

1.0 INTRODUCTION

1.1 Title

This document shall be known as the “Official Plan for the Township of Huron-Kinloss”.

1.2 Purpose

The purpose of the Official Plan for Huron-Kinloss is to establish goals and objectives for development in the community and to guide and direct land use activity.

It is also the purpose of the Official Plan to:

- a) Establish policies to guide Council and its Committees over the next twenty years in their decisions regarding land use planning and environmental protection;
- b) Provide the public with a clear statement of Council’s intentions for the future development of the Township;
- c) Minimize land use conflicts;
- d) Designate land for various purposes in order to meet the future needs of the Township;
- e) Assist with the planning of services by the Township and other public and private bodies; and,
- f) Provide a reasonable balance among land uses and to ensure a sound tax base.

1.3 Goals

The goals outlined in this section are the basic decision-making guidelines of this Plan. They reflect the general long-range intent of the Plan and are further interpreted by the policies herein. The goals of this Plan are as follows:

- a) To maintain and enhance the Township as a caring, progressive community, rich in its diversity of amenities, with quality of life and economic prosperity strived for throughout the Township’s communities.

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- b) To guide future land use decisions in the Township in a manner that recognizes the rural nature of the municipality and the strong physical and economic predominance of the agricultural community; enhances the natural and human environment, separates incompatible land uses and ensures orderly development within the Township.
- c) To preserve, protect and encourage the continued use of agricultural areas for agricultural purposes.
- d) To concentrate the majority of the growth in the Township within the Villages, Lakeshore Urban Area and Hamlet Areas, particularly where services can be provided in a cost effective and environmentally responsible manner.
- e) To ensure that there is an adequate supply of appropriately zoned and serviced land to accommodate all urban growth needs within the Township's Settlement areas.
- f) To encourage and provide opportunities for a full range of housing options, in appropriate locations, to meet the needs of all existing and future residents, including support for the ongoing maintenance and rehabilitation of the community's existing housing stock.
- g) To promote and facilitate local business retention and new business attraction opportunities throughout the Township with particular focus on the commercial core areas in the Villages of Lucknow and Ripley.
- h) To facilitate the provision of an adequate level and a wide range of commercial services and employment opportunities in the most appropriate locations, including those related to the tourism, travel accommodation and agricultural industries.
- i) To promote and facilitate opportunities for people of all ages and cultural background to experience a wide range of arts and cultural activities.
- j) To create safe, attractive and accessible communities in which to live and work through, among other matters, the implementation of community improvement policies, and the use of good urban design in all new development.
- k) To provide for the management of the natural resources within the Township in a manner that minimizes undesirable short and long-term impacts on the natural environment and the quality and quantity of ground and surface water, and maintains or improves the safety and quality of life for existing and future residents.

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- l) To encourage partnerships with private and public landowners, public groups, the Conservation Authorities, the Lake Huron Coastal Centre, and the governments of Ontario and Canada for the continued stewardship and enhancement of the Township's natural environment.
- m) To protect, conserve or wherever feasible, rehabilitate and/or reuse the cultural heritage resources of the Township.
- n) To ensure the cost effective provision and maintenance of transportation systems and municipal services, as required to service existing and future residents and businesses.
- o) In recognition of the importance of being responsive to public and market needs, fostering trust within the community and improving communication, it is the objective of Township Council that a wide range of public participation opportunities be an integral part of all planning decisions.

1.4 Components of the Plan

Sections 1 through 5 inclusive, the attached Schedules and any amendments to this Plan shall constitute the Official Plan for the Township of Huron-Kinloss. The Plan is a legal document prepared in accordance with the provisions of the Planning Act.

Section 1 outlines the purpose and objectives of the Plan. It also sets out the framework of the Plan and its relationship to the County of Bruce Official Plan.

Section 2 is the Comprehensive Planning Policies and consists of policies for the natural environment, agriculture, housing and settlement, cultural heritage, economic development, transportation systems, health and safety, community services and community improvement.

Section 3 contains the Land Use Policies. The general policies are implemented by designating land in appropriate land use categories as shown on the Land Use Schedules and set out the range of uses that are permitted within each designation and criteria upon which new development should take place. Section 3 also contains detailed land use designations and policies for the Village of Lucknow, Village of Ripley and Lakeshore Urban Area Secondary Plans.

Section 4 sets out the Infrastructure Policies that provide the direction for public investment in roads, services and utilities. These policies include, among other matters, protection of rights-of-way and development setbacks.

Section 5 contains the Implementation Policies. These policies identify how the Plan will be managed and implemented.

1.5 Relationship to the County Plan

The County of Bruce adopted the Bruce County Official Plan which was approved by the Minister of Municipal Affairs and Housing on and further modified by order of the Ontario Municipal Board November 16, 1999.

The Planning Act requires that the Official Plan for the Township of Huron-Kinloss shall conform to the County Plan. The approval of this Plan by the County of Bruce, the delegated approval authority, represents that this requirement has been met.

The policies in this Plan provide greater detail than those set out in the County Plan and intend to implement the county wide policies. If differences arise, the Township Council is responsible for interpreting any policy or land use designation in the Official Plan except where such policy or designation is of County or Provincial significance. In such cases, the interpretation of this Plan will be undertaken in conjunction with the County of Bruce.

1.6 Review and Amendment

The Official Plan provides a guide to the continuing development of the Township and as such must not remain a static. It is Council's intention to consider amendments to the Plan as applications are received and/or circumstances change. Any amendments will continue to ensure conformity with the Bruce County Official Plan and regard for the Provincial Policy Statement.

Council will hold a public meeting every five years as required under the Planning Act to determine the need for any review or amendments to the Plan.

2.0 COMPREHENSIVE PLANNING POLICIES

2.1 Natural Environment

The general goals of preserving, protecting and enhancing the natural environment will be accomplished by recognizing both the natural heritage features and functions and associated natural hazards. Although described separately in the following subsections, they are interconnected and function interdependently. This Plan considers the natural heritage and watershed areas in a comprehensive manner including inter-relationships and connections to areas beyond the Township's boundaries. The Township shall encourage and support the preparation and implementation of watershed and subwatershed studies to properly manage the two larger watershed areas under the jurisdiction and guidance of the Saugeen Valley and Maitland Valley Conservation Authorities.

The policies of this Plan protect Provincially Significant Wetlands (PSW's) and the habitat areas of threatened and endangered species through the identification and prohibition of development within such areas. Where appropriate, the retention of regionally and locally significant wetlands, significant woodlands and the natural habitat corridors and linkages formed within the Township shall also be identified and development and site alteration restricted.

The natural areas along the shorelines and valley land shall be protected and enhanced in terms of their ecological function and natural and scenic quality with particular focus on those species that are rare or at risk. Within all watercourses, the Township shall encourage improvements to water quality, base flow and peak flow conditions and the enhancement of general aquatic, habitat conditions.

Policies have been included within this Plan related to the natural hazards in order to reduce the risk to life, the risk to property damage and the social disruption resulting from flooding and unstable slopes. Natural hazard area shall be identified in this plan with development restricted or regulated within these areas.

The Township's groundwater resources are also considered a valuable and necessary natural environment resource. Accordingly, groundwater resources shall be identified and protected with extraction of groundwater beyond sustainable limits being discouraged.

Comprehensive reviews of new development proposed within or adjacent to natural environment features shall be undertaken. The impact of development on these features and their functions shall be clearly identified and understood prior to any such development being considered for approval. Only development that is compatible with the natural environment shall be permitted.

Natural heritage features and natural hazards are shown on Schedules “A-1”, “A-2”, “A-4”, and “B”. These features are important parts of the natural environment and need to be identified in order to provide direction regarding policy contained in this Plan. The features identified on Schedule “A-1”, “A-2 and A-4” include those components that relate to provincial and regional interests. These features preclude development and, as such have restrictive policies associated with them. The features identified on Schedule B represent a range of natural environment features of regional and local significance. These features are identified as an overlay of the land use plans and do not preclude development. There is a general interest in protecting them from incompatible development. This is provided through implementation of Environmental Impact Study (EIS) as set out in Section 2.1.3.

2.1.1 Natural Heritage Policies

Natural heritage features include wetlands, significant natural areas, significant woodlands, groundwater recharge areas, wildlife and fish habitat, the habitat of endangered and threatened species, and watercourse and upland forested corridors. Policies to preserve and protect these features are as follows:

- a) Natural Heritage features are areas with overlapping features including wetlands, significant woodlands, groundwater recharge areas, and natural channels of rivers and creeks containing aquatic and terrestrial habitat. Some of these features have been identified and will be protected within the Natural Environment Areas designation on Schedules “A-1”, “A-2” and “A-4.” Development will only be permitted within these areas or adjacent to these and site alteration described in Section 2.1.4. Not all of these features have been identified and included in this Plan. As more detailed mapping of these features becomes available, the appropriate Schedules will be amended.
- b) Schedule “B” - Constraint Areas, is intended to show the known natural heritage features. It is not to be construed as a land use schedule, but representing the general location of environmental constraints that may or may not preclude development as described in Figure 1.
- c) This Plan encourages the retention of woodlots or portions of woodlots that are not considered significant, less than four hectares in size, in the context of development. It is further encouraged, wherever possible, and appropriate, trees be replanted to replace trees removed. This Plan encourages the preservation or replanting of road side and fence-line shrubs and trees wherever possible.

- d) The natural environment policies of this Plan do not limit the continuation of existing agricultural uses within or adjacent to such areas, subject to compliance with or exemption from the County Tree Cutting By-law.
- e) Where components of the Township's natural environment are held in private ownership, nothing in this Plan requires that these areas be free and available for public use, and the identification of these areas will not oblige the Township, or other public agencies to purchase this land.
- f) Applications for proposals requiring access to significant amounts of groundwater or surface water from streams or ponds will only be considered by the Township where the applicant has illustrated that the Ministry of Environment has been consulted, and that the Ministry has not ruled out possible consideration of an application for a water taking permit.

2.1.2 Natural Hazard Policies

Natural hazards are associated with environmental features and reflect the dynamic nature of these features. Such hazards are flood prone lands, steep slopes, and unstable soils often associated with wetlands.

a) Riverine and Floodplain Areas

The Township is located within the jurisdiction of two conservation authorities; the Saugeen Valley and the Maitland Valley. Both conservation authorities, in co-operation with the watershed municipalities, has designated the Hurricane Hazel, storm event as the regulatory floodplain standard that is appropriate for the physical condition of the watersheds. A "One Zone" floodplain management system is generally used within the municipality. This one zone approach prohibits development within the floodplain. The floodplain has only been defined by engineered floodplain mapping in limited areas of the Township as shown on Schedules "A-2", "A-4" and "B".

A "Two-Zone" floodplain management system has been adopted in the urban area of the Village of Lucknow. This approach recognizes that existing development has occurred within the floodplain and adopts a "floodway" and "floodfringe" system.

b) Other Natural Hazard Areas

Land associated with other natural hazards has been identified on Schedule “B.” Steep slopes and other hazard conditions may preclude development in these areas.

Development or site alteration is not permitted within the defined natural hazards. These areas may be upon completion of an EIS acceptable to the Township following a review by the conservation authority. This EIS will evaluate the land in question and the proposed development on the basis of appropriate risk management and natural resource management. Development may be permitted if the EIS establishes to the satisfaction of the Township that risk issues can and will be adequately addressed. Any development permitted within all regulated areas will require a permit from the appropriate conservation authority.

c) Shoreline Hazard Areas

Shoreline Hazard Areas include the floodplain, a flooding allowance and dynamic beach as defined in the Provincial Policy Statement (PPS).

The definitions and policies related to shoreline Hazard Areas are set out in Section 3.7.4 of this Plan.

2.1.3 Environmental Impact Study

Environmental Impact Studies (EIS) required by this Plan are to be submitted to and approved by the Township. The Township shall consult with the County and the Conservation Authorities as part of its evaluation. The Township may develop more specific guidelines for the preparation of an EIS. In the interim the Township will use the requirements of the County Plan (Section 4.3.9).

2.1.4 Development and Site Alteration

Development and site alteration within or adjacent to natural features will only be permitted as described in Figure 1. Where development or site alteration is permitted, an EIS will be prepared to determine and properly consider the impacts of development or site alteration within or adjacent to the natural environmental features. Natural Environment Areas are shown on Schedules “A-1,” “A-2” and “A-4.”

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Figure 1: Development and Site Alteration

Natural Environment Feature	Boundary defined by:	Extent of adjacent land:	Development and site alteration
Provincially significant wetlands	wetlands evaluation carried out according to procedures established by MNR. Classes one to three are provincially significant	120 metres	No development is permitted in this feature. On adjacent land, the EIS demonstrates there will be no negative impacts on the natural features and their sustaining ecological or hydrologic functions.
Significant portions of threatened or endangered species habitat	an accredited professional or as defined by provincial or federal authorities	50 metres	No development is permitted in this feature. On adjacent land, the EIS demonstrates there will be no negative impacts on (a) the habitat values upon which the species depends directly and indirectly and (b) any related ecological functions.
Fish habitat	a setback of 30 metres from the highwater edge of an aquatic habitat or as defined through the EIS process.	30 metres from the highwater mark	EIS indicates there will be no harmful disruption or destruction of habitat upon which the fishery depends directly and indirectly; or where an authorization has been obtained under the Fisheries Act.
Significant wildlife habitat	Township in consultation with MNR	50 metres	EIS demonstrates there will be no negative impacts on wildlife or their habitat.

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Natural Environment Feature	Boundary defined by:	Extent of adjacent land:	Development and site alteration
Regionally and locally significant wetland	wetland evaluation carried out in accordance to procedures established by MNR. Classes four through seven are regionally significant.	50 metres	EIS demonstrates there will be no negative impacts on the natural features and on the ecological or hydrologic functions that sustain them.
Significant Woodlands	all woodlands 4 hectares or greater in area and all woodlots of any size straddling or immediately adjacent to a watercourse (not currently mapped on Schedule B)	50 metres	EIS demonstrates there will be no negative impacts on the woodlands and the ecological functions that sustain them.

2.2 Agriculture

The Township recognizes that agriculture provides the major economic base of the municipality.

This Plan establishes policies for the protection and preservation of land for agricultural purposes including policies that restrict non-agricultural uses.

The Township will discourage the further fragmentation of existing farm parcels and will encourage efforts to consolidate smaller farm units into larger, more viable farm units.

The Township recognizes that intensive agriculture operations can have the potential to have negative effects on the natural environment and represent a land use compatibility concern to surrounding land uses. The Township shall encourage use of environmentally sound farm management practices. The Township shall adopt policies in this Plan and regulations in the Zoning By-law to regulate the location and intensity of new intensive livestock facilities and the expansion of existing intensive livestock uses.

The Township will promote and encourage forestry as a valid and important part of the agricultural economy. The Township will encourage the proper utilization and management of existing woodlots and provide protection, where possible, to assure the continued use and development of woodlots as an agricultural use of land. The Township will encourage the planting of additional woodland areas, where appropriate, and will discourage the use of existing woodlots for any non-farm related use.

The Township encourages stewardship and farm management initiatives that strive to protect and enhance natural environment features, improve water quality, reduce soil erosion and increase the amount and variety of natural vegetation species.

The Township encourages a wide variety of stewardship options to assist and encourage landowners to manage their natural resources. These programs should be established in partnership with land owners, to meet their needs. These programs may include land owner contacts, conservation easements, land trusts, tax incentives and rights of way to preserve, enhance and access natural areas, and to preserve and enhance the interconnecting natural linkages and corridors among and between natural environment areas.

2.3 Population and Housing

The population of Huron-Kinloss has fluctuated with the economic prospects of the region. The most recent census statistics confirm this trend. The 1996-2001 population declined by one percent despite a strong provincial economy. The downturn at Bruce Nuclear and continuing rural depopulation are likely offsetting growth along the Lake Huron Shoreline.

The County of Bruce population forecast for Huron-Kinloss has overestimated the 2001 population by 6.5 percent or approximately 410 persons. This is not a significant variance in terms of population forecasting for municipal services and it is not assured that this recent decline will continue given the re-start at Bruce Power.

The number of households has increased through the population decline. This is a common phenomenon in Ontario as household size declines. The demand for housing especially in the Lakeshore Urban Area where seasonal residences are being converted to permanent residences reflects increased demand for retirement housing.

Future residential growth is expected to be accommodated primarily within the Village, Lakeshore Urban and Lifestyle Community Areas which can provide adequate water and/or sewage systems. Limited growth will occur within the Hamlet Areas.

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Future residential growth is somewhat constrained within the Lucknow Village Area due to the floodplain associated with the Lucknow and Kinloss Rivers. Existing residential land use north of the Village in the former Kinloss Township is proposed for residential designation as part of an urban expansion for Lucknow.

2.4 Economic Development

The designation of Industrial and Commercial Areas in this Plan reflects existing uses which have developed as well as the Township's desire to encourage future commercial development within appropriately designated areas to avoid land designated for agricultural purposes. Commercial and light industrial development opportunities are limited within the existing urban areas.

This Plan proposes designation of new areas for highway commercial and light industrial uses within the Village of Lucknow and Village of Ripley Secondary Plan Areas.

The Township will consider the acquisition and development of land for the purposes of a municipal industrial park as part of its economic development strategy.

In order to ensure sensitive land uses do not adversely affect the viability of existing and future industrial areas, the Township shall attempt to regulate sensitive land uses through various means including the provision of adequate separation between industrial and non-industrial land uses.

The Township shall attempt to minimize the impact of industries on the environment by endeavouring to ensure that industrial operations comply with the Ministry of the Environment standards.

2.5 Community Improvement

Community Improvement Policies are intended to encourage the enhancement of existing areas by improvements to private properties, streets, sidewalks, parks and other physical aspects of defined area(s) of the Township. In all cases private investment shall be encouraged by these policies in addition to funding from the Province and/or the Township.

Council may undertake a study to evaluate areas of the Township to be included within a Community Improvement Project Area. This study will be evaluated on the following basis:

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- a) A significant portion of the housing stock that is in need of rehabilitation;
- b) A deficiency or deterioration in municipal services including roads, curbs, sidewalk, street lighting, sanitary and storm sewers and water distribution systems
- c) A deficiency or deterioration in public recreation facilities and public open space.
- d) The presence of conflicting land uses;
- e) Deficient streetscapes, particularly in the Village Commercial Core Areas, including building facades, tree planting, street furniture

Council, by by-law, may designate one or more Community Improvement Project Areas within the Township.

Council may achieve some of its Community Improvement objectives by the enactment and enforcement of a Maintenance and Occupancy Standards By-law.

Council may, where necessary, acquire land to provide services, improve certain facilities and provide incentives for the remediation of contaminated sites.

2.6 Cultural Heritage Resources

The Township of Huron-Kinloss is known to have significant archaeological sites and potentially significant built heritage resources. The Township recognizes the desirability and value of preserving buildings, structures and sites of historical and/or cultural merit.

Council may, through the evaluation of development applications require a heritage impact assessment report to identify significant cultural heritage resources. Council may seek to protect significant cultural resources through zoning by-law provisions and/or conditions of subdivision or consent as set out in the Planning Act. Council may also consider the establishment of a heritage advisory committee or LACAC to advise Council on matter of cultural heritage resources.

2.7 Oil, Gas and Salt Resources

The exploration for and the production of oil, gas and salt resources, including related buildings, structures, pipelines and related facilities shall be permitted in all land use designations except the Village and Lakeshore Urban Secondary Plan Areas and Hamlet Areas and Natural Environment Areas as shown on Schedule "A-1". All exploration and production activities are to be in compliance with the Oil, Gas and Salt Resources Act, and regulations thereto.

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The Township shall support the subsurface storage of oil, gas and salt resources, subject to provincial regulations, so long as they do not adversely affect surface development rights as set out in this Plan. The Township shall also support the proper disposal of oil field brines, in accordance with Provincial regulations.

New development shall be set back 75 metres from existing wells. This setback is the equivalent to the setback required under the Oil, Gas and Salt Resources Act for new wells from existing development. Lesser setbacks for development may be considered upon consultation with the Province.

New wells and associated works will be prohibited from causing any surface or ecological disturbance to the Provincially Significant Wetlands, Environmentally Significant Areas and Regional Significant Wetlands shown on Schedule “B” of this Plan. Where forest cover is removed to facilitate exploration or production of oil, gas or salt resources it shall be replaced at a location specified by the landowner, unless no such location is suitable for tree cover, wherein the Township may specify a location.

Upon cessation of production, well sites and locations of associated works shall be rehabilitated to permit uses set out in the land use designation where the well sites are located. In the Agricultural and Restricted Agricultural designations rehabilitation shall restore the site so it can be used for agricultural purposes.

As a condition of approving subsequent development on former petroleum resource areas, the municipality will require that improperly abandoned wells that are known or discovered on the land during development be properly plugged, capped or otherwise made safe in accordance with provincial requirements. Buildings and structures shall be located away from possible well sites, unless it can be proven that development can safely occur.

If sites of former works are discovered, these locations shall be rehabilitated prior to development proceeding.

2.8 Mineral Aggregate Resources

The Township of Huron-Kinloss has mineral aggregate resource potential. The County of Bruce Official Plan - Schedule “C” identifies those areas within the Township with mineral aggregate potential.

Existing aggregate operations are designated in this Plan. The establishment of a new pit or quarry shall require an Official Plan Amendment and Zoning By-law Amendment subject to the criteria set out in section 3.12 of this Plan.

Wayside pits, defined as temporary pits for the exclusive use of a public road authority, are permitted throughout the municipality and without amendment to this Plan or the Zoning By-law except in areas of existing development or environmental constraint areas as designated in this Plan.

Temporary portable asphalt plants for the exclusive use of a public road authority are permitted throughout the municipality and without amendment to this Plan or the Zoning By-law except in areas of existing development or environmental constraint areas as designated in this plan.

Rehabilitation of pits and quarries including wayside pits for farming is encouraged and permitted without amendment to this Plan. Mineral extraction may occur on Agricultural and Rural land if agricultural rehabilitation of the site is carried out, and substantially the same acreage and average soil capacity for agriculture are restored.

2.9 Parkland and Open Space Acquisition

2.9.1 The Township of Huron-Kinloss may exercise the following powers in order to acquire or protect Parks and Open Space Areas from development.

- a) Land Purchase or lease at fair market value.
- b) The enactment of a Zoning By-law prohibiting the erection of buildings or structures on any Hazard area that is subject to flooding, or any such land where, because of its steep slope, rocky, low lying, marshy or unstable character, the cost of construction of satisfactory water works, sewage or drainage facilities are prohibitive.
- c) Entering into an agreement with an owner of land, which may contain clauses relating to the conservation or preservation of land and flood control and may have regard to the health, safety, convenience and welfare of the future inhabitants, as a condition of the approval of a development application.
- d) Negotiating with the owner of any Parks and Open Space with a view to having all or part of the area either preserved by the owner in a natural and undisturbed state or conveyed to the Township for preservation as a condition of the approval for development.

2.9.2 The Township of Huron-Kinloss may, as a condition of the subdivision or development of land for residential and institutional purposes, require that an amount of up to 5 percent of the all land proposed for development be conveyed to the Township for parkland or open space purposes.

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- 2.9.3** The Township of Huron-Kinloss may, in the case of commercial or industrial development, require a maximum of 2 percent of the land proposed for subdivision or development be conveyed to the Township for parkland or open space purposes.
- 2.9.4** Council may require cash-in-lieu of all or part of the required parkland dedication under the following circumstances:
- a) Where the required land dedication fails to provide an area of suitable shape, size or location for development of public parkland. Generally a parcel of land may be considered to be of unsuitable size if its area is less than .10 hectare.
 - b) Where the required dedication of land would render the remainder of the site unsuitable or impractical for development.
 - c) Where it is determined that existing park and recreational facilities in the community are clearly adequate.
 - d) Where funds are required to upgrade or expand existing parks or recreational facilities in the community to meet the existing and future needs of the residents.
 - e) The amount paid for cash-in-lieu of parkland dedication shall be based on fair market value and such money will be placed in fund to be expended solely for the purchase of additional parkland or recreational facilities.

In the case of the subdivision of land, the value of the land shall be determined as of the day before the day of draft plan approval. In the case of the development or redevelopment of land, the value shall be determined as of the day before the day of issuance of the first necessary building permit.

- 2.9.5** Natural environment areas will not normally be acceptable as part of a dedication for parkland or open space under the Planning Act. However, notwithstanding the above, the Township of Huron-Kinloss may in special circumstances accept woodlots and other natural areas both as means for protection of the natural amenity and for potential use as a passive recreational and educational feature.
- 2.9.6** Lands conveyed to the Township of Huron-Kinloss for active parkland and other recreational facilities shall be required to meet minimum standards in terms of drainage, grading and site condition.

3.0 LAND USE POLICIES

3.1 Land Use Designations and General Policies

The land use policies of this Plan have been developed through the use of land use designations as shown on the Land Use Plans forming Schedules to this Plan.

The Land Use Plan includes the following schedules:

Schedule “A-1”	General Land Use Plan
Schedule “A-2”	Village of Lucknow Secondary Plan
Schedule “A-3”	Village of Ripley Secondary Plan
Schedule “A-4”	Lakeshore Urban Area Secondary Plan

Each land use designation within this section of the Plan is described in terms of its objectives, uses and development policies. The applicable policies of the balance of this Plan shall be considered in conjunction with the land use policies under this section.

The following public and regulated services and utilities are permitted in all land use designations subject to compliance with a Provincial or Federal Act or the regulations governing such use.

- 1) All electric power facilities as defined by the Power Corporation Act.
- 2) Infrastructure required for municipal water supply and distribution, sewage collection and treatment, public roads and trails supportive of the land use policies of this Plan;
- 3) Any building, structure, facility or use of or by the Township of Huron-Kinloss or the County of Bruce.
- 4) Facilities required for telecommunication and data transmission.

Administrative offices, maintenance buildings or yards of regulated service or utility companies shall conform to the appropriate land use designation and policies of this Plan.

The Township’s Zoning By-law may establish regulations which limit or regulate the provision of public and regulated services and utilities.

3.1.1 Commercial Wind Generation Systems

Commercial wind generation systems (wind farms) are defined as one or more wind generating devices (turbines) which collectively produce more than nameplate rating capacity of 2 MW and are connected to the provincial transmission grid of Hydro One. Commercial wind generating systems are permitted in the Agricultural and Rural Areas designations of this Plan subject to the requirements of this Plan and an amendment to the Zoning By-law.

Small scale systems defined as one wind generating device of nameplate rating capacity of less than 2 MW are permitted as an accessory structure in the Agricultural and Rural Areas without amendment to the Zoning By-law.

The Zoning By-law will provide regulations for all wind generating devices governing the maximum height and setbacks to public roads and adjoining lots.

Council will evaluate the suitability of the location and land use compatibility of proposed commercial wind generating systems and require the following:

- a) A Site Plan shall be provided illustrating the location of the proposed turbines, as well as the location and height of all existing buildings and structures on the subject property and the location and height of all existing buildings and structures within 500 metres of the subject property.
- b) A professional engineer shall approve the base and tower design of the turbines.
- c) The development shall be subject to Site Plan Control under the Planning Act, and an appropriate agreement may be required.
- d) The applicant shall review their approach with the Ministry of the Environment and Energy concerning noise attenuation, to ensure that the proposal will comply with the Ministry's requirements.
- e) Commercial Wind Generation Systems constructed within 10km of an airport reference point will require the written approval of Transport Canada. Such approval will provide assurance that there will be no adverse effect on the instrument approaches to the airport.
- f) Commercial Wind Generation Systems are permitted in Rural Areas and may be permitted in Agricultural Areas where they can be located on land of lower agricultural capability or ensure the continued use of prime agricultural land for farm use and minimize the loss of production farm land. All sites shall be separated from urban areas by a minimum of 1,200 metres and comply with the regulations of the Zoning By-law.

- g) Wind farms which generate in excess of 2 MW of energy are subject to an Environmental Screening Process as set out in the Ontario Environmental Assessment Act.

3.2 Agricultural Areas

3.2.1 Objectives

Agriculture is the predominant use of land in the Township of Huron-Kinloss. The protection of the agricultural land base is of primary importance for the maintenance of the economic and social fabric of the community. The protection of prime agricultural land as defined in the Provincial Policy Statement is established in this land use designation.

3.2.2 Definition

The Agriculture Areas designation includes contiguous prime agricultural land as defined in the County of Bruce Official Plan and isolated pockets of non-prime land as defined by the minimum requirements of the County Plan.

It is the intention of this definition to remove any small pockets of non-prime agricultural land that may compromise agricultural use and effective farm operations on prime agricultural land.

3.2.3 Permitted Uses

Within areas designated Agricultural Areas on Schedule “A-1” of this Plan, the permitted uses include agricultural uses, secondary uses and agriculturally related uses. Existing institutional uses, such as places of worship, schools and cemeteries, are also permitted in the Agricultural designation.

3.2.3.1 Primary Uses

Agricultural uses include the growing of crops, raising of livestock, poultry and other animals for food or fur, aquaculture, apiaries, orchards, forestry and specialty farming. It also includes agricultural research, nursery and horticultural crops. Farm residence, farm buildings and structures, including greenhouses and buildings and structures for the parking, storage, processing and treating of products grown or raised on the farm are permitted.

In addition to the primary farm residence, one accessory dwelling unit may be created through an addition to or the conversion of an existing farm residence.

3.2.3.2 Secondary Uses

Secondary Uses include farm businesses, home businesses and small scale tourist accommodation ancillary to the farm use.

Farm Businesses and Home Businesses may be permitted on farm parcels provided they are compatible with, and secondary to, the existing farm operations and are appropriately zoned to regulate the use, size and scale. Farm Businesses may take place in a residence or in an accessory building such as a shed or a farm building. Severance of the farm business and home business from the farm parcel will not be permitted.

Tourist accommodation including bed and breakfast establishments and farm vacation uses may be permitted on farm parcels provided they are associated with an existing farm operation and are appropriately zoned to regulate the size and scale of the use.

3.2.3.3 Agriculturally Related Uses

In addition to farming in areas designated Agricultural Areas, commercial and industrial uses directly related to farming may be permitted on a separate parcel of land and shall be zoned and regulated by the use of separate zones in the Township's Zoning By-law.

Small scale commercial and industrial uses that are directly related to farm operations are permitted in this designation. Such uses include but are not limited to a custom meat shop, produce market, custom workshop, abattoir, grain drying, handling and storage facility, livestock marketing or sales yard, and seed research and related sales. The Zoning By-law will regulate the use, size and scale of these commercial and industrial uses.

In all cases these uses shall only be permitted where they are compatible with existing farm operations or otherwise will not reduce the ability of existing farm operations to operate or expand. The Minimum Distance Separation I (MDS I) formula shall be used to determine compatibility with livestock facilities.

In considering appropriate locations for agriculturally related uses, if such uses can not reasonably be located in urban areas and must be located in proximity to farming activities, the following criteria shall also apply:

- a) the proposed use is directed to land of lower agricultural capacity;
- b) the proposed use is compatible with existing or planned neighbouring land uses and, where necessary, shall be adequately buffered from neighbouring land uses by the provision of adequate setbacks or physical buffers;

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- c) the proposed use has direct access to a public road meeting the appropriate standards of the road authority;
- d) the parcel of land or parcel to be created has adequate lot frontage and lot area for the proposed use; and,
- e) services such as water supply, sanitary sewage disposal and storm drainage are adequate to serve the proposed use and meet the requirements of the approval authority and the Township.

All new secondary uses may be required to submit site plans, grading and drainage plans and other drawings as authorized by Section 41 of the Planning Act and the Township's Site Plan Control By-law.

3.2.3.4 Outdoor Recreation

Outdoor recreation uses within Agricultural Areas shall be limited to those uses that do not require permanent buildings do not substantially alter the topography or vegetation of the site, and do not require severance of farm parcels that would render them unusable for farming such as public parks and conservation areas.

3.2.4 Farm Size

In areas designated Agricultural Areas the minimum farm size shall generally be 39 hectares. It is the intent of Council to encourage the retention of larger farm parcels as set out in Section 3.2.9 Agricultural Consent Policies.

3.2.5 Land Use Compatibility

In order to ensure land use compatibility between the existing urban areas and livestock and poultry facilities the Zoning By-law will define and apply a Restricted Agricultural Zone around the urban areas of the Township.

Within the Restricted Agricultural Zone;

- a) existing livestock and poultry facilities are permitted; expansion of existing facilities may only be permitted within or to existing buildings where the Minimum Distance Separation requirements are met or where an improvement to the operation is required in order to comply with the regulations of the Nutrient Management Act;
- b) the construction or alteration of buildings or structures to increase the size or intensity of livestock and poultry facilities shall be prohibited; and,

- c) new livestock and poultry facilities shall be prohibited.

Expansion of Urban and Hamlet Areas into areas zoned Restricted Agricultural shall only be permitted by amendment to this Plan.

3.2.6 Livestock and Poultry Facilities

To ensure the protection of the natural environment, compatibility with existing land uses, and the continuation of normal farm practices, the Township shall include regulations in the Zoning By-law to regulate the intensity of new or expansions to existing livestock and poultry facilities.

All new or expansions of existing livestock and poultry facilities will be subject to the regulations of the Nutrient Management Act and the required Nutrient Management Plan filed with the Township.

3.2.7 Intensive Livestock and Poultry Use

Intensive livestock and poultry use can represent a scale and intensity of use beyond what has been the normal farm practice in Huron-Kinloss and has the potential to create adverse environmental impacts and land use conflicts to neighbouring farms and non-farm uses.

The Zoning By-law will define intensive livestock and poultry use as greater than 450 livestock units and place them in a separate agricultural zone. The creation of new intensive livestock facilities will require a zone change to ensure that the proposed site is suitable for this use.

In addition to the requirements of the Nutrient Management Act, Council will evaluate the land use compatibility of proposed zone changes for new or expanding intensive livestock facilities to assure no unacceptable adverse impact on the existing community based on the following criteria:

- a) facilities for site drainage or surface water, including tile drainage and proximity to watercourses or municipal drains, are adequate to mitigate potential manure spills;
- b) groundwater susceptibility is determined and adequate protection facilities provided;
- c) the potential odour impact on surrounding properties determined, including consideration of prevailing winds, and the proposed facilities sited to mitigate off-site impact; and

- d) the traffic impact of the proposed facility be determined and adequate circulation and off-site improvements are provided.

Council shall require the applicant to enter into a site plan agreement pursuant to Section 41 of The Planning Act to ensure that the proposed facilities are constructed and maintained in a manner consistent with the approved Nutrient Management Plan.

3.2.8 Minimum Distance Separation Formulae

All development, including the expansion of existing or the establishment of any non-agricultural uses, and the expansion of existing or the establishment of any new livestock facilities, shall meet the requirements of the Minimum Distance Separation formulae. The Township's Comprehensive Zoning By-law shall contain the Minimum Distance Separation formulae.

3.2.9 Agricultural Consent Policies

It is the policy of this Plan to discourage the division of farms into smaller holdings, to encourage continued farm use and prohibit the severance of land for non-agricultural purposes.

3.2.9.1 The assembling and disassembling of agricultural land into more efficient or more productive farming units may be permitted. In considering applications to divide agricultural parcels, the Township shall have regard to all of the following:

- a) the need to discourage the unwarranted fragmentation of farmland;
- b) the type of agricultural activity engaged in and proposed to be engaged in;
- c) both the severed and retained parcels must be sufficiently large enough to permit farm operations over the long term;
- d) that the severed and retained parcels are both suitable for the type of agriculture in the area and the farm size is appropriate to the type of agriculture proposed;
- e) that the severed and retained parcels be sized such that there is sufficient space for a building envelope, sewage envelope and potable water supply; and

- f) that the severed and retained parcels meet the minimum area as established in Section 3.2.4 and the Township Zoning By-law.

3.2.9.2 The severance of land for the purpose of creating lots for surplus farm dwellings shall be permitted. Surplus farm dwellings are habitable dwellings that legally exist and are surplus to the farm operation or result from farm consolidation. Limitations on the size of the lot severed and limits on the number of animal units will be specified in the Zoning By-law.

3.2.9.3 Severances for minor boundary adjustments, easements or other situations where an additional lot is not being created may be permitted where there is no adverse impact on existing agricultural operations.

3.2.9.4 Severances for the purpose of a agriculturally related commercial or industrial use as outlined in Section 3.2.3.3 are permitted.

3.3 Rural Areas

3.3.1 Objectives

The primary objective within the Rural Areas designation is to protect the natural resources and the rural landscape. The land uses and economic activity within this area will include agricultural uses, forestry, recreation and tourism based uses, and limited residential uses. In all cases the protection of the natural and cultural rural landscape is of primary importance.

3.3.2 Definition

The Rural Areas include contiguous areas of non-prime agricultural land as defined in the County of Bruce Official Plan, natural hazard, significant woodlot or wetlands and land where the protection and enhancement of natural resources have been secured through public purchase or agreement.

3.3.3 Permitted Uses

In areas designated Rural Areas on Schedule “A-1” of this Plan, the permitted uses include all agricultural uses including livestock and poultry facilities, secondary uses and agriculturally related uses in accordance with Section 3.2.3; seasonal residential uses, commercial recreation uses, tourism related uses, forestry, public recreation and conservation uses. In addition limited non-farm residential uses may be permitted in accordance with the policies of Section 3.8 (Lifestyle Communities).

3.3.4 Secondary Uses

Farm businesses, home business and small scale tourist accommodation ancillary to the farm use is permitted as set out in Section 3.2.3.2.

3.3.5 Farm Size

In areas designated Rural Areas the fragmentation of farm parcels is discouraged and new farm lots shall be not less than 20 hectares (50 acres) in size.

3.3.6 Commercial Recreation and Tourism Uses

Commercial Recreation and Tourism uses which require a rural location and landscape or natural resource setting are permitted. These uses include golf courses, riding stables and equestrian centres, camps and sports/hunting/fishing clubs. Country Inns, lodges and other tourism accommodation uses associated with or in close proximity to a tourism resource or attraction are also permitted.

3.3.7 Rural Commercial and Rural Industrial Uses

Rural Commercial and Rural Industrial uses are uses that can not be located in the Hamlet Areas or require a location separated from residential use and serve the agricultural community.

Rural Commercial uses include farm implement dealers, kennels, veterinarian services and other similar uses.

Rural Industrial uses include lumber mills and yards, contractor's establishment, machine shop, welding and custom woodworking. Retail use accessory to the manufacturing use is permitted and the size and scale regulated in the Zoning By-law.

3.3.8 Minimum Distance Separation Formulae

All development, including the expansion of existing or the establishment of any non-agricultural uses, and the expansion of existing or the establishment of any new livestock facilities, shall meet the requirements of the Minimum Distance Separation formulae. The Township's Comprehensive Zoning By-law shall contain the Minimum Distance Separation formulae.

3.3.9 Rural Consent Policies

The division of farms within the Rural Areas of this Plan shall be discouraged and only be permitted in the circumstances outlined herein.

- 3.3.9.1** The assembling and disassembling of agriculture land into more efficient or more productive farming units based on the criteria in Section 3.2.8.1.
- 3.3.9.2** Severances for minor boundary adjustments, easements or other situations where an additional lot is not being created and where no unacceptable adverse impact on existing agricultural operations results.
- 3.3.9.3** Severances for the purposes of Commercial Recreation and Tourism Uses as defined in Section 3.3.6 and Rural Commercial and Rural Industrial Uses as defined in Section 3.3.7 of this Plan.

3.4 Hamlet Communities

The Hamlet Communities designation applies to:

- Amberley
- Holyrood
- Kinloss
- Kinlough
- Pine River
- Whitechurch

3.4.1 Objectives

It is the intent of this Plan to encourage and strengthen the historical role of the Hamlet Communities as local service centres and residential clusters which accommodate a more limited range of land uses and facilities than those provided by the Villages. A limited amount of the projected population growth shall be directed to the Hamlet Communities. Municipal or communal sewage disposal or municipal water systems are not anticipated to be provided to the Hamlet communities. Development shall utilize private water supply and sewage disposal systems subject to the approval of the appropriate governmental authority. Development within Hamlet Communities will generally be by infilling or incremental extension to existing development.

3.4.2 Primary Uses

Development in the Hamlet communities will be relatively small-scale given the rural context and level of service available in hamlets. The primary residential uses will be low density, single detached units. Small scale, low density multiple unit development, primarily through conversions, may also be permitted to provide greater housing options.

3.4.3 Secondary Uses

Other uses including local commercial, small scale industrial, institutional, service businesses and parks and open space may also be permitted where compatible and where adequate services can be provided.

3.4.4 Development Criteria

Development within Hamlet Areas shall be restricted to infilling, existing lots and minor extensions to existing areas primarily by consent. Severed and retained parcels created by consent shall be sized such that there is sufficient space for a building envelope, sewage envelope and potable water supply.

All development will be serviced by private water supply and sanitary sewage disposal systems subject to the requirements of the appropriate approval authority. Municipal sewage and water treatment systems are not anticipated to service Hamlet Areas during the planning period of this Plan.

Where new development is proposed in Hamlet Areas the following criteria shall apply:

- a) the proposed use is compatible with existing or planned neighbouring land uses and, where necessary, shall be adequately buffered from neighbouring land uses by the provision of adequate setbacks or physical buffers;
- b) the proposed use has direct access to a public road meeting the appropriate standards of the road authority;
- c) the parcel of land to be created has adequate lot frontage and lot area for the proposed use; and,
- d) services including water supply, sanitary sewage disposal and storm drainage are adequate to serve the proposed use and meet the requirements of the approval authority and Township.

3.5 Village of Lucknow Secondary Plan

3.5.1 Administration

The policies in this Section and Schedule “A-2”, Land Use Map, constitute the Village of Lucknow Secondary Plan. In addition to these policies, Parts 1 to 5 inclusive of the Official Plan of the Township of Huron-Kinloss shall apply to the Village of Lucknow.

The Secondary Plan objectives, policies and land use designations shall be implemented through the Township’s Comprehensive Zoning By-law and other by-laws of the Township.

3.5.2 Objectives

The Village of Lucknow is the largest urban settlement in the Township of Huron-Kinloss and is expected to continue as the largest service and residential centre.

It is the intent of this Plan that the entire Village of Lucknow shall ultimately be serviced with municipal water supply and distribution and sewage collection and disposal systems.

Where full municipal services are not available or feasible in the interim, development may be permitted on the basis of partial services provided that:

- a) uses are limited to those that would not normally require excessive amounts of water or generate large volumes of waste water; and
- b) the proposed servicing system complies with the requirements of the appropriate approval authority.

The rate and direction of growth to new areas of designated in this Plan for development within the Village of Lucknow shall be established through the Township’s Comprehensive Zoning By-law and the review and approval of development and subdivision applications. Timing for growth shall be determined by the financial and physical capabilities of the Township and County of Bruce. Future growth shall be phased in an orderly and efficient manner.

The settlement boundary for the Village of Lucknow has expanded northerly along Havelock Street to South Kinloss Avenue. The objective is to recognize the existing residential use and major park area. An easterly expansion of the settlement boundary is also included to recognize an existing non-farm uses and to provide opportunities for a limited amount of additional residential, rural industrial and larger scale highway commercial uses.

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The Commercial Core Area shall remain as the major focus of commercial, cultural and governmental activity in the Village. New commercial uses, except for health care facilities, will not be permitted in lands designated “Residential”.

The Village of Lucknow has a diversified, housing stock within stable, well-defined and maintained residential neighbourhoods. Throughout the Village, various locations for low-rise multiple dwellings, seniors/retirement complexes and residential care facilities provide a healthy mix of housing choice for the community’s residents.

Future residential development will be encouraged to continue to provide a variety of dwelling types in various locations, where appropriate and compatible with adjacent land uses.

The Floodplain Valleys of the Lucknow River and Kinloss Creek, and their tributaries should be protected from development while recreation and open space uses shall be encouraged to make use of these natural areas.

The regulation of land use, placement of fill and development activity within those portions of the Village affected by the floodplains of these watercourses shall be carried out within the framework of a modified “Two Zone Floodway/Floodfringe” policy.

3.5.3 Land Use Policies

3.5.3.1 General

The land use designations shown on Schedule “A-2” establishes the land use pattern for the Village of Lucknow. The following land use designations are established:

- Residential
- Commercial Core Area
- Highway Commercial
- Industrial
- Major Institutional
- Parks and Open Space
- Natural Environment

Policies governing permitted uses of land and regulations in each land use designation are intended to be broad and general in nature. The specific range of uses and detailed regulations shall be defined and set out in the Township’s Comprehensive Zoning By-law. The Zoning By-law shall conform to the policies of the Official Plan and the Village of Lucknow Secondary Plan.

3.5.3.2 Residential

Primary Uses

The primary use of land in those areas designated “Residential” shall be residential. Although low-rise, low density housing forms shall continue to predominate, and may be zoned separately through the Township’s Comprehensive Zoning By-law, a full range of dwelling types may be permitted in Residential Areas in appropriate locations and where designed to be compatible with adjacent uses.

Residential densities shall directly relate to available servicing capacities. Generally, a density of 36 units per hectare shall be the maximum net residential density permitted within the Village of Lucknow.

Multiple Residential developments such as townhouses and apartments may be allowed in areas designated Residential subject to the requirements of the Zoning By-law and further provided that the following criteria can be met:

- a) Multiple residential development shall be on full municipal services and shall not exceed a density of 36 units per hectare.
- b) That the design of the development regarding building height, setbacks, landscaping and vehicular circulation ensures that it will be compatible with existing or future development on adjacent properties.
- c) That the site shall have a suitable area and configuration to provide:
 - i) adequate landscaping to screen outdoor amenity areas and to buffer adjacent low-rise residential uses; and,
 - ii) on-site amenity areas for the enjoyment of the occupants of the residential units
 - iii) adequate off-street parking, access and appropriate vehicular circulation, particularly for emergency vehicles
- d) That a separate zone(s) be established in the Comprehensive Zoning By-law to permit multiple residential development.

Generally, new residential development will occur in the form of single detached dwellings on existing lots or through infilling created by consents (severances).

Larger expansions of residential areas shall take place in a logical and progressive sequence from the existing built up neighbourhoods in order to ensure that an efficient and continuous urban settlement and form is maintained. Residential expansion shall be primarily being by registered plan of subdivision.

Mobile homes shall not be permitted in Residential areas except as a temporary use authorized under Section 39 of The Planning Act.

A second dwelling on a lot in the form of a garden suite or “granny flat” may be permitted throughout the Village’s Residential areas, subject to Council’s consideration of a temporary use by-law and agreements under Section 39 of The Planning Act.

The Comprehensive Zoning By-law may also provide for the conversion of existing single-detached dwellings to add one or more dwelling units provided that the following criteria is satisfactorily met.

- a) that the building is structurally capable, properly designed and of sufficient size to allow the creation of additional units in accordance with The Ontario Building Code;
- b) that the lot is of sufficient size to provide for required off-street parking without detracting from the visual character of the surrounding neighbourhood;
- c) that adequate amenity space is retained on the lot for the enjoyment of the residents of the dwelling.

Secondary Uses

Secondary Uses that are necessary to serve the Residential area and are compatible with the residential character shall be permitted in all Residential areas. Such uses may include residential care facilities, parks and open space and local institutional uses such as religious institutions, day care facilities, schools, and home businesses.

In order to protect and enhance the viability of the Commercial Core Area, commercial uses, except for health care facilities, shall not be permitted in Residential Areas.

3.5.3.3 Commercial Core Area

The Commercial Core is the heart of the Village of Lucknow focused in a linear, compact pattern on Campbell Street extending approximately from Victoria Street on the west, easterly to Havelock Street. Minor extensions of the Commercial Core Area south on Inglis Street to Willoughby Street are also provided for. On other streets, the boundary of commercial core generally relates to properties having frontage on Campbell Street.

It is the intent of this Secondary Plan to:

- a) maintain a clearly defined, compact commercial core area; and

- b) enhance the function and appearance of the commercial core as the prime retail, commercial and cultural node of the Village.

Within the Commercial Core Area, the full range of commercial, retail, office, cultural institutional, entertainment, recreation and government facilities shall be permitted. There shall be no prohibition of use except those businesses or industries that may be incompatible due to impacts created by noise, odour, vibration, emissions or outdoor storage; or those uses deemed inappropriate by the Maitland Valley Conservation Authority for properties located in the floodway areas of the Commercial Core.

The Comprehensive Zoning By-law shall prohibit specific uses that are deemed inappropriate for location in the Commercial Core Area.

Residential uses shall only be permitted in the form of apartment units above and to the rear of non-residential buildings, on in a situation where a home business in a dwelling is highly visible from the street, or as part of a bed and breakfast establishment, all subject to the Environmental Protection/Floodplain policies in Section 3.6.3.7.

3.5.3.4 Highway Commercial

Objectives

The predominant use of land within areas designated Highway Commercial shall be for commercial uses serving the travelling or tourism public or commercial uses not considered appropriate for the Commercial Core Area.

Campbell Street (County Rd. 86) supports considerable volumes of traffic through the Core Area which often requires goods and services such as motor vehicle service, restaurants and accommodation. Accordingly, the travelling or tourism public can best be served by providing appropriately located highway commercial areas with access and visibility from this major road.

In addition, certain commercial uses, due to their nature of operation or sales require large sites to accommodate their associated building, storage and parking which are either not available or suitable within the Commercial Core Area of the Village. Uses such as building material supply outlets, motor vehicle sales, and garden centres are examples of such need.

Permitted Uses

The Highway Commercial designation shall permit uses catering to the travelling and tourism public such as motels, hotels, restaurants, bed and breakfast establishments, motor vehicle sales and service, convenience commercial uses and commercial recreational uses.

Light industrial uses and Retail uses, because of their function or large space or storage requirements such as building supply outlets, wholesale outlets, garden centres, furniture stores, flea markets, home furnishing centres and liquor, beer or wine stores may also be permitted.

Office or residential use unless accessory to a permitted highway commercial use shall not be permitted in Highway Commercial areas.

3.5.3.5 Industrial

The Industrial designation provides for a range of service related businesses, light industrial uses and related activities which are compatible with surrounding uses, and do not utilize significant quantities of water or generate significant quantities of wastewater within their processes.

Industrial uses considered noxious for reasons of noise, odour, vibration, dust or other emissions shall be prohibited from locating in the Village of Lucknow.

Development within the Industrial designation shall be required to have access to both municipal water and wastewater services.

Uses within the Industrial designation include:

- a) light manufacturing, assembly and processing industries
- b) service businesses including such uses as small equipment appliance and business machine sales and service, printing establishments, landscape and garden centres, sales, service and repairs of motor vehicles, recreational and farm equipment
- c) offices
- d) contractor's yards
- e) warehousing and wholesaling
- f) veterinary services
- g) transportation depot
- h) commercial recreation
- i) repair services
- j) feed mills
- k) farm related service and supply industries
- l) laboratories
- m) training centres, trade schools

Industrial businesses which are characterized by an operation with a commercial component which requires large areas for the storage of goods, such as building material and decorating supply sales shall be permitted in all Industrial areas.

Secondary uses such as retail sales accessory to manufacturing and warehousing, parking lots, educational establishments, parks, open space and public service and utilities shall also be permitted in Industrial areas.

The Township may consider implementing a mixed residential/industrial zone in restricted, limited locations in the Village subject to environmental compatibility ensured through limiting the types of permitted industrial uses to industrial businesses, service industry, office and special manufacturing.

3.5.3.6 Major Institutional

Objectives

Major Institutional areas within the Village of Lucknow are the Lucknow Public School and Pinecrest Manor Nursing Home.

Due to the size of the Village, the location and services provided by this educational institution is significant to the entire community.

This Secondary Plan encourages and promotes the location of civic institutional and educational facilities in close proximity to the Commercial Core Area.

As the size of properties in Major Institutional areas, is generally large, the multiple use of properties in this area, and its buildings, are encouraged.

It is the purpose of the Major Institutional land use category to designate only large institutional sites used by the entire community. As such, other local or minor institutional uses such as religious institutions, day care centres, cemeteries may be permitted under other land use designations in this Secondary Plan.

Permitted Uses

The primary uses permitted in the Major Institutional area include religious institutions, educational and health care facilities, cultural and governmental uses.

To allow for adaptive re-use of lands and buildings, multiple residential, health care centres and offices shall also be permitted. Multiple residential development shall be in accordance with the policies for this use as set out under the Residential policies of Section 3.5.3.2.

3.5.3.7 Parks and Open Space

Objectives

The objective of the Parks and Open Space land use category is to recognize large parcels of land and facilities that provide a variety of recreational opportunities for the Village residents. The Lucknow Arena/Community Centre and Sportsfields is the major recreational facility in the Village.

Other smaller parks and open space areas have not been designated “Parks and Open Space” in this Secondary Plan and are permitted under all other land use categories.

Permitted Uses

Permitted uses in the Parks and Open Space designation consist of parks, libraries, arenas, community centres, playing fields, active and passive recreation and picnic areas.

3.5.3.8 Hazard

General Principles

The policies of this Section regulate floodplain lands by restricting permitted uses located in the floodplain. The policies reflect Provincial Policy and regulations regarding development in the floodplain and, for the Village of Lucknow, are structured on a “Two-Zone” concept.

Two Zone policies divide the floodplain into two distinct zones: the floodway, where no development is permitted and the lands are designated “Hazard” on Schedule “A-2” to this Secondary Plan: and land located between the floodway and the floodfringe, where a limited amount of development may be permitted subject to appropriate floodproofing measures and permits, where required, from the Maitland Valley Conservation Authority.

Land located between areas designated “Hazard” and the floodfringe as shown on Schedule “A-2” are considered a “Development Constraint Area”.

In addition to the policies of this Official Plan and Secondary Plan, the use of all floodplain lands are subject to the Fill, Construction and Waterways Regulation administered by the Maitland Valley Conservation Authority pursuant to the Conservation Authorities Act.

In the Village of Lucknow, the Hazard areas consist primarily of the floodplain areas. To minimize the level of risk to life and to property, and to limit the need for large capital expenditures such as dams, reservoirs, dikes and channel improvement, a

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floodplain management program will be undertaken. Strict application of Provincial floodplain management policy to the floodplain of Lucknow would severely undermine the social and economic viability of the Village.

Accordingly, in the areas generally outside of the Commercial Core, the Village's floodplain management program will consist of a modified Two-zone floodway/floodfringe Concept which recognizes the reduced floodplain. This approach recognizes that the degree of hazard caused by flooding is not uniform throughout the floodplain. Accordingly, the floodplain will be divided into two distinct designations, "Hazard" and "Development Constraint Area."

The "Hazard" designation covers the Floodway, wetlands and headwater areas which is the portion of the floodplain required to permit the passage of deep, fast flowing floodwater. This area is located below the floodway line although certain areas beyond the floodway or floodfringe which are not suitable for development may also be designated Hazard. This would include such features as steep slopes or where entire lots are located within the floodplain.

The Development Constraint Area covers the floodfringe where only shallow flooding is expected to occur. This area is located between the Floodway and the 1:100 year storm floodline elevation.

This modified Two-zone Floodway/floodfringe Concept is intended to allow flexibility in dealing with floodplain developments by relating the level of restriction to the degree of risk.

Objectives

- a) To prevent the loss of life and minimize property damage and social disruption through the restriction of land use activities on lands susceptible to flooding or erosion.
- b) To provide for limited and controlled development on floodplain lands where it is determined that such development is appropriate and safe.
- c) To encourage a coordinated approach to the use of land within areas susceptible to flooding or erosion.

Definitions

The following represents a glossary of the terms used in the policies for flood susceptible areas:

"Floodplain Management Programme"

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“Floodplain Management” refers to the full range of public policy and action for ensuring wise use of the floodplain. It may include collection and dissemination of flood control information, acquisition of floodplain lands, enactment and administration of floodplain regulations and building codes, and the building of flood modifying structures.

“Floodproofing and Flood Damage Reduction Measures”

The terms “Floodproofing” and “Flood Damage Reduction Measures” refer to a combination of structural changes and/or adjustments incorporated into the design and/or construction and alteration of individual buildings, structures or properties for the purposes of reducing flood damages.

“Regional Storm Floodline”

The Regional Storm Floodline describes the elevation of flood peaks produced by a storm of magnitude derived from an analysis of the area’s susceptibility to a tropical storm similar to Hurricane Hazel in 1954.

“1:100 Year Storm Floodline”

The 1:100 Year Storm Floodline describes the elevation assumed to be produced by precipitation having a probability of occurrence of one percent during any one year.

“Floodplain”

“Floodplain” refers to those lands located at an elevation at or below the “1:100 Year Flood” elevation.

“Floodfringe Line” refers to that line which delineates the limit to which development may take place in the floodplain, with floodproofing restrictions, without significantly increasing flood elevations.

“Living Space” refers to any portion of a building or structure designed or converted for human occupation.

General Policies

To achieve the floodplain planning and management goals, the following policies are adopted:

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- a) The Township of Huron-Kinloss will participate in a floodplain management programme with the assistance of the Maitland Valley Conservation Authority. This programme will include:
 - i) the control of land use in the floodplain;
 - ii) the protection and enhancement of the natural environment;
 - iii) the administration of fill, Construction and Alternations to Waterways Regulations to prevent development activity from affecting flood control, population or the conservation of land.
 - iv) the acquisition of land for open space and floodplain management purposes by the Maitland Valley Conservation Authority and the Village of Lucknow.
 - v) the implementation of recommended improvements to the hydraulic capacity of the Campbell Street conduit and Canning Street bridge.
- b) The regulation of land use and fill and construction activity will be carried out within the framework of the two zone floodway/floodfringe concept;
- c) The municipality and the conservation authority will encourage owners of existing buildings to undertake measures to reduce damages to buildings and their contents in the event of flooding.
- d) Where development is proposed on a site, part of which is designated as Hazard, such area shall not be accepted as part of the dedication for parkland under the Planning Act. Where land is conveyed to the Township, any part of which contains a watercourse or any existing or projected remedial works for flood or erosion control, adequate space shall be provided for maintenance and operation purposes.
- e) Minor expansion and renovation of existing development within the Hazard designation may be permitted subject to the approval of Council and the Maitland Valley Conservation Authority, and may require flood-damage reduction measures to their satisfaction. In particular, it is the intent of the Plan that the expansion and/or renovation of the Treleaven's Lucknow Mill Limited and Anderson Flax Products Limited mill sites on Campbell and Canning Streets will be permitted subject to the approval of the Township and the Maitland Valley Conservation Authority.
- f) The restoration of any building damaged or destroyed by fire or an act of nature may be permitted subject to approval of Council and the Maitland Valley Conservation Authority, and may require flood damage reduction measures to their satisfaction.

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- g) The flood damage reduction measures may include:
 - i) structural design to withstand hydrostatic forces and preferably no basements;
 - ii) building materials not subject to deterioration, if flooded;
 - iii) sanitary sewers should be tight against inflow, and capacity of any sewage pumping station should be adequate to prevent sanitary sewers from surcharging and causing basement flooding;
 - iv) no opening to habitable portions of residential buildings will be below the 1:100 Year Flood Elevation.
 - v) where site conditions do not permit a minimum opening above the 1:100 Year Flood Elevation, special measures may be permitted for non-residential buildings. Such measures may include:
 - i) doors and windows designed to withstand hydrostatic forces
 - ii) all mechanical, electrical, heating equipment shall be located above the 1:100 Year Flood Elevation;
 - iii) all building contents should be capable of being flood-proofed or moved above the Regional Storm Floodline;
- h) There is no public obligation to purchase any land designated as Hazard. An application for redevelopment of land so designated may be given due consideration by the municipality after taking into account the following:
 - i) the existing environmental and/or physical hazards;
 - ii) the potential impacts of these physical hazards;
 - iii) the proposed methods by which these impact may be overcome in a manner consistent with accepted engineering techniques and resource management practices. The responsibility, however, for justifying the redesignation of hazard land areas to another use rests entirely with the individual wishing to redesignate the lands. The individual will be required to prove, through engineering reports, that the land is suitable for the proposed development and that the development will not have an adverse effect on surrounding development or the environment.
- i) Notwithstanding the Hazard designation, for those existing buildings situated over the Campbell Street conduit, the existing openings between these buildings shall be kept open so as not to obstruct relief water flow over Campbell Street and no additions, fences or any other appurtenances will be allowed.
- j) Where permitted, the open storage of materials and equipment will be restricted to:
 - i) items that are or can be made to be immovable under flood conditions;
 - ii) items that can be removed within the limited time available after a flood warning;
 - iii) items that will not pose a pollution problem if flooded.

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Development Constraint Area

- i) The Development Constraint area as shown as the area between the Floodfringe line and the Hazard designation reflects the floodfringe area and is not intended to be a land use designation. Within this area, the standard for floodproofing will be the 1:100 Year Flood Elevation.

Development may occur in accordance with the land use designations, provided the following requirements are satisfied:

1. Approval of the municipality and the Maitland Valley Conservation Authority is obtained prior to development.
2. The development incorporates flood damage reduction measures as required by the Maitland Valley Conservation Authority. Such measures may include:
 - a) structural design to withstand hydrostatic forces and preferably no basements;
 - b) building materials not subject to deterioration if flooded;
 - c) sanitary sewers should be tight against inflow; and capacity of any sewage pumping station should be adequate to prevent sanitary sewers from surcharging and causing basement flooding;
 - d) no opening to habitable portions of residential buildings shall be below the 1:100 Year Flood Elevation;
 - e) where site conditions do not permit a minimum opening elevation above the 1:100 Year Flood Elevation, special measures may be permitted for non-residential buildings. Such measures may include:
 1. doors and windows designed to withstand hydrostatic forces;
 2. All mechanical, electrical, heating equipment shall be located above the 1:100 Year Flood Elevation;
 3. All building contents should be capable of being flood-proofed or moved above the 1:100 Year Flood Elevation;
3. The open storage of materials and equipment and the placement or removal of fill will be restricted to:
 - a) items that are or can be made to be immovable under flood conditions;

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- b) items that can be removed within the limited time available after a flood warning;
 - c) items that will not pose a pollution problem if flooded
4. Development in the Development Constraint Area will be restricted to infilling, redevelopment or replacement of existing buildings or structures and major additions or alterations to existing buildings. Development in the floodway shall be restricted to minor expansions and minor alterations to buildings existing as of the date of adoption of this Plan, provided no new dwelling units are created. Public and private works, which must locate in the floodplain by nature of their use and roads that appropriate planning studies have determined must be located in the flood plain, shall be permitted in both the floodfringe and the floodway. With the exception of consents to subdivide lots containing existing dwellings, no land severances will be permitted on lots located partially within the floodway provided that the proposed development can be sited on the portion of the subject property located outside the floodway.
5. New development may be permitted within the floodplain provided that the following conditions are met:
- a) A fill permit is issued by the Maitland Valley Conservation Authority under the Fill, Construction and Alteration to Waterways Regulation on the basis that no adverse effects on the hydraulic characteristics of flood flows will occur;
 - b) All new structures are suitably flood-proofed to the Regulatory Flood level as determined by and to the satisfaction of the Maitland Valley Conservation Authority and the Township of Huron-Kinloss.
 - c) All habitable floor space shall be constructed at or above the Regulatory Flood elevation (1:100 Year Flood) and all essential building services (ie: electrical, telephone, heating, etc.) be constructed at or above or protected to the Regulatory Flood elevation;
 - d) The creation of any uninhabitable floor space below the Regulatory Flood elevation where there is the possibility of conversion to habitable floor space will not be permitted;
 - e) Notwithstanding (d) above, the creation of uninhabitable floor space below the Regulatory Flood elevation may be permitted if it is associated with a multi-unit residential, commercial, industrial or other non-residential development. Such areas in a multiple residential development may include foyers, recreation rooms, communal storage areas, or other uninhabitable floor space that is normally associated with this type of development. All such floor space in any

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development must be flood-proofed to the Regulatory Flood Elevation with the maintenance of safe access ensured;

- f) Ingress/egress for all new habitable buildings located in the flood fringe shall be such that emergency vehicular and pedestrian movement is not prevented during times of flooding in order that safe access/evacuation is ensured. The determination of safe access shall be made by the Maitland Valley Conservation Authority based on the depth and velocity factors as they affect individual sites; and,
- g) Conversions of non-residential buildings in the flood fringe to residential use may be permitted provided that the requirements of (i) through (vi) above are satisfied.

Permitted Uses

The only uses permitted within the Hazard designation are parks, open space uses, public works of approved hydraulic design, horticulture, outdoor recreation and agriculture excluding any livestock facilities operations.

Notwithstanding any other policy in this Plan, new development associated with institutional uses such as hospitals, nursing homes, senior citizen residential buildings, schools for the education of children or persons with mental and/or physical disabilities, day care centres, residential care facilities or other similar uses which would pose a significant threat to the safety of the inhabitants if involved in an emergency evacuation in the event of flooding shall not be permitted to locate within a Hazard designation or between the floodway and the floodfringe. Existing facilities of this nature which are located in the flood plain will be permitted to continue in operation. Minor additions or alterations may be permitted subject to the approval of the Township of Huron-Kinloss and the Maitland Valley Conservation Authority.

New development associated with essential or protective services such as police, fire, ambulance or major electrical substations or telephone substations shall not be permitted to locate within the Flood Plain. Existing facilities of this nature which are located in the flood plain will be permitted to continue in operation. Minor additions or alterations may be permitted subject to approval by the Township of Huron-Kinloss and the Maitland Valley Conservation Authority.

New development associated with the manufacture, use or storage of substances of a chemical, hazardous or toxic nature, which would pose an unacceptable threat to public safety if damaged as a result of flooding or failure of floodproofing measures shall not be permitted to locate within the Flood Plain.

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Structures which are replaced or reconstructed as a result of fire or other unusual loss will generally be flood-proofed to the 100 Year Flood elevation with reductions as determined feasible by the Grand Valley Conservation Authority. Where a structure is being replaced, a change in the existing footprint may be considered provided such change would improve the hydraulic impacts created by the original structure and the footprint is not greater in area than the original structure. In no case shall buildings be replaced with floodproofing lower than the 1:100 Year flood elevation.

Private sewage disposal systems shall not be permitted within the floodway portion of the flood plain. Where private sewage disposal systems are proposed within the flood fringe, an assessment of the site in consultation with the Maitland Valley Conservation Authority will be undertaken to ensure that the system will not be adversely affected by incidental flooding.

Implementation

1. All floodway land designated Hazard or land located between the Hazard designation and the floodfringe shown on Schedule “A-2”, shall be identified in the Zoning By-law in order to reflect their condition of flood susceptibility and to allow for the implementation of the Two-Zone Flood Plain Policy.
2. No site plan shall be approved or building permit issued unless it is in conformity with the policies of this Plan and appropriate consent is given by the Maitland Valley Conservation Authority through the issuance of a fill permit under the Fill, Construction and Alteration to Waterways Regulation.
3. The lands identified by this Plan as being within the floodplain shall be designated and zoned as follows:
 - a) All vacant or otherwise undeveloped lands in the floodway portion of the flood plain at the time of adoption of this Plan shall be designated Hazard and zoned Environmental Protection (EP) Zone.
 - b) All lands where development exists in the floodway portion of the flood plain at the time of adoption of this Plan shall be designated Hazard, however zoning to recognize the existing use shall be permitted.
 - c) Such zoning category shall recognize legally existing development and allow for minor expansions and alterations provided no adverse effects will be had on the hydraulics or storage capacity of the floodway and subject to the issuance of a Fill, Construction and Alteration to Waterways Permit and the implementation of flood-proofing measures as deemed necessary by the Maitland Valley Conservation Authority. Any application for expansion or alteration to an existing building will evoke a review of all existing outdoor storage areas; and

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- d) All lands located within the flood fringe portion of the flood plain shall be designated in accordance with the land use designation set out in this Secondary Plan and shall be zoned accordingly. The suffix “F” shall be applied to the zoning category and shall serve as notice that properties so zoned shall be constrained beyond the regulations of the Zoning By-law. In this circumstance, new development, expansions or alterations shall be subject to implementation of flood-proofing measures as deemed necessary by the Maitland Valley Conservation Authority and the issuance of a Fill, Construction and Alteration to Waterways Permit.
4. On lands zoned to recognize an existing use, a change in use may be permitted through a zone change provided that the subsequent use is compatible with surrounding land use designations, no new dwelling units are created, the use presents less a risk to life and property in the event of flooding, the new use is not specifically prohibited by this Plan and approval is received from the Maitland Valley Conservation Authority.

A change in use will evoke a review of all existing outside storage areas. A permitted use within the Commercial Core Area may change to any other permitted use within the same class of land use except to residential, a gas bar or automobile service station, without a zone change being required.

5. For the purpose of determining boundaries within the Zoning By-law, the following guidelines shall apply:
 - i) Zone lines that are intended to indicate the floodway shall follow actual floodline contours and limits of encroachment as provided by the Maitland Valley Conservation Authority;
 - ii) On lands within the flood fringe portion of the flood plain, where only a portion of the lot is below the 100 Year Flood elevation and no part of the potential building envelope is within this elevation, the entire lot shall be considered to be outside the flood plain; and
 - iii) On lands within the flood fringe portion of the flood plain where a portion of the lot and any part of the potential building envelope is below the 100 Year Flood elevation, the entire lot shall for the purposes of zoning, be considered to be within the flood fringe and shall receive the zoning suffix “F”.
6. Notwithstanding the policies contained in this Plan, where it has been determined by the Maitland Valley Conservation Authority that development in any part of the flood plain would pose an unacceptable threat to life and/or property, such development will not be permitted.

3.5.3.9 Agriculture

For lands designated Agriculture on Schedule “A-3”, the policies of Section 3.2.5 of this Plan shall apply.

3.5.3.10 Rural

For lands designated Rural on Schedule “A-2”, the policies of Section 3.3.7 of this Plan shall apply.

3.6 Village of Ripley Secondary Plan

3.6.1 Administration

The policies in this Section and Schedule “A-3”, Land Use Plan, constitute the Village of Ripley Secondary Plan. In addition to these policies, Parts 1 to 5 inclusive of the Official Plan of the Township of Huron-Kinloss shall apply to the Village of Ripley.

The Secondary Plan objectives, policies and land use designations, shall be implemented through the Township’s Comprehensive Zoning By-law and other by-laws of the Township.

3.6.2 Objectives

The Village of Ripley shall continue to function as both a focus for residential settlement and as an urban service centre for the Village and the surrounding agricultural area.

It is the intent of this Plan that the entire Village of Ripley shall ultimately be serviced with municipal water supply and distribution and sewage collection and disposal systems.

Where full municipal services are not available or feasible in the interim, development may be permitted on the basis of partial services provided that:

- a) uses are limited to those that would not normally require excessive amounts of water or generate large volumes of waste water; and
- b) the proposed servicing system complies with the requirements of the appropriate approval authority.

The rate and direction of growth to new areas designated in this Plan for development within the Village of Ripley shall be established through the Township’s Comprehensive Zoning By-law and the review and approval of development and subdivision applications. Timing for growth shall be determined by the financial and physical capabilities of the Township and County of Bruce. Future growth shall be phased in an orderly and efficient manner.

The expanded industrial designation in the easterly portion of the Village shall be developed with light industrial uses which are compatible with the adjacent residential neighbourhoods.

The Commercial Core Area shall remain as the major focus of commercial, cultural and governmental activity in the Village. This Core Area shall remain as a clearly defined, compact commercial centre. New commercial uses except for health care facilities will not be permitted in lands designated “Residential”.

This Plan encourages and promotes initiatives towards the strengthening and revitalization of the commercial core, including improvements to building facades, enhanced pedestrian environments and work towards the eventual relocation of existing industrial and automotive related uses.

The Village of Ripley has a diversified, housing stock within well-defined and maintained residential neighbourhoods. Various locations for low-rise multiple dwellings and seniors/retirement complexes provide a mix of housing choice for the community's residents.

Future residential development will be encouraged to continue to provide a variety of dwelling types in various locations, where appropriate and compatible with adjacent land uses. Every effort shall be made to strengthen, enhance and protect the historic character of the Village. New development shall complement existing building form and neighbourhood character.

3.6.3 Land Use Policies

3.6.3.1 General

The land use designations shown on Schedule "A-3" establishes the land use pattern for the Village of Ripley. The following land use designations are established;

- Residential
- Commercial Core Area
- Industrial
- Major Institutional
- Parks and Open Space
- Agriculture

Policies governing permitted uses of land and regulations in each land use designation are intended to be broad and general in nature. The specific range of uses and detailed regulations shall be defined and set out in the Township's Comprehensive Zoning By-law. The Zoning By-law shall conform to the policies of the Official Plan and the Village of Ripley Secondary Plan.

3.6.3.2 Residential

Primary Uses

The primary use of land in those areas designated "Residential" shall be residential. Although low-rise, low density housing forms shall continue to predominate, and may be zoned separately through the Township's Comprehensive Zoning By-law, a full range

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of dwelling types may be permitted in Residential Areas in appropriate locations and where designed to be compatible with adjacent uses.

Residential densities shall directly relate to available servicing capacities. Generally, a density of 36 units per hectare shall be the maximum net residential density permitted within the Village of Ripley.

Multiple Residential developments such as townhouses and apartments may be allowed in areas designated Residential subject to the requirements of the Zoning By-law and further provided that the following criteria can be met:

- a) Multiple residential development shall be on full municipal services and shall not exceed a density of 36 units per hectare.
- b) That the design of the development regarding building height, setbacks, landscaping and vehicular circulation ensures that it will be compatible with existing or future development on adjacent properties.
- c) That the site shall have a suitable area and configuration to provide:
 - i) adequate landscaping to screen outdoor amenity areas and to buffer adjacent low-rise residential uses; and,
 - ii) on-site amenity areas for the enjoyment of the occupants of the residential units
 - iii) adequate off-street parking, access and appropriate vehicular circulation, particularly for emergency vehicles
- d) That a separate zone(s) be established in the Comprehensive Zoning By-law to permit multiple residential development.

Generally, new residential development will occur in the form of single detached dwellings on existing lots or through infilling created by consents (severances). Larger expansions of residential areas shall take place in a logical and progressive sequence from the existing built up neighbourhoods in order to ensure that an efficient and continuous urban settlement and form is maintained. Residential expansion shall be primarily by registered plan of subdivision.

Mobile homes shall not be permitted in Residential areas except as a temporary use authorized under Section 39 of The Planning Act.

A second dwelling on a lot in the form of a garden suite or “granny flat” may be permitted throughout the Village’s Residential areas, subject to Council’s consideration of a temporary use by-law and agreements under Section 39 of The Planning Act.

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The Comprehensive Zoning By-law may also provide for the conversion of existing single-detached dwellings to add one or more dwelling units provided that the following criteria is satisfactorily met.

- a) that the building is structurally capable, properly designed and of sufficient size to allow the creation of additional units in accordance with The Ontario Building Code;
- b) that the lot is of sufficient size to provide for required off-street parking without detracting from the visual character of the surrounding neighbourhood;
- c) that adequate amenity space is retained on the lot for the enjoyment of the residents of the dwelling.

Secondary Uses

Secondary Uses that are necessary to serve the Residential area and are compatible with the residential character shall be permitted in all Residential areas. Such uses many include residential care facilities, parks and open space and local institutional uses such as religious institutions, day care facilities, school, and home businesses.

In order to protect and enhance the viability of the Commercial Core Area, commercial uses, except for health care facilities, shall not be permitted in Residential Areas.

3.6.3.3 Commercial Core Area

The Commercial Core is the heart of the Village of Ripley focused on the intersection of Queen Street and Huron Street.

It is the intent of this Secondary Plan to:

- a) maintain a clearly defined, compact commercial core area; and
- b) enhance the function and appearance of the commercial core as the prime retail commercial and cultural node of the Village, and

Within the Commercial Core Area, the full range of commercial, retail, office, cultural institutional, entertainment, recreation and government facilities shall be permitted. Businesses or industries that are not complementary to the commercial and pedestrian focus of the Core Area including those that may be in compatible due to impacts created by noise, odour, vibration, emissions or outdoor storage shall not be permitted.

On-street parking shall continue to supply the majority of the demand for parking needs in the Commercial Core Area.

New residential uses shall only be permitted in the form of apartment units above and to the rear of non-residential buildings, or in a situation where a home business in a dwelling is highly visible from the street, or as part of a bed and breakfast establishment.

3.6.3.4 Industrial

The Industrial designation provides for a range of service related businesses, light industrial uses and related activities which are compatible with surrounding uses, and do not utilize significant quantities of water or generate significant quantities of wastewater within their processes.

Industrial uses considered noxious for reasons of noise, odour, vibration, dust or other emissions shall be prohibited from locating in the Village of Ripley.

Development within the Industrial designation shall be required to have access to both municipal water and wastewater services.

Uses within the Industrial designation include:

- a) light manufacturing, assembly and processing industries
- b) service businesses including such uses as small equipment appliance and business machine sales and service, printing establishments, landscape and garden centres, sales, service and repairs of motor vehicles, recreational and farm equipment
- c) offices
- d) contractor's yards
- e) warehousing and wholesaling
- f) veterinary services
- g) transportation depot
- h) commercial recreation
- i) repair services
- j) feed mills
- k) farm related service and supply industries
- l) laboratories
- m) training centres, trade schools

Industrial businesses which are characterized by an operation with a commercial component which requires large areas for the storage of goods, such as building material and decorating supply sales shall be permitted in all Industrial areas.

Secondary uses such as retail sales accessory to manufacturing and warehousing, parking lots, educational establishments, parks, open space and public service and utilities shall also be permitted in Industrial areas.

The Township may consider implementing a mixed residential/industrial zone in restricted, limited locations in the Village subject to environmental compatibility ensured through limiting the types of permitted industrial uses to industrial businesses, service industry, office and special manufacturing.

3.6.3.5 Major Institutional

Objectives

There are three Major Institutional areas within the Village of Ripley; the Town Hall with the former Ripley Public School, Ripley Huron Community School and the Curling Club.

Due to the size of the Village, the location and services provided by these institutional uses are significant to the entire community.

This Secondary Plan encourages and promotes the location of civic institutional and educational facilities in close proximity to the Commercial Core Area.

As the size of properties in these designated areas, are generally large, the multiple use of Major Institutional area and its buildings are encouraged.

It is the purpose of the Major Institutional land use category to designate only large institutional sites used by the entire community. As such, other local or minor institutional uses such as religious institutions, day care centres, cemeteries may be permitted under other land use designations in this Secondary Plan.

Permitted Uses

The primary uses permitted in the Major Institutional area include religious institutions, educational and health care facilities, cultural and governmental uses.

To allow for adaptive re-use of lands and buildings, multiple residential, health care centres and offices shall also be permitted. Multiple residential development shall be in accordance with the policies for this use as set out under the Residential policies of Section 3.6.3.2.

3.6.3.6 Parks and Open Space

Objectives

The objectives of the Parks and Open Space land use category is to recognize large parcels of land and facilities that provide a variety of recreational opportunities for the Village residents. The Ripley Arena/Community Centre and sportsfields located north

of Queen Street to the rear of the Township offices as well as the soccer fields on Park Street are the major recreational facilities in the Village.

Permitted Uses

Permitted uses in the Parks and Open Space designation consist of parks, libraries, arenas, community centres, playing fields and both active and passive recreation.

3.6.3.7 Agriculture

For land designated Agriculture on Schedule “A-3”, the policies of Section 3.2.5 of this Plan shall apply.

3.7 Lakeshore Urban Area Secondary Plan

3.7.1 Administration

The policies in this Section and Schedule “A-4,” Land Use Plan, constitute the Lakeshore Urban Area Secondary Plan. In addition to these policies, Parts 1 to 5 inclusive of the Official Plan shall apply to the Lakeshore Urban Area.

The Secondary Plan objectives, policies and land use designations shall be implemented through the Township’s Comprehensive Zoning By-law and other programs and by-laws of the Township.

3.7.2 Objectives

The Lakeshore Urban Area has evolved from clusters of distinct seasonal resort areas to a continuous urban area from Amberley Beach to Kincardine between the Lake Huron shoreline and the Algonquin bluff. Conversion of seasonal residences to permanent residences and subdivision development have contributed over time to a changing land use structure.

The Lake Huron shoreline provides a prime recreational resource for this community. The development a four-season tourist industry and the development of land for permanent and seasonal residential use are desired but must be balanced by the need to protect the sensitive coastal environment.

This Secondary Plan provides land use policies to ensure the proper development of the Lake Huron Shoreline, the prime recreational resource of the Township.

This Plan will continue to promote the Lakeshore Urban Area as a major focus for tourism and recreational uses, improve public access to the shoreline and policies to protect the sensitive coastal environment.

This Plan also provides for limited residential development that does not adversely impact the natural environment and is compatible with existing land uses.

3.7.3 General Development Policies

The Township of Huron-Kinloss is committed to implementing the Water Supply Master Plan for the Lakeshore Area initiated by the former Township of Huron. The extension of the municipal water system across the entire Lakeshore Urban Area will be completed within the five year period of this Plan.

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The Township has also endorsed the Risk Assessment Study for Continued Development on Septic Systems in the Lakeshore Area. This analysis concluded that, “existing septic systems appear to function adequately and that the risks associated with continuing development on septic systems are acceptable in every sub-area.” The Township is continuing with a monitoring program to ensure that any problems are identified and remedial actions undertaken.

It is the policy of this Plan that development within the Lakeshore Urban Area will be serviced by the municipal water system and private individual sewage disposal systems.

An area adjacent to the Town of Kincardine is serviced by the Town’s municipal water system. Additional development adjacent to the Town may be serviced by extensions of the Town of Kincardine water and sewage systems authorized by a Cross-Border Servicing Agreement.

Council may consider the use of communal waste water treatment facilities and enter into Responsibility Agreements where the following land use and environmental protection criteria are met and desired for the appropriate development of land;

- a) the retention and preservation of contiguous woodlots or wetlands is assured,
- b) the overall low density character of the community is maintained; and,
- c) the communal waste water facility is owned and operated by a condominium corporation.

The predominant form of development will be low density single detached residential development with adequate lot size to accommodate individual sewage disposal systems. Clustering of residential dwellings may be permitted in limited circumstances where communal waste water facilities or a connection to the Town of Kincardine’s servicing systems are provided.

Small scale local commercial and institutional uses as well as tourism accommodation shall be encouraged and permitted in appropriate locations within the Lakeshore Urban Area.

Much of the Lakeshore Urban Area has already been developed with seasonal and permanent residential uses and to a limited extent, local convenience and tourism related commercial uses. Much of the remaining vacant, undeveloped land is constrained by the natural environment where detailed development assessment reports/environmental impact studies have not been completed.

Development within the Lakeshore Urban Area shall only proceed following a comprehensive evaluation of the development proposal with respect to the natural environment. Depending on the scale and intensity of the proposed development, the following types of studies may be required in order to determine the suitability and appropriateness of the development.

- a) Servicing study to demonstrate the adequacy of the land to accommodate individual, private sewage disposal systems or the use and appropriateness of communal systems;
- b) Hydrogeologic Assessment to determine the suitability of the soils for subsurface sewage treatment and the impacts upon ground and surface water resources and recommended minimum lot sizes;
- c) Development Assessment Report (DAR) in accordance with Sections 2.1.4 and 2.1.5 of this Plan; and,
- d) Stormwater Management addressing issues and strategy related to controlling the quantity of stormwater flow and the provision of appropriate treatment to ensure water quality and discharge to a suitable outlet.

The need for particular studies, or the level of detail required for a particular study, will depend on the potential impact on the natural environment and/or compatibility with existing land uses.

All development involving shoreline alterations will require a comprehensive study of environmental impacts including fish habitat, erosion and sedimentation, flooding, wave action and off-shore currents, all to the satisfaction of the Saugeen Valley Conservation Authority.

3.7.4 Land Use Policies

3.7.4.1 General

The land use designations shown on Schedule “A-4” establishes the land use pattern for the Lakeshore Urban Area. The following land use designations are established.

- Residential
- Tourism Commercial
- Natural Environment
- Shoreline Protection Area
- Parks and Open Space

3.7.4.2 Residential

The primary use of land in those areas designated “Residential” shall be for low rise, low density residential use.

The predominant form of housing shall be single detached dwellings. Both seasonal and permanent residences shall be permitted.

The construction of new dwellings and the conversion of seasonal dwellings to year-round, permanent residency shall be required to have water and sewer systems in compliance with the standards and requirements of the Ontario Building Code Act and those of the applicable approval authority.

Minimum lot sizes shall be set out in the Township’s Comprehensive Zoning By-law. Generally, a density of 5 units per gross hectare shall be the standard applying to the Lakeshore Urban Area. This density is not intended to be applied on a net basis to any particular development application but is the average residential density for the overall community.

Multiple residential development may have net densities higher than the 5 units per gross hectare. Limited multiple residential developments such as townhouses may be permitted in areas designated Residential subject to the requirements of the Zoning By-law and to the following:

- a) The location of the site and the design of the development is compatible with adjacent land use.
- b) The development shall be serviced with communal services owned by a condominium corporation with the Township having firstly agreed to enter into a Responsibility Agreement.
- c) The development shall have frontage and direct access to public road which is open and maintained on a year-round basis.
- d) Soil and drainage conditions must be suitable to permit the proper siting of buildings, the supply of water and installation of sewage treatment facilities.
- e) Cluster or innovative design groupings of dwelling types are encouraged in order to achieve minimum change to existing topography and vegetation.

The creation of all new residential lots shall have frontage on a public road which is open and maintained on a year-round basis. This policy shall not apply to lots/units approved under the Condominium Act.

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Mobile homes shall not be permitted in areas designated Residential except as a temporary use authorized under Section 39 of the Planning Act.

A second dwelling on a lot in the form of a garden suite or “granny flat” may be permitted in Residential areas subject to Council’s consideration of a temporary use by-law and agreements under Section 39 of the Planning Act.

Secondary uses that are necessary to serve the Residential area and are compatible with the residential character shall be permitted in areas designated Residential. These uses may include home businesses, bed and breakfast establishments, local institutional uses such as religious institutions, local commercial and personal service uses, public community and recreational uses, parks and open space. Local commercial uses within the Residential designation are intended to be only those uses which primarily serve the convenience needs of the residents of the Lakeshore Urban Area. Such uses shall be developed at a small scale and include businesses such as retail, restaurants/snack shops and local offices.

Generally, local commercial and personal service uses on Lighthouse Drive in the vicinity of the National Historic Site of the Point Clark Lighthouse shall have frontage on a Concession Road or Lake Range Drive. The objective of this policy is that increases in traffic shall not adversely impact the surrounding residential area.

3.7.4.3 Tourism Commercial

This Plan recognizes the demand and desire of the Township to provide opportunities for tourism-related commercial uses in the Lakeshore Urban Area.

Within lands designated Tourism Commercial, permitted uses shall include all forms of tourist accommodation, trailer parks, commercial campgrounds, restaurants, retail commercial, marinas, clubs, day camps and those commercial and recreational uses accessory thereto.

The establishment of new trailer parks and commercial campgrounds shall be considered and reviewed in accordance with the following:

- a) properties must have frontage on a collector road shown on Schedule “C”;
- b) development shall be located outside of areas designated “Natural Environment” on Schedule “A-4”;
- c) shall be located no closer than 500 metres of an aggregate extraction operation and no closer than 300 metres from active or abandoned landfill sites or sewage lagoon;
- d) the minimum lot area shall be 2.0 hectares with a gross density generally not exceeding 30 sites per hectare;

- e) adequate buffer planting and setbacks shall be provided relative to any adjacent residential area;
- f) adequate on-site parking and internal road systems shall be provided to ensure suitable access by emergency vehicles and the safe movement of vehicular and pedestrian traffic;
- g) the impact to existing topography and vegetation areas shall be minimized
- h) private water supply and private sewage disposal systems shall be designed to the satisfaction of the appropriate approval authority, with studies submitted as required and all necessary permits obtained.

3.7.4.4 Hazard Areas

Lands designated 'Hazard' includes all floodplains, steep slopes, wetlands, watercourses and any other physical conditions which preclude development due to natural hazards or environmentally sensitive land.

In addition, along the Lake Huron shoreline, the Hazard designation includes the flood hazard. The Provincial Policy Statement defines the flood hazard along the waterfront area is the 100-year flood level plus an additional allowance for wave uprush. The 100-year flood elevation for the Lake Huron Shoreline within the Township is 177.6 metres, Coastal Geodetic Datum (CGD) and the wave uprush or wave action offset is 15 metres wide.

It is the intent of this designation to protect, enhance and restore the natural dune feature that exists in some form along the shoreline. It is recognized that the vast majority of residential development has been built in this sensitive dune area.

The Provincial Policy Statement (P.P.S) sets out the policy framework and definitions applicable to the natural hazard and the dynamic beach.

Development and site alteration are not permitted within defined portions of the dynamic beach.

The P.P.S. also defines these terms:

- a) The defined portions of the dynamic beach are those portions of the dynamic beach which are highly unstable or critical to the natural protection and maintenance of the first main dune feature and/or beach profile, where any development or site alteration would create or aggravate flooding or erosion hazards, cause updrift and/or downdrift impacts and/or cause adverse environmental impacts.

- b) 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.
- c) Site Alteration means activities, such as fill, grading and excavation that would change the land form and natural vegetative characteristics of a site.

The Lake Huron shoreline within Huron-Kinloss is a fully developed shoreline with very limited potential for new lot creation. The predominate land use is residential and is not expected to change. The dunes and associated vegetation have been significantly altered by existing development.

The dynamic beach includes the limit of the flood hazard plus a 30 metre setback which accounts for the potential for recession or accretion of sand and the environmental sensitivities of dune features. This is the extent of the boundaries of the Hazard designation within the Lakeshore Urban Area Secondary Plan.

No new lot creation shall be permitted within the Hazard area designated on Schedule “A-4.” Construction of new or expanded residential dwellings on existing lots of record will be permitted subject to meeting the requirement of the zoning by-law and minimizing the physical impact on the dunes and associated vegetation. No site alteration will be permitted that would have the effect of removing any portion of the first dune feature and associated vegetation. All new private sewage disposal systems will not be permitted on the lake side of the dwelling.

The exact boundaries of the Hazard area will be defined in the Township’s Comprehensive Zoning By-law on the basis of detailed mapping prepared by the Saugeen Valley Conservation Authority.

3.7.4.5 Parks and Open Space

The primary objective of the Parks and Open Space land use category is to recognize land and facilities that provide a variety of recreational and social opportunities for the Township residents. This includes local parks, playfields and the land and building associated with the Point Clark Community Centre.

This designation also recognizes woodlots or natural areas that are intended for preservation but are not hazard lands or wetlands.

Privately owned lands that are designated “Parks and Open Space” provide for the temporary or permanent preservation of woodlots or natural areas. Residential Development may be permitted on a portion of these properties, subject to an amendment to this Plan and following submission and review of any necessary

servicing, hydrogeological, stormwater management and development assessment reports as required by this Plan or the appropriate approval authority.

The National Historic Site of the Point Clark Lighthouse is also designated Parks and Open Space and it is the objective of this Plan to promote the use of the site for heritage preservation and tourism purposes.

Permitted uses within land designated Parks and Open Space include parks, community centres, playfields and both active and passive recreation.

3.7.4.6 Special Policy Area, Bruce Beach

This Plan recognizes the seasonal nature of the Bruce Beach community as compared to a much higher predominance of permanent residency and public roads in other Lakeshore Urban areas.

This Bruce Beach area has been developed, for the most part, with private roads which are designed below minimum standards relative to public rights-of-way. Accordingly it is the policy of this Plan and the intent of the Township that the municipality shall not provide road maintenance services within this Special Policy Area.

3.8 Lifestyle Communities

3.8.1 Objectives

Lifestyle communities are intended to be high quality residential areas, situated on scenic topography in Rural areas.

Often these residential communities are oriented towards the needs of retired people or those desiring a location close to recreational activities or facilities with dwelling units designed for year round living.

While encouraging major residential development to be focused in the Villages and Lakeshore Urban Area, this Plan recognizes that there is a demand for unique development opportunities in scenic rural locations.

All new Lifestyle Communities shall be reviewed in relation to their effect upon adjacent agricultural land, the natural environment and the financial resources of the Township.

3.8.2 Permitted Uses

The use of land in areas designated Lifestyle Communities shall be primarily for single detached dwellings at a low density. Cluster or innovative design groupings of other dwelling types may also be considered in order to achieve minimum change to existing topography or lessen the impact on the environment.

Other uses permitted include outdoor recreation, home businesses and open space. Small scale commercial uses which are clearly ancillary and directly serve the residents of the associated lifestyle community may also be permitted.

3.8.3 Development Policies

Lifestyle Communities shall not be permitted in lands designated Agriculture. The establishment of new Lifestyle Communities shall only be permitted by an Amendment to this Plan.

The following locational policies shall be considered when evaluating the appropriateness of a new Lifestyle Community proposal.

- a) Where an analysis has been submitted demonstrating the appropriateness of the property for the development.
- b) Where appropriate access to an existing public road which is open and maintained on a year-round basis is provided.

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- c) Access to each dwelling capable of accommodating emergency vehicles is provided.
- d) Located outside of areas exhibiting significant environmental or archaeological sensitivity.
- e) No closer than 500 metres of any existing aggregate operation, sewage lagoon, farm holding ponds or fields used for the disposal of lagoon or holding pond wastes, or within 500 metres of an active or abandoned landfill site; and.
- f) Where the Minimum Distance Separation Formula can be met.

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The following design requirements shall be applied to all new Lifestyle communities.

- i) Generally, gross residential density for an individual lifestyle community shall not exceed 1 unit per hectare. Densities higher than this may be permitted for innovative, housing design groupings where it is demonstrated there will not be a detrimental impact on the natural environment and adequate, acceptable servicing can be provided.
- ii) Soil and drainage conditions must be suitable to permit the proper siting of buildings, the supply of water and the installation of private or communal sewage systems.
- iii) All water supply and sewage disposal systems shall conform to the standards of the appropriate approval authority with all required permits obtained.
- iv) Existing environmental and topographic conditions on the site shall be retained in their natural state as much as is feasibly possible. The use of innovative and sensitive project design shall be encouraged.
- v) Existing watercourses, lakes, ponds, wetlands, steep slopes, groundwater recharge areas and significant woodlots shall be protected by proper design of lots, access roads, the siting of buildings and accessory use areas.
- vi) No direct access from an individual lot or dwelling shall be permitted to a public road.
- vii) All dwellings shall conform to the Ontario Building Code for year-round use.

3.8.4 Special Lifestyle Community Policy Areas

3.8.4.1 Otter Lake (Fisherman's Cove)

Within the Fisherman's Cove Park area located on Otter Lake, described as Lot 25 and Block "A" - Range 3 S.D.R., Township of Kinloss, a portion of the Park is designated Lifestyle Community in this Plan and is subject to the following special policies:

- i) A maximum of 86 lots shall be permitted to have detached dwellings located there on which are designed and used for year-round occupancy.
- ii) No building, structure or sewage system shall be located closer than 30 metres from the high water mark of Otter Lake.
- iii) The precise location of that portion of Fisherman's Cove which is designated for Lifestyle Community shall be shown and regulated in the Township's Comprehensive Zoning By-law.

3.8.4.2 Purvis Lake

Lands adjacent to Purvis Lake, described as Part of Lots 41 to 46, Concession 1, Township of Kinloss, are designated Lifestyle Community in this Plan and are subject to the following special policies:

- i) The maximum number of single detached dwellings shall be 22.
- ii) The ratio of dwelling units to the amount of hectares of developable land, excluding land intended for common areas, walkways, recreational facilities and roads shall not exceed 2.5 to 1.

The ownership of the development shall continue as a corporation with 22 shareholders owning the 22 dwellings on one lot, or may be changed to a condominium, subject to the provisions of the Condominium Act.

3.9 Open Space and Major Recreational Areas

3.9.1 Objectives

This Plan recognizes the demand for leisure opportunities to be provided to the Township's residents and tourists in the form of golf courses, major trails, sports fields and commercial camping and associated recreational activities.

Areas designated Open Space and Major Recreational Area shall primarily apply to existing golf courses and travel trailer/commercial campground development.

Travel trailer parks and commercial campgrounds are typically developed and operated under one ownership, not as a plan of subdivision or condominium.

The use of the trailer park/campground is primarily as seasonal use only for camping and recreational purposes.

All new golf courses and travel trailer parks/commercial campgrounds shall require an amendment to this Plan to place the property in an Open Space and Major Recreational Area designation. New proposals shall be reviewed in relation to their effect upon adjacent agricultural land and the natural environment and the financial resources of the Township.

3.9.2 Permitted Uses

On lands designated Open Space and Major Recreational Area, the primary permitted uses shall be public open space, country forests and golf courses, seasonal recreation uses, both active and passive, travel trailer parks, campgrounds and uses and buildings accessory thereto.

Commercial uses designed and intended as clearly ancillary and associated with a recreational facility shall also be permitted.

A limited amount of land may also be used to accommodate permanent residential occupancy for the housing needs of the owner, operator or supervisor of the recreational facility.

3.9.3 Development Policies

New areas for golf courses or travel trailer and commercial campgrounds shall only be located:

- i) in scenic, topographically diverse areas having high recreational potential which are not suitable for agriculture.
- ii) On lands designated Rural by this Plan being those areas of the Township having poorer soils classifications.
- iii) On properties having frontage on an existing opened public road.
- iv) Outside of Natural Environment Areas as shown on Schedule "A-1".
- v) In accordance with the setback requirements of the Minimum Distance Separation Formulae.
- vi) In the case of travel trailer parks and commercial campgrounds, no closer than 500 metres of an existing aggregate extraction operation or active or abandoned landfill sites, sewage lagoon, holding ponds or fields used for the disposal of sewage or holding pond wastes.

The minimum lot area for a travel trailer park and commercial campground shall be 2 hectares. The density shall generally not exceed 30 campsites per hectare.

The maximum number of sites for a travel trailer park or commercial campground development shall generally not exceed 300.

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In areas designated Open Space and Major Recreational, adequate buffer planting shall be provided between golf courses or trailer parks/campgrounds and any adjacent residential area.

Adequate on-site parking and internal road systems shall be provided to ensure suitable access by emergency vehicles and the safe movement of vehicular and pedestrian traffic.

Existing topographic and other physical features of the site, including treed areas shall be retained in their natural state, as much as is feasibly possible.

Existing watercourses, ponds, wetlands, steep slopes and groundwater recharge areas shall be protected by the sensitive, creative design of the recreational facility, including the siting of driveways, parking areas and buildings.

Water supply and sewage disposal systems shall be designed to the satisfaction of the appropriate approval authority, with all necessary permits obtained.

3.9.4 Special Open Space and Major Recreational Policy Areas

3.9.4.1 Otter Lake, Fisherman's Cove Park

On those lands designated Open Space and Major Recreation Area located adjacent to Otter Lake, developed as Fisherman's Cove Tent and Trailer Park and described as Lot 25 and Block "A", Range 3, S.D.R., Township of Kinloss

- i) A maximum of 700 campsites shall be permitted.
- ii) "Four Season Recreational Use" of a portion of the trailer park area shall be permitted. Four-Season Recreational use shall be defined as:

"Four Season Recreational Resort" means, the use of land used year-round for the parking and use of recreational travel trailers, park model trailers or other similar transportable accommodations, but not including a mobile home as defined in this by-law. All recreational sites will be used for seasonal, temporary or intermittent accommodations and not be used as a principle residence or permanent place of residence except for full-time caretakers residing within the park. Buildings and structures deemed necessary and accessory to a Four Season Recreational Resort will also be permitted."
- iii) All accommodation intended to be used for Four-Season Recreational uses shall be confirmed as conforming to the Ontario Building Code for year-round occupancy.
- iv) No campsite, building, structure or sewage system shall be located closer than 30 metres to the high water mark of Otter Lake.

- v) The development of this travel trailer park and commercial campground shall be serviced by both communal water and communal sewage disposal systems.
- vi) A holding zone may be applied to the zoning of this recreational resort in order to firstly ensure that all approvals for the necessary servicing systems have been reviewed and permits obtained from the appropriate approval authority.

3.9.4.2 Silver Lake

On those lands designated Open Space and Major Recreational Area located adjacent to Silver Lake and described as Part of Lots 19 and 20, and Lots 21 to 26, Range 2, S.D.R., Township of Kinloss:

- i) Only a seasonal campground shall be permitted.
- ii) A maximum of 21 existing seasonal cottages shall also be permitted
- iii) A maximum of 110 travel trailer sites shall be permitted.
- iv) A wilderness campground to accommodate only tents with short term overnight stays shall also be permitted.

3.10 Highway Commercial Areas

3.10.1 Objectives

The predominant use of land within areas designated Highway Commercial shall be for commercial uses serving the travelling and tourism, public or commercial uses not considered appropriate for the Commercial Core Area of the Township's villages.

Major roads within the Township, particularly Highway No.21 and County Road No.86 support considerable volumes of traffic which often requires goods and services as motor vehicle service, restaurants, travel accommodation and commercial recreation. Accordingly, the travelling public can best be served by providing appropriately located highway commercial areas with access and visibility from major roads.

In addition, certain commercial uses, due to their nature of operation or sales require large sites to accommodate their associated building, storage and parking which are either not available or suitable within the Commercial Core Areas of the villages. Uses such as building material supply outlets, motor vehicle sales, and garden centres are examples of such need.

3.10.2 Permitted Uses

The Highway Commercial designation shall permit uses catering to the travelling public such as motels, hotels, bed and breakfast establishments, motor vehicle sales and service, convenience commercial uses and commercial recreational uses.

Retail uses, because of their function or large space requirements such as building supply outlets, wholesale outlets, garden centres, furniture stores, home furnishing centres, speciality factory outlets and flea markets and liquor, beer or wine stores may also be permitted.

Office or residential use, unless accessory to a permitted highway commercial use, shall not be permitted in Highway Commercial areas.

3.11 Hazard Areas

3.11.1 Objectives

The Hazard Areas policies of this Plan relate to the natural heritage and natural hazard features. It is the policy of this Plan to conserve natural features and functions throughout the Township wherever possible, given their contributions to general Township quality of life issues, landscape concerns, ecological processes and interactions, water quality and ground water conservation, soil conservation, and similar matters.

The Hazard Areas also include associated natural hazards that require identification, avoidance, and/or mitigation.

Hazard Areas are shown on Schedules “A-1”, “A-2” and “A-4” Land Use Plan. Development, site alteration, building and structures are prohibited, except associated with those permitted uses described in Section 3.11.4. These Hazard Areas include:

- a) Provincially Significant Wetlands;
- b) Natural Heritage features which include Regional and Locally Significant Wetlands, Significant Woodlands and a significant portion of the habitat for threatened or endangered species; and,
- c) Natural Hazard land which include Riverian floodplain, shoreline Hazard and other defined hazard areas.

3.11.2 Permitted Uses within Hazard Areas

Within or adjacent to lands designated as Hazard Areas, the following uses are permitted uses without the preparation of a development assessment report:

- a) Silvicultural, forestry, woodlot or wildlife management (exclusive of aggregate extraction), or harvesting activities consistent with the County of Bruce tree cutting by-law or supported by a woodlands management plan, a farm management plan or other appropriate resource management plan.
- b) Natural heritage appreciation supported by small scale interpretative facilities such as nature trails and outdoor displays.
- c) Maple syrup production.
- d) Recreational trails existing as of the date of approval of this Plan or identified through an appropriate master plan.
- e) Existing agricultural uses may continue, although expansions of farming operations or practices would be subject to the various policies of this Plan.
- f) Watercourse crossings or farm culverts approved under the Conservation Authorities Act; flood and erosion control works; fisheries habitat improvement projects; and other projects undertaken by Conservation Authorities. To preserve and enhance valleylands and the interconnecting natural linkages as well as protect fish habitat, new watercourse crossings or farm culverts in these areas will be discouraged where alternative access can be obtained.

3.12 Aggregate Extraction

3.12.1 Objectives

The Aggregate Extraction designation is intended to identify and protect as much of the known mineral aggregate resources as is possible, from land uses which are incompatible with future extractions. Existing pits and quarries are identified on Schedule “A-1” Township Land Use Plan.

3.12.2 Policies

- 3.12.2.1 No new residential uses or other sensitive land uses shall be permitted in close proximity to areas designated as Aggregate Extraction as shown on Schedule “A-1.” The permitted use of land within the Aggregate Extraction designation shall be for pits and quarries. Ancillary uses including aggregate storage, crushing, and administrative offices, may be permitted and will be identified in the Zoning By-law.
- 3.12.2.2 All other land uses are prohibited in the Aggregate Extraction designation and rehabilitation to a use other than farming shall require an amendment to this Plan.
- 3.12.2.3 The extension of existing pits and quarries or the establishment of new pits and quarries requires an amendment to this Plan and the Zoning By-law. The following criteria shall apply to applications for the establishment of new licensed pits or quarries:
- a) Approval of a truck haul route, a Hydrogeological assessment, an EIS in accordance with Figure 1 of this Plan, and a noise and vibration assessment;
 - b) The proposed pit or quarry shall not be located closer than 200 metres to a residential use or other sensitive land use;
 - c) All Aggregate Extractive uses must satisfy the requirements of the Ministry of the Environment or its designated agents as to water supply, disposal of liquid waste, pumping operations, the control of air and noise pollution and vibration where blasting is involved; and,
 - d) The Aggregate Extractive area falls under the regulations of the Ontario Aggregate Resources Act.

4.0 INFRASTRUCTURE

4.1 Highways and Roads

Public highways and roads are designated as “Provincial Highways,” “County Arterial Roads,” “Collector Roads” or “Local Roads” on Schedule “C” of this Plan.

Provincial Highways and County Roads are within the jurisdiction of the Provincial Ministry of Transportation and the County of Bruce respectively. The primary function of Provincial Highways and County Roads is to move relatively large volumes of traffic at relatively high speeds through and within the Township.

Development along Provincial Highways and County Roads that would detract from their primary traffic function will be discouraged. Where development is proposed along these highways or roads, regard shall be had to the policies, guidelines, regulations and by-laws of the Ministry of Transportation and the County of Bruce. Permits for access, buildings, signs and utility encroachments may be required from the Ministry of Transportation and/or the County.

Where a development is likely to generate significant traffic volumes on a Provincial, County or Township road, the Township may require the applicant to submit a transportation study to assess the impact on the Provincial, County or Township’s transportation system. Such study shall be submitted to the Ministry of Transportation, the County or the Township, as appropriate, for review and approval.

The Provincial Ministry of Transportation and the County of Bruce will determine the road allowance widths for the highways and roads within their respective jurisdictions. The County has determined its minimum right of way widths as set out in s. 4.6.3.5 of the County Official Plan.

Local Roads are within the jurisdiction of the Township. The primary function of Local Roads is to provide direct access to abutting properties and to minimize through traffic. All Local Roads will have a minimum right of way of 20 metres unless otherwise identified on Schedule “D” Highways to be widened.

The existing and future pattern of Local Roads shall be in harmony with the existing and future road pattern of adjoining municipalities, the County Road system and the Provincial Highway systems. Local Roads will be maintained and upgraded as necessary to meet the changing needs of the Township.

Access to Local Roads shall be evaluated on the following basis:

- a) The number of vehicles expected to use the proposed access shall not seriously jeopardize the traffic movements of the road;

- b) The number of accesses will be reduced or minimized by joint accesses, a local access road, or by backlotting onto roads carrying higher traffic volumes;
- c) Accesses shall have safe site distances for all turning movements; and,
- d) Safe distances between accesses and intersections shall be maintained.

Land required to widen the existing road allowance may be acquired through purchase, expropriation or dedication as a condition of draft plan of subdivision, severance or site plan approval.

In cases where the widening of a road allowance is dedicated through Site Plan Control, the amount of land to be obtained for the widening shall be taken in equal amounts from both sides of the road, measured from the road centreline, except where geological, topographic, utility lines or other conditions obstruct the widening.

4.2 Recreational Trails

The Township of Huron-Kinloss will facilitate the preparation of a Master Trail Study to identify opportunities for development of a system of recreational trails within the Township. The Master Trail Study shall consider the conversion and acquisition of former railway rights-of-way; the use of utility corridors and road right-of-ways for recreational trails. The Township will work with the County of Bruce to determine whether local trails can be integrated with a comprehensive trail system for the County.

The Township will consider recreational trails as a public use and permit them in all designations. New trail development may be restricted by type of use (ie: motorized vehicles) and adjacent land use (ie: sensitive environmental or urban uses).

4.3 Municipal Services and Utilities

Water lines, sanitary and storm sewers, gas lines, telephone lines, communication towers, electric power lines and similar transmission systems including related facilities (such as transformer stations, pumping stations, and compressor stations) shall be permitted in all areas subject to the criteria listed below. Prior to undertaking or authorizing the undertaking of any of these utilities or related facilities in or affecting the Township, it is expected that the proponents will consult with the Township and will have due regard to the following criteria:

- a) agricultural land and woodlands are avoided wherever possible;
- b) designated Hamlet, Lakeshore Urban and Village Areas are avoided where such transmission systems or related facilities would have a significant visual impact;

- c) facilities and structures are designed and maintained in general harmony with the character of the area within which they are located;
- d) site landscaping and buffering is undertaken and maintained where deemed appropriate; and,
- e) compliance with all relevant provisions of the Zoning By-law.

The above mentioned criteria shall also apply to proposed undertakings of Hydro One, other than its buildings or lands used for executive, administrative or retail purposes, or held under lease or license from Hydro One.

Existing utility corridors are shown on Schedule “C” to this Plan. Development applications within 200 metres of a utility corridor shall be circulated to the appropriate utility for comment. In reviewing such applications, the Township will have regard for the “Guidelines for Development in the Vicinity of Oil and Gas Pipelines Facilities” produced by the Technical Standards and Safety Authority. The Zoning By-law will adopt minimum setbacks for development adjacent to the utilities.

4.4 Waste Water Treatment Plants

The Village of Lucknow and Village of Ripley Waste Water Treatment Plants are shown on Schedule “B” to this Plan.

No sensitive land uses such as residential uses, nursing homes, schools and other institutional uses will be permitted within 100 metres of the limits of these sites. Lesser setbacks for development may be considered as part of a development review process and in consultation with the Province.

4.5 Active and Abandoned Landfill Sites

The Township’s two active landfill sites are shown on Schedule “B” of this Plan.

Due to the potential for methane gas and leachate to migrate off the site and the associated health and safety implications, the Ministry of the Environment requires soil, atmosphere and groundwater testing within 500 metres of the fill area of the site prior to the approval of a development proposal or lot creation or issuance of any building permit for dwellings or other habitable buildings where health and safety of the occupants may be adversely affected.

Residential or other sensitive uses will not be permitted to locate closer than 90 metres to the operating area of the landfill site or closer than 30 metres to the closed portion of the site.

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Closed landfill sites in the Township of Huron-Kinloss are also shown on Schedule “B”. As the potential exists for soil instability, the presence of methane and other soil gases and groundwater contamination by leachate, soil, atmosphere and groundwater, testing in accordance with the requirements of the Ministry of the Environment may be required for abandoned landfill sites as well as land lying within 500 metres of these sites prior to construction of any buildings or structures. The Township will, therefore, notify the Ministry of Environment prior to the issuance of any building permits to determine the need or desirability for such testing and advise the applicant accordingly.

5.0 IMPLEMENTATION

5.1 Interpretation

This Plan shall be implemented by means of the powers conferred upon the Township by the Planning Act, the Municipal Act, and other such statues as may be applicable. In particular, the Plan shall be implemented by Zoning By-Laws, property standards and occupancy by-laws, legislation pursuant to the Municipal Act, site plan control and the undertaking of public works.

Where any Act or portion of an Act is referred to in the Plan, such references shall be interpreted to refer to any subsequent renumbering of the sections in the Act and/or changes in the date of the Act.

The boundaries between land use designations on the Land Use Schedules are approximate except where they coincide with roads, railways, rivers or similar geographical barriers. Where such features do not exist, the exact determination of boundaries shall be the responsibility of Council. Council may permit, without amendment to the Plan, minor departures from these boundaries where it is satisfied that the intent of the Plan is maintained.

5.2 Official Plan Amendments

An amendment to this Plan is required to permit the establishment of uses other than those provided for in the applicable designation is this Plan. Council shall evaluate amendments to this Plan based on the following criteria:

- a) the desirability and appropriateness of changing this Official Plan to accommodate the proposed use in light of the goals and policies of this Plan and its conformity to the County Official Plan;
- b) when considering amendments to land designated Agricultural Areas, the need for the proposed and consideration of alternative locations avoid prime agricultural land and minimize impact on farm operations be addressed;
- c) the compatibility of the proposed use with surrounding land uses and the natural environment. Council may require an EIS if the land is within or adjacent to significant natural feature as defined in Section 2.2.4 and Figure 1 of this plan.
- d) the suitability of the site for the proposed use in relation to the physical features of the property including topography, soils, vegetation and drainage;

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- e) the adequacy of the existing road network to service the proposed use and the provision of safe access to the site considering the speed limit, volume of traffic and sight lines. Council may require a traffic impact study with any proposal for a change in land use that it determines may affect the adequacy of the existing road network;
- f) the adequacy of the potable water supply, sewage disposal facilities, solid waste disposal, and other municipal services, as required, including whether logical extensions to services could be provided;
- g) compliance with Minimum Distance Separation formulae; and,
- h) the availability of appropriate facilities for education, recreation, public services, or the cost to the Township to provide these services for the proposed use.

5.3 Zoning

The Zoning By-law for the Township of Huron-Kinloss shall zone land in accordance with the land use designations and policies contained within this Plan and will establish regulations to control the use of the land and location of buildings and structures. No application may be approved or by-law passed that does not conform to this Plan, save and except a by-law or variance approved pursuant to the Planning Act.

5.4 Holding Provisions

The Township may apply a Holding “H” provision to any zone in the Zoning By-law in accordance with the Planning Act. Holding provisions allow the Township to identify the uses ultimately intended for specific properties but delay their actual development until certain conditions are met to the satisfaction of the Township.

Holding provisions shall not be removed until such time as Council is satisfied that one or more of the following conditions have been met:

- a) a specific proposal has been submitted to the Township;
- b) water of sufficient quality and quantity is available to service the proposed development as approved by the appropriate authority;
- c) public or private sanitary services can be constructed or are available with the design being approved by the appropriate authority and satisfactory financial arrangements secured;
- d) road facilities have been completed to ensure adequate and appropriate access.

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- e) the relevant policies of Section 3 of this Plan are satisfied with respect to the use being proposed;
- f) a plan of subdivision, where deemed necessary has been submitted and has received draft plan approval; and
- g) a satisfactory agreement, where deemed necessary, has been entered into by the Township and the property owner.

The Zoning By-law will identify specific areas where Holding provisions have been placed and will set out the condition for their removal, as set out in the Planning Act. In the interim, new buildings or structures or extensions to buildings or structures may be restricted. Uses of properties with Holding provisions which are compatible with neighbouring uses and are in conformity with the policies of this Plan may be permitted.

5.5 Non-Conforming Uses

It is intended that a use which does not conform to the policies of this Plan will ultimately be replaced with a use which does conform to this Plan.

Where a use predating this Plan is not in conformity with the policies of this Plan, Council may consider recognizing the use on a site specific basis in the Zoning By-law where it is satisfied that:

- a) the use does not constitute a danger or a nuisance to neighbouring uses by virtue of the activity it is engaged in or the traffic which it generates or attracts;
- b) the use will not detract from the future intended land uses for the property or area; and,
- c) the Zoning would not set a precedent to encourage similar non-conforming uses to establish in the area.

Where an application is made to expand or extend a legal non-conforming use the application may be dealt with as a zone change or a minor variance. Council may consider approval of the expansion of the legal non-conforming use under the following conditions:

- a) the proposed expansion or extension shall not unduly aggravate the situation created by the existence of the use;
- b) the proposed expansion or extension shall be reasonable relative to the same size of the existing use as it existed on the date of the passing of the Zoning By-law;

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- c) neighbouring conforming uses will be protected by appropriate site plan control measures;
- d) traffic and parking conditions in the vicinity of the non-conforming use will not be adversely affected by the expansion or extension;
- e) that water, sanitary and storm drainage services and roads are adequate or will be made adequate; and,
- f) the proposed expansion or extension does not extend beyond the original parcel of land, as it existing on the date of the passing of the Zoning By-law.

5.6 Existing Vacant Lots

There are existing vacant lots previously created for residential purposes within the Agricultural Areas of the Township. New lot creation for residential purposes is not permitted in this Plan.

Existing vacant lots, however, may be used for the purposes of establishing a single detached dwelling subject to the regulations of the Zoning By-law provided they meet the Minimum Distance Separation (MDS I) formula. Existing vacant lots must also be of sufficient size to accommodate a building envelope, sewage system envelope and potable water supply.

5.7 Plans of Subdivision

A plan of subdivision under the Planning Act shall be required to ensure proper and orderly development where more than three lots are proposed to be created (two severed and one retained), a public road must be constructed, or an extension of services is required. The plan of subdivision shall be required to show a logical development scheme for the surrounding undeveloped properties. Reference shall also be made to development criteria set out in Section 3, Land Use Policies, of this Plan.

The Township Council shall recommend approval of only those plans of subdivision which comply with the policies of this Plan and which, to the satisfaction of Council, can be supplied with adequate public utilities and services such as schools, fire protection, water supply, sanitary services/facilities, and storm drainage facilities, and which would not adversely affect the economy or the financial resources of the Township of Huron-Kinloss.

5.8 Consents

A consent to sever land shall only be granted if the proposed use of the land conforms to this Plan and complies with the Zoning By-law, and where it is clear that a plan of subdivision is not necessary for the proper and orderly development of the land. Where an application for consent contravenes this Plan or the Zoning By-law, no consent shall be granted unless the Plan and/or the Zoning By-law is/are first amended.

The policies of this Plan and the requirements of the Township regarding consents to sever may be implemented through an agreement between the Township and the owner as conditions of the consent pursuant to the Planning Act.

Applications for consent to sever shall also be evaluated with the following criteria:

- a) the flexibility of the proposed severed and retained lots for future permitted uses should not be reduced;
- b) the severance should not lead to the creation of an undersized, irregularly shaped lot which is unsuited for the existing or proposed use;
- c) the availability of water supply of sufficient quality and quantity and public or private sanitary services for the severed and retained lots to the satisfaction of the appropriate approval authority;
- d) compliance with Minimum Distance Separation I (MDS I) as set out in the Township's Zoning By-law;
- e) issuance of a permit by the County of Bruce where access is proposed onto a County Road;
- f) compatibility between existing and the proposed land uses;
- g) scattered urban development throughout the planning area shall be prohibited and urban land uses shall be directed to the Village Areas, Hamlet Areas and Lakeshore Urban Area designations; and,
- h) consents shall only be granted where there is access onto an existing public road that is adequate for the proposed use.

5.9 Urban Design and Site Plan Control

Council has designated by by-law all the land within the Township as the Site Plan Control Area, as provided in the Planning Act. All development and redevelopment within the Site Plan Control Area shall be subject to site plan control with the exception of the following:

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- a) Agricultural uses; except for Intensive Livestock and Poultry Use as set out in Section 3.2.7;
- b) Single detached, semi-detached or duplex dwellings; and,
- c) Institutional development or redevelopment within the jurisdiction of the Bluewater District School Board, the District Catholic School Board, Le Conseil Scolaire De District Des Ecoles Catholiques Du Sud-Quest and Le Conseil Scolaire De District Du Centre Sud-Quest.

Within the proposed site plan control area the Township may require, as a condition of development, the provision and maintenance of facilities related to vehicular access, landscaping, parking and loading areas, grading, servicing, external lighting and other site features. Council may determine the site plan submission requirements needed to evaluate the proposed development or redevelopment.

Where development is proposed adjacent to a County Road, the Township will circulate the site plan to the County of Bruce for its review and comment. Where development is proposed within a regulated area or requires a permit from a conservation authority, the appropriate conservation authority will be circulated for review and comment.

In circumstances where a site plan is required, approval must be obtained prior to the issuance of building permits.

Site plan agreements may be required by Council and registered on title.

5.10 Property Maintenance and Occupancy Standards

Council may establish minimum standards of property maintenance and occupancy in order to improve, maintain and protect existing and future development within the Township. Section 15.1 of the Building Code Act permits Council to adopt and enforce a Maintenance and Occupancy By-law. The by-law may be applicable to all properties in the Township and may contain, among other matters, standards with respect to:

- a) maintaining properties free from refuse and abandoned or derelict vehicles, trailers, boats, machinery and equipment;
- b) maintaining buildings, yards, lands, parking, fences and storage areas;
- c) structural condition of buildings;
- d) services to buildings (e.g. plumbing, heating and electricity); and,
- e) occupancy.

Upon adoption of a Maintenance and Occupancy By-law, the Township will appoint a Property Standards Officer who will be responsible for administering and enforcing the provisions of the by-law. The Township will also appoint a Property Standards Committee in accordance with the provisions of the Building Code Act, for the purpose of hearing appeals against orders of the Property Standards Officer.

5.11 Review and Updating of By-laws

Where necessary or otherwise considered desirable, the Township will amend its existing by-laws or pass new by-laws as may be required to ensure activities are properly regulated and controlled in conformity with the land use designations and policies of this Plan.

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