall be through those powers granted to the municipality under The Planning Act, the Municipal Act and other appropriate statutes. In particular this Secondary Plan shall be implemented by means of the following measures and procedures.

### 6.1 PLANS OF SUBDIVISION AND CONDOMINIUM

The subdivision of land and the creation of blocks, lots and units shall generally be by way of Plans of Subdivision and Condominium, where applicable. It is intended that the initial subdivision of land will be by one or more Draft Plans of Subdivision. These plans may be phased provided that a Design Plan is approved by the municipality to co-ordinate the subdivision of the lands.

### 6.2 AGREEMENTS

The intent of this Secondary Plan shall be implemented through the use of agreements between the relevant parties for such matters as may be established as a result of the following:

- the provision of both internal and external services in accordance with the Secondary Plan
- conditions of Draft Subdivision Approval
- prior to the enactment of Zoning By-laws
- Site Plan Approval in accordance with the provisions of Section 40 of The Planning Act.

### 6.3 ZONING BY-LAWS

Following the approval of the Secondary Plan it is intended that the provision of this plan shall be implemented by a series of Zoning By-law amendments. These amendments shall only proceed in conformity to the phasing schedule established for the development.

#### 6.3.1 Development Holding Provisions

Council may, in a By-law passed pursuant to the provisions of Section 35 of The Planning Act, S.O., 1983, zone lands for their intended use, and further impose a holding provision to generally prevent or limit the use of those lands until such time as Council is satisfied that further development may take place.

#### 6.3.2 Objectives to Holding Provisions

Council may pass a holding by-law to achieve one or more of the following objectives:

- to allow for the orderly phasing of development or redevelopment of land,
- to allow for the provision of adequate water, sewage disposal, or other municipal services,
- to ensure that special design criteria established by the Official Plan have been satisfied,
- to allow for the implementation of special design features.

#### 6.3.3 The Application of Holding Provisions

##### (i) Location Criteria:

Holding provisions may be applied in the following circumstances.

- Where lands are designated for a Residential use and a plan of subdivision has received draft plan approval,
- Where lands are designated for a Commercial use and are presently undeveloped but may be readily served by municipal water supply and sanitary sewer services.
- Where lands are designated for Conservation uses and a plan of subdivision has received draft plan approval.

(ii) **Removal of Holding Provisions:**

The holding provisions shall not be removed from the lands so zoned, and no development shall be permitted until such time as the necessary agreements have been registered on title to ensure that all the provisions of this Plan and, if applicable, the conditions of draft plan approval have been or will be complied with; and the general objectives of the holding provision have been achieved.

**6.3.4 Implementation**

(i) **Interim Uses**

In the interim period until the holding provision is removed by Council in accordance with the provisions of Section 35(4) of The Planning Act, as amended, the uses permitted shall be restricted to those existing as of the date of adoption of the holding by-law, and public uses.

(ii) Lands subject to holding provisions shall be identified in the implementing zoning by-law by the placement of the suffix "H" adjacent to the zone category.

**6.4 PHASING**

It is intended that development of this Secondary Plan shall occur over a period of 10 to 15 years. The rate of development shall be consistent with the demand for specific type of units permitted in this Plan. Approval of sequential phases for development shall be subject to the provision of adequate access, water supply, sanitary sewage, solid waste disposal and storm water drainage.

**6.4.1 Sequential Expansion**

Expansion of the development shall be in an orderly and sequential pattern, subject to the demands for the different types of units, facilities and amenities. The rate of development shall be such that it will not impact on the financial capabilities of the municipality, the ability of the developer to implement the provisions of this Plan or the ability of the existing community to adapt to the changes represented by the development.

**6.4.2 Municipal Review**

Phasing of development shall be subject to the regular review of the Council of the Municipality in order to respond to changes in conditions.

The initial phase of development shall be for 150 to 200 lots/units, together with appropriate supporting recreation facilities.

It is intended that adjacent municipalities that may be affected by the development proposals which implement this plan will be provided with an opportunity to review and comment on the proposals. In this regard, consideration should be given to the provisions of reviewing agencies - Section 4.1.5 of the Secondary Plan, External Road Improvement.

#### 6.4.3 Mix of Land Uses

As the development proceeds a mixture of land uses shall be maintained. The early development of the recreational and commercial uses shall be encouraged to complement the residential component. In no event shall the project proceed to provide an unbalanced development concentrated on only one type of use.

#### 6.4.4 Municipal Works

Phased construction of municipal works such as sewage treatment facilities, stormwater systems and water supply systems shall be subject to the approval of the Ministry of Environment and the Township.

#### 6.4.5 Review of Marketing Material

The Municipal Council reserves the right to monitor the content of any marketing material provided to the public. If, in the opinion of the Council this material is misleading with respect to matters of the municipal importance, the Council shall have the right to request the withdrawal of this material.

### 6.5 MONITORING

A monitoring system both prior to, during and following the development of the Secondary Planning Area shall be established by the developer in consultation with the Ministry of Environment, the Ministry of Natural Resources and the Municipality. This monitoring program shall give particular attention to the physical environment and water quality.

## 6.6 SITE PLAN CONTROL

### 6.6.1 General

Section 40 of The Planning Act, 1983 gives the Municipality the authority to exercise "Site Plan Control procedures and approvals prior to the development" of lands within its jurisdiction. It is the intention of Council to utilize this power in order to ensure that any development which occurs is done so in such a fashion so as to minimize land use conflicts, provide an aesthetic appearance of the site and to ensure that drainage and other municipal works are properly installed.

### 6.6.2 Definition

"Development" shall include all activities as defined in Section 40(1) of The Planning Act, S.O. 1983, as may be amended from time to time.

### 6.6.3 Location

The Site Plan Control Area shall constitute all lands comprising Secondary Planning Area No. 1 Sandy Point Recreation Development as illustrated on Schedule "A" attached hereto, which are designated in this Plan or an amendment to this Plan as:

- (i) all lands designated as Central Area Commercial;
- (ii) all lands designated as Central Area Residential;
- (iii) all lands designated as Recreation Open Space
- (iv) all lands designated as Extractive Industrial.

### 6.6.4 Medium Density Residential

Council may require submission of drawings mentioned in paragraph 2 of Section 40(4) of The Planning Act, 1983 for a building to be used for residential purposes containing less than twenty-five (25) dwelling units.

### 6.6.5 Extractive Industrial

Council may require a site plan agreement for the construction, placing, or extension of buildings or structures in association with a pit or quarry. For the purposes of site plan control, Council may generally accept a site plan prepared in accordance with the requirements of the Pits and Quarries Control Act, R.S.O. 1980, as amended from time to time, as a site plan within the meaning of the Official Plan.

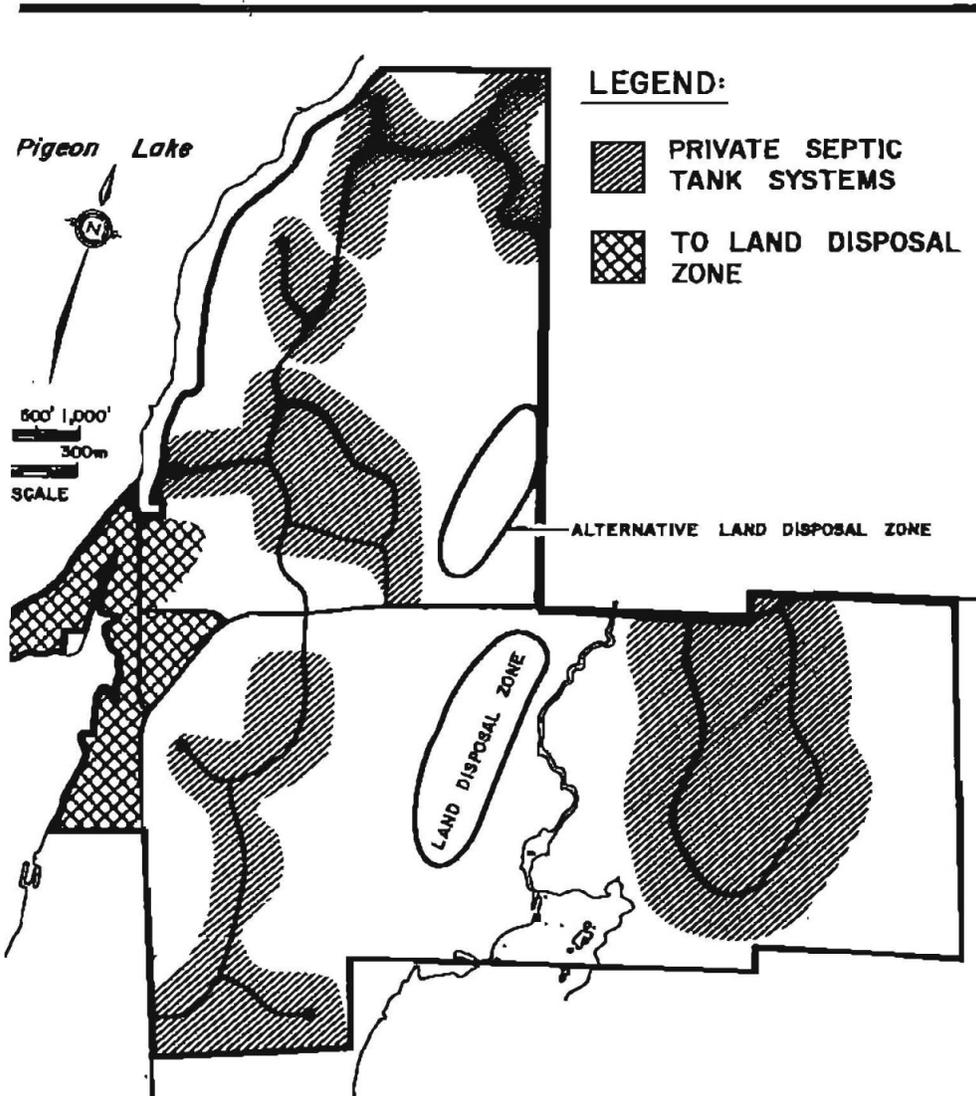
### 6.6.6 Objectives

The objectives of the Township of Galway-Cavendish and Harvey in exercising Site Plan Control are as follows:

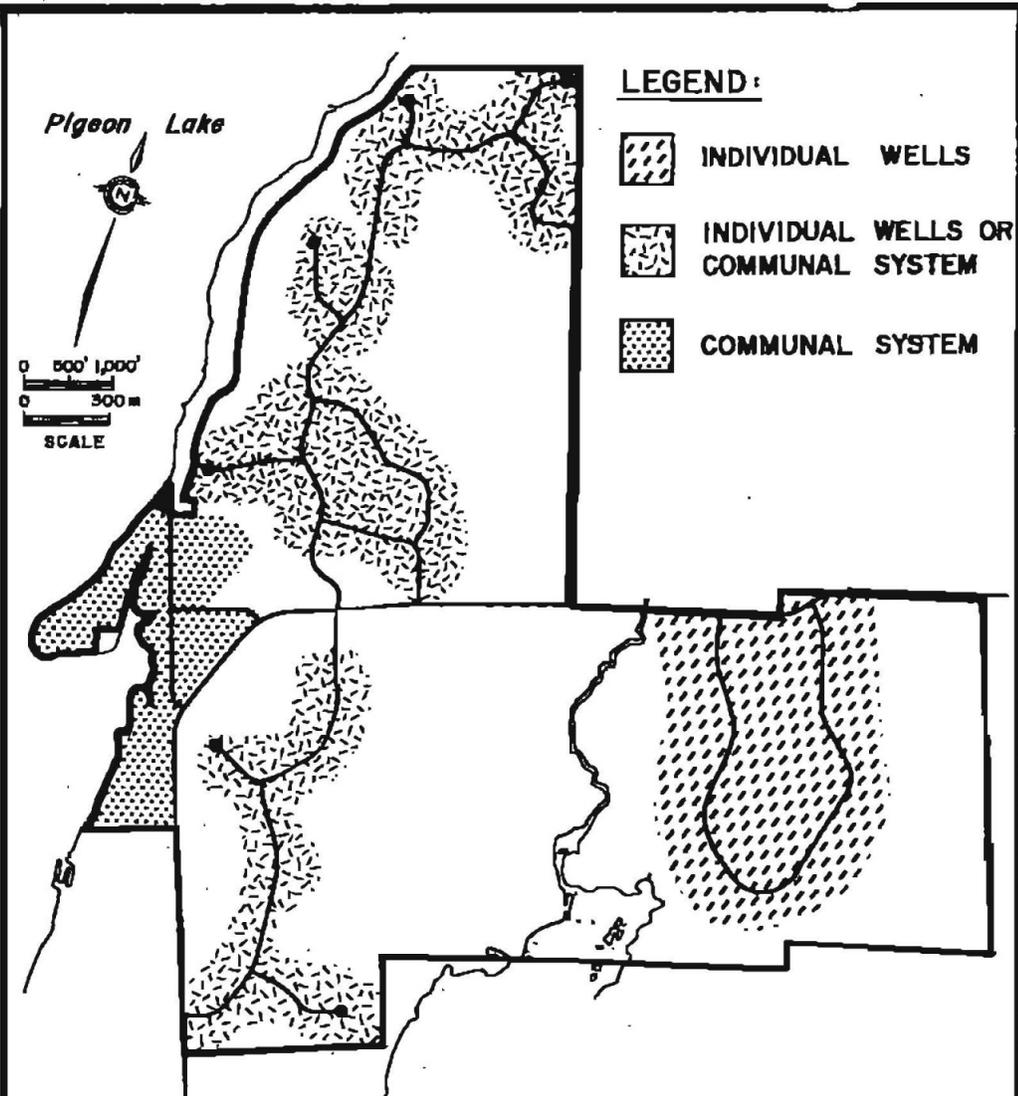
- (i) To improve the treatment of site plan details and maintain a consistent municipal standard in a site plan control area;
- (ii) To ensure safe and efficient access and movement of vehicular and pedestrian traffic;
- (iii) To minimize land use incompatibility between new and existing development, having regard to the massing and conceptual design of proposed buildings or structures and the streetscape or intended character of the area;
- (iv) To provide functional and attractive on-site facilities such as landscaping and lighting;
- (v) To control the placement and provision of required services such as driveways, walkways, parking areas, loading facilities and garbage collection areas;
- (vi) To secure the conveyance of any easements or right-of-ways in favour of the Municipality for the maintenance or improvement of drainage works, watercourses, roadways or other public utilities and similar undertakings;
- (vii) To ensure that the proposed development is built and maintained as approved by Council;
- (viii) To ensure that the land based components are compatible with the water based recreational uses within the adjacent waterbodies.

### 6.6.7 Policies

- (i) Where in the Official Plan an area is proposed as a Site Plan Control Area, Council may pass by-laws to provide the Township with the ability to participate in the determination and location of various elements to be included in the developments overall design.
- (ii) The passage of said by-laws will assist the Township in ensuring that such developments include all required facilities, and design elements which will assist in the establishment of compatibility between the new use and the adjacent land uses.
- (iii) Prior to any development within an Area designated as a Site Plan Control Area Council may require one or both of the following:
  - plans as certified by an Ontario Land Surveyor showing the location of all existing and proposed buildings or structures and all works and facilities to be provided in accordance with Section 40(7)(a) of The Planning Act; except Part 1;
  - drawings as certified by an engineer and/or architect showing plans, elevation and cross-section views for each building to be erected, including massing and conceptual design, the relationship of the building to adjacent buildings, streets and exterior public areas, and the provision of interior walkways, stairs and elevators, to which the public has access.
- (iv) As a condition of Site Plan approval, Council may require the execution of an agreement between the landowner and the Township to ensure that all buildings, structures, works or matters described in Clause (iii) above are constructed and maintained, as approved by Council.
- (v) Council may provide to such ministries or agencies as Council considers may have an interest in the development, an opportunity to review and comment on submitted draft site plans as described in (iii) above up to such time as is specified by Council. The Council shall circulate to the Ministry of Natural Resources and Environment Canada-Parks, Trent Severn Waterway, where the land based development would affect the dredging, filling, or other shoreline water works.



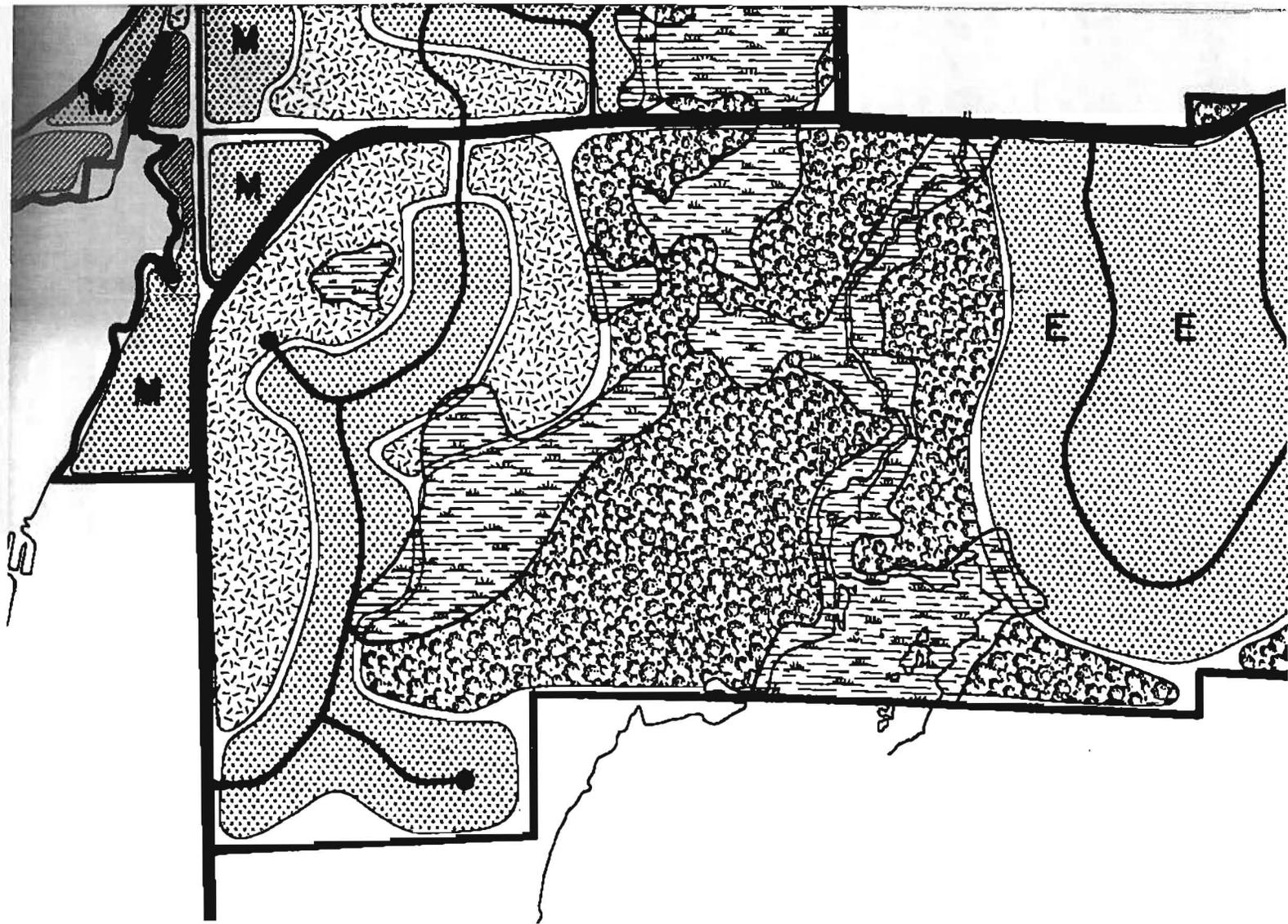
**SANITARY TREATMENT SYSTEMS**



**GROUNDWATER SUPPLY SYSTEM**

**TOWNSHIP OF HARVEY  
SECONDARY PLAN AREA NO. 1-  
SERVICES**

**SCHEDULE "B1"**



**LEGEND:**

- |   |                          |   |                    |
|---|--------------------------|---|--------------------|
|  | ESTATE RESIDENTIAL       |  | HAZARD LANDS       |
|  | RECREATIONAL RESIDENTIAL |  | COLLECTOR ROADS    |
|  | CENTRAL AREA RESIDENTIAL |  | LOCAL ACCESS ROADS |
|  | RECREATION OPEN-SPACE    |   |                    |
|  | CONSERVATION             |   |                    |
|  | EXTRACTIVE INDUSTRIAL    |   |                    |
|  | CENTRAL AREA COMMERCIAL  |   |                    |

**TOWNSHIP OF H/  
SECONDARY PLA  
LAND USE AND**

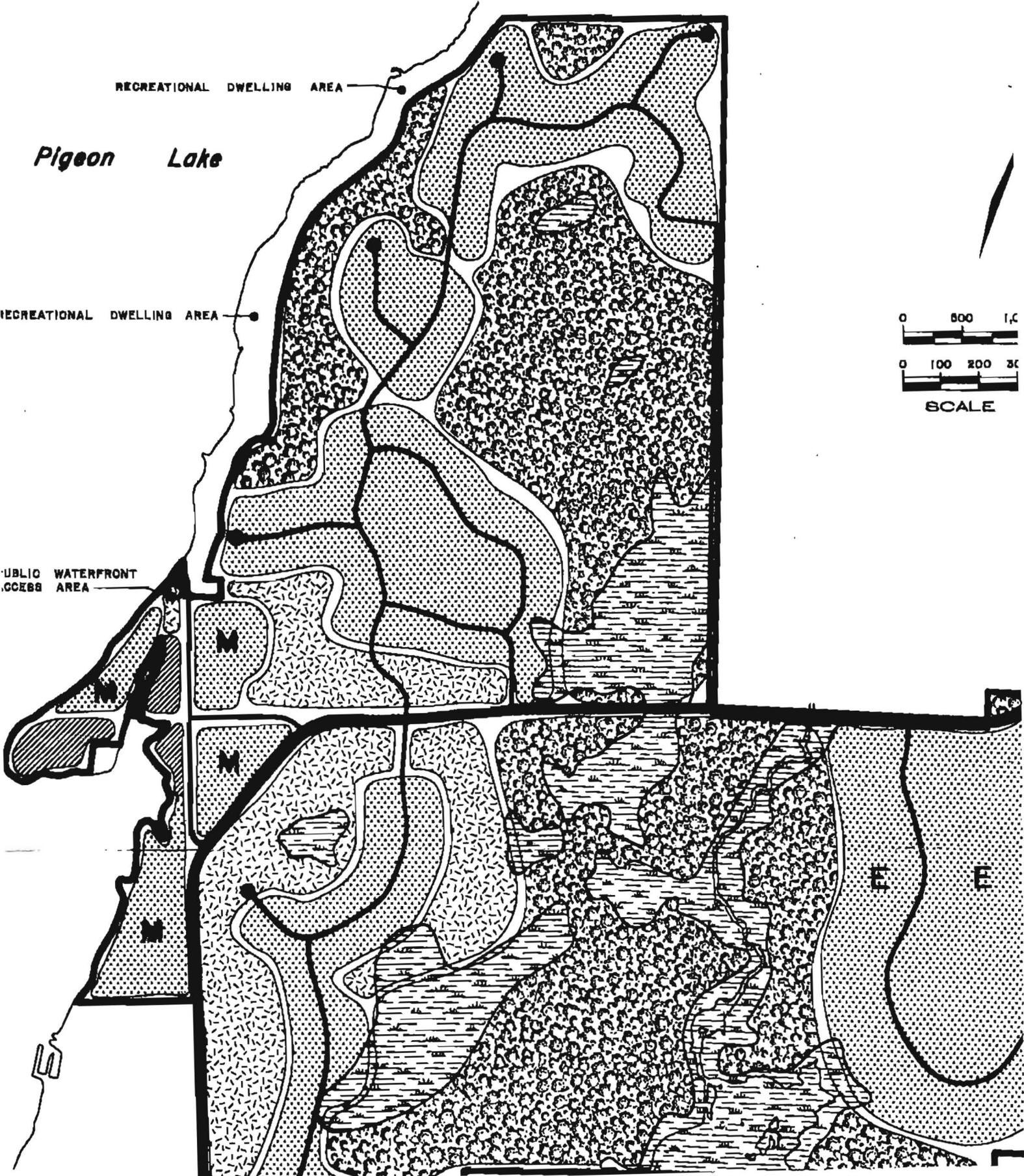
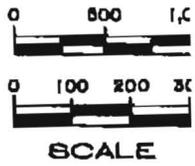
**SCHE**

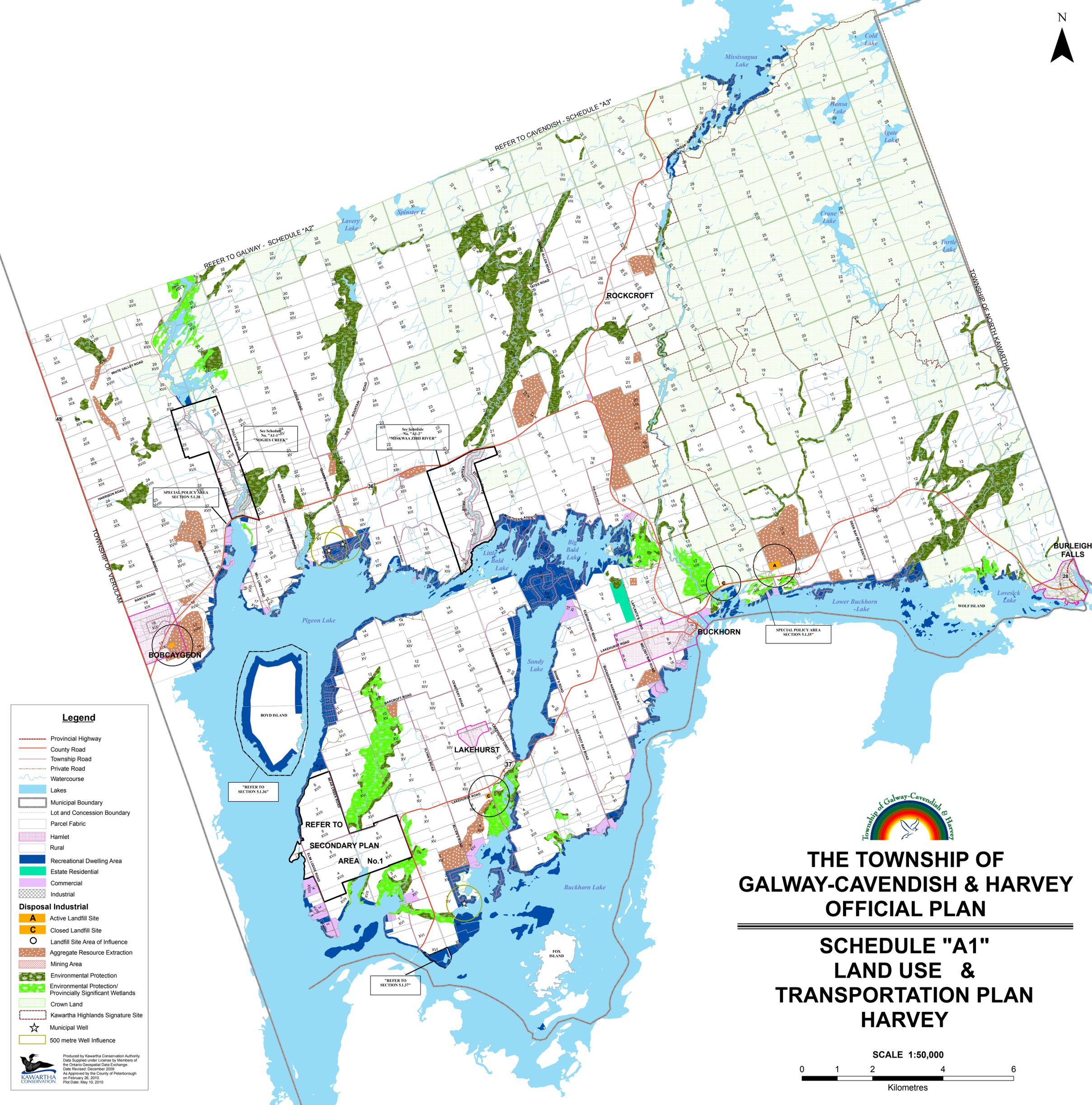
# Pigeon Lake

RECREATIONAL DWELLING AREA

RECREATIONAL DWELLING AREA

PUBLIC WATERFRONT AREA





- Legend**
- Provincial Highway
  - County Road
  - Township Road
  - Private Road
  - Watercourse
  - Lakes
  - Municipal Boundary
  - Lot and Concession Boundary
  - Parcel Fabric
  - Hamlet
  - Rural
  - Recreational Dwelling Area
  - Estate Residential
  - Commercial
  - Industrial
  - Disposal Industrial**
  - Active Landfill Site
  - Closed Landfill Site
  - Landfill Site Area of Influence
  - Aggregate Resource Extraction
  - Mining Area
  - Environmental Protection
  - Environmental Protection/ Provincially Significant Wetlands
  - Crown Land
  - Kawartha Highlands Signature Site
  - Municipal Well
  - 500 metre Well Influence



**THE TOWNSHIP OF  
GALWAY-CAVENDISH & HARVEY  
OFFICIAL PLAN**

**SCHEDULE "A1"  
LAND USE &  
TRANSPORTATION PLAN  
HARVEY**

SCALE 1:50,000



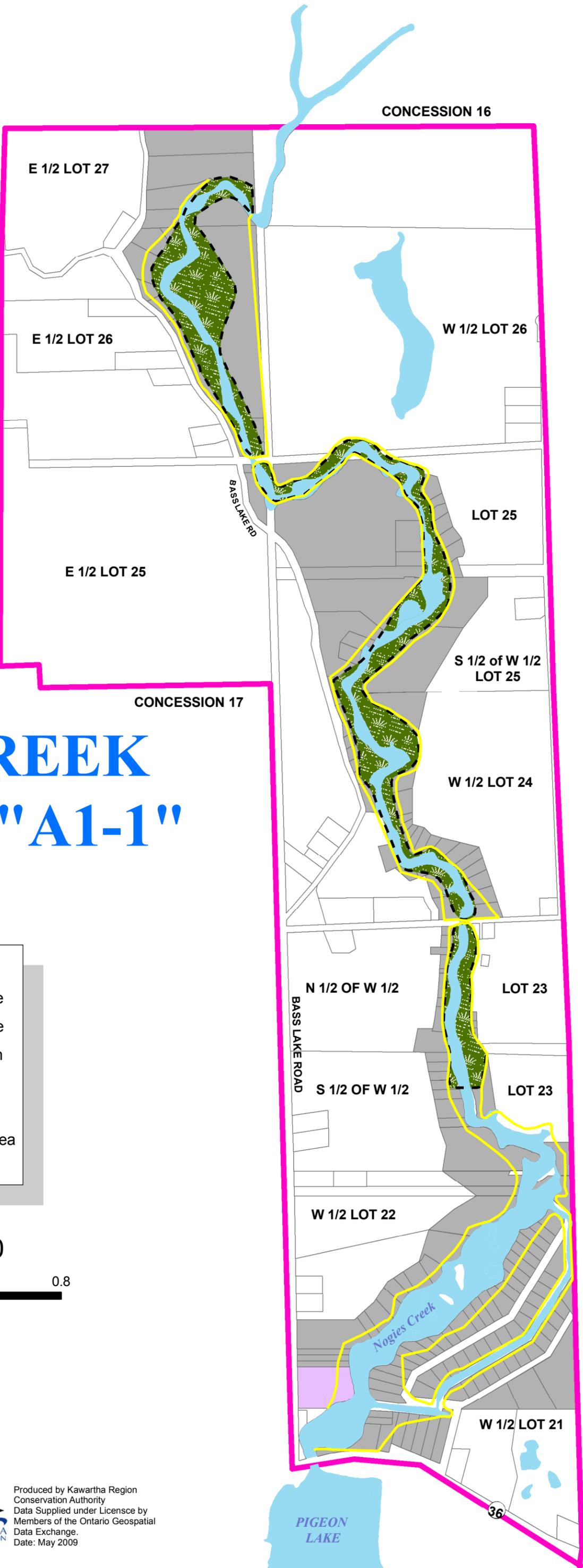
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on February 26, 2010  
Plot Date: May 10, 2010



# NOGIES CREEK SCHEDULE "A1-1"

Legend	
	Regional Storm Floodline
	100 Year Storm Floodline
	Environmental Protection
	Commercial
	Rural
	Recreational Dwelling Area
	Waterbodies

**SCALE 1:9,750**



APPROVAL JULY 30, 1993 -  
INCLUSIVE OF MINISTRY OF MUNICIPAL  
AFFAIRS MODIFICATIONS

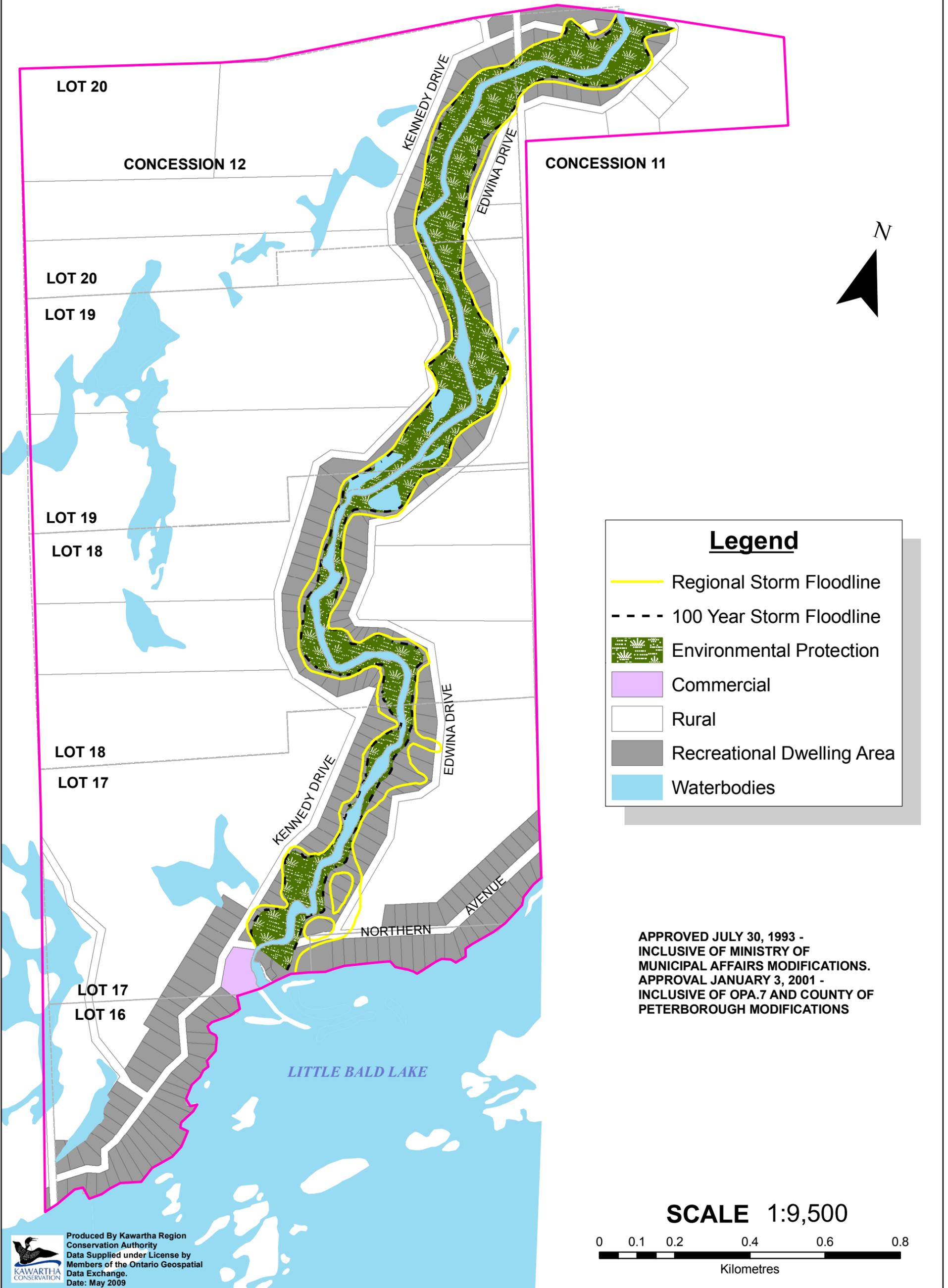
APPROVAL JANUARY 3, 2001 -  
INCLUSIVE OF OPA NO.7 AND  
COUNTY OF PETERBOROUGH  
MODIFICATIONS



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# MISKWAA ZIBII RIVER SCHEDULE "A1-2"



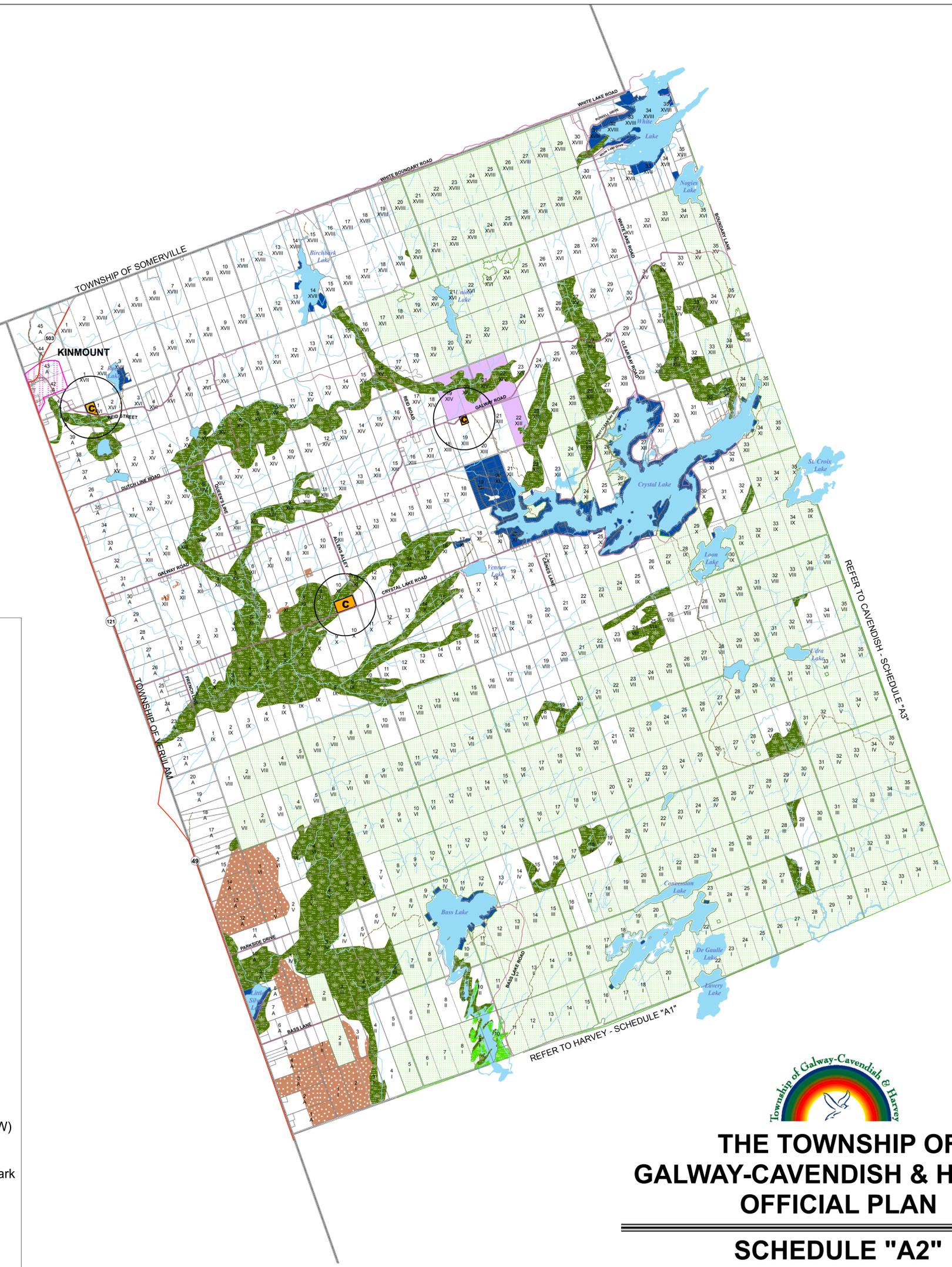
**Legend**

- Regional Storm Floodline
- - - 100 Year Storm Floodline
- Environmental Protection
- Commercial
- Rural
- Recreational Dwelling Area
- Waterbodies

APPROVED JULY 30, 1993 -  
INCLUSIVE OF MINISTRY OF  
MUNICIPAL AFFAIRS MODIFICATIONS.  
APPROVAL JANUARY 3, 2001 -  
INCLUSIVE OF OPA.7 AND COUNTY OF  
PETERBOROUGH MODIFICATIONS

**SCALE 1:9,500**





**Legend**

- County Road
- Township Road
- Private Road
- Watercourses
- Lakes
- Lot and Concession Boundary
- Municipal Boundary
- Parcel Fabric
- Hamlet
- Rural
- Recreational Dwelling Area
- Estate Residential
- Commercial
- Industrial
- Aggregate Resource Extraction
- Mining Area
- Environmental Protection
- Environmental Protection/  
Provincially Significant Wetlands (PSW)
- Crown Land
- Kawartha Highlands Signature Site Park
- Disposal Industrial
- Closed Landfill Site
- Landfill Site Area of Influence

REFER TO HARVEY - SCHEDULE "A1"

REFER TO CAVENDISH - SCHEDULE "A3"



**THE TOWNSHIP OF  
GALWAY-CAVENDISH & HARVEY  
OFFICIAL PLAN**

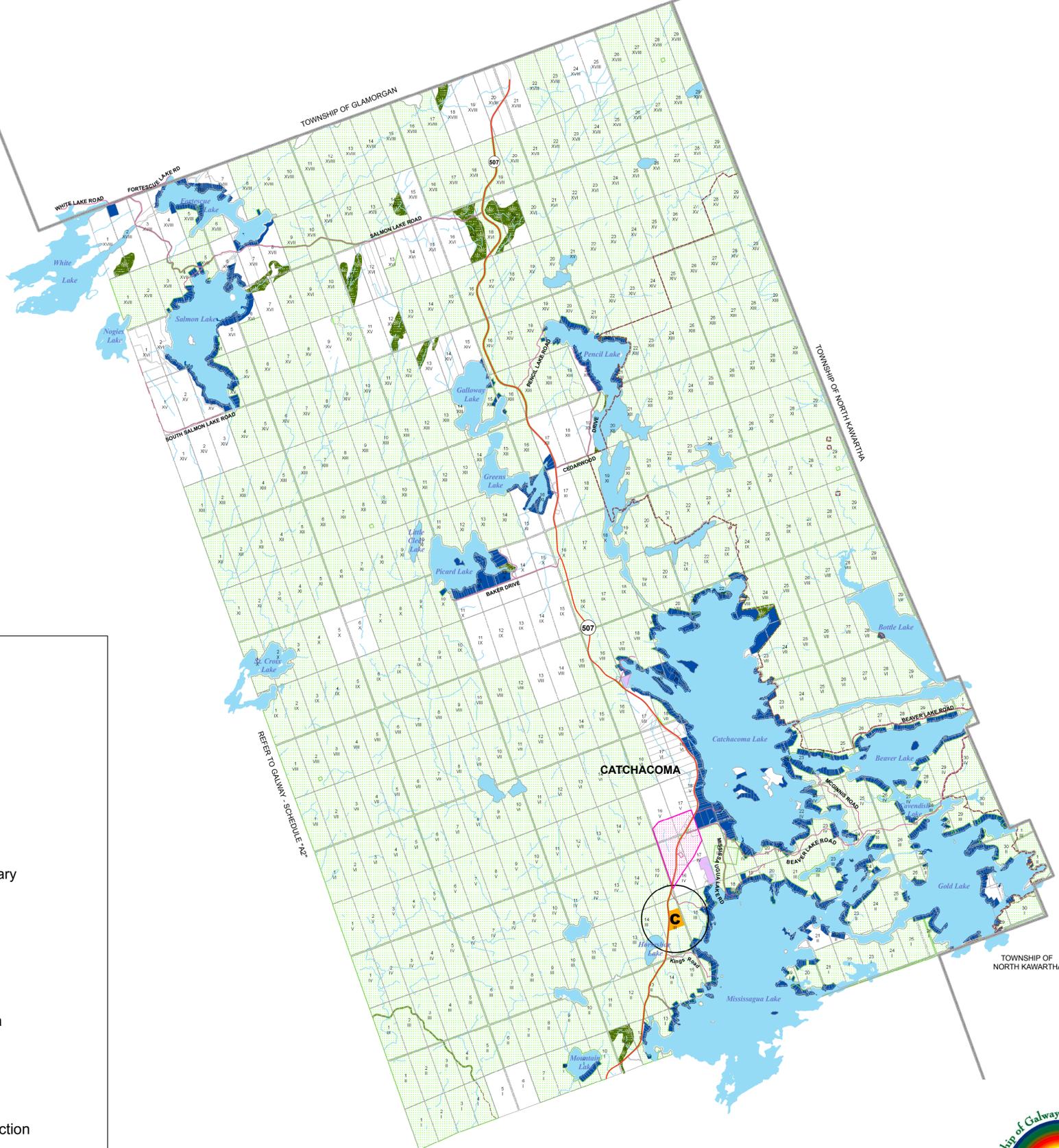
**SCHEDULE "A2"  
LAND USE &  
TRANSPORTATION PLAN  
GALWAY**

SCALE 1:50,000



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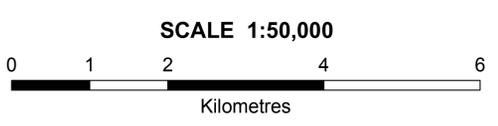


**Legend**

-  County Road
-  Township Road
-  Private Road
-  Watercourses
-  Lakes
-  Lot and Concession Boundary
-  Municipal Boundary
-  Parcel Fabric
-  Hamlet
-  Rural
-  Recreational Dwelling Area
-  Estate Residential
-  Commercial
-  Industrial
-  Aggregate Resource Extraction
-  Mining Area
-  Environmental Protection
-  Crown Land
-  Kawartha Highlands Signature Site Park
- Disposal Industrial**
-  Closed Landfill Site
-  Landfill Site Area of Influence

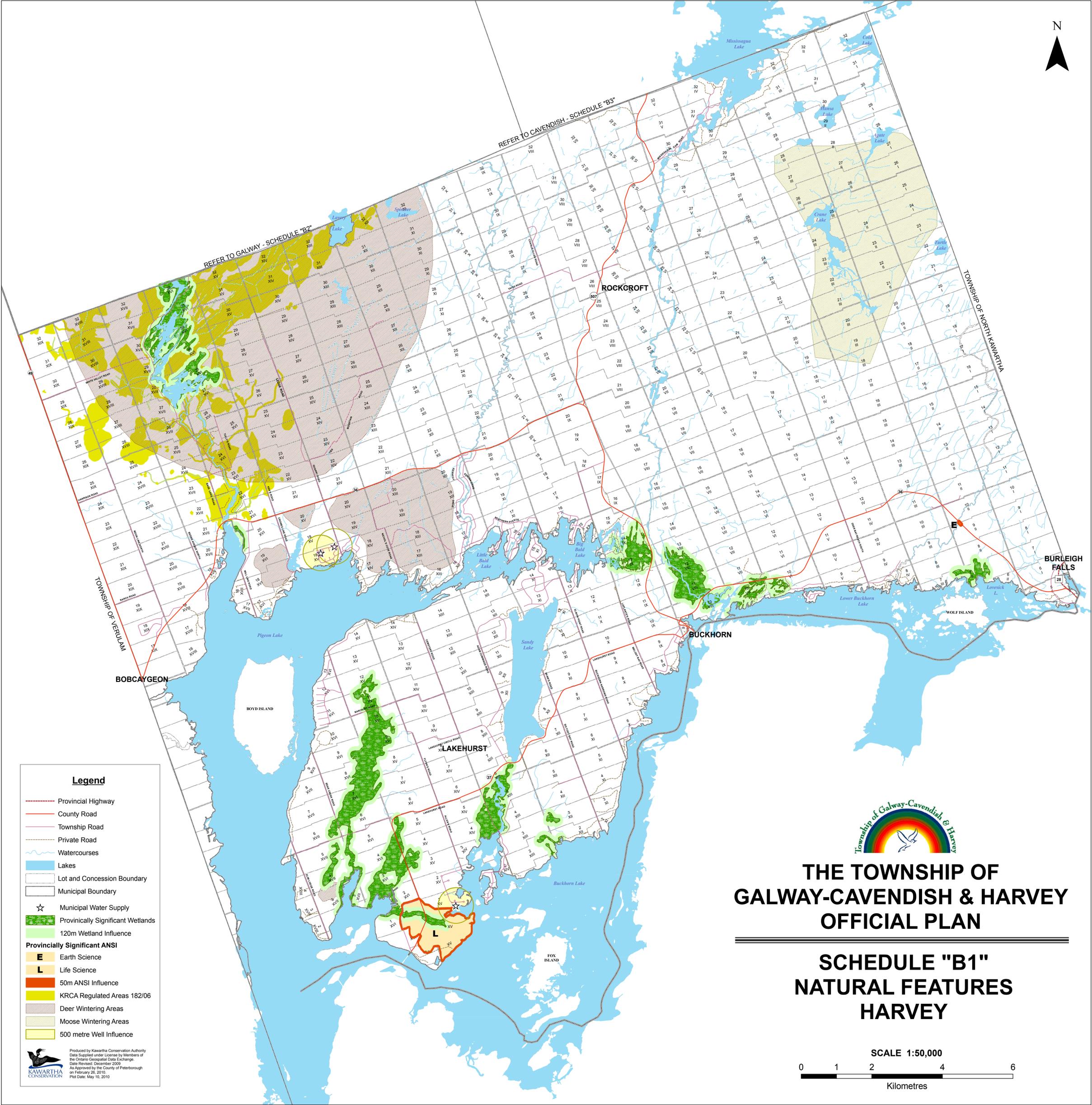


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**THE TOWNSHIP OF  
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 OFFICIAL PLAN**

**SCHEDULE "A3"  
 LAND USE &  
 TRANSPORTATION PLAN  
 CAVENDISH**



**Legend**

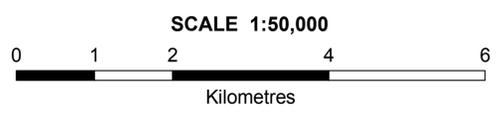
- Provincial Highway
- County Road
- Township Road
- Private Road
- Watercourses
- Lakes
- Lot and Concession Boundary
- Municipal Boundary
- Municipal Water Supply
- Provincially Significant Wetlands
- 120m Wetland Influence
- Provincially Significant ANSI**
- E** Earth Science
- L** Life Science
- 50m ANSI Influence
- KRCA Regulated Areas 182/06
- Deer Wintering Areas
- Moose Wintering Areas
- 500 metre Well Influence

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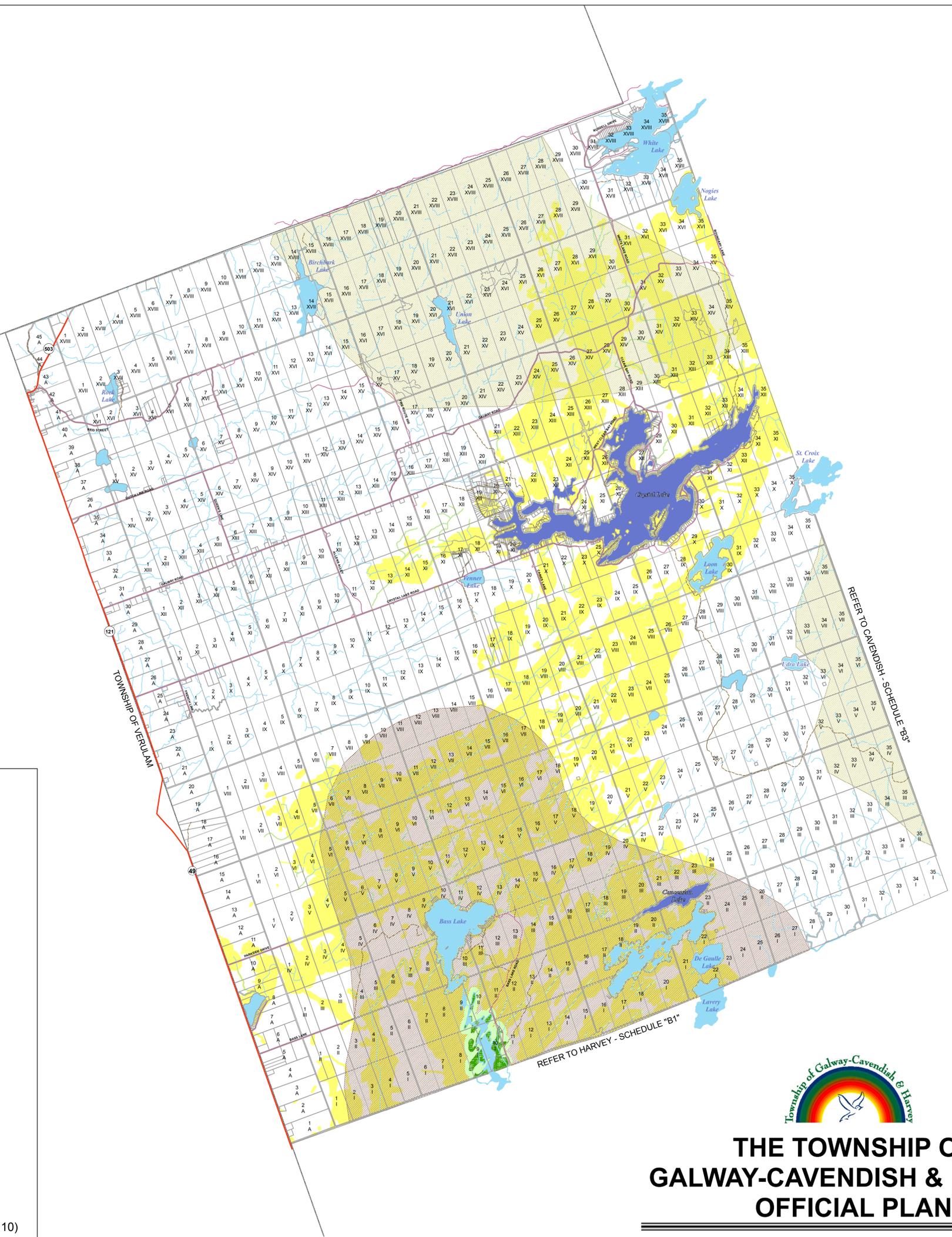
**THE TOWNSHIP OF GALWAY-CAVENDISH & HARVEY OFFICIAL PLAN**

**SCHEDULE "B1" NATURAL FEATURES HARVEY**





TOWNSHIP OF SOMERVILLE



**Legend**

-  County Road
-  Township Road
-  Private Road
-  Watercourses
-  Lakes
-  Lot and Concession Boundary
-  Municipal Boundary
-  Provincially Significant Wetland
-  120m Wetland Influence
-  KRCA Regulated Area 182/06
- Coldwater Lake Area**
-  Highly Sensitive
-  Moderately Sensitive
- Wintering Areas**
-  Deer Wintering Area
-  Moose Wintering Area
-  Bat Hibernaculum (LOT 25, CON 10)

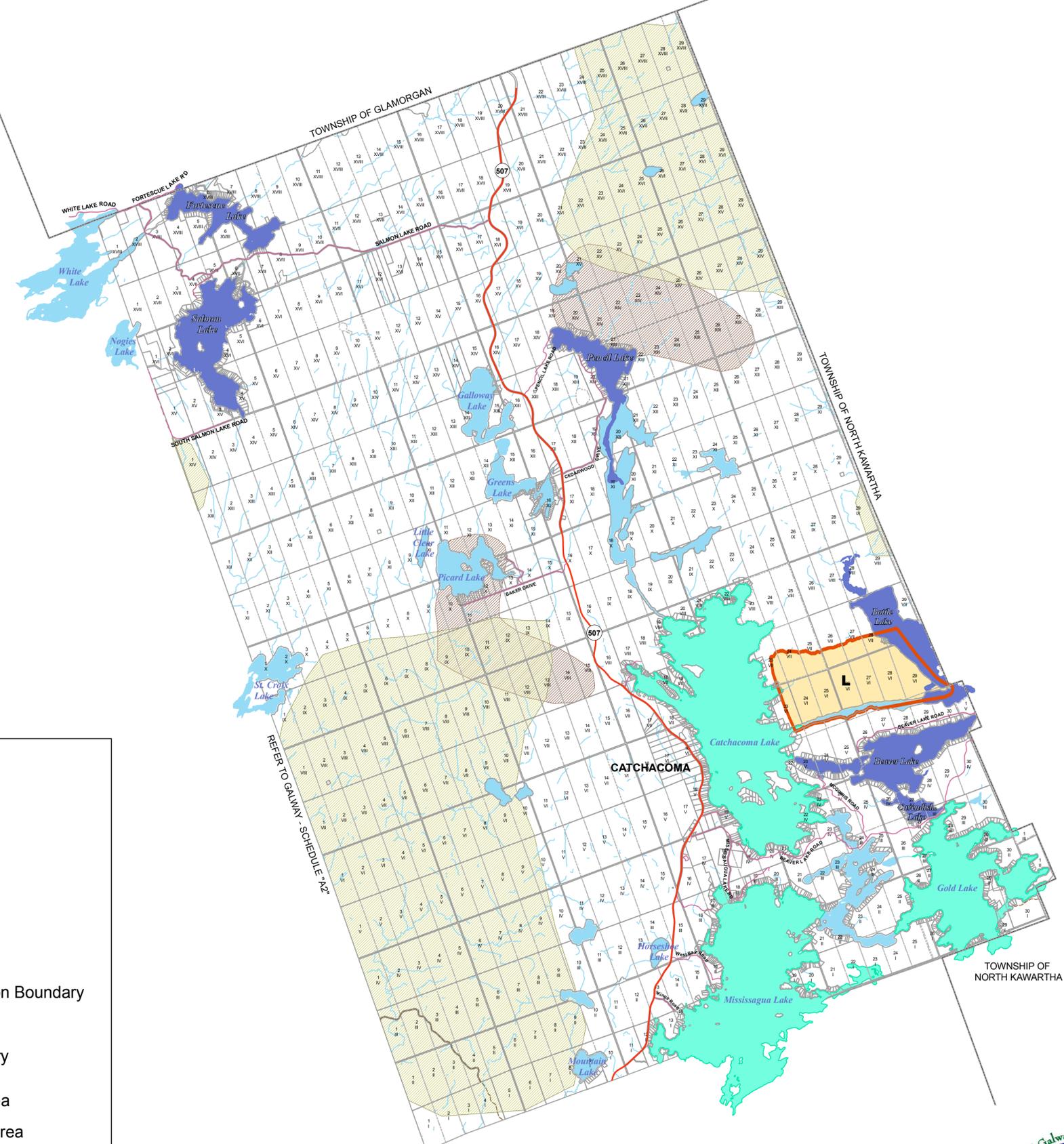
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SCALE 1:50,000



**THE TOWNSHIP OF GALWAY-CAVENDISH & HARVEY OFFICIAL PLAN**

**SCHEDULE "B2" NATURAL FEATURES GALWAY**



**Legend**

-  County Road
-  Township Road
-  Private Road
-  Watercourses
-  Lakes
-  Lot and Concession Boundary
-  Parcel Fabric
-  Municipal Boundary
-  Deer Wintering Area
-  Moose Wintering Area
- Provincially Significant ANSI**
-  Life Science
-  50m ANSI Influence
- Coldwater Lake Area**
-  Highly Sensitive
-  Moderately Sensitive



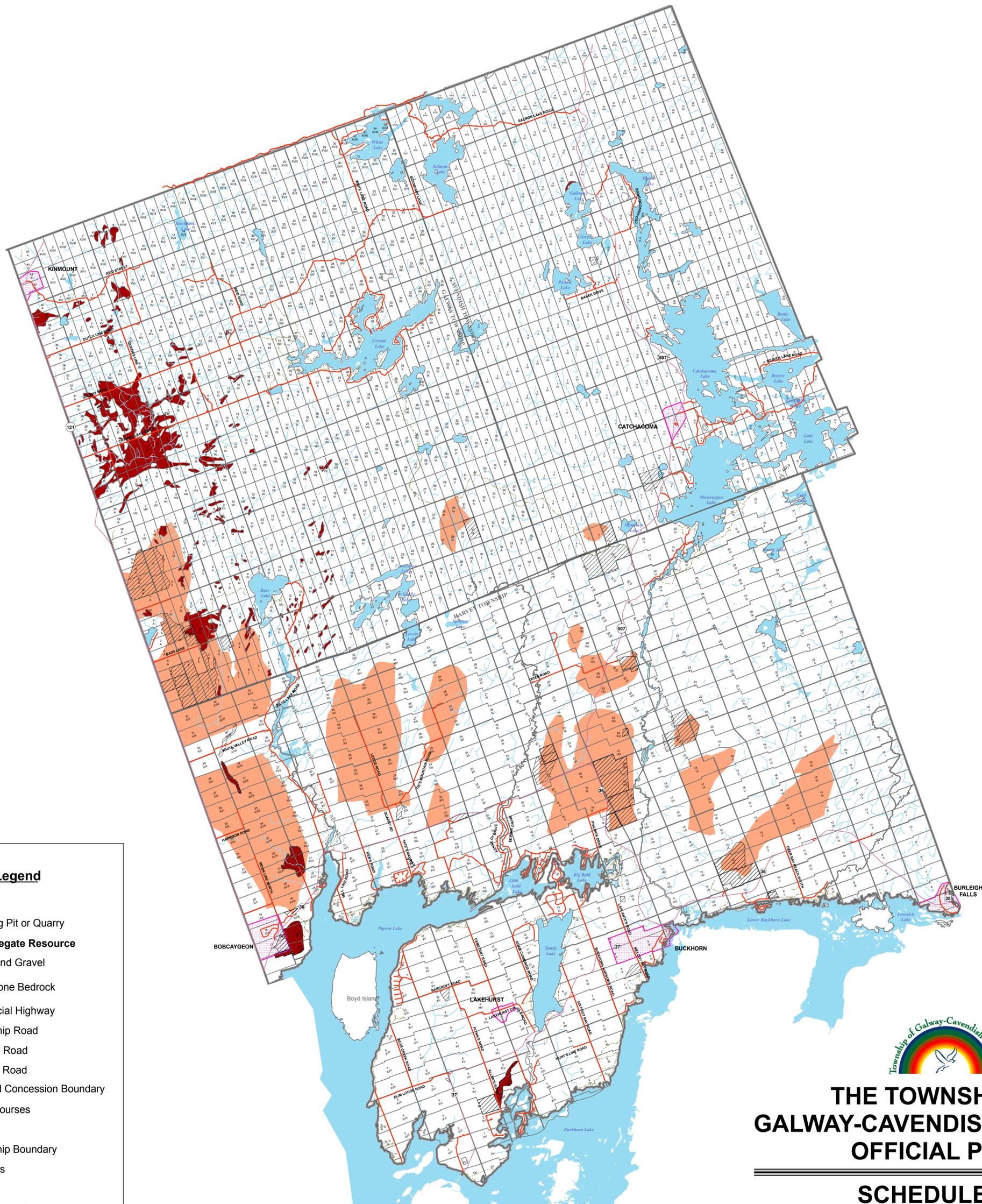
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SCALE 1:50,000



**THE TOWNSHIP OF  
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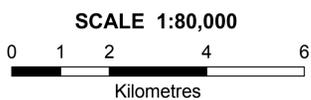
**SCHEDULE "B3"  
 NATURAL FEATURES  
 CAVENDISH**



**Legend**

-  Existing Pit or Quarry
- Mineral Aggregate Resource**
-  Sand and Gravel
-  Limestone Bedrock
-  Provincial Highway
-  Township Road
-  County Road
-  Private Road
-  Lot and Concession Boundary
-  Watercourses
-  Lakes
-  Township Boundary
-  Hamlets

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**THE TOWNSHIP OF  
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OFFICIAL PLAN**

**SCHEDULE "C"  
MINERAL AGGREGATE  
RESOURCE AREAS**