



# DRAFT Walkerton Community Official Plan

Adopted: October 26, 2009

Approved: December 17, 2009

5 Year Review 2017

5 Year Review 2025

*Office Consolidations: November 2012, October 2013,  
January 2015, December 2015,  
January 2016, March 2016, May 2016, Sept. 2016, July 2017, Sept 2017, August 2018, October 2018*



**J.L. Richards**

ENGINEERS • ARCHITECTS • PLANNERS

## Table of Contents

<b>Section 1 - Introduction .....</b>	<b>6</b>
1.1    General .....	6
1.2    Municipal Setting.....	6
1.3    Purpose Of The Plan .....	7
1.4    Vision Statement .....	7
1.5    Community Goals .....	8
<b>Section 2 - Interpretation Of The Plan .....</b>	<b>10</b>
2.1    Relationship to the County Plan .....	10
2.2    Conformity to the Official Plan .....	10
2.3    Interpretation .....	10
2.4    Monitoring and Review .....	12
<b>Section 3 - Growth Management Policies .....</b>	<b>14</b>
3.1    Planning Period And Population Forecasts .....	14
3.2    Settlement Area.....	14
3.2.1    Objectives .....	14
3.2.2    Prohibited uses.....	15
3.3    Intensification .....	15
3.4    Housing Supply .....	16
3.5    Density and Tenure Targets .....	16
3.6    Affordable and Additional Needs Housing.....	17
3.7    Settlement Area Expansions.....	18
<b>Section 4 - Land Use Policies .....</b>	<b>19</b>
4.1    Residential .....	19
4.1.1    Goal.....	19
4.1.2    Actions .....	19
4.1.3    Permitted Uses.....	19
4.1.4    Low/Medium Density Residential.....	20
4.1.5    High Density Residential .....	21
4.1.6    Residential Uses Near Industry .....	21
4.1.7    Bed and Breakfast Uses .....	22
4.1.8    Home Occupations.....	22
4.1.9    Additional NeedsHousing .....	22
4.1.10    Additional Residential Unit.....	22
4.1.12    Home Child Care and Child Care Centre .....	24
4.1.13    Backyard Chickens.....	24
4.2    Historic Walkerton .....	25
4.2.1    Goal.....	25
4.2.2    Actions .....	25
4.2.3    Permitted Uses.....	26
4.2.4    Historic Walkerton Policies.....	26

# Walkerton Community Official Plan

4.2.5 Urban Design .....	28
4.2.6 Exceptions .....	29
4.3 Commercial .....	30
4.3.1 Goal.....	30
4.3.2 Actions .....	30
4.3.3 Permitted Uses.....	30
4.3.4 Commercial Policies.....	31
4.3.5 Exceptions - Commercial .....	32
4.4 Institutional and Community Facilities .....	34
4.4.1 Goal.....	34
4.4.2 Actions .....	34
4.4.3 Permitted Uses.....	34
4.4.3.1 Child Care .....	34
4.4.4 Institutional and Community Facility Policies .....	34
4.5 Business Park .....	36
4.5.1 Goals .....	36
4.5.2 Actions .....	36
4.5.3 Permitted Uses - Business Park .....	36
4.5.4 Business Park Policies .....	38
4.5.5 Existing.....	39
4.5.6 Exceptions - Business Park .....	39
4.6 Employment Area .....	41
4.6.1 Permitted Uses.....	41
4.6.2 Employment Area Policies.....	41
4.6.3 Existing.....	42
4.7 Recreation and Open Space .....	43
4.7.1 Goal.....	43
4.7.2 Actions .....	43
4.7.3 Permitted Uses.....	43
4.7.4 Recreation and Open Space Policies .....	44
4.8 Environmental Protection.....	45
4.8.1 Goals .....	45
4.8.2 Actions .....	45
4.8.3 Permitted Uses.....	46
4.8.4 Environmental Protection Policies .....	46
4.8.7 Flood Fringe Constraint Areas.....	48
4.8.7.1 Flood Fringe Constraint Area - Saugeen River .....	48
4.8.7.2 Flood Fringe Constraint Area – Silver Creek .....	50
4.9 Settlement Expansion Area A, B and C .....	52
<b>Section 5 - General Community Policies .....</b>	<b>55</b>
5.1 Economy.....	55
5.1.1 Goal.....	55
5.1.2 Actions .....	55
5.2 Heritage Resources .....	56

# Walkerton Community Official Plan

5.2.1	Goal.....	56
5.2.2	Action .....	56
5.2.3	Heritage Policies.....	56
5.2.4	Cultural Heritage Master Plan .....	60
5.2.5	Ontario Heritage Act .....	60
5.3	Community Improvement .....	61
5.3.1	Goal.....	61
5.3.2	Actions .....	61
5.3.3	Criteria for Community Improvement Area Designation .....	62
5.3.4	Community Improvement Area Designation.....	62
5.3.5	Phasing .....	63
5.3.6	Consultation with the County of Bruce .....	63
5.4	Environment .....	64
5.4.1	Goal.....	64
5.4.2	Actions .....	64
5.4.3	Natural Heritage System.....	65
a)	Key Environmental Features.....	65
b)	Supporting Features and Areas .....	65
5.4.4	Natural Hazards.....	66
5.4.5	Human-Made Hazards .....	67
a)	Site Redevelopment/ Soil Quality Assessment .....	67
b)	Land Use Compatibility and Sensitive Land Uses.....	67
5.4.6	Water Conservation Policies .....	68
5.4.7	Energy Conservation Policy.....	68
5.4.8	Tree Planting Program and Tree Removal Guidelines .....	69
5.4.9	Waste Management Policies.....	69
5.4.10	Bright Star Community Policies .....	69
5.4.11	Air Quality Policies .....	69
<b>Section 6 - Municipal Services</b>	.....	<b>71</b>
6.1	Goal .....	71
6.2	Actions.....	71
6.3	Water Supply and Sewage Disposal Policies.....	71
6.4	Storm Water Management Policies .....	72
<b>Section 7 - Transportation</b>	.....	<b>74</b>
7.1	Goal .....	74
7.2	Actions.....	74
7.3	Road Classification Policies.....	74
7.4	Road Network Policies.....	75
7.5	Road Widening Policies.....	76
7.6	Pedestrian and Bicycle Traffic Policies .....	77
7.7	Traffic Impact Assessment Policy.....	77
7.8	Parking Areas .....	77
<b>Section 8 - Implementation</b>	.....	<b>79</b>

## Walkerton Community Official Plan

8.1	Introduction.....	79
8.2	Amendments to the Official Plan .....	79
8.3	Public Consultation .....	79
8.4	Pre-Consultation .....	82
8.5	Complete Application .....	82
8.6	The Comprehensive Zoning By-Law .....	84
8.7	Minor Variances .....	85
8.8	Legal Non-Conforming Uses .....	86
8.9	Legal Non-Complying Uses .....	87
8.10	Interim Control By-laws .....	87
8.11	Holding Provisions.....	88
8.12	Parking, Payment-in-Lieu Requirements .....	89
8.13	Parkland Dedication .....	90
8.14	Site Plan Control .....	91
8.15	Plans of Subdivision and Condominium .....	96
8.16	Consent To Sever Land .....	97
8.17	Property Maintenance and Occupancy .....	99
8.18	Sign By-law.....	99
8.19	Finance .....	100
8.20	Status / Spot Zoning .....	101
<b>Section 9 - Definitions .....</b>		<b>102</b>

Schedule A: Land Use Plan

Schedule B: Roads Plan

Schedule C: Natural Heritage System

Schedule D: Natural Hazards

Appendix A: The Conservation and Maintenance of Storefronts  
(Note #8 Architectural Conservation Notes)

## Section 1 - Introduction

### 1.1 General

This Plan is entitled “The Walkerton Community Official Plan.”

The Walkerton Community Official Plan consists of the following text, together with the following schedules.

- *Schedule ‘A’ Land Use*
- *Schedule ‘B’ Roads*
- *Schedule ‘C’ Natural Heritage System*
- *Schedule ‘D’ Natural Hazards*

### 1.2 Municipal Setting

The Municipality of Brockton, including the Walkerton community, is within the territory of the Anishinabek Nation: The People of the Three Fires known as Ojibway, Odawa, and Pottawatomie Nations. The Municipality further gives thanks to the Chippewas of Saugeen, and the Chippewas of Nawash, known collectively as the Saugeen Ojibway Nation, as the traditional keepers of this land.

Walkerton is a thriving centre of 5,000 people situated in the southeast corner of Bruce County along the banks of the Saugeen River.

In 1999 the Town of Walkerton amalgamated with the Townships of Brant and Greenock to form the new Municipality of Brockton.

The Walkerton community is centrally located in the heart of some of Bruce-Grey’s most fertile farmland, at the junction of County Road 4 and Highway No. 9. Functioning as a regional service centre and the county seat, Walkerton has a diverse economy with a strong manufacturing base, government administration and numerous institutional services.

Walkerton has a long-standing tradition of land use planning, extending back to 1962 when the first Walkerton Planning Area was defined. In 1965, the Town adopted its first Official Plan, followed by its first restricted area zoning by-law in 1966.

In 2001, the Municipality of Brockton adopted its first Official Plan for the Walkerton Community. In 2009 the Walkerton Community Official Plan was reviewed and updated. The Official Plan was comprehensively reviewed and updated in 2016 and 2025, respectively.

Walkerton is bisected by the Saugeen River valley which provides scenic beauty, recreation, and tourist opportunities to the community.

Adjacent to the Saugeen River, the downtown provides a focus to the community. There is an opportunity to improve downtown retail and other facilities and increase attraction from the surrounding area.

As an urban centre, Walkerton has a full complement of municipal services including water supply and sewage treatment systems. The ongoing maintenance and improvement of these facilities is required for continued community growth.

### **1.3 Purpose Of The Plan**

The general purpose of the Official Plan is to provide for the orderly development of the community of Walkerton. Due to the Plan's specific focus on Walkerton, the policies within the Plan are limited to planning matters that require specific attention above and beyond the policies that are contained within the Bruce County Official Plan. The Plan contains policies regarding the distribution of land uses, the provision of community services, and the classification of the road pattern.

The Plan contains goals, actions and policies intended to assist Municipal Council, municipal staff, developers, government agencies and the public in their efforts to strengthen the economic, environmental and social fabric of Walkerton. The Plan will additionally guide private business and citizens when making decisions concerning future land use, development and investment.

The Plan proposes an active program of municipal improvement to enhance the function, form and amenities of the downtown area.

The Official Plan is intended to function as a major policy document to the year 2046.

### **1.4 Vision Statement**

Walkerton's Vision is based on ensuring the highest quality of life possible for all its residents.

Walkerton will continue to play a prominent regional role and create a positive economic climate for new investment and employment opportunities. These new opportunities will capitalize on the Community's tourism potential, the retention and attraction of industry, community support of its institutional employers, downtown revitalization and record of environmental leadership.

Future growth in Walkerton will complement its small town character and heritage identity.

The Saugeen River, the major natural feature in the community, is to be protected and enhanced and utilized for recreation, tourism, and appreciation of its scenic beauty.

## 1.5 Community Goals

This Plan contains goals, objectives and policies established primarily to manage and direct physical change and the effects on the social, economic, built and natural environment of the municipality.

- a) To strengthen the downtown area as the commercial, entertainment and administrative centre of Brockton and the surrounding area.
- b) To ensure sufficient lands are provided for a balanced commercial base that serves the need of area residents and visitors.
- c) To promote a mixed and affordable supply of housing to meet the present and future needs of all segments of the community.
- d) To provide a positive economic climate to attract industry, encourage private investment, create a wide range of employment opportunities, and enhance a balanced municipal assessment base.
- e) To promote the attraction and retention of light and environmentally clean industry to diversify the economic base and provide employment opportunities.
- f) To support and maintain Walkerton's position as a focal point in Bruce County by enhancing existing regional and community institutions for their economic, social and cultural importance.
- g) To protect and preserve lands exhibiting sensitive *natural heritage features*.
- h) To protect and preserve lands having inherent physical and environmental constraints to development, in order to avoid potential danger to life or property from the use of such lands.
- i) To support climate mitigation and adaption through planning for 'complete communities' and encouraging energy conservation and efficiency.
- j) To ensure a broad range of recreation and open space opportunities are available for all residents and visitors.
- k) To protect and enhance Walkerton's built, landscape and archaeological heritage, for its cultural, historic, aesthetic and economic value.
- l) To protect and enhance Walkerton's healthy environment by minimizing air, water and land pollution, and through the wise use of the area's natural resources.
- m) To improve community facilities and 'infrastructure' to address social, environmental and economic needs of the community.

- n) To provide a full range of affordable municipal services to meet the economic, social and environmental needs of the community.
- o) To provide a transportation network which allows for the efficient movement of goods and people, and facilitates economic activities within the community.
- p) To encourage the enhancement and, where possible, protect and preserve those lands comprising the Walkerton Natural Heritage System.

DRAFT

## Section 2 - Interpretation Of The Plan

### 2.1 Relationship to the County Plan

The Walkerton Community Official Plan must conform to the Official Plan of Bruce County. The County Plan contains broad policies involving County responsibilities, and provincial interests, and deals with planning matters affecting two or more local municipalities.

The Walkerton Community Official Plan addresses the unique characteristics, special needs and social and economic aspirations and goals of the local Municipality as they relate to Walkerton.

The Walkerton Community Official Plan provides the needed additional policy detail to appropriately guide development and municipal initiatives within Walkerton. This plan purposely avoids repeating applicable policies that are contained within the Bruce County Official Plan. In order to ascertain the full scope of Official Plan policies, both the Bruce County Official Plan and the Walkerton Community Official Plan must be consulted.

In the event of a conflict between the County of Bruce Official Plan and the Walkerton Community Official Plan, the County Official Plan prevails to the extent of the conflict, but in all other respects the Walkerton Community Official Plan remains in effect.

### 2.2 Conformity to the Official Plan

No municipal or public work shall be undertaken and no by-law passed for any purpose that does not conform to this Plan.

All public works undertaken by all other levels of government and other public agencies shall conform with this Plan, except where exempted under provincial or federal legislation.

### 2.3 Interpretation

#### 2.3.1 Language

This Plan may establish policies using directive (e.g. “shall”, “will”) or enabling (e.g. “may”) language. These auxiliary verbs are to be interpreted in the following context:

- a) “may” means that the policy is permissive;
- b) “should” means that the policy is directive and requires compliance unless proven otherwise on good planning grounds; and,
- c) “shall” or “will” means that the policy is mandatory

When using this Plan, attention must be given to such language for appropriate implementation of each policy.

The implementation of this Plan will take place over time and the use of words such as “shall”, “will” or “must” should not be construed as the Municipality’s commitment to proceed with all of the undertakings in this Plan immediately. These undertakings will typically occur in a phased manner, subject to budgeting and program availability.

### **2.3.2 Plan Boundaries**

The external boundaries of the Walkerton community are fixed. Expansions to the Walkerton urban area outside of a comprehensive review may be permitted in accordance with Section 3.2 of this Plan. The boundaries between land use designations on Schedule “A” Land Use Plan are to be considered approximate, except where they coincide with property lines, roads, former railway corridors, rivers or streams, or other similar geographic barriers. Amendments to this Plan shall not be required to make minor adjustments to the approximate land use boundaries, provided the general intent of the Plan is maintained.

It is recognized that the boundaries of the Environmental Protection designation may be imprecise and subject to change. The Municipality shall determine the extent of the environmental areas on a site-by-site basis when considering development proposals, in consultation with the appropriate agencies. Any refinement to the Environmental Protection designation as directed by the Conservation Authority shall not require an amendment to this Plan.

Where a lot is within more than one designation on the Schedules to this Plan, each portion of the lot shall be used in accordance with the applicable policies of that designation.

### **2.3.3 Road Locations**

The location of roads as indicated on Schedule B shall be considered as approximate. Amendments to this Plan will not be required in order to make minor adjustments or deviations of the locations of roads provided the general intent of the Plan is maintained.

### **2.3.4 Uses**

Whenever a use is permitted in a land use designation, it is intended that uses, buildings or structures normally incidental, and accessory to that use are also permitted.

### **2.3.5 General**

It is intended that all figures and quantities contained within this Plan be considered as approximate only. Amendments to this Plan shall not be required to permit any reasonable deviation from any of the figures and quantities,

provided the general intent of the Plan is maintained.

Specific policies of this Plan should not be viewed in isolation but rather should be interpreted along with the intent of the Walkerton Vision Statement, Community Goals, and relevant actions and policies contained within the Plan. When determining whether a development proposal conforms to the Plan, [Section 1.5](#) Community Goals may be used to assist in the review process.

Words that are defined in Section 9 are identified through ‘single quotation marks’. Additional Notes and Boxes may be included in the text and on the Schedules for reference, clarification and convenience purposes. Information of this nature is subject to addition, change and/or deletion without an Amendment to this Plan.

Changes and corrections to spelling, grammatical errors, references including references to other legislation or documents and/or internal referencing and the renumbering of sections and subsections shall not require an Amendment to this Plan.

## **2.4 Monitoring and Review**

The Walkerton community will continue to change. As a result, this Plan should be seen as an evolving document, requiring review and revision every five years to ensure the policies reflect changing economic, social and financial circumstances.

- a) In order to assess the effectiveness of the Plan, the Municipality shall initiate an ongoing monitoring program which may include an assessment of:
  - i) The adequacy of lands available to support anticipated development;
  - ii) Demographic, social and physical changes to the community;
  - iii) Effectiveness of the community improvement, land use and servicing policies of the Plan;
  - iv) Changes in County or Provincial policies which impact upon the relevance of the Plan;
  - v) The quality of the community’s environment; and
  - vi) The capacity and operational efficiency of municipal water supply and sewage treatment facilities to accommodate anticipated growth.
- b) In addition to the ongoing monitoring program, the Municipality shall carry out a formal public review of the Official Plan at least every 10 years. As part of the Ten Year Review, the Municipality shall hold at least one public meeting and open house to obtain the public’s views, in accordance with the Planning Act.

The Municipality shall notify all agencies and ministries involved in the review of planning decisions as part of conducting the Ten Year Review.

The Municipality shall prepare a report which summarizes the comments received from government agencies and ministries and the general public, along with the components of the Official Plan that the Municipality believes are in need of revision, as determined by the monitoring program. This report shall be available at a public meeting prior to adopting the revision to the Official Plan.

DRAFT

## Section 3 - Growth Management Policies

### 3.1 Planning Period And Population Forecasts

The Official Plan is based on a planning period to the year 2046. The designation of lands in this Plan should allow for effective market operation, competition and choice.

The population forecast for the Walkerton community is set out as follows:

2021	4,777
2026	5,427
2036	6,700
2046	7,600

Population growth will be monitored regularly. Periodic updates to the above population forecasts may occur without amendment to this Plan. If major variances emerge between observed growth rates and the population forecasts, a review of this Plan may be initiated by Council.

### 3.2 Settlement Area

Walkerton is the primary urban ‘settlement area’ within the Municipality of Brockton. The majority of growth in the Municipality will be directed to Walkerton, which will provide for a mix of different land uses and achieve higher densities than the surrounding rural communities. The Official Plan applies only to Walkerton.

#### 3.2.1 Objectives

- a) To build a compact, vibrant and ‘complete community’ within Walkerton.
- b) To manage growth and support a strong and competitive economy.
- c) To provide a diverse mix and range of land uses to meet the needs of current and future residents.
- d) To provide for a diverse mix of housing options to meet the needs of households of different sizes, ages and incomes, including affordable housing, additional residential units and additional needs housing options.
- e) To be a significant cultural, commercial and residential centre in the Municipality and conserve cultural heritage resources in the community for the long term.
- f) To facilitate a walkable community, which supports various forms of active transportation and the provision of future transit services.
- g) To protect and enhance natural features and areas, including hazard lands and environmentally sensitive areas.

### 3.2.2 Prohibited uses

- a) New livestock operations and the expansion of existing livestock operations, beyond the existing livestock unit capacity calculated, is prohibited within Walkerton.

### 3.3 Intensification

- a) It shall be the policy of the Municipality to encourage the 'intensification' of the existing settlement area on vacant lots and underdeveloped lots. The scale of an Intensification proposal shall take into consideration the size of the vacant or underdeveloped lot and its existing or planned context
- b) 'Intensification' will be encouraged along Yonge Street North and in proximity to existing or proposed commercial uses to facilitate the creation of walkable mixed use areas.
- c) The Municipality shall target 20 percent of all new housing to be created through 'intensification'.
- d) 'Intensification' shall be encouraged in areas where full municipal services are available, roads and utilities currently exist and in areas within close proximity to the downtown and along urban arterial roads including Jackson Street South, Young Street South and Durham Street.
- e) The Municipality shall support a wide range and mix of 'housing options', zoning standards and subdivision design standards to provide a full range and mix of housing options.
- f) The Municipality shall encourage 'intensification' where there is an opportunity for residential units above floor-grade commercial establishments.
- g) 'Intensification' proposals requiring a zoning by-law amendment or minor variance should take into consideration existing building heights on abutting properties, massing, density, lot coverage, parking and yard setbacks in order to mitigate impacts on immediate neighbouring property owners.
- h) A suitable transition indensities, building forms and heights should be provided from adjacent developments.
- i) Existing trees, vegetation and open space should be retained and enhanced where possible.
- j) 'Intensification' proposals may require a lot grading and drainage plan which addresses potential impacts on abutting properties.

k) The Municipality may develop a program to monitor growth by ‘intensification’ and evaluate the feasibility of achieving the intensification target established in 3.3.c).

### 3.4 Housing Supply

- a) The Municipality shall strive to maintain at all times a three (3) year supply of residential units on lands suitably zoned to allow residential intensification and redevelopment, including units in draft approved and registered plans to accommodate residential demand.
- b) The Municipality shall seek to improve access to ‘affordable’ and ‘additional needs housing’ through a number of initiatives including incentive programs .
- c) The Municipality shall maintain a fifteen (15) year supply of lands designated for residential development.

### 3.5 Density and Tenure Targets

- a) The Municipality of Brockton hereby sets the following Targets for new Housing:

Housing Unit Type:	70% single-detached, semi-detached, duplex and triplex dwellings  30% townhouse, apartment and other multi-unit dwellings
Housing Tenure:	70% ownership housing  30% rental housing

- b) The Municipality shall encourage housing forms and densities designed to be affordable to moderate and low income households.
- c) The residential portion of all subdivisions, condominiums or multi-unit/multi- lot developments that are serviced by municipal sewer or communal sewer shall have a minimum density of no less than 20 ‘dwelling units’ per ‘gross developable hectare’ (8.1 dwelling units per ‘gross developable’ acre). The County of Bruce, as the approval authority, may grant a reduced density when justified and appropriate.
- d) Notwithstanding section 3.5.c), infill development may be permitted to achieve a density of less than 20 ‘dwelling units’ per gross hectare provided the infill development increases the number of dwelling units beyond what currently exists.

- e) In considering whether to grant a reduced density under section 3.5.c), the following will be considered:
  - i. Whether existing or planned development in proximity to the site exceeds the minimum density target.
  - ii. The existing pattern of development of adjacent lands.
- f) The Municipality shall review their progress in meeting the Housing Targets at the time of a new Official Plan or during a future review of this Official Plan.

### **3.6 Affordable and Additional Needs Housing**

- a) The Municipality shall:
  - i) Encourage, and assist where possible, the development of 'affordable housing' and 'additional needs housing' initiatives;
  - ii) Expedite the development approvals process and other administrative requirements for 'affordable housing' initiatives;
  - iii) Apply more innovative and flexible zoning to 'affordable housing' initiatives if required;
  - iv) Utilize incentives to encourage the development of 'affordable housing' and 'additional needs housing';
  - v) Implement government housing programs for 'affordable housing';
  - vi) Work with the County of Bruce to achieve the County-wide affordability target that at least 30% of new housing be affordable; and
  - vii) Encourage a mix and range of 'affordable housing' types and tenures.
- b) The Municipality may implement these policies within a Community Improvement Plan to provide guidance on how to dispose of municipally-owned lands for the purpose of 'affordable housing', and how the Municipality can provide financial assistance for affordable housing projects on these properties.

### **3.7 Settlement Area Expansions**

‘Settlement area’ expansions in Walkerton shall only occur through an amendment to this Official Plan in accordance with the policies of the Bruce County Official Plan. In addition to the policies from the Bruce County Official Plan and Provincial Planning Statement, in considering a ‘settlement area’ expansion, the Municipality shall be satisfied that:

- a) That the appropriate school boards have been consulted and an evaluation for the future land needs for elementary and/or secondary schools has been complete.
- b) That a conceptual plan has been provided illustrating how the area will be coordinated with existing and future development.
- c) Where the proposed settlement boundary expansion includes lands fronting onto County or Provincial Roads, that the relevant approval authority has been consulted to determine appropriate intersection locations and whether individual driveway connections shall be prohibited.

## Section 4 - Land Use Policies

### 4.1 Residential

This Plan forecasts a population of approximately **7,600** by the year 2046. To accommodate this growth, the Community requires approximately **1,470** new housing units between 2021 and 2046.

Given the current aging population and the desire to attract new families, it is the intent of the Municipality to satisfy a range of market needs for households of different sizes, ages and incomes. .

#### 4.1.1 Goal

**To provide opportunities for a range of housing options and densities to accommodate a diversity of lifestyles, age groups, income levels and persons with special needs in order to create a ‘complete community’.**

#### 4.1.2 Actions

- a) Ensure a reasonable supply of building lots and blocks for future residential development.
- b) Encourage a wide range of housing options and designs to accommodate persons with diverse social and economic backgrounds, needs and desires while promoting the maintenance and improvement of existing housing.
- c) Establish a water and wastewater capacity allocation by-law.
- d) Promote the efficient use of existing and planned ‘infrastructure’ by creating the opportunity for various forms of residential ‘intensification’, where appropriate
- e) Encourage the conversion of single detached dwellings, in appropriate locations, into multiple residential units and the recreation of new residential units on vacant or underdeveloped lots.
- f) Co-ordinate the provision of parks and open space and pedestrian connections to promote livable neighbourhoods.
- g) Provide ‘affordable’ and ‘additional needs housing’ opportunities for community members with different needs
- h) Achieving the housing targets set out in Section 3 of this Plan.

#### 4.1.3 Permitted Uses

- a) Lands designated Residential shall be predominantly used for single-

detached, semi-detached, duplex, three-plex, street, block and stacked townhouse, apartment dwellings, long term care facilities, seniors'/retirement homes and additional needs housing.

- b) Rooming, boarding, group homes and lodging houses, may be permitted.
- c) 'Additional residential units' shall be permitted in addition to a principal dwelling accordance with the provisions of Section 4.1.10.
- d) Other uses compatible with residential neighbourhoods may also be permitted including such uses as public parks, bed and breakfast operations, home occupations, group homes, home child care, child care centres and local commercial uses.
- e) Elementary and/or secondary schools;
- f) Fire, police, ambulance stations, municipal services, places of worship and public libraries. All of the foregoing permitted uses shall be subject to the policies of Section 34.4 Institutional and Community Facility Policies; and,
- g) The policies of Section 4.8.7 ' Flood Fringe Constraint Areas' shall apply to the establishment of new uses, new 'additional residential units, conversions of existing uses and/or enlargement of existing uses on lands within the Flood Constraint Areas as shown on Schedule 'A'.

#### **4.1.4 Low/Medium Density Residential**

- a) Low/Medium density residential development includes single detached, semi-detached, duplex dwellings, triplexes, fourplexes and townhouses to a maximum density of 50 units per net hectare
- b) New multi-unit residential building proposals shall address the following criteria:
  - i) Where adjacent to single detached or semi-detached dwellings, development shall maintain a low building profile to conform visually to the adjacent low-rise residential areas. This may be achieved through transitioning between areas by maintaining compatibility at the edges of a development, then shifting to higher forms/density towards the interior of the development. New development shall respect the massing, composition, and architectural design of the surrounding area.
  - ii) Provides adequate off-street parking in accordance with the requirements of the zoning by-law;
  - iii) Provides appropriate access and circulation for vehicular traffic, including emergency vehicles;

- iv) Location on a site that has adequate land area to incorporate the building, an outdoor amenity area, and appropriate buffering such as setbacks, landscaping and fencing to ensure the compatibility of the use with adjacent land uses;
- v) Suitable, lot grading, and drainage.

- c) Multiple residential development having more than 10 units shall be subject to Site Plan Control under Section 8.15 of this Plan.

#### 4.1.5 High Density Residential

- a) High density residential development includes apartment buildings with a maximum height of five storeys above grade.
- b) In considering rezoning applications for new high density residential development, Council shall consider the following criteria in addition to those criteria identified in Section 4.1.4 (b) of this Plan:
  - i) where adjacent to low-density residential areas, development shall maintain a low building profile to conform visually to the adjacent low-rise residential areas. This may be achieved through transitioning between areas by maintaining compatibility at the edges of a development, then shifting to higher forms/density towards the interior of the development. New development shall respect the massing, composition, and architectural design of the surrounding area. The adequacy of the local street network to accommodate traffic from the development;
  - ii) The availability of adequate off-street parking and appropriate access and circulation for vehicular traffic, including emergency vehicles; and,
  - iii) Suitable landscaping, lot grading, drainage and on-site amenities.
- c) Multiple residential development having more than 10 units shall be subject to Site Plan Control under Section 8.14 of this Plan.

#### 4.1.6 Residential Uses Near Industry

Where development is proposed in proximity to an industrial use, residential development will only be permitted where it satisfies the Ministry of Environment & Climate Change Guideline D-6 'Compatibility between Industrial Facilities and Sensitive Land Uses'.

#### **4.1.7 Bed and Breakfast Uses**

Bed and breakfast operations may be permitted within single detached homes in the Residential designation subject to the requirements of the Comprehensive Zoning By-law.

#### **4.1.8 Home Occupations**

Home occupations are an important means of realizing small business start-ups and self-employment. Home occupations may be permitted within the Residential designation subject to the requirements of the Comprehensive Zoning By-law.

- a) The Comprehensive Zoning By-law shall provide regulations for home occupations which:
  - i) Include a list of permitted home occupation uses and their location on a lot;
  - ii) Restrict the number of people which may be employed in the home occupation;
  - iii) Provide a maximum percentage of the floor area of the residence or accessory building which may be used for the home occupation;
  - iv) Ensure the maintenance of the external appearance of the residence, regulate outside storage and control exterior signs; and,
  - v) Provide appropriate parking standards for such uses.

#### **4.1.9 Additional Needs Housing**

- a) The Municipality shall seek to improve access to housing for people with different needs, including assisted housing for low income earners, seniors housing, 'additional needs housing' etc.
- b) The Municipality shall work with local groups to determine special housing needs and support local efforts for appropriate applications and proposals for 'additional needs housing'.
- c) The Municipality shall consider alternative approaches to providing housing specifically targeted to the future senior population.

#### **4.1.10 Additional Residential Unit**

An Additional Residential Unit is a self-contained dwelling unit which may take the form of a basement apartment, secondary suite or other secondary

residential dwelling unit located on the same lot as the permitted primary residential dwelling. An Additional Residential Unit may be located within a single detached dwelling, semi-detached dwelling or townhouse or within a permitted accessory building. Additional Residential Unit(s) are permitted in conjunction with a permitted residential use in accordance with the following criteria

- a) Up to two Additional Residential Units, for a total of 3 units including the principal dwelling, shall be permitted on a residential lot with access to full municipal water and wastewater services and that contains a single-detached dwelling, semi-detached dwelling or townhouse dwelling. Such Additional Residential Unit(s) may be located:
  - i) Within the principal single detached, semi-detached or townhouse dwelling; and/or
  - ii) Within a detached accessory building that is ancillary to the principal dwelling unit on the lot. A maximum of one (1) Additional Residential Unit may be permitted in a detached accessory building.
- b) Where a garden suite approved in accordance with Section 39.1 of the Planning Act exists, only one (1) Additional Residential Unit within the principal dwelling shall be permitted.
- c) The Additional Residential Unit (s) shall be located on the same lot as the principal dwelling unit and shall be compatible in design and subordinate in scale and function to the primary dwelling unit;
- d) Adequate potable water and wastewater treatment shall be available to accommodate the Additional Residential Unit(s);
- e) An Additional Residential Unit shall not be permitted on lands without full municipal water and wastewater services where the lot is less than 0.4 ha in area;
- f) One Additional Residential Unit shall be permitted on a residential lot that is 0.4 ha or greater in area and that does not have access to full municipal water and wastewater services;
- g) The requirements for parking, access and landscaping as set out by the Zoning By-law are met;
- h) Are located fully outside of the 'floodway' and have safe access during times of flooding, erosion and other hazards.
- i) Where Additional Residential Units are located in the 'flood fringe', they shall be subject to SVCA requirements including the need for a SVCA permit. The implementing Zoning By-law may establish maximum lot

coverage considerations to ensure sufficient permeable area is available to help absorb stormwater;

- j) Additional Residential Unit(s) shall be prohibited on hazard lands, lots within the one-zone floodplain or within any lands designated Environmental Protection; and,
- k) No separate access from a Municipal or County Road shall be permitted to accommodate the Additional Residential Unit(s), except on corner lots on Municipal roads where each access connects to a different street.

#### **4.1.12 Home Child Care and Child Care Centre**

Home child care and child care centres may be permitted in the residential designation subject to criteria outlined in the Comprehensive Zoning By-law.

#### **4.1.13 Backyard Chickens**

The Municipality may adopt a by-law to permit and regulate backyard chickens in residential areas

## 4.2 Historic Walkerton

Historic Walkerton is the historic main street area of Walkerton and the surrounding residential and institutional blocks. The buildings and street block fabric exhibit an older established style with many buildings built up to the street line. Historic Walkerton contains a large part of the community's retail and service businesses that serve residents within and beyond Walkerton itself. The Historic Walkerton policies are intended to promote and enhance the viability of this vibrant commercial area.

### 4.2.1 Goal

**To promote Historic Walkerton as the primary commercial, retail, and service hub of the community, while supporting local businesses by facilitating mixed-use development and enabling opportunities for medium density residential infill in areas outside Durham Street.**

### 4.2.2 Actions

- a) Actively promote Historic Walkerton as the focus for retail and service activity within the Community and Municipality.
- b) Encourage the development of a compact and pedestrian friendly area.
- c) Provide for suitable opportunities for pedestrian access, visual connectivity and functional interaction with the Saugeen River valley.
- d) Prepare design guidelines accordingly for use in improvement programs such as the following:
  - i) Develop programs as empowered through the Planning Act, Municipal Heritage Preservation Act, Municipal Act, other legislation and municipal expenditures, that ensures that new development complements the existing Victorian character of Durham Street and associated side streets within Historic Walkerton;
  - ii) Promote the development of programs that encourage the co-operation of the property owners and business operators to embrace the themed image of Historic Walkerton in their promotional programs.
- e) Improve the streetscape of Historic Walkerton by undertaking improvements such as lighting, regulation of signage, the provision of street furniture and rest areas, and the co-ordination/provision of tree planting.
- f) Encourage the provision of a sufficient supply of safe and convenient parking for the uses within Historic Walkerton. "Safe" parking includes on-street parking and centralized off-street parking lots that are primarily accessed by non-arterial roads.

- g) Encourage infill on vacant or under-utilized sites in a manner which is compatible with the existing built form.
- h) The Municipality, in conjunction with other community groups, agencies and service clubs, will promote festivals and community events to be programmed on suitable lands within Historic Walkerton and shall specifically work towards improvements to the physical 'infrastructure' to facilitate such events and festivals. It is recognized that such events and festivals are effective in maintaining a healthy and viable community core. It is further recognized that certain existing land uses would be impacted by such activities so they shall be managed in a manner that minimizes any negative impact.

#### 4.2.3 Permitted Uses

The predominant use of lands shall be for a wide variety of commercial, retail (large and small formats), office, personal service, administrative, cultural, institutional, health/medical and entertainment uses. Other uses which are supportive such as seasonal/temporary outdoor uses such as farmer's market, street festivals/events, etc. shall also be permitted.

The following residential uses shall also be permitted:

1. Apartments above or behind the predominant use of the building.
2. Existing residential uses and new or existing accessory structures thereto.
3. New townhouse or apartment buildings provided the use complies with the policies of section 4.1.5 and the development is not located along Durham Street or Jackson Street South.
4. New low/medium density residential infill on vacant lots created by way of consent provided the lot abuts an existing residential use and the lot does not abut Durham Street.
5. Additional Residential Dwelling Units in accordance with section 4.1.12 that are accessory to a residential use that is permitted by this section.

The implementing Comprehensive Zoning By-law may prohibit those land uses which, by virtue of their potential emission(s) of noise, odour, dust, vibration, or light, create a nuisance.

The policies of Section 4.8.7 'Flood Fringe Constraint Areas' shall apply to the establishment of new uses, conversion of existing uses and/or enlargement of existing uses on lands.

#### 4.2.4 Historic Walkerton Policies

- a) The continuation of the existing building style found in Historic Walkerton designation shall be required for any new development or redevelopment with the exception of measures required to meet any flood or other regulatory provision.
- b) Development and redevelopment within the Historic Walkerton designation shall be compatible with cultural heritage resources, which include 'significant' buildings, structures, landscapes, vistas and/or archaeological sites of historic value and shall be assessed based on Section **Error! Reference source not found.** of this Plan.
- c) The Municipality shall provide for the improvement of the streetscape including public lanes, provision of street furniture and rest areas, the identification of pedestrian crossings, the planting of trees, the improvement of facades, and the regulation of signage.
- d) The Victorian image of Durham Street shall be enhanced through the use of planning powers and public works programs. Private developments are encouraged to comply with this themed image for the area and to co-ordinate their own promotional programs around this theme.
- e) The Municipality encourages the strengthening of linkages between the downtown and the Saugeen River to enhance the attractiveness of these two community resources.
- f) The Municipality requires that any desired additional off-street parking facilities be located to the rear and side of buildings. New off-street parking spaces are explicitly prohibited in front of existing or proposed buildings in the Historic Walkerton designation.
- g) Notwithstanding the above, a parking space in the form of a single car driveway may be permitted for a single detached, semi-detached, duplex or triplex dwelling that is permitted under section 4.2.3, provided the driveway is not accessed by Durham Street.
- h) Commercial, institutional, and multi-residential off-street parking, driveways and/or loading areas adjacent to residential uses shall be suitably screened or buffered through the use of fences, berms or other appropriate landscape treatment as detailed in the Comprehensive Zoning By-law.
- i) The Municipality will manage the supply of public parking within the Historic Walkerton designation by owning and operating centralized municipally-owned parking lots, and by managing on-street parking using economic controls such as time-limited parking enforcement or paid on-street parking. The Municipality will not attempt to manage parking within the Historic Walkerton designation by imposing minimum off-

street parking requirements within the Zoning By-law.

- j) The Municipality may enter into an agreement with an owner of a building which is being developed or redeveloped within the Historic Walkerton designation, to provide for payment-in-lieu of parking in accordance with Section 8.12. Section 5.3.4 (a) establishes Historic Walkerton as a Community Improvement Area.

#### **4.2.5 Urban Design**

- a) New buildings in the Historic Walkerton designation are encouraged to be designed to maintain the historic character of the downtown.
- b) Commercial buildings shall be designed according to the following guidelines:
  - i) Buildings shall be a minimum of two storeys in height and a maximum of four storeys;
  - ii) Building materials are encouraged to be primarily brick or stone that matches the colour and texture of existing buildings;
  - iii) Building front facades are encouraged to include the following elements:
    - base panel;
    - display window on the first floor;
    - transom windows
    - sign band;
    - horizontal courses between floors;
    - sills and lintel window details;
    - cornice at the roof line;
  - iv) Buildings shall be located close to the street and should match the established building line. Buildings may be set further back than the established building line where the development is incorporating desirable urban design elements that improve the aesthetic of the streetscape and contribute to a desirable public realm, such as the inclusion of a partially-enclosed front patio that abuts the sidewalk.;
  - v) Municipal parking lots are permitted in all yards;

- vi) New vehicular entrances that provide access to permitted parking spaces are prohibited on Durham Street between Peter Street and McNab Street; and,
- vii) Signs shall be externally lit, not internally illuminated.

#### 4.2.6 Exceptions

##### Reuber Car Care/McArthur Windows & Doors (BRKOPA #12-15.36)

4.2.6.1 Notwithstanding the policies of Section 4.2 and 4.8.7 Flood Fringe Constraint Areas, the following provisions apply to the lands identified as Site Specific Policy Area 4.2.6.1 on Schedule 'A' - General Land Use Plan:

- i) A By-law may be passed and approved that recognizes limited automobile related uses and large format retail or wholesale uses on the property;
- ii) All required permits and/or approvals required for the expansion of any principal structure shall be obtained from the Saugeen Valley Conservation Authority (SVCA); and,
- iii) All other applicable policies of Section 4.2 and 4.8.7.1 Flood Fringe Constraint Area - Saugeen River shall apply.

## 4.3 Commercial

Walkerton's 'Commercial' designation is not a single contiguous area but is comprised of multiple areas that surround 'Historic Walkerton' and extend along the Yonge Street South corridor. Unlike 'Historic Walkerton', the building structures in the 'Commercial' designation are typically set back from both the street line and the property lines.

The 'Commercial' designation includes a wide variety of commercial uses. The area is essentially built out in that there are few vacant lots available. Any change to an existing use may be constrained due to abutting residential uses in some cases.

### 4.3.1 Goal

**To ensure future development and redevelopment in the 'Commercial' designation compliments the 'Historic Walkerton' designation while providing for additional commercial opportunities.**

**To ensure that the Commercial designation, together with the Historic Walkerton designation, remains the prime commercial area within Walkerton.**

### 4.3.2 Actions

- a) Encourage the development of commercial uses which foster a more pedestrian-oriented environment oriented to both the Saugeen River and the historic downtown.
- b) Ensure site development standards shall achieve high quality development that is in keeping with the existing scale, density, nature and character of existing development.
- c) Recognize that the Commercial areas are part of the major entranceways into Walkerton and should be enhanced through appropriate signage and landscape features.

### 4.3.3 Permitted Uses

Commercial Permitted Uses will compete directly with those in Historic Walkerton and other designations but the Permitted Uses may in many cases be able to provide for on-site parking and a building style that is distinct from Historic Walkerton.

The predominant use of lands shall be for a wide variety of commercial, retail (large and small formats), office, personal service, administrative, cultural, institutional, health/medical and entertainment uses. Other uses which are supportive such as seasonal/temporary outdoor uses including farmer's markets, street festivals/events, etc. shall also be permitted.

'Child Care Centre', in accordance with Section 4.1.12. 'Home Child Care', shall be permitted.

Residential uses, in the form of an apartment(s) above or behind the predominant use of the building, shall be permitted.

Motor vehicle related uses such as repair, servicing, fueling stations etc. that are more ideally located within the Business Park 1 or Business Park 2 designation shall not be permitted in the Commercial designation.

The implementing Comprehensive Zoning By-law may prohibit those land uses which, by virtue of their potential emission(s) of noise, odour, dust, vibration, or light, create a nuisance.

The implementing Comprehensive Zoning By-law may prohibit those land uses which use flammable, corrosive or noxious materials in any process due to their potential impact on public health and/or safety.

The policies of Section 4.8.7 'Flood Fringe Constraint Areas' shall apply to the establishment of new uses, conversion of existing uses and/or enlargement of existing uses on lands.

#### **4.3.4 Commercial Policies**

- a) A variety of urban forms may be built including plazas, free standing stores and mixed use buildings. On properties abutting Historic Walkerton the continuation of the Historic Walkerton façade and building style shall be encouraged where appropriate.
- b) In a mixed use building, residential uses shall be located at the rear of the first storey or on the second storey and above, and the façade of the building shall predominantly be the location of commercial uses.
- c) To ensure Commercial lands develop as attractive entrances to the Walkerton the following site development standards shall apply:
  - i) Off-street parking, driveways and/or loading areas adjacent to residential uses shall be suitably screened or buffered through the use of fences, berms or other appropriate landscape treatment as detailed in the Comprehensive Zoning By-law;
  - ii) Buffer planting shall be provided between the Commercial use and any adjacent residential and/or institutional use as detailed in the Comprehensive Zoning By-law;
  - iii) Safe traffic circulation utilizing turning lanes, consolidation of vehicular access points, a provision of a common internal traffic

circulation between parcels and safe, well-defined pedestrian walkways should be provided from the street to the store entrances;

- iv) The implementing By-law shall require a consistency of building setbacks from the road;
- v) Developers are encouraged to construct new/renovate buildings with regard to the design policies of 4.24.2.5 Urban Design;
- vi) Building heights shall be limited to four storeys.

d) The Municipality will encourage the strengthening of linkages, physical and visual, between the Commercial area abutting the Saugeen River in the McNab Street vicinity to enhance the attractiveness of this location; and

e) The Municipality will manage the supply of public parking throughout Walkerton.

f) The Municipality may enter into an agreement with an owner of a building which is being developed or redeveloped within the Commercial designation, to provide for payment-in-lieu of parking in accordance with Section 8.12.

g) The Municipality shall provide for improvement of the streetscape, provision of street furniture and rest areas, the identification of pedestrian crossings, the planting of trees, the improvement of facades, and the regulation of signage.

h) Section 5.3.4(a) may establish all, or portion of, the Commercial designation as a Community Improvement Area.

i) The policies of Section 4.8.7 'Flood Fringe Constraint Areas' shall apply to the establishment of new uses, conversions of existing uses and/or enlargement of existing uses on lands within the Flood Constraint Area as shown on Schedule 'A'.

j) Commercial uses may be subject to Site Plan Control under Section 8.14 of this Plan.

#### 4.3.5 Exceptions - Commercial

##### Heritage Senior's Communities

4.3.5.2 Notwithstanding the policies of Section 34.3 Commercial and 4.8.7 Flood Fringe Constraint Areas, the following provisions apply to the lands identified as Site Specific Policy Area 4.3.5.2 on Schedule 'A' - General

**Land Use Plan:**

- i) In addition to those uses permitted in the Commercial designation medium and/or high density residential uses, developed as a stand-alone use(s) or as part of a mixed-use development shall also be permitted.
- ii) Medium and/or high density residential uses shall satisfy the urban design guidelines and parking requirements of this Plan.
- iii) All other applicable policies of 34.3 Commercial and 4.8.7 Flood Fringe Constraint Area shall apply.

## 4.4 Institutional and Community Facilities

The wide range of institutional and community facilities located in Walkerton help define the community's role as a regional service centre. Not only do these facilities draw people into the community because of their various functions, they also provide a large number and wide range of employment opportunities.

Within Walkerton, institutional and community facilities are located throughout the Community because they have traditionally been permitted within residential neighborhoods and commercial areas.

### 4.4.1 Goal

**Maintain and enhance the existing regional and community Institutional and Community facilities for their economic, social and cultural importance.**

### 4.4.2 Actions

- a) Promote the use of schools and community institutions as community centres.
- b) Encourage the establishment of regional and community institutions and programs which address the changing needs of the community.
- c) Promote the location of special need housing complexes close to community facilities and support services.

### 4.4.3 Permitted Uses

The Institutional and Community Facility designation shall permit uses associated with public health, welfare and education such as hospitals, nursing homes, public libraries and schools.

Other permitted uses shall include community centres, arenas, farmer's market, tourist information centres, museums, places of worship, daycare facilities, fraternal association halls and other similar places of assembly, government offices, detention centres, police or fire stations and related uses and activities.

#### 4.4.3.1 Child Care

'Child Care' may be permitted subject to the requirements of the Comprehensive Zoning By-Law.

### 4.4.4 Institutional and Community Facility Policies

Council may permit the redevelopment of surplus institutional sites for housing that meets identified needs in the community without an amendment to this

Plan, provided that the use is compatible with surrounding uses. The following policies shall apply to all lands designated Institutional and Community Facility within Walkerton.

- a) It shall be the policy of the Municipality that the following location criteria be satisfactorily addressed by all new Institutional and Community Facility proposals:
  - i) That the proposal is of a scale which is compatible with surrounding uses and should be able to function as a focal point for the neighborhood or community;
  - ii) The site area is adequate to accommodate buildings, off-street parking, and landscaping;
  - iii) Adequate buffer planting or fencing shall be established between the Institutional and Community Facility land use and adjacent land uses.
  - iv) Adequate off-street parking facilities shall be provided and shall be encouraged to be located to the rear and side yards.
  - v) All Institutional and Community Facility development may be subject to Site Plan Control under Section 8.14 of this Plan.

## 4.5 Business Park

The retention and attraction of commercial and industrial businesses is important to the long term economic health of the community. The Business Park designation has been created to accommodate the needs of commercial/retail, highway commercial, or industrial uses:

1. Commercial/retail uses which are space extensive such that they require large single purpose buildings or large parking and/or storage requirements;
2. Highway commercial uses which are dependent upon a high degree of visibility to vehicular traffic and rely on highway access for economic existence; and,
3. Industrial uses.

These uses are generally to be located near the highway entrances to the community. It is not the intent of this Plan to promote the establishment of small scale commercial/ retail uses in, or relocation from the Historic Walkerton or Commercial designation to, the Business Park designation.

### 4.5.1 Goals

**To promote the attraction and retention of commercial and environmentally clean industry to diversify the economic base and provide employment opportunities.**

**To promote new business uses that complement the existing established Historic Walkerton and Commercial areas.**

**To encourage new and existing business to adopt attractive, efficient and innovative design through the use of Site Plan Control.**

### 4.5.2 Actions

- a) Pursue innovative and creative approaches to encouraging commercial and environmentally clean business to locate within Walkerton.
- b) Encourage the re-use and/or redevelopment of vacant and underutilized buildings and properties to uses appropriate for the area in which they are located.
- c) Encourage the relocation of highway commercial uses and industry located in commercial and residential areas to more appropriate lands within Walkerton.
- d) Restrict the movement of small-scale commercial/ retail uses from either the Historic Walkerton or Commercial designations to the Business Park.

### 4.5.3 Permitted Uses - Business Park

The predominant use of land within the Business Park designation shall be for: Retail Commercial uses; Business Park Commercial uses; Business Park Office uses; Light Industrial uses; and Complementary Uses.

1. Retail Commercial Uses which are space extensive such that they require large buildings, parking and/or storage requirements. The Retail Commercial use must:

- a) Be located in a single use, self-contained building; and,
- b) Require large parking and/or outdoor storage or display requirements; and,
- c) Represent a use not consistent with the nature of the Historic Walkerton or Commercial designation.
- d) Meet the requirements of the Brockton Comprehensive Zoning By-law

Examples of space extensive Retail Commercial uses include:

- building supply outlets;+
- fitness centres; and,
- offices accessory to an above permitted use.

2. Business Park Commercial: Uses which are dependent upon a high degree of visibility to vehicular traffic and rely on highway access for economic existence. Examples of Business Park Commercial uses include:

- Automotive service stations and gas bars;
- Automotive and recreational vehicle sales;
- Rental establishments;
- Agricultural & industrial equipment sales & service establishments;
- Fuel storage depots;
- Restaurants; and,
- Offices accessory to an above permitted use.

3. Business Park Office: Uses which require larger buildings and parking requirements. Examples of Business Park Office uses include:

- Medical offices;
- Health care facilities;
- Wellness centres;
- Administrative offices;
- Technology and innovation centers;
- Professional services; and,
- Corporate headquarters.

4. Light Industrial: Uses which are conducted and wholly contained within an enclosed building and which is not, nor will become, obnoxious, offensive or dangerous by reason of the presence, emission or production of odour, dust, noise, smoke, fumes, glare, radiation or corrosive gases and which is not detrimental in appearance or effect to surrounding uses.

Examples of Light Industrial uses include:

- Light processing, manufacturing, or dismantling;
- Warehousing/storage facilities;
- Contractors/builders yards;
- Tradespersons shop;
- Printing plants;
- Commercial motor vehicle repair and wash facilities;
- Transportation and communication facilities;
- Research and development facilities;
- Education and training centres;
- Computer, electronic or data processing establishments;
- Scientific, technological or communication establishments; and,
- Offices accessory to an above permitted use.

5. Complementary: Other uses which are complementary to the main permitted uses may also be permitted within the Business Park 1 designation such as:

- Municipal services;
- Public parks and recreational facilities;
- Business and professional offices located in a single use, self-contained building;
- Place of entertainment;
- Large and small animal veterinary clinics;
- Fire, police and ambulance services;
- Fraternal associations; and,
- Banquet halls.

#### 4.5.4 Business Park Policies

- a) Servicing shall be by municipal water and municipal sewage system.
- b) No use shall be permitted which, from its nature of operation or materials used therein, is considered to be obnoxious and/or a nuisance. All uses shall comply with the relevant requirements of the Ministry of the Environment.
- c) The establishment of the East Ridge Business Park, located on the north side of Old Durham Road, east of the Saugeen River, for development shall ensure an efficient and coherent pattern of development and appropriate municipal servicing. The lot arrangement and road pattern shall be designed to ensure access to an internal road system to minimize individual road access onto arterial or collector roads.
- d) Business Park development proposals shall be subject to Site Plan Control under Section 8.14 of this Plan. The following site development standards shall be satisfactorily addressed by all proposed uses in the submitted Site Plan:
  - i) Landscaping should be provided along both the interior and exterior road frontages of the proposed use;

- ii) Outdoor storage should be located to the rear or side of the main building on the lot and shall be fenced or suitably screened from adjacent uses;
- iii) Signs shall be limited in number and designed to be functional and avoid visual clutter and distraction, and where possible, should be consolidated on shared sign structures;
- iv) Lighting facilities and signs shall be arranged to minimize impact on adjacent sensitive uses;
- v) Adequate off-street motor vehicle parking, loading facilities, driveways etc. shall be provided and shall be suitably screened or buffered from adjacent uses through the use of buffer planting, or other appropriate landscape treatment;
- vi) Sensitive land uses adjacent to proposed uses or expanding uses shall be protected by providing adequate physical separation between the uses. Necessary buffers such as planting strips or fencing shall be identified in the Zoning By-law; and,
- vii) All storm, surface and waste-water from the proposed use shall be disposed of according to accepted engineering principles.

- e) Ministry of Environment & Climate Change Guideline D-6 'Compatibility between Industrial Facilities and Sensitive Land Uses' shall be applied.

#### 4.5.5 Existing uses in the Business Park:

- a) It is the policy of this plan to prohibit residential uses in Business Park designated lands. However there may be existing residential and institutional uses which fall under this land use designation. Notwithstanding that these lands will be designated for business park purposes, and provided that adjacent lands will not be precluded from development due to land use compatibility issues, the following shall apply:
  - i) Existing residential and institutional uses may be zoned to permit the existing prohibited use.
  - ii) The Municipality may rezone these lands to permit the use of existing dwellings or institutional facilities for uses that are compatible with the employment area and are permitted under the underlying land use designation.
  - iii) Buffers will be required between existing uses and uses permitted in the Business Park.
  - iv) The Municipality may consider road network solutions to address existing incompatible uses, including alternatives such as by-passes and cul de-sacs.

#### 4.5.6 Exceptions - Business Park

##### Walkerton Water Tower

- a) Notwithstanding the policies of Section 4.5 Business Park, those lands identified as Site Specific Policy Area 4.5.6.1 on Schedule 'A' - General

Land Use Plan may be used solely for a Water Tower and ancillary uses. All other applicable policies of Section 4.5 Business Park shall apply.

Walkerton Sewage Treatment Plant

- b) Notwithstanding the policies of Section 4.5 Business Park, those lands identified as Site Specific Policy Area 4.5.6.2 on Schedule 'A' - General Land Use Plan may be used for a Sewage Treatment Plan and ancillary uses. All other applicable policies of Section 4.5 Business Park shall apply.

DRAFT

## 4.6 Employment Area

The protection of lands for more intensive industrial purposes is important for the promotion of economic development and competitiveness in the Walkerton community. The Employment Area designation has been created to protect land for a range of different and more intensive industrial and ancillary uses which are not compatible with sensitive land uses such as residential and institutional development. This designation generally applies to lands in the northern portion of the East Ridge Business Park as shown on Schedule 'A'.

### 4.6.1 Permitted Uses

The permitted uses within the Employment Area designation shall be limited to heavy manufacturing/industrial uses as defined in the Comprehensive Zoning By-law.

### 4.6.2 Employment Area Policies

- a) Servicing shall be by municipal water and municipal sewage system.
- b) No use shall be permitted which, from its nature of operation or materials used therein, is considered to be noxious or includes the extraction or storage of potentially 'hazardous substances'. All uses shall comply with the relevant requirements of the Ministry of the Environment.
- c) Development shall ensure an efficient and coherent pattern of development and appropriate municipal servicing. The lot arrangement and road pattern shall be designed to ensure access to an internal road system to minimize individual road access onto arterial or collector roads.
- d) Development proposals shall be subject to Site Plan Control under Section 8.14 of this Plan. All proposed uses shall satisfactorily address the the development standards of section 4.5.4.d).
- e) Ministry of Environment & Climate Change Guideline D-6 'Compatibility between Industrial Facilities and Sensitive Land Uses' shall be applied to the lands designated Employment Area.
- f) Lands may only be removed from the Employment Area designation through an Official Plan Amendment where it has been demonstrated that:
  - i) The land is not required for employment area uses over the long term and there is an identified need for the removal.
  - ii) The proposal would not negatively impact the overall viability of the Employment Area.

- iii) Existing or planned 'infrastructure' and services are available to accommodate the proposed use.
- iv) There is sufficient employment lands available to accommodate the projected employment growth over the horizon of the plan.

g) The Municipality may choose to prepare and implement an employment lands strategy or equivalent planning process to plan for the long-term protection and viability of employment lands.

#### **4.6.3 Existing uses in the Employment Area:**

- a) It is the policy of this plan to prohibit residential, retail, institutional, 'public service facilities' and stand-alone office uses. However there may be existing uses which fall under these land use classifications. Notwithstanding that these lands will be designated Employment Area, and provided that adjacent employment lands will not be precluded from development due to land use compatibility issues, the following shall apply:
  - i) These areas may be zoned to permit the existing prohibited use.
  - ii) The Municipality may rezone these lands to permit the use of existing dwellings or institutional facilities for uses that are compatible with the employment area and are permitted under the underlying land use designation.
  - iii) Buffers will be required between existing uses and uses permitted in the Employment Area.
  - iv) The Municipality may consider road network solutions to address existing incompatible uses, including alternatives such as by-passes and cul de-sacs.

## 4.7 Recreation and Open Space

Walkerton is fortunate to have a range of neighbourhood, community and regional scale parks. As the community grows, the quantity and quality of parks and open spaces should continue to improve.

Recreation facilities are often co-located at school sites. The Saugeen River Valley provides a major open space/recreation feature through the community.

### 4.7.1 Goal

**To ensure a broad range of recreation and open space opportunities are available for all residents and visitors.**

### 4.7.2 Actions

- a) Encourage the use of the Saugeen River for the recreational and passive enjoyment of area residents and visitors. This should include trail linkages, functional links between the river and the downtown, and accessibility for canoeing, fishing and passive recreation.
- b) Establish a diverse range of recreation opportunities for individuals and groups of all ages, lifestyles and abilities.
- c) Locate new parkland within new residential areas and create pedestrian linkages to the open space system.
- d) Promote the protection of lands which are important scenic vistas, possess important natural qualities, or are needed for public works.
- e) Encourage the co-ordination and provision of recreation facilities between the Community and other agencies such as school boards.
- f) Continue to improve the local park system and recreation facilities as identified in the Recreation Master Plan.

### 4.7.3 Permitted Uses

In areas designated Recreation and Open Space, the predominant use of land shall be oriented towards active and passive recreation and conservation activities. Permitted uses shall include public parks, pedestrian walkways and bicycle paths, playgrounds, picnic areas, swimming pools, sport fields, and other similar public or private recreation uses. Municipal services, cemeteries, and municipally owned and operated campgrounds may also be permitted within the Recreation and Open Space designation.

#### 4.7.4 Recreation and Open Space Policies

- a) It is a policy of the Municipality to develop and maintain a system of parkland and recreation facilities to meet the needs of the community.
- b) The establishment of future parkland areas shall be coordinated with the school boards to achieve the integration of facilities and to maximize recreation opportunities and the use of the facility.
- c) Parkland that is being established as a required component of a new development shall consider the following criteria:
  - i) The site shall be of sufficient size and planned for appropriate facilities to meet the needs of the service area.
  - ii) Neighbourhood and community parks should be located adjacent or near school sites where possible.
  - iii) Parks shall be centrally located to the neighbourhood being served to minimize walking distance to the parks and maximize potential use of the park.
  - iv) The design of new development areas should promote pedestrian linkages by means of walking trails and drainage systems.
- d) *Recreation Master Services and Facilities Plan (2023)* provides a co-ordinated plan for the delivery of park and recreation programs and facilities. The *Master Plan* may be updated from time to time to address changing circumstances and to implement the policies of this Official Plan.

## 4.8 Environmental Protection

Lands designated Environmental Protection have inherent environmental hazards such as flood susceptibility, erosion susceptibility, instability and other physical conditions which pose a risk to occupants of loss of life, property damage and social disruption.

In addition, there are natural features and areas associated with the Saugeen River and its tributaries which are to be protected for the long term, , including fish and wildlife habitat and vegetation communities.

It is the intent of the Municipality to protect life and property by respecting natural and man-made hazards and constraints in land use development. These lands should be left in a natural state.

The Saugeen River floodplain includes all lands susceptible to flooding during a Hurricane Hazel Flood Event (formerly called the Regional Storm Flood)as shown on Schedule D. Generally, the floodplain in the limits of Walkerton is referred to as a Two-Zone Floodplain, consisting of a floodway and a flood fringe. The flood fringe is defined as the outer portion of the floodplain, where depth and velocities of flooding are generally less severe than the floodplain and development may be permitted subject to appropriate flood proofing measures. The floodway is defined as the portion of the floodplain where development and site alteration would cause a danger to public health and safety. No development or site alteration is permitted within the floodway.

However, there are existing developed areas particularly in the downtown area and along Silver Creek, which have occurred within the floodplain. This Plan applies an Environmental Protection designation along the floodway portion of the Saugeen River and Silver Creek and recognizes constraints to development within the flood fringe of the Saugeen River and Silver Creek.

### 4.8.1 Goals

**To protect and preserve lands having inherent physical and environmental constraints to development, in order to avoid potential danger to life or property from the use of such lands.**

**To protect and preserve lands which contain locally ‘significant’ natural features, including fish and wildlife habitat and vegetation communities.**

### 4.8.2 Actions

- a) Limit the development of lands with poor drainage, potential for flooding and erosion, steep slopes or other physical limitations which could endanger human life, cause property damage and/or social disruption.
- b) Recognize areas of existing development for potential redevelopment within the Flood Fringe Constraint Area subject to the flood proofing requirements of the Saugeen Valley Conservation Authority.

- c) Protect and restore natural features and areas for the long-term, recognizing the diversity and connectivity of natural features in the area.

#### 4.8.3 Permitted Uses

On lands designated Environmental Protection, permitted uses shall be limited to essential flood, erosion and sediment control structures undertaken by a public authority, and open space uses not requiring closed buildings or major alterations to the landscape such as non-intensive conservation, outdoor recreation, public parks, and essential municipal services.

Certain buildings and structures that must be located within the Environmental Protection designation by the nature of their use, such as for flood or erosion control, are permitted. Nonetheless, any building or structure which could be located outside the Environmental Protection designation is not permitted. Non-habitable buildings connected with public parks, such as picnic shelters, may be permitted.

Those uses which could be adversely affected by, or which could increase the potential risk associated with the inherent physical hazards, shall be prohibited. Approval of the Saugeen Valley Conservation Authority (SVCA) shall be obtained for any permitted use, where required by SVCA Regulations.

#### 4.8.4 Environmental Protection Policies

- a) Development and site alteration shall not be permitted within the floodway portion of the floodplain. The location of the boundaries of the floodway portion of the floodplain shall be delineated in the Comprehensive Zoning By-law.
- b) No new development, structures, including enlargements or additions shall be permitted within 6.0 metres (20 feet) of the top of bank, on both sides of Silver Creek downstream of Ridout Street.
- c) The erection of buildings and structures within an Environmental Protection designation is generally prohibited.
- d) All new development shall be prohibited within the 100-year erosion limits and/or stable slope allowance and or valleyland associated with a watercourse. Setback requirements will be established in the implementing Zoning By-law. Uses that require site modifications, such as parking lots, are not permitted in areas of environmental sensitivity or significance.
- e) Extensions or enlargements of existing buildings and structures shall be discouraged. Replacement of existing buildings or structures damaged by natural causes may be permitted if the hazard risk does not increase from the original condition and provided such replacement does not increase the

height, size, volume or change the use. Extensions or enlargements may require further technical studies such as a flood assessment report or Environmental Impact Study

- f) Existing buildings and structure located within the floodplain are encouraged to adopt flood proofing measures.
- g) Where any land designated as Environmental Protection is held under private ownership, this Plan shall not be construed as implying that such areas are free and open to the general public nor that the lands will be purchased by the Municipality or other public agency. There is no public obligation to either redesignate or to purchase any such lands if there is an existing or potential hazard that would be difficult or costly to overcome.
- h) The boundaries of the Environmental Protection designation are delineated in a conceptual manner on Schedule A. The exact location of the boundaries of the Environmental Protection designation shall be delineated in the Comprehensive Zoning By-law.

- i) The boundaries of the Environmental Protection designation are flexible to a certain degree and may be subject to revision through consultation with the Municipality and the Saugeen Valley Conservation Authority. Minor adjustments to the boundaries shall not require an amendment to this Plan.

If more detailed mapping becomes available and is recognized by the Municipality, or should flood control or similar works be undertaken, to the satisfaction of the Municipality and the Saugeen Valley Conservation Authority, which result in changes in areas designated Environmental Protection, then this Plan may be amended as required.

- j) Where development or site alteration within the Environmental Protection designation is proposed and detailed mapping is not available, the proponent shall be required to produce the necessary mapping.
- k) It shall be the policy of this Plan that in considering an application for the redesignation of lands designated Environmental Protection for other purposes, Council will consider redesignation, if an Environmental Impact Study prepared indicates that impacts from the proposed use or re-use are minor and can be successfully mitigated, and:
  - i) The hazards can be safely addressed and new hazards are not created or existing ones aggravated. This may include preparation of an engineering study to the satisfaction of Council and the Saugeen Valley Conservation Authority; and
  - ii) Vehicles and people have a way of safely entering and exiting at all

times; and

- iii) The development does not include institutional uses or essential emergency services or involve ‘hazardous substances’; and,
- l) The advice, or approval where required, of the Saugeen Valley Conservation Authority has been obtained.
- m) It shall be the policy of this Plan that the areas designated Environmental Protection shall be zoned in a separate and restrictive classification in the Comprehensive Zoning By-Law and/or appropriately protected through the use of Saugeen Valley Conservation Authority Regulations.

#### 4.8.7 Flood Fringe Constraint Areas

The Flood Fringe Constraint Areas shown on Schedule “D” Natural Hazards, apply to all lands within the Hurricane Hazel Flood Event Standard between the limit of the Environmental Protection designation and the Hurricane Hazel Flood Event Standard for the Saugeen River and Silver Creek.

Development in the flood fringe may be permitted by this Plan but does not imply that the flood risk is completely absent. Development could still experience flood damage and disruption from major flood events despite flood control dykes and flood proofing measures, with resulting consequences for landowners.

The boundaries of the Flood Fringe Constraint Areas as shown on Schedule ‘A’ Land Use Plan have been established based on an engineering survey completed on behalf of the Municipality. The boundaries of the Flood Fringe Constraint Areas may not be changed or modified except by Amendment to this Plan.

Public 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 floodplain, shall be permitted.

##### 4.8.7.1 Flood Fringe Constraint Area - Saugeen River

In the Flood Fringe Constraint Area - Saugeen River (FFCA-SR) the following policies apply:

- a) Regardless of the underlying Official Plan designation the following uses are not permitted within the FFCA-SR:
  - i) Sewage treatment plant;
  - ii) Seniors care facility/seniors home/long term care home, pre-schools, school nurseries, child care centres, hospital, schools;
  - iii) Emergency services such police, fire, ambulance, emergency

operations centre, major electrical substation;

- iv) Any use which manufactures or treats ‘hazardous substances’;
- v) Any use which stores for retail sale and/or wholesale “bulk quantities” of ‘hazardous substances’; and
- vi) Any use which utilizes ‘bulk quantities’ of ‘hazardous substances’ in any process.

***Explanatory Note - Examples:***

*‘Hazardous substance’ stored in 140 containers with each container being 5 litres in total volume would not be considered “bulk quantity”.*

*A facility stores ‘hazardous substances’ in multiple 201 litre tanks. The tanks would not be considered “bulk quantity” even though they contain more than 201 litres in total volume.*

*A facility stores ‘hazardous substances’ in one 300 litre tank and two other tanks each capable of holding 150 litres. The 300 litre tank would be considered “bulk quantity” and therefore not permitted. The two 150 litre tanks would not be considered “bulk quantity” even though they contain more than 201 litres in total volume.*

*‘Hazardous substance’ stored in one container being 202 litres in total volume would be considered “bulk quantity”.*

*‘Hazardous substance’ stored in one container being 200 litres in total volume would not be considered “bulk quantity”.*

*A single 10,000 litre tank of ‘hazardous substance’ would be considered to be “bulk quantity”.*

- b) An amendment to this Official Plan shall be required to permit any of these uses outlined in clause (a) above. If after careful consideration a use is to be permitted, a higher level of flood protection and/or additional flood proofing precautions may be required by the Saugeen Valley Conservation Authority.
- c) Within the FFCA-SR lands may be used according to their underlying land use designation, with the exception of those uses outlined in clause (a) above.
- d) All development or redevelopment including new building/structure construction, expansion/enlargement of a building/structure, conversion of a building/structure to a new permitted use, or reconstruction/renovation of existing buildings/structures shall be permitted provided that sufficient flood proofing measures and/or flood damage reduction measures, are incorporated into the building/structure to the satisfaction and approval of the Saugeen Valley Conservation Authority.
- e) Notwithstanding the policies of subsection (d) above, some types of new development or expansions of existing uses may not be permitted within the Constraint Area due to the increased risk to life and/or property damage or risk of pollution.
- f) The restoration/reconstruction of any building/structure damaged or destroyed by fire, or any act of nature including flooding, shall be permitted subject to approval of Saugeen Valley Conservation Authority and may require flood damage reduction measures to their satisfaction.
- g) The Municipal Comprehensive Zoning By-law shall include policies implementing the FFCA-SR policies of this Plan.
- h) Lands designated within the FFCA-SR shall be zoned according to their underlying land use designation, except that every zone shall include a reference to the Flood Fringe Constraint Area - Saugeen River policies of this Plan by using an appropriate zone symbol.
- i) All development, or redevelopment, including new building/structure construction, expansion/enlargement of a building/structure, conversion of a building/structure to a new permitted use, or reconstruction/renovation of existing buildings/structures, MAY be subject to the Site Plan Control requirements of Section 8.14 at the sole discretion of the Chief Building Official for the Municipality.

#### **4.8.7.2 Flood Fringe Constraint Area - Silver Creek**

The Silver Creek Constraint Area designation applies to those lands located

between the Silver Creek Environmental Protection designation and the Hurricane Hazel Flood Event Standard.

This Plan recognizes the need to permit the minor expansion of existing buildings and the creation of a limited number of new lots for low/medium density residential purposes by consent. It is the intent of this Plan therefore that the Silver Creek area shall retain its present character and that any new development which could adversely impact on the storage capacity of the Silver Creek floodplain shall not be permitted.

In addition to all of the policies of Section 4.8.7.1, the following additional policies also apply to the Silver Creek Flood Fringe Constraint Area:

- 1) Residential uses permitted in the Silver Creek Constraint Area shall be limited to low/medium density uses. If high density development is proposed within the Silver Creek Policy Area an amendment to the Official Plan shall be necessary.
- 2) The maximum lot coverage for all lots shall be 40 per cent.
- 3) Where site conditions make the attainment of flood proofing to the Hurricane Hazel Flood Event Standard elevation unfeasible, a variance to this elevation may be considered in the following circumstances:
  - a) Where the existing building is being changed from a residential to a non-residential use;
  - b) Where an addition to an existing building is intended for non-habitable use; and,
  - c) Where in the opinion of the Saugeen Valley Conservation Authority the difference in the above-ground floor elevation between the existing floor and a proposed floor, if above the Regional Flood level, would be excessive.

## 4.9 Settlement Expansion Area A, B and C

Settlement Expansion Area A, B and C includes the eastern extent of Walkerton on the south side of Bruce Road 4, as shown on Schedule A, and as defined in County OPA By-law 2025-32. The Bruce County Official Plan intends for these lands to be developed with a range of urban uses as part of the Walkerton Settlement Area. The following are some key physical characteristics of this area:

- a) The area is approximately 84 hectares with approximately 75 hectares of developable land outside of the Environmental Protection designation.
- b) The area is bounded by the built-up area of Walkerton and the Saugeen river to the west, Bruce Road 4 to the north, Sideroad 15 to the east, and agricultural lands to the south.
- c) A wooded ravine surrounding a watercourse traverses the centre of this area in a west-east trajectory.
- d) Several drainages ditches traverse the eastern portion of this area and interconnect with the ravine watercourse.
- e) The lands experience a change in elevation from east to west, with the higher elevation being to the east, and the lower elevation being to the west along the Saugeen River.
- f) The most feasible wastewater connection to these lands is located to the west at Orange Street, whereas the most feasible water connection to these lands is located to the North at Ontario Road due to the higher elevation of this area.

Due to the physical scale of this ‘contiguous’ area, the presence of the ravine, the presence of drainage ditches, the large frontage along County Road 4, the potential for Sideroad 15 to develop into an arterial road over the long term, and the elevation change that likely forces different connection points for municipal water and wastewater services, the Municipality believes it is in the best interest of the community to comprehensively plan for development in this area by establishing appropriate policies and land use designations through a separate Municipally initiated Official Plan Amendment.

These lands shall be zoned Planned Development, and development on these lands shall be generally restricted to uses existing on the date of passing of the zoning by-law and uses that are accessory to existing residential uses.

This section provides objectives which will guide the comprehensive planning of this area and to guide limited development on parcels that contain existing buildings and non-agricultural land uses.

The following policies apply to development within the Settlement Expansion Area and are intended to support the achievement of a ‘Complete Community’:

1. The Settlement Expansion Area is subdivided into sub-areas “A”, “B”, and “C”. development of Settlement Area #1 will begin with developing sub-area “A”, as this is the largest ‘contiguous’ parcel, and the orderly development of roads, water, wastewater, and stormwater ‘infrastructure’ for the Expansion Area requires these lands to be developed prior to areas “B” and “C”.
2. Should Bruce County make the request, a reserve will be granted to Bruce County for all development along Bruce Road 4 to prohibit any direct vehicular access points from private property onto the County Road. All development with “frontage” along the County Road will be required to obtain vehicular access via new internal access roads that interconnect with County Road 4 and/or Sideroad 15 at new appropriately located and controlled intersections.
3. Bruce County will be consulted to determine appropriate new intersection locations and types along Bruce Road 4. In particular, Bruce County and the Municipality will determine if:
  - a. a signalized intersection or a roundabout is most appropriate at the existing Ontario Road intersection to accommodate a new arterial or collector road within the Expansion Area, and;
  - b. if new local road connections to Bruce Road 4 between George Street and Ontario road are safe and appropriate, and if so, how many should be established, and in what specific location should they be established along the Walkerton east hill.
4. There will be appropriate consideration for establishing a new arterial or collector road within these lands and/or converting Sideroad 15 into an arterial or collector road prior to or as these lands are developed.
5. An appropriate quantity of land will be designated for commercial development, with locations along Bruce Road 4 or Sideroad 15 being prioritized for their use to allow for efficient access to these uses via arterial roads. Area B in particular should generally be prioritized for commercial or potentially institutional development.
6. There will be an evaluation of future land needs for elementary and/or secondary schools associated with the residential development of the Expansion Area, and sufficient land within this area will be designated for this use.
7. There will be an assessment of need for other institutional land uses to serve Brockton and the surrounding area, and sufficient land will be designated within the Expansion Area to accommodate these uses.
8. The Environmental Protection lands will be conveyed to the Municipality in accordance with the subdivision provisions of the Planning Act, and may be used to enable pedestrian connectivity through the Expansion Area to the

### Saugeen River Trail.

9. The aforementioned policies form a basis for guiding future comprehensive planning for a Complete Community, but do not contain enough detail to provide fulsome guidance for development in this area. Detailed official plan policies that address the noted objectives and establish appropriate land use designations shall be applied to these lands following an appropriate public consultation process in advance of approving development in this area.

4.9.1 Nothing in this section will prohibit the continuation of uses existing on the date of passing of this Official Plan. For implementation purposes, existing uses are defined below:

1. **Settlement Expansion Area A:** Existing uses will be limited to the existing agricultural operations.
2. **Settlement Expansion Area B:**
  - a. Uses on the property municipally referred to as 1611 Bruce Road 4 are limited to the existing residential use and related accessory structures.
  - b. Uses on the property municipally referred to as 1597 Bruce Road 4 are limited to the existing agricultural use which includes a beef farm with associated livestock housing facilities and a small take-out restaurant and related parking area.
3. **Settlement Expansion Area C:**
  - a. Uses on the properties municipally referred to as 1597 Bruce Road 4, 62 Sideroad 15, 72 Sideroad 15, 82 Sideroad 15, 92 Sideroad 15, and 96 Sideroad 15 are restricted to existing single detached dwellings and related accessory structures, new structures that are accessory to existing residential uses, agricultural cropping uses, and existing agricultural livestock uses.
  - b. At this time, permitted uses on 96 Sideroad 15 are limited to a Dry Industrial Use and/or Sawmill as they existed on the date of passing of Zoning By-law 2013-26 and in accordance with the provisions of the Zoning By-law.
4. Expansions to existing uses shall be subject to Section 8.9 of this Plan and will generally not be permitted as they may prevent the desirable development of the Settlement Area 1 expansion lands.

## Section 5 - General Community Policies

### 5.1 Economy

The economic policies of this Official Plan encourage industrial retention and attraction, home occupations, commercial and service employment opportunities, tourism, and support for the Municipality's institutional employment base.

As a regional service centre, Walkerton's economic health is very important to those living within the community, as well as those living in the surrounding municipalities. A healthy, growing economy allows for improvements in the services available, attracts new residents and provides jobs for the young people growing up in the community.

#### 5.1.1 Goal

**To provide a positive economic climate to attract industry, encourage private investment, create a wide range of employment opportunities, and enhance a balanced municipal assessment base.**

#### 5.1.2 Actions

- a) Promote Walkerton as a regional service centre and tourist destination within an agricultural setting.
- b) Provide opportunities to improve and enhance the quality of tourist facilities and the variety of tourist related business in Walkerton.
- c) Provide sufficient suitable lands and necessary municipal services for a broad range of economic activities and job opportunities to meet the needs of residents of Walkerton.
- d) Strengthen Historic Walkerton downtown as the community's commercial focal point.
- e) Advocate municipal co-operation with private enterprises.
- f) Participate with business groups, tourism organizations and service groups in the coordinated promotion of Walkerton.
- g) Participate with local agencies in providing retraining and continuing education opportunities for the local labour force.
- h) Recognize home occupations as an important economic activity.
- i) Promote the Community in terms of its tourism potential and access to the Saugeen River Valley.

- j) Promote a coordinated and co-operative approach to regional economic development initiatives.
- k) Continue to support the many institutions and public agencies which diversify the local economy.

## 5.2 Heritage Resources

Council recognizes the importance of cultural heritage resources within the Municipality. The historical character of the community comprises those features which are unique or representative of past human activities or events. These include 'built heritage features' such as buildings, structures, monuments or remains of historical, cultural and/or architectural value, and cultural heritage features such as landscapes, vistas, sites and areas of archaeological and historic value and urban areas that are of historic and scenic interest.

### 5.2.1 Goal

**To identify, protect, preserve and enhance Walkerton's built, landscape and archaeological heritage for its cultural, historic and economic value to the community.**

### 5.2.2 Action

- a) Encourage private and public sector initiatives for the protection, restoration and enhancement of existing heritage buildings, structures, streetscapes or areas which contribute to the identity, character and history of the Walkerton community, particularly those of historic, architectural, or archaeological significance, pursuant to the Ontario Heritage Act.
- b) Encourage and foster public awareness, participation and involvement in the conservation of cultural heritage resources, in co-operation with local historical groups or the Brockton Heritage Committee.
- c) Ensure that their cultural heritage resources are protected during land use development processes.
- d) Lead the community in restoring, rehabilitating, enhancing and maintaining any cultural heritage properties owned by the Municipality or projects involving municipal public works, as examples of proper stewardship and conservation approaches in fulfillment of the heritage goals and policies of this Plan.

### 5.2.3 Heritage Policies

- a) Council shall encourage the identification, restoration, protection, maintenance and enhancement of cultural heritage resources. Cultural

heritage resources include but are not necessarily restricted to:

- i) Properties, areas or cultural landscapes of historical value or interest, including properties associated with 'significant' historical local, national or international personalities, and properties which serve to provide insights into the history and past development of the Town;
- ii) Properties, areas or cultural landscapes of architectural value or interest including properties representative of a certain style or period of architecture and/or building construction, important landmarks of the Town, and properties or areas which make an important contribution to the streetscape of the community;
- iii) Properties, areas or 'cultural landscapes' which have been identified to contain 'significant' archaeological remnants of prehistoric habitation and/or important archaeological evidence of historic activities;
- iv) Properties, areas or cultural landscapes considered to be important to the Town as a result of their location and setting; and,
- v) Natural features including trees and hedgerows considered to be of 'significant' historical cultural or archaeological value.

b) The Municipality shall work with local historical groups, the Ontario Ministry of Culture and any other interested groups or individuals in establishing a list of documented heritage features within the Community.

c) Council may by by-law designate cultural heritage resources, such as individual properties and conservation districts pursuant to the Ontario Heritage Act and the policies of this Section. Prior to the passage of such a by-law, Council shall be satisfied that:

- i) The building or property is strongly associated with the life of a person who played an integral role in the development of the Municipality and/or is well-known locally, nationally or internationally; and/or,
- ii) The building or property is the location of, or is associated in a significant way, with a significant local, national or international event; and/or,
- iii) The building embodies the distinguishing characteristics or an architectural type recognized for its style or period of construction, or it is a notable example of workmanship by an early master builder, designer, or significant architect. It is not

imperative that antiquity alone be the basis for selection, however, it should be an important consideration if other more significant examples have disappeared.

- iv) The building or property is considered to be an easily recognizable landmark in the Municipality and contributes to the character of the community; and/or,
- v) The potential for illustrating the heritage value should be such that it will be possible for visitors to gain from the building an appreciation for the architecture or history with which it is associated.
- vi) In considering the designation of a building, the extent of the original materials and workmanship remaining should be important to that designation.
- vii) Intangible elements such as feeling, association and aesthetics shall be considered as important as the physical appearance of the building or structure.
- viii) Architectural character should be considered on the basis of style, plan and sequence of spaces, uses of materials and surface treatment and other detail including windows, doors, lights, signs and other fixtures of such buildings and the relation of such factors to similar features of the buildings in the immediate surroundings.
- ix) The neighbourhood contains a collection of buildings and properties described in Sections i), ii), iii), and iv), above and which collectively contribute to the character of the Municipality.

- d) Council may pass by-laws under provincial legislation to protect designated buildings and properties pursuant to the Ontario Heritage Act and may pass by-laws to protect 'significant' archaeological sites.
- e) Council may appoint a Heritage Committee to assist in the identification, promotion and protection of heritage resources.
- f) Council may impose as a condition of any development approval the retention and conservation of cultural heritage resources identified in a Cultural Heritage Master Plan, or the implementation of appropriate mitigation measures, to minimize the impact of the development on the cultural heritage resource.
- g) Council shall maintain an inventory of heritage buildings and structures within the Municipality. Inventoried heritage resources may be considered for designation under the Ontario Heritage Act and/or conservation through the review of any proposed 'development', subject

to all relevant legislation.

- h) Council may prepare an inventory of 'cultural heritage landscapes'. This inventory may form a component of a Cultural Heritage Master Plan for the Municipality.
- i) The Municipality recognizes that there may be archaeological remains of prehistoric and historic habitation, or areas containing archaeological potential within the boundaries of the Community. The Municipality may therefore require Archaeological Assessments conducted by archaeologists licensed under the Ontario Heritage Act, as a condition of any 'development' proposal affecting these resources. Archaeological assessment reports conducted by licensed archaeologists are to be in compliance with licensing requirements established under the Ontario Heritage Act. in accordance with the County's Archaeological Management Plan and the County Official Plan.
- j) The Municipality may utilize a holding symbol for properties with 'archaeological potential' to ensure that an archaeological assessment is completed prior to 'development' occurring on the site. This will be completed in consultation with relevant agencies, including the Saugeen Ojibway Nation.
- k) Where existing or potential archaeological resources include sites and burial grounds related to the Saugeen Ojibway Nation, the Saugeen Ojibway Nation shall be consulted and will provide direction to the manner in which these resources are addressed.
- l) The Municipality recognizes and supports the creation of a heritage resource information base, resulting in a comprehensive heritage site inventory and/or heritage master plans according to the Ontario Heritage Act.
- m) Council may maintain a Community Heritage Trust Fund, in compliance with Municipal By-laws, to encourage heritage conservation and to promote the conservation and stabilization of properties and areas of architectural and historical value in the Community. The revolving nature of the fund is intended to finance activities which both fulfill the mandate of the fund and also return money to the fund for further related activities. Financial assistance may be in the form of grants, loans and loan guarantees to owners of heritage designated properties for restoration projects, or purchasers of heritage designated properties under Part IV and Part V of the Ontario Heritage Act.
- n) Council may exercise its legislative authority to control the alteration and demolition of heritage resources on individual properties or in identified Districts designated under Part IV or Part V of the Ontario Heritage Act, or by establishing an area of Demolition Control under

Section 33 of the Planning Act.

#### **5.2.4 Cultural Heritage Master Plan**

Council may prepare a Cultural Heritage Master Plan (CHMP). Such a Master Plan would survey, inventory, examine and study the Municipality's cultural heritage resources. The purpose of the CHMP is to make recommendations on how the cultural heritage resources of the Municipality should be enhanced and protected in accordance with the goals and objectives of this Plan.

#### **5.2.5 Ontario Heritage Act**

One of the main options available to the Municipality in achieving its heritage goals, actions and policies is the Ontario Heritage Act. This Act enables the Municipality to protect properties of historic or architectural value from demolition or unsympathetic alteration. Appendix 'B' provides an outline of the Ontario Heritage Act.

## 5.3 Community Improvement

Community Improvement may be generally defined as encompassing all those activities, both public and private, which maintain, rehabilitate and redevelop the existing physical environment to accommodate the social, economic and environmental priorities within the community. These activities will improve the general appearance and economic viability of a Community Improvement Area.

Community Improvement Plans identify the specific projects that need to be carried out in a particular area to improve the quality of life and the built environment in an area. Community Improvement Areas may be established by Council and designated by By-law, in accordance with the provisions of the Planning Act.

### 5.3.1 Goal

**Improve community facilities and ‘infrastructure’ to address social, environmental and economic priorities and needs of the community.**

### 5.3.2 Actions

- a) Maintain or improve municipal services, public utilities and social and recreational facilities.
- b) Identify and prioritize public works projects and funding programs which assist in stimulating economic activity in the Community.
- c) Coordinate public projects and expenditures to optimize their benefit to the community.
- d) Promote community improvements which address existing environmental concerns or sustainability goals.
- e) Maintain community standards for the maintenance of private property.
- f) Promote the redevelopment of vacant or underutilized properties and buildings and improve conditions in older, residential neighbourhoods.
- g) Improve the property and business tax base by encouraging economic expansion and new ‘development’ by both the private and public sectors.
- h) Encourage investment and improvement in the maintenance and rehabilitation of existing commercial, industrial, institutional and residential buildings and structures.
- i) Increase the availability of affordable and rental housing options.
- j) Promote revitalization for Historic Walkerton.

- k) Improve parking facilities in Historic Walkerton.
- l) Improve stormwater management and treatment in the Municipality.

### **5.3.3 Criteria for Community Improvement Area Designation**

The Municipality may consider the following criteria in selecting a Community Improvement Area:

- a) Existence of incompatible or conflicting land uses;
- b) Buildings in need of maintenance, repair or rehabilitation due to age, appearance and inability to meet current energy efficiency and structural standards;
- c) Inadequacies in municipal services including sanitary sewer, water, or stormwater systems and parking facilities which may be in need of repair;
- d) Deficiencies in the road network;
- e) Inadequate supply of parkland, cultural or social facilities;
- f) Susceptibility to flooding and poor drainage;
- g) Deterioration and appearance of building facades, streetscape, parking facilities, pedestrian access or signage;
- h) Areas which contain environmental issues such as soil contamination or concerns;
- i) Deficiencies exist in screening, buffering, streetscaping or landscaping;
- j) Cultural heritage resources in area warranting protection and/or enhancement;
- k) The need for housing, prioritizing affordable, rental and multi-unit housing developments.
- l) Opportunity exists to achieve economic growth in an area as a result of building improvement, repair and/or replacement; and,
- m) Brownfield sites, which include vacant or underutilized lands that have previously been used for industrial or commercial purpose that may have left the site with a degree of contamination.

### **5.3.4 Community Improvement Area Designation**

All of Brockton is established as a Community Improvement Area.

### **5.3.5 Phasing**

- a) In the phasing of community improvements, it is the policy of Council to:
  - i) Integrate community improvement projects into other municipal improvement programs.
  - ii) Determine specific community improvement project priorities and the budget allocation as part of the municipal budgeting process
  - iii) To undertake improvements in the community improvement project areas based on the number and severity of the deficiencies, the benefits of the improvement to the project area and the Municipality, the degree of municipal commitment and public support for the project, and the financial resources available.

### **5.3.6 Consultation with the County of Bruce**

- a) The Municipality shall consult with the County of Bruce when Community Improvement Plans are being prepared to ensure the co-ordination of improvements to sewer, water, and other County services with municipal improvements. Where possible, the Municipality may create partnerships for Community Improvement projects and funding.
- b) Based on the above, the Municipality, from time to time, may identify a Community Improvement Area.
- c) In order to carry out the community improvement goals and actions of this Plan, the Municipality may:
  - i) Prepare and carry out a Community Improvement Plan which itemizes and prioritizes the community improvement projects;
  - ii) Participate and coordinate with senior levels of government; and,
  - iii) Co-operate with groups and organizations whose objectives include community improvement.

## 5.4 Environment

The Walkerton community's primary natural feature is the valley of the Saugeen River and its tributary, Silver Creek. The river valley has shaped the location of land uses as well as the topography and layout of the Municipality.

### 5.4.1 Goal

*To protect and enhance Walkerton's healthy environment by minimizing air, water and land pollution, and through protection and enhancement of the area's natural resources.*

### 5.4.2 Actions

- a) Improve the water quality of Silver Creek and the Saugeen River through wise land use practices and the efficient treatment of sewage and the management of storm water.
- b) Protect the Saugeen River Valley for its ecological, visual, recreational, and economic importance to Walkerton.
- c) Minimize flooding potential and ensure no net loss of 'fish habitat'.
- d) Identify, protect and restore the natural area and features within Walkerton.
- e) Promote the conservation of energy, water and other natural resources.
- f) Consider preparing a waste management plan that ensures the reduction, re-use and recycling of waste materials from households, businesses, institutional uses and industry.
- g) Initiate a municipal urban tree policy for the removal and planting of trees on municipal property, and the removal of trees on private property prior to receiving 'development' approvals.
- h) Encourage the continuous improvement of air quality by strengthening relevant By-laws and promoting the reduction of greenhouse gas emissions by all sources.
- i) Protect the night-time environment and the Municipality's position as a natural retreat destination and Bright Star community by requiring dark sky lighting standards in new 'development'.
- j) Facilities and site design that encourage walking and cycling shall be incorporated in public and private works.
- k) The Municipality will create a trail master plan to ensure connectivity

throughout the community without the need for automobiles. The Municipality will review all its activities and policies to ensure that sustainability concerns are appropriately considered and addressed.

### **5.4.3 Natural Heritage System**

The Walkerton Natural Heritage System (WNHS) is comprised of natural heritage features and areas linked together where feasible with natural corridors which are intended to provide connectivity and support natural processes which are necessary to maintain biological and geological diversity, natural functions and viable populations of indigenous species and ecosystems.

The WNHS is made up of key features, supporting features and areas, and linkages which are shown on Schedule 'C'. The WNHS is not a Land Use designation, therefore the policies of the under lying land use designation shown on Schedule A 'Land Use Plan' i.e. Environmental Protection, Recreation & Open Space etc. remain in effect. The WNHS may include conservation areas, parks, rivers, streams, 'wetlands', 'fish habitat', 'woodland's, 'valleylands', 'habitat of endangered species' and 'threatened species', 'significant' 'wildlife habitat', and 'significant' 'areas of natural and scientific interest', all of which are important for their environmental and social values as a legacy of the natural landscape of Walkerton.

Lands identified as part of the WNHS may include both private and public owned lands. Where any land identified as part of the WNHS is held in private ownership this Plan shall not be construed as implying that such areas are free and open to the general public nor that the lands will be purchased by the Municipality or other public agency.

**a) Key Environmental Features**

Key environmental features in Walkerton include 'wetlands', 'significant' 'woodlands', 'significant' 'valleylands', 'fish habitat' and 'significant' wildlife habitat. Key environmental features shall be protected for the long term in accordance with Section 3.0 of the Bruce County Official Plan.

**b) Supporting Features and Areas**

Supporting features and areas are components of the natural heritage system which support and enhance the function of key features and areas. Supporting features and area in Walkerton will be protected in accordance with Section 3.0 of the Bruce County Official Plan.

**c) Linkages and Enhancement areas**

Linkages and enhancement areas provide connectivity between core areas and key features and areas. They contribute to the long term viability of the natural heritage system and facilitate the natural movement of plants and animals, supports biodiversity and promote conservation. There are

no core areas within Walkerton but there are local landscape-scale linkages that provide connectivity to the broader Bruce County Natural Heritage System. Linkages and Enhancement areas will be maintained in accordance with Section 3.0 of the Bruce County Official Plan.

**d) Requirements for Environmental Impact Studies**

- i) An environmental impact study shall be required where 'development' is proposed within or 'adjacent' to the WNHS, including key features, supporting features and linkages and enhancement areas.
- ii) To support a 'development' proposal, the environmental impact study must demonstrate that the application is consistent with Provincial directions, conforms to the County Official Plan and will not have a 'negative impact' on the WNHS.
- iii) Notwithstanding section 5.4.3.d)i), the Municipality may determine that an environmental impact study is not required in accordance with the policies of the Bruce County Official Plan.
- iv) The environmental impact study shall be prepared in accordance with the criteria established in the Bruce County Official Plan.
- v) The Municipality in evaluating the environmental impact study, will consult with First Nations communities and other entities in accordance with section 3.9.5.1 (12) of the County Official Plan.

**e) Key Hydraulic Features and Areas**

Key hydraulic features are integral component of watersheds that require long term protection. The Municipality will work with the County to protect, restore and maintain key hydraulic features and areas by ensuring that 'development' in or 'adjacent' to these features will not negatively impact the hydrological and hydrogeological functions and processes.

In addition to Section 3.9.6.2 of the County Official Plan, the following policies apply to key hydraulic features and areas in Walkerton:

- i) 'development' proposed within or 'adjacent' to permanent and intermittent streams and associated riparian lands shall demonstrate how the flow and drainage function of these features are maintained.
- ii) 'Adjacent' lands are defined as 30 metres from the stream and its associated riparian lands.

**5.4.4 Natural Hazards**

Generally natural hazards related to ‘floodplains’ are regulated through the Environmental Protection designation. For natural hazards which are not captured by the Environmental Protection designation, the following policies apply:

- a) ‘Development’ should generally be directed to areas outside of lands with the presence of ‘hazardous forest types for wildland fires’ in accordance with the policies of the Bruce County Official Plan. The Municipality will work with property owners and agencies to mitigate and prevent the potential impacts of climate change that may increase risks associated with natural hazards.

#### **5.4.5 Human-Made Hazards**

- a) **Site Redevelopment/ Soil Quality Assessment**
  - i) All persons acquiring land for any purpose are expected to satisfy themselves with respect to any potential hazardous waste.
  - ii) For proposals involving the redevelopment of industrial, transportation, commercial or utility sites to a more sensitive land use, the Municipality shall require investigations into the potential contamination of the site as a result of the previous use. In these instances, a Record of Site Condition completed by a qualified engineer shall be required with all ‘development’ applications.
  - iii) Contaminated sites must be thoroughly investigated and a clean-up plan prepared in accordance with Ministry of the Environment guidelines, prior to the Municipality’s consideration of the redevelopment proposal.
- b) **Land Use Compatibility and Sensitive Land Uses**
  - i) The Municipality shall consider the land use compatibility between ‘sensitive land uses’ such as residential, and transportation, utility and industrial facilities.
  - ii) Land uses which are incompatible because of noise, dust, odour, vibration and other adverse environmental impacts should generally be kept separate from ‘sensitive land uses’ such as (but not limited to) residential uses, educational facilities and health facilities, including long term care facilities.
  - iii) The Municipality shall strive to maintain compatibility between ‘sensitive land uses’ and industrial facilities to avoid, and if avoidance is not possible, minimize and mitigate any potential ‘adverse effects’. Measures including land use separation, buffering, screening and site design measures shall be provided between incompatible land uses in accordance with the provincial guidelines. Distances shall be established in the Zoning By-law and will vary depending on the nature of the industrial facility and the intervening land use.

#### **5.4.6 Water Conservation Policies**

- a) The Municipality shall encourage water conservation by the residents, businesses and industry connected to the municipal water system. This may include the promotion of water conservation practices such as water meters, changes in daily habits and retrofits to plumbing fixtures.
- b) The Municipality shall promote a water conservation educational program to assist users in undertaking reasonable steps to reduce water consumption. Such a program may include the following:
  - i) Research into water conservation products and techniques that are effective and available for households, businesses and industries;
  - ii) Distribution of information on products and techniques to households;
  - iii) Periodic presentations on water conservation so that residents can learn about water conservation techniques.
- c) The Municipality shall consider the potential impact a 'development' may have on the quality and quantity of the Community's water resources. Such an assessment should not only involve the individual 'development' but should also take into account the cumulative effects that such a 'development' may create.
- d) 'Development' shall be assessed based on:
  - i) Protection, maintenance and enhancement of water resources;
  - ii) Impact on the quality and quantity of surface and groundwater resources; and,
  - iii) Promotion of water conservation and the efficient use of water resources.

#### **5.4.7 Energy Conservation Policy**

- a) The Municipality shall encourage measures to conserve energy resources in new 'development'. These measures may include:
  - i) Maintaining a compact urban form;
  - ii) Establishing an efficient transportation network;
  - iii) Providing neighbourhood services and facilities in close proximity to residential development to reduce travel by motor vehicle;

- iv) Avoiding the extensive loss of sunlight to adjacent land uses;
- v) Encouraging the energy efficient design of buildings and the installation of energy conserving appliances, fixtures and systems;
- vi) Encouraging the proper siting of buildings and appropriate landscaping for wind shelter in the winter and the prevention of overheating in the summer; and,
- vii) Encouraging walking and bicycling use and facilities to accommodate such uses including trails and bicycle parking and storage facilities.

#### **5.4.8 Tree Planting Program and Tree Removal Guidelines**

- a) The Municipality shall continue its tradition of street beautification through a tree planting program.
- b) The Municipality may establish tree removal guidelines. These guidelines should identify heritage trees and nuisance trees, notification procedures for residents affected by the removal of the tree, and the replacement of nuisance trees in more appropriate locations.

#### **5.4.9 Waste Management Policies**

- a) The Municipality shall endorse and implement reasonable waste diversion strategies, including reduce, reuse and recycle techniques from the Bruce County Waste Management Master Plan Study.

#### **5.4.10 Bright Star Community Policies**

- a) The Municipality is a “Bright Star” community committed to protecting the night-time environment. This is achieved by eliminating hazardous and annoying glare from poorly designed light fixtures, reducing stray light through shielding and directing light fixtures to prevent light from unnecessarily falling outside the boundaries of the property on which a light fixture is installed.
- b) ‘Development’ shall enhance and complement the Municipality’s Bright Star status by using dark sky/bright star-compliant exterior light fixtures and layouts to reduce light pollution.

#### **5.4.11 Air Quality Policies**

- a) The Municipality will encourage measures to improve air quality. These measures may include:
  - i) Maintaining a compact urban form;

- ii) Establishing an efficient transportation network;
- iii) Providing neighbourhood services and facilities in close proximity to residential development to reduce vehicular travel;
- iv) Strengthening By-laws governing idling, camp fires and open-air burning;
- v) Encouraging alternatives to motorized yard care products;
- vi) Encouraging proper vehicle maintenance; and,
- vii) Encouraging walking and bicycle use.

## Section 6 - Municipal Services

Services and utilities such as the provision of a potable water supply, disposal of wastes and energy supply, are essentials of life. The provision of such utilities is often an important means of implementing planning and directing urban growth and economic development.

### 6.1 Goal

**To provide a full range of affordable municipal services to meet the economic, social and environmental needs of the community.**

### 6.2 Actions

- a) Continue the efficient use of municipal sewer, water and electrical services through the appropriate prioritization and upgrading of municipal service improvements.
- b) Provide sufficient sewage treatment and water reserve capacity and adequate collection and distribution facilities to accommodate future growth.
- c) Consider a wide range of options for paying for municipal services such as taxes, user fees, front ending, privatization, and prioritizing service delivery.
- d) Ensure new ‘development’ incorporates best management practices for storm water management.
- e) Establish a process whereby a commitment to sewage treatment and water supply capacity only occurs upon registration of Plans of Subdivision and execution of a Subdivision or Condominium Agreement with the Municipality.

### 6.3 Water Supply and Sewage Disposal Policies

- a) Full municipal water and sewage services are the preferred form of servicing. In areas serviced by full municipal sewage and water services ‘development’ will be permitted only if sufficient reserve water and sewage plant capacity will be available to accommodate the ‘development’, and other approved ‘development’.
- b) Partial services are generally discouraged, but may be used in the following circumstances:
  - i) Where they are necessary to address failed individual on-site sewage services and individual on-site water services in existing

- ‘development’; or
- ii) To allow for ‘Infilling’ and ‘Minor Rounding Out’ only within the existing settlement area boundary on partial services provided that site conditions are suitable for the long-term provision of such services with no negative impacts. ‘Infilling’ shall be defined as the creation of a new vacant lot(s) of record when the new lot is to be created between two existing dwellings, such dwellings being separated by not more than 30 metres (98.4 feet), on the same side of the road where both dwellings are currently partially serviced. ‘Minor Rounding Out’ shall be defined as the creation of a new vacant lot of record where the new lot to be created will immediately abut an existing lot of record that is currently partially serviced.
- c) The Municipality shall require ‘development’ and redevelopment projects to demonstrate that surface water originating from the site is not entering the sanitary sewer system and is adequately treated for quantity and quality.
- d) Infrastructure planning shall align with the Municipality’s Master Servicing Plan to ensure that projected growth can be adequately serviced and makes efficient use of existing and planned services. The Municipality will periodically update this document to ensure that growth can be sustained by the water resources upon which such services rely, is financially viable and complies with all regulatory requirements and protects human health and the natural environment.
- e) The Municipality shall continue to upgrade its sanitary sewer system to reduce infiltration and extraneous flows from storm water.

## 6.4 Storm Water Management Policies

- a) The Municipality shall require at source best management practices and techniques to maintain storm water quality and quantity. This shall assist in controlling flooding, ponding, erosion and sedimentation and enhance the water quality and ‘fish habitat’ of Silver Creek and the Saugeen River.
- b) ‘Development’ proposals shall be accompanied by a storm water management report which meets the quality and quantity requirements of the Municipality of Brockton, and the Saugeen Valley Conservation Authority.
- c) ‘Development’ proposals should consider the impacts of a changing climate through effective management of stormwater including the use of green infrastructure such as bio-swales, permeable pavers and green roofs.
- d) Where appropriate, new ‘development’ shall incorporate the major-minor

system concept and:

- i) The storm water management system shall be designed to control run-off from the site to predevelopment levels, and where necessary, shall require detention or storage facilities to control discharge rates. Where feasible, detention must be provided onsite.
- ii) The minor system shall accommodate run-off from more frequent storms up to the design capacity of the existing receiving system and, where necessary, shall require detention or storage facilities. New collection systems shall be designed in accordance with the Municipality's municipal servicing standards.
- iii) Wherever possible natural infiltration of storm water shall be encouraged, provided that areas of standing water are minimized.
- e) Natural drainage systems used in the design of new subdivisions and major water courses should be left, in their natural state, including existing vegetative buffers. Channelization shall be discouraged. Detention and retention facilities may be permitted in open space areas to ensure controlled run-off to receiving streams and maximum natural infiltration.
- f) Any modification to an existing natural water course shall preserve floodplain storage capacity and shall require approval from the Saugeen Valley Conservation Authority.
- g) The Municipality shall assume ownership and/or maintenance responsibilities for new storm water management facilities and structures serving more than one property. The Municipality may require the developer to provide an up-front cash payment to offset on-going maintenance costs of storm water management facilities.

## Section 7 - Transportation

The transportation system provides an important component of the framework for municipal growth and development and is a vital municipal service.

### 7.1 Goal

**To provide a transportation system which allows for the efficient movement of goods and people, and facilitates economic activities within the Community.**

### 7.2 Actions

- a) Promote and improve the system of arterial and collector roads to provide for the safe and efficient movement of local and through traffic.
- b) Establish uniform signage to identify the location of major community facilities, historic features and recreation opportunities.
- c) Promote bicycle and pedestrian travel.

### 7.3 Road Classification Policies

- a) The Municipality shall classify roads according to their predominant function. Schedule B Roads Plan identifies the designation of roads by classification. Road classifications are as follows:
  - i) Provincial Highways: Provincial Highways are under the jurisdiction of the Provincial Ministry of Transportation (MTO) Walkerton is served by Provincial Highway #9. The primary function of the Provincial Highways is to move relatively large volumes of traffic efficiently through the community. The MTO will determine the minimum right-of-way widths for those sections of Highway #9 under their jurisdiction.
  - ii) Arterial County (Urban): Arterial County (Urban) roads are under the jurisdiction of the County of Bruce. There are two County roads serving Walkerton: County Road #4 and County Road #2. The primary function of the Arterial County (Urban) road is to move relatively large volumes of traffic efficiently through the community. Roads identified as 'County Arterial (Urban)' on Schedule 'B' shall generally have a minimum right-of-way of 20 metres (65.61 feet).
  - iii) Arterial: Arterial roads are designed to handle high volumes of traffic on two to four lanes of pavement, while providing access to abutting properties. Right-of-way widths shall, where possible,

have a minimum width of 26 metres (85.30 feet).

- iv) Collector: Collector roads are designed to collect and carry local traffic to the arterial roads or distribute traffic to the local roads on two to four lanes of pavement, as well as to provide land access to abutting properties. The minimum road right-of-way for collector roads shall generally be 20 metres (65.61 feet).
- v) Local: Local roads are designated to handle predominantly local traffic at lower operating speeds on two traffic lanes. Local roads shall generally have a minimum right-of-way width of 20 metres (65.61 feet).

## 7.4 Road Network Policies

- a) The Municipality shall integrate the planning of the municipal road network with the existing and proposed road networks under the jurisdiction of the Province, the County of Bruce and surrounding municipalities.
- b) No new ‘development’ and/or redevelopment shall be permitted unless such lands are accessible by an improved public road, maintained year round and which meets the Municipality’s design standards and is of an acceptable standard of construction to accommodate the traffic to be generated. For the purposes of this Plan, laneways shall not be considered to be a public road.
- c) Condominium roads may be constructed to a lesser standard than municipal public roads provided that the roads are designed to accommodate emergency service vehicles and safe operation of vehicles.
- d) The Municipality shall require, as a condition of approval of any ‘development’ or redevelopment that sufficient lands be conveyed to the Municipality to provide for a road right-of-way width in accordance with the road classification identified on Schedule B Road Plan, and defined in Section 7.3 Road Classification Policies.
- e) The Municipality shall require, as traffic conditions warrant, improvements in the form of jog eliminations, regulation of turning movements, proper signing, installation of traffic signals, marking of traffic lanes and channelization to be undertaken.
- f) In considering ‘development’ proposals, the Municipality shall ensure that new intersections are properly located and designed to ensure traffic safety. Where existing intersections are significantly affected by new ‘development’, the Municipality may require improvements to such intersections.

- g) In considering 'development' proposals adjacent to arterial, collector or local roads, the Municipality may regulate the number, location and design of entrances.
- h) 'Development' along Arterial County (Urban) roads that would detract from their primary traffic function may be discouraged. The County of Bruce is the approval for entrances/access on to an Arterial County (Urban) and may grant or refuse access. Where a 'development' is likely to generate significant traffic volumes on an Arterial County (Urban), the applicant may be required to prepare a traffic impact study to demonstrate how the transportation impacts of a proposed 'development' or redevelopment can be mitigated and addressed in a manner consistent with the objectives of the County.
- i) 'Development' along Provincial Highway #9 that would detract from its primary traffic function may be discouraged. 'Development' within the MTO's Permit Control Areas, as defined under the Public Transportation and Highway Improvement Act, shall be subject to the approval of the MTO. Permits for access, signs, buildings and utility encroachments within the MTO Permit Control Area may be required from the MTO. Where a 'development' is likely to generate significant traffic volumes on Provincial Highway #9, the applicant may be required to prepare a traffic impact study to demonstrate how the transportation impacts of a proposed 'development' or redevelopment can be mitigated and addressed in a manner consistent with the objectives of the MTO.

## 7.5 Road Widening Policies

- a) Road widening shall take place in conformity with the standards outlined in Section 7.3 of this Plan. Privately owned land required for road allowance widening may be acquired by the appropriate road authority through purchase or by dedication as a condition of subdivision, severance, or site plan approval, or other appropriate means.
- b) Road widening and greater road allowance requirements may be required at any intersection for the purpose of providing daylight triangles, lane channelization, and locations for traffic control devices. They may also be required along any arterial road to accommodate auxiliary turning lanes intended to provide better access to land uses that are major traffic generators.
- c) Generally, road widening shall be taken equally on both sides of a road as measured from the centre line of the road allowance. Where physical or other conditions necessitate a widening on one side in excess of an equal amount, only that portion of the widening that represents an equal amount shall be required as dedication under the Planning Act.
- d) The Comprehensive Zoning By-law may establish setback requirements

from the centre line or the limit of the required road allowance. The Comprehensive Zoning By-law may also recognize, as legal uses, properties which do not conform to lot area or setback requirements due to road widening.

## **7.6 Pedestrian and Bicycle Traffic Policies**

An important component of any transportation system is the establishment of a safe and efficient pedestrian and bicycle system. Schedule B demonstrates the existing trail system within Walkerton. People should be encouraged to walk and ride bicycles within the Community.

- a) The Municipality shall develop a pedestrian walkway system which links major commercial, residential, community facilities and open space areas in a continuous system.
- b) Pedestrian access from the downtown to the Saugeen River Valley shall be improved to stimulate the function of the waterfront as a major attraction within the Community.
- c) The Municipality shall require all new 'development' to include the construction of adequate sidewalks.
- d) The Municipality will establish long-term actions within the Asset Management Plan to address existing gaps in pedestrian infrastructure along arterial and collector roads.
- e) The Municipality shall strive to establish proper signage and traffic controls to allow for the safe movement of pedestrian traffic across arterial or collector roads.

## **7.7 Traffic Impact Assessment Policy**

- a) Where 'development' will add significant volumes of traffic to the road system or where it is proposed in an area with recognized road deficiencies, the Municipality shall require a traffic impact assessment or intersections and turning movements, or other matters as may be required.

## **7.8 Parking Areas**

- a) All parking areas shall be designed to ensure an appropriate flow of internal traffic, service and emergency access.
- b) Development of drive-through facilities shall not be permitted in the Historic Walkerton Area. Where these facilities are permitted in other designations, such facilities shall ensure that there is sufficient queuing

space so as not to interfere with internal traffic or external traffic on municipal roads.

- c) Adjacent parking areas shall provide pedestrian connectivity to provide for short vehicle trips wherever possible.

DRAFT

## Section 8 - Implementation

### 8.1 Introduction

This Section provides a guide to those who wish to participate in the planning process or who wish to propose ‘developments’ within the Community. The following policies explain the various planning tools available to the Municipality, when they may be used, and the type of issues they can address.

### 8.2 Amendments to the Official Plan

Circumstances may arise where a ‘development’ does not conform to the policies or land use designations of the Official Plan. The Municipality shall give consideration to all applications to amend the Official Plan, and notify the general public and government agencies and ministries of the nature of the proposed amendment, in accordance with the requirements of the Planning Act.

The submission of an Official Plan amendment application shall be accompanied by a plan of the proposed ‘development’ and a report which addresses the following:

- a) The proposed amendment complies with the Vision for the Historic Walkerton community, if applicable.
- b) The proposed amendment furthers the Goals and Actions of the Plan. The Amendment is in keeping with Provincial and County policy.
- c) The demonstrated need for the proposed ‘development’.
- d) The suitability of the lands for the proposed use.
- e) The compatibility of the proposal with the existing and planned land uses in the surrounding area.
- f) An assessment of how lands affected shall be adequately serviced to accommodate the proposed ‘development’.
- g) An assessment of the impacts the proposed ‘development’ shall have on surrounding land uses, traffic movements, servicing, built heritage and natural environment.
- h) An assessment of the impacts the proposal shall have on municipal capital works and services.

### 8.3 Public Consultation

Brockton Council actively encourages public participation on land use planning matters within Walkerton. The following represent the goals of the Municipality in terms of public participation:

- a) To adhere to the public notification requirements prescribed in the Planning Act, as amended, including holding public open houses where required.
- b) Council may extend the area of notification and timing of notification to residents and property owners of public meetings held by Council, in accordance with the maximum time limit requirements of the Planning Act and its regulations, without amendment to this plan.
- c) To ensure that the public is adequately consulted in the context of all land use decisions including official plan amendments, zone change applications, minor variances, plans of subdivision, and consents.
- d) To encourage public participation in planning matters and provide appropriate access to applicable planning information.
- e) To encourage applicants to consult with the Municipality before submitting applications under the Planning Act.
- f) To provide a tailored consultation approach for Municipally-initiated amendments and plans which considers a range of different communication types, accessibility, in-person and virtual engagement opportunities, and engagement in community gathering spaces.
- g) Council may forego public notification and public meetings in connection with Official Plan, community improvement plan, and zoning by-law amendments if such amendments relate to matters that will not affect the policies and intent of the Official Plan or community improvement plan, or the provisions of the zoning bylaw in any material way, and may include the following matters:
  - i) Altering punctuation or language to obtain a uniform mode of expression;
  - ii) Correcting clerical, grammatical, dimensioning or typographical errors;
  - iii) Altering the number and arrangement of any provision;
  - iv) Inserting historical footnotes or similar annotations to indicate the origin and approval of each provision;
  - v) Updates to reflect changes in job titles, municipal departments,

external agencies, or applicable legislation and policy documents. Changing the format of a document;

- vi) Consolidating amendments;
- vii) Updates to any zoning map schedule in respect to any identified minor zoning by-law amendment identified in Section 8.6.
- viii) Transferring official plan, community improvement plan and zoning by-law information to new base maps; and
- ix) Dealing with such matters as outlined in Section 2.3 Interpretation.

h) Council may waive the requirement for a Statutory Public Meeting under the Planning Act for a minor amendment to the Zoning By-law if no concerns have been identified through written submission during the commenting period identified in the Notice of Complete Application/Notice of Public Meeting and a delegation by-law has been passed outlining the use of this alternative consultation process.

- i) Notwithstanding the above, If the minor amendment application is not consistent with the in effect Provincial Planning Statement, or does not conform with Official Plan policy, or if written concerns in objection are provided with respect to an application, a public meeting shall be held in accordance with the requirements of section 34 of the Act, and it shall be referred to Council for decision and the delegated authority with respect to that particular application is revoked.
- j) A municipality may issue a notice of minor amendment or by-law, which serves as a combined notice of complete application and notice of public meeting. A notice of minor amendment or by-law shall provide all information required under the Planning Act for both a complete application and a public meeting notice and shall clearly indicate that if written correspondence in opposition to the proposal is not received within the identified public commenting period, the statutory public meeting may be cancelled without further notice.
- k) Alternative public consultation measures to notify prescribed persons and public bodies of 'development' applications may be adopted by By-law outside of this Plan.
- l) To consult with the public prior to finalizing the adoption or update of the following initiatives:
  - i) A Sign By-law;
  - ii) A Community Improvement Plan;
  - iii) A Property Standards By-law;

- iv) A Payment-in-Lieu for Parking By-law;
- v) A Development Charges By-law; and,
- vi) Any other municipal initiative that may affect the Community.

## 8.4 Pre-Consultation

Prior to the submission of any development application for which the Municipality is the approval authority, applicants are encouraged to pre-consult with the Municipality in accordance with the provisions of this Plan and the Municipality's Pre-Consultation By-law. The County of Bruce is encouraged to participate in the Municipality's pre-consultation process as appropriate. The pre-consultation process is intended to address the requirements for a completed application and may require more than one pre-consultation meeting and involve other agencies, rightsholders and Municipal Departments.

## 8.5 Complete Application

In accordance with the provisions of Sections 22, 34, 51 and 53 of the Planning Act, any application submitted to the Municipality of Brockton in support of a 'development' proposal must be deemed to be a complete application and be accompanied by the appropriate fee before processing any application. Any required background reports, studies documents and materials must be prepared and submitted to the satisfaction of the Municipality.

Should it be determined through the review process that the submission is incomplete, inadequate or further issues need to be addressed, additional information may be required. The authority to deem an application complete may be delegated to the Chief Building Official or other designated staff by by-law.

To be considered complete under the *Planning Act*, Official Plan Amendment, Zoning By-law Amendment, Plan of Subdivision, and Consent applications must be accompanied by the following:

- a) A completed application form(s);
- b) Any information or material prescribed by the *Planning Act* and relevant Ontario Regulations;
- c) Prescribed application fee(s); and,
- d) A completed pre-consultation form setting out the applicable information requirements.

In addition to the requirements specified above, this section sets out the supplementary information or material in the form of studies that is required in support of an application for Official Plan Amendment, Zoning By-law

Amendment, Plan of Subdivision or Consent. Some of the studies identified below may also be requested in order to allow for the proper evaluation of an application for Site Plan Approval.

The supplementary information requirements may include, but shall not be limited, to the following:

- a) Planning Justification Report. The intent of such a report would be to describe the proposal in detail and provide an opinion on how the proposal shall conform to the Goals and Actions of this Plan.
- b) Environmental Impact Study (EIS). The purpose, intent, and content of such a study is set out in the County Official Plan.
- c) Geotechnical Assessment. Such an assessment shall be required to support development on private or partial services and, if necessary, to assess slope stability and erosion hazards.
- d) Stormwater Management Report. Such an assessment provides recommendations on stormwater quality and quantity that ensures that post-development peak flow shall not be greater than predevelopment flows, as well as addressing possible impacts on watershed flow regimes, and identifying site management measures required during construction.
- e) Servicing Study. The purpose of such a study is to identify specific sanitary and water supply needs for individual development proposals.
- f) Traffic Impact Assessment. Such an assessment may be required to determine what impact a development proposal shall have on roads adjacent to a proposed development and roads in the general area.
- g) Archaeological Assessment. Such an assessment determines the existence of archaeological remnants requiring preservation, excavation or protection.
- h) Cultural Heritage Impact Statement. The intent of the study is to determine what impacts the development shall have on the identified or significant cultural heritage resource and whether the application conforms to the Goals and Actions of this Plan.
- i) Tree Preservation Plan/Study. The intent of such a Plan/Study is to inventory trees on a development site and make recommendations on how trees can be retained and/or replanted as a condition of development.
- j) Environmental Site Assessment (Phase I and II). The intent of a Phase I study is to determine whether or not a property is contaminated. In the

event that a Phase I investigation shows evidence of contamination, a Phase II investigation that includes matters such as surface and subsurface soil sampling and groundwater and surface water sampling is required.

k) Land Use Compatibility Assessment. The intent of such an assessment is to describe and review the potential impacts of proposed sensitive land uses on existing industrial uses or the impacts of existing industrial uses on proposed sensitive land uses, in terms of noise, dust, odour and similar items in accordance with Provincial Guidelines. Such an assessment may include a Noise Impact and Vibration Study. The intent of this study is to identify noise and vibration mitigation requirements proposed for development involving sensitive land uses that are adjacent to or in proximity to a highway, arterial road, industrial use or railway.

The list of information or material specified in this section is not intended to be exclusive. Other information or material may be required by the Municipality, in consultation with the County, and other applicable agencies in response to a particular development proposal. All studies shall be:

- a) Carried out by qualified professional consultants retained by and at the expense of the proponent. The Municipality may require peer reviews of the studies by an appropriate public agency or by a professional consultant retained by the Municipality at the proponent's expense; or,
- b) Carried out by a qualified professional consultant retained by the Municipality at the expense of the proponent.

All recommendations contained in all studies shall be implemented by the proponent to the satisfaction of the Municipality, the County and other applicable agencies.

## 8.6 The Comprehensive Zoning By-Law

- a) A review of the Municipality's Comprehensive Zoning By-law shall be undertaken to ensure that it properly implements the policies of this Plan.
- b) It is the policy of the Municipality to refuse amendments to the Comprehensive Zoning By-law which do not conform to the Official Plan.
- c) Existing legal non-conforming land uses may be placed in zones that do not correspond with the Land Use designation of the Official Plan. The Comprehensive Zoning By-law may recognize existing uses, provided the following criteria are met:
  - i) The applicable zone does not permit as-of-right, changes in the use of the building(s), structure(s) or lot that would result in

- significant impacts on adjacent uses;
- ii) The recognition of the legal non-conforming use does not represent a danger to surrounding uses and/or persons; and,
- iii) The legal non-conforming use does not interfere with the desirable development or enjoyment of the adjacent area.

d) Vacant land within the Community may be placed in a Planned Development zone. A Planned Development zone restricts the use and development of vacant land until an appropriate development proposal is submitted. A Planned Development zone may permit the continued use of existing buildings and structures, but all new uses shall require an amendment to the Zoning By-law.

e) It is not the intent of this Plan to zone all lands in accordance with the land use designations until such time as the policies of this Plan can be met. However, lands may be pre-zoned in accordance with the land use designations provided that Council is satisfied that it will further the goals and strategic objectives, and other relevant objectives and policies of this Plan.

f) Council may, by by-law delegate to the Chief Building Official or other designated staff, the authorization to pass minor zoning by-law amendments.

g) Matters which are classified as a minor zoning by-law amendment are defined in the County Official Plan.

## **8.7 Minor Variances**

In certain instances, a proposal to construct a new structure or expand an existing structure may not be able to meet one or more of the provisions of the Comprehensive Zoning By-law (e.g., an addition to a house cannot meet the side yard requirements). In such cases, the individual may request the Committee of Adjustment to grant a minor variance from one or more of the requirements of the Zoning By-law to permit the development to proceed.

- a) The Committee of Adjustment may consider granting a minor variance to a proposed development which cannot reasonably meet one or more of the provisions of the Zoning By-law, provided the development meets sound planning principles.
- b) Prior to considering an application for minor variance, the Committee of Adjustment will require the applicant to demonstrate that the development is:
  - i) In keeping with the intent of the Comprehensive Zoning By-law;

- ii) In keeping with the intent of the Official Plan;
- iii) An appropriate and desirable use of land; and,
- iv) Minor in nature.

- c) If a minor variance application is approved, the Committee of Adjustment may impose conditions which shall ensure the development has minimal impact on surrounding uses and satisfies reasonable planning criteria.
- d) The Chief Building Official for the Municipality shall be satisfied that all the conditions of the minor variance are met prior to the issuance of a building permit.

## 8.8 Legal Non-Conforming Uses

Certain uses that legally existed prior to the adoption of a Comprehensive Zoning By-law but are not permitted in that same By-law are referred to as legal non-conforming uses.

Legal non-conforming uses are allowed to continue to exist, provided no alterations, expansions or changes of use are made. All alterations, expansions or changes in use require approval by the Committee of Adjustment.

- a) It is the policy of the Municipality that legal non-conforming uses should cease to exist in the long run. Legal non-conforming buildings or structures may be repaired, renovated, or reconstructed provided there are no increases to extent of non-conformity with permitted uses or non-compliance of the use, building, or structure with provisions of the zoning by-law. Additions, expansions or changes in use which do not meet the requirements of the Comprehensive Zoning By-law should be discouraged.
- b) In considering non-conforming uses in natural hazard lands, reconstruction may be permitted in a different location on the same property provided it is further from the source of the natural hazard. Height and volume may be increased for the purpose of addressing floodproofing or other hazards.
- c) The Municipality recognizes that circumstances may exist where changes to legal non-conforming uses may be desirable given their economic, cultural, social or historical importance to the Community. In such cases, the Committee of Adjustment may grant permission for an addition, expansion or change in use.
- d) A change in use of a legal non-conforming use to a use which is still not in compliance with the Comprehensive Zoning By-law, but which is more compatible than the existing use, may be permitted by the Committee

of Adjustment.

- e) When deciding to permit a change to a legal non-conforming use under section 45(2) of the Planning Act, the Committee of Adjustment shall consider:
  - i) whether the application is desirable for appropriate development of the subject property; and
  - ii) whether the application will result in undue adverse impacts on the surrounding properties and neighbourhood.
- f) The Committee of Adjustment may place conditions on the approval for the addition, expansion or change in use of non-conforming uses.

## 8.9 Legal Non-Complying Uses

Situations may exist where the present use of a parcel of land is permitted in the zone in which it is located, but the buildings located on the property do not meet one or more of the provisions of the zone (e.g. a house located too close to the lot line). These situations are known as legal non-complying uses.

- a) It is the policy of the Municipality to permit the expansion, alteration and addition to a legal non-complying use, without Committee of Adjustment approval, provided that:
  - i) The expansion, alteration or addition does not further aggravate the existing non-compliance of the use; and,
  - ii) The expansion, alteration or addition does not create another non-compliance with the By-law.
- b) Where expansions to these uses are not permitted as-of-right in the zoning by-law, the Committee of Adjustment may permit expansions to these uses through a minor variance approval under section 45(2) of the Planning Act. When deciding to permit a change to a legal non-conforming use under section 45(2) of the Planning Act, the Committee of Adjustment shall consider:
  - i) whether the application is desirable for appropriate development of the subject property; and
  - ii) whether the application will result in undue adverse impacts on the surrounding properties and neighbourhood.

## 8.10 Interim Control By-laws

The Municipality has the authority to place a freeze on development, as permitted under the Comprehensive Zoning By-law, where they have serious concerns with allowing development to continue.

In such cases, the Municipality may put a hold on development permitted under the Comprehensive By-law, for a maximum period of two years through an Interim Control By-law. The initial Interim Control By-law can be in effect for a one year period, with a one year extension if required. This hold on development allows the Municipality to undertake a thorough review of its policies and take the necessary action to address the problem.

The Municipality should only use Interim Control in limited circumstances, where the development of certain lands poses serious problems and require study.

- a) It is the policy of the Municipality to use Interim Control in circumstances where an immediate policy review of specific issues is required.
- b) Prior to the passage of an Interim Control By-law the Municipality shall arrange for a study of the issues associated with the lands forthwith.

## 8.11 Holding Provisions

The Municipality may place a Holding (H) provision on the zone which prevents any development from taking place until the Municipality is satisfied that certain conditions have been met. In such instances, the Municipality can indicate its support for the principle of the development but also identify the need for additional actions prior to development proceeding.

The use of a Holding provision is seen as an effective tool in the streamlining of the approval process. There is no appeal period with such by-laws and rights to appeal are limited only to the applicant in the event of refusal or neglect by Council to make a decision within 120 days to remove the Hold, thereby allowing development to proceed quickly once the conditions have been satisfied.

- a) The Municipality may utilize the Symbol “H” or “h” in all zones in the Comprehensive Zoning By-law as a means of ensuring that certain conditions have been met prior to development proceeding.
- b) When lands are subject to a Hold the use of the lands and buildings shall be limited to those that existed prior to the Holding Symbol being placed on the property, or those uses as may be specified in the By-law. In some circumstances, the Municipality may allow additions or alterations to existing uses, or may partially or temporarily remove a Hold to allow for limited new development or site alteration to occur.
- c) The Municipality may adopt a by-law under Section 36 of the *Planning Act* removing the Holding Symbol from the applicable lot when satisfied that the conditions specified in the By-law are met and/or agreements executed that ensure for the orderly development of the lands.
- d) Council may, by by-law delegate to the Chief Building Official or other designated staff the authorization to remove or amend a holding symbol, in accordance with section 8.7.f.

e) Conditions that maybe imposed by the Municipality may include:

- i) The owner/developer entering into a Site Plan Control or Subdivision or Consent Agreement to the satisfaction of the Municipality;
- ii) The owner/developer making satisfactory arrangements for the installation of sanitary or storm sewer, water and road services;
- iii) The owner/developer receiving final approval for a plan of subdivision or condominium, and that all the conditions have been met such that the lots or units are ready for release;
- iv) The owner/developer submitting all necessary technical studies;
- v) The owner/developer satisfying all financial requirements of the Municipality;
- vi) The owner/developer ensuring all measures to protect natural areas have been implemented;
- vii) The owner/developer undertaking an archaeological assessment, to the satisfaction of the Province, by an archaeologist licensed under the Ontario Heritage Act, and conserving any significant archaeological resources and/or removal and documenting or preserving on site, to the satisfaction of the Province;
- viii) The owner/developer addressing any site contamination or other environmental constraints on site;
- ix) The owner/developer making satisfactory arrangements for parking;
- x) The development/redevelopment within commercial and industrial lands is in accordance with the design and site criteria established by the Municipality.
- xi) Any other condition or requirement as deemed necessary by the Municipality.

## 8.12 Parking, Payment-in-Lieu Requirements

The Comprehensive Zoning By-law contains provisions prescribing a minimum number of parking spaces for specific land uses. In some circumstances, a development proposal is unable to accommodate the required number of parking spaces.

If a development is unable to provide enough parking spaces, the Municipality has the authority to offer an exemption from the parking requirements of the

Comprehensive Zoning By-law, and accept a Payment-in-Lieu of each parking space not provided.

- a) The Municipality may adopt a Payment-in-Lieu By-law enabling it to accept cash payments in compensation for insufficient parking spaces involving development/ redevelopment proposals.
- b) The Municipality considers Payment-in-Lieu of parking as an effective mechanism for encouraging a compact, efficient and viable downtown core.
- c) Monies raised through Payment-in-Lieu shall be placed in a special reserve fund, separate from general revenues, dedicated to managing existing public parking resources and/or establishing new parking facilities.
- d) In order to determine the actual costs of providing a parking space, and the appropriate fee to be charged for each space levied, the Municipality may undertake a parking study.
- e) In order to encourage development/redevelopment within the downtown core, the Municipality may wish to have a Payment-in-Lieu fee which is less than the true cost of providing new parking spaces.
- f) In order to encourage the development/redevelopment of 'Affordable Housing' initiatives, or portions of housing initiatives, which can be certified as 'Affordable Housing', the Municipality may waive a Payment- in-Lieu fee or reduce the Payment-in-Lieu fee to less than the true cost of providing new parking spaces. The Comprehensive Zoning By-law shall establish parking provisions/requirements for 'Affordable Housing' that reflect this Policy.

## 8.13 Parkland Dedication

As a condition of development or redevelopment of land in the Municipality, land shall be conveyed or dedicated to the Municipality for park or other public recreational purposes.

The conveyance or dedication of land to the Municipality for park or other public recreational purposes shall be in accordance with the following:

- a) For industrial or commercial development, redevelopment, a conveyance or dedication of 2% of the land;
- b) For all other land uses (including residential development, redevelopment or plans of subdivision providing for low, medium and/or high density uses), conveyance or dedication shall be either equal to 5% of the land proposed for development, redevelopment or subdivision or 1 hectare per 600 dwelling units, whichever is greater;

- c) For mixed-use development or redevelopment, conveyance or dedication requirements shall only apply to the residential portion of the development proposal in the amount equal to 1 hectare per 600 dwelling units. However, in no instance shall the contribution be less than 2% of the land area or the equivalent Payment-in-Lieu value; and
- d) For conversion of non-residential buildings to residential uses, dedication shall be in accordance with Subsection (b) with appropriate credit to be made for any previous dedication.

Council may waive the land conveyance requirement in favour of Payment-in-Lieu of parkland dedication or require a combination of cash and land where:

- a) The use of alternative parkland dedication policy consumes more than 10% of the site area thereby rendering the site undevelopable; or,
- b) The amount of land for parkland dedication does not result in a sufficient area for park development; or,
- c) The dedication of land is not deemed necessary.

In all cases of Payment-in-Lieu, the value of the land shall be determined in accordance with the provisions of the Planning Act.

In order to encourage the development/redevelopment of 'Affordable Housing' initiatives, or portions of housing initiatives, which can be certified as 'Affordable Housing', the Municipality may waive the requirement for either parkland dedication and/or Payment-in-Lieu of parkland.

'Valleylands', lands required for drainage purposes or stormwater management, lands susceptible to flooding or otherwise unsuitable for development shall not be accepted as statutory parkland dedication.

Lands to be dedicated for park purposes shall be in a condition acceptable to the Municipality.

The timing of such conveyance shall be determined by the Municipality.

Where a development or redevelopment proposal includes non-developable land, Council may request that such land be dedicated to the Municipality. However, these lands shall not be included as part of the parkland dedication.

## 8.14 Site Plan Control

The Municipality has the authority, under Site Plan Control, to require development proposals to include a site plan which identifies such things as finished elevations, site landscaping, lot grading and drainage, etc.

The Municipality can also require that an individual/ developer enter into an agreement to ensure that work is carried out in accordance with the site plan.

- a) All lands within the limits of the Official Plan of the Walkerton community as delineated on Schedule 'A' Land Use Plan shall be designated as a Site Plan Control Area. Residential buildings containing up to 10 dwelling units, shall be exempt from this requirement except for lands within 120 metres of a waterbody or 'wetland'.
- b) As per section 41(4.0.1) of the Planning Act, the Municipality appoints the Chief Administrative Officer as the Authorized Person for the purposes of approving site plans under section 41(4) of the Planning Act. By by-law, the Council of the Municipality may appoint another officer for this purpose without amending this Plan.
- c) The Municipality may require the signing of a Site Plan Agreement as a condition of development. Such agreements shall be required prior to the issuance of a building permit.
- d) Upon the execution of a Site Plan Agreement, the agreement may be registered on title of the lands and be binding on all future landowners.
- e) No person shall undertake any development in the area designated under subsection (a) unless the Authorized Person has approved one or both, as the Authorized Person may determine, of the following:
  - i) Plans showing the location of all buildings and structures to be erected and showing the location of all facilities and works to be provided in conjunction therewith and of all facilities and works required under subsection (f)(1), including facilities designed to have regard for accessibility for persons with disabilities.
  - ii) Drawings showing plan, elevation and cross-section views for each building to be erected, which drawings are sufficient to display,
    - 1) the massing and conceptual design of the proposed building;
    - 2) the relationship of the proposed building to adjacent buildings, streets, and exterior areas to which members of the public have access;
    - 3) the provision of interior walkways, stairs, elevators and escalators to which members of the public have access from streets, open spaces and interior walkways in adjacent buildings;
    - 4) matters relating to exterior access to each building that will contain affordable housing;

- 5) matters relating to building construction regarding a green roof;
- 6) the sustainable design elements on any adjoining highway under a municipality's jurisdiction, including without limitation trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities, provided a by-law contains provisions relating to such sustainable design elements is in effect in the municipality; and
- 7) facilities designed to have regard for accessibility for persons with disabilities.

f) The following matters relating to buildings described in subsection (d) ii)) are not subject to site plan control:

- i) Interior design.
- ii) Exterior design except to the extent that it is related to exterior access to a building containing affordable housing or to any part of a building relating to the construction of a green roof.
- iii) The layout of interior areas, excluding interior walkways, stairs, elevators and escalators.
- iv) The manner of construction and standards for construction.

g) The appearance of the elements, facilities and works on the land or any municipal road is not subject to site plan control, except to the extent that the appearance impacts matters of health, safety, accessibility, sustainable design or the protection of adjoining lands

h) As a condition to the approval of the plans and drawings referred to in subsection (d) (ii), the Municipality may require the owner of the land to:

- i) Provide to the satisfaction of and at no expense to the municipality any or all of the following:
  - 1) Subject to the provisions of Section 7.5, widenings of highways that abut on the land.
  - 2) Subject to the Public Transportation and Highway Improvement Act, facilities to provide access to and from the land such as access ramps and curbings and traffic direction signs.

- 3) Off-street vehicular loading and parking facilities, either covered or uncovered, access driveways, including driveways for emergency vehicles, and the surfacing of such areas and driveways.
- 4) Walkways and walkway ramps, including the surfacing thereof, and all other means of pedestrian access.
- 5) Facilities designed to have regard for accessibility for persons with disabilities.
- 6) Facilities for the lighting, including floodlighting, of the land or of any buildings or structures thereon.
- 7) Walls, fences, hedges, trees, shrubs or other groundcover or facilities for the landscaping of the lands or the protection of adjoining lands.
- 8) Vaults, central storage and collection areas and other facilities and enclosures for the storage of garbage and other waste material.
- 9) Easements conveyed to the municipality for the construction, maintenance or improvement of watercourses, ditches, land drainage works, sanitary sewage facilities and other public utilities of the municipality or local board thereof on the land.
- 10) Grading or alteration in elevation or contour of the land and provision for the disposal of storm, surface and waste water from the land and from any buildings or structures thereon;

ii) Maintain to the satisfaction of the municipality and at the sole risk and expense of the owner any or all of the facilities or works mentioned on private lands in clause g (i), including the removal of snow from access ramps and driveways, parking and loading areas and walkways;

iii) Enter into one or more agreements with the municipality dealing with and ensuring the provision of any or all of the facilities, works or matters mentioned in clause g(i) and the maintenance thereof as mentioned in clause g(ii) or with the provision and approval of the plans and drawings referred to in clause ii of subsection d);

iv) Enter into one or more agreements with the municipality ensuring

that development proceeds in accordance with the plans and drawings approved under subsection d (ii);

- i) Plans and drawings in respect of any development proposed to be undertaken in the area shall not be approved until the County of Bruce has been advised of the proposed development and afforded a reasonable opportunity to require the owner of the land to:
  - i) Provide to the satisfaction of and at no expense to the County of Bruce any or all of the following:
    - 1) Subject to Section 7.5, widenings of highways that are under the jurisdiction of the County of Bruce and that abut on the land,
    - 2) Subject to the Public Transportation and Highway Improvement Act, where the land abuts a highway under the jurisdiction of the County of Bruce, facilities to provide access to and from the land such as access ramps and curbings and traffic direction signs,
    - 3) Where the land abuts a highway under the jurisdiction of the County of Bruce, off street vehicular loading and parking facilities, either covered or uncovered, access driveways, including driveways for emergency vehicles, and the surfacing of such areas and driveways,
    - 4) Where the land abuts a highway under the jurisdiction of the County of Bruce, grading or alteration in elevation or contour of the land in relation to the elevation of the highway and provision for the disposal of storm and surface water from the land,
    - 5) Where the land abuts a highway under the jurisdiction of the County of Bruce, facilities designed to have regard for accessibility for persons with disabilities;
  - ii) Enter into one or more agreements with the County of Bruce dealing with and ensuring the provision of any or all of the facilities, works or matters mentioned in clause 1) and the maintenance thereof at the sole risk and expense of the owner, including the removal of snow from access ramps and driveways and parking and loading areas;
- j) Any agreement entered into under subsection (f)(3) or under subsection (g)(2) may be registered against the land to which it applies and the municipality is entitled to enforce the provisions thereof against the owner and, subject to the provisions of the Registry Act and the Land

Titles Act, any and all subsequent owners of the land.

## 8.15 Plans of Subdivision and Condominium

The County of Bruce has the authority for creating lots by Plan of Subdivision. Prior to approval of a Plan of Subdivision, a developer must satisfy all conditions placed upon the development by the Municipality or by the various government agencies and ministries. This process usually involves the developer entering into a Subdivision Agreement with the Municipality.

Subdivision Agreements provide the Municipality with a legal mechanism to ensure the design and servicing of the subdivision meet municipal standards, as well as allow for some type of performance bond should any costs be incurred by the Municipality in the development of the subdivision.

Subdivision Agreements usually cover such issues as lot grading and drainage, the construction of roads and the installation of sewer and water lines, and the establishment of parkland.

- a) The Municipality shall not support Plans of Subdivision that do not conform to the policies of the Official Plan and/or the provisions of the Comprehensive Zoning By-law.
- b) Prior to permitting the development of a Plan of Subdivision, the Municipality shall be satisfied that the development can be supplied with municipal services such as schools, fire protection, water supply, storm drainage, sewage disposal facilities and roads. Such development should not adversely affect the finances of the Municipality.
- c) The Municipality shall enter into a Subdivision Agreement as a condition of the approval of Plans of Subdivision. Such agreements shall ensure that the developer provides the necessary internal or external services to the development to the specifications established by the Municipality.
- d) Where new development is proposed on a site, part of which has physical or environmental hazards, then such land will not necessarily be acceptable as part of the dedication for open space purposes required under the Planning Act. All lands dedicated to the Municipality shall be conveyed in a physical condition satisfactory to the Municipality. Where an open watercourse is dedicated to the Municipality, adequate space shall be provided for maintenance operations. If necessary, the Municipality may request a maintenance easement, at no cost to the corporation, in its favour.
- e) In order to encourage the development of 'Affordable Housing', the Municipality shall require developers to indicate in their applications potential opportunities to provide 'Affordable Housing'.

- f) Prior to the submission of an application for a Draft Plan of Subdivision, Draft Plan of Condominium or application for Exemption for a Plan of Condominium, the developer shall confer/consult with the Municipality on opportunities to provide ‘Affordable Housing’ within the proposed development.
- g) As part of the submission the Municipality requires the owner to demonstrate how the proposed design and the site and buildings:
  - i) Demonstrates appropriate regard for the relevant matters listed in section 51(24) of the Planning Act;
  - ii) Implements good best practices;
  - iii) Contributes to compact, urban and pedestrian-oriented form and function that enhances pedestrian accessibility;
  - iv) Safely addresses vehicular traffic impacts;
  - v) Implements sustainable development objectives including protection of the natural heritage system, energy efficiency, minimizing light pollution and water consumption, stormwater management controls, tree planting and other enhancements to the natural environment;
  - vi) Complements the Municipality’s “Bright Star Community” status by using dark sky/bright star-compliant exterior light fixtures and layouts to reduce light pollution;
  - vii) Protects, enhances or restores the Municipality’s built heritage;
  - viii) Integrates with surrounding ultimate land uses and addresses impacts due to noise, traffic, overshadowing, and wind effects;
  - ix) Provides landscaped areas and urban amenities consistent with the context of the planned land uses and the Municipality’s landscaping design and amenity requirements;
  - x) Makes appropriate provision for sequential staging of services including the construction of ‘infrastructure’ to service the site; and,
  - xi) Implements any other relevant policies of this Plan.

## 8.16 Consent To Sever Land

The County of Bruce has the authority for creating lots by consent and granting rights-of-way and easements. However, the Municipality has a large degree of

control over the creation of lots by consent and can request that conditions be placed on the approval of such lots, similar to the conditions it may ask for with a Plan of Subdivision.

- a) The Municipality shall support applications to create lots by consent when:
  - i) The scale of development proposed or the total development potential of the property would not require a plan of subdivision;
  - ii) The application represents infill in an existing built up and serviced area, and the proposed lots are in keeping with the lot area, frontage and density pattern of the surrounding neighbourhood;
  - iii) The creation of lots would not create or worsen traffic, access or servicing problems;
  - iv) The application represents an orderly and efficient use of land, and its approval would not hinder the development of the retained land; and,
  - v) The severed and retained lots shall front on an existing road allowance which is opened and maintained on a year-round basis and is constructed to a standard of construction adequate to provide for the additional traffic generated by the proposed development. Consents shall not be granted where access to either the retained or severed parcel is proposed to be via a municipal laneway.
- b) The Municipality shall not support Consent applications that do not conform with the policies of the Official Plan and/or the provisions of the Comprehensive Zoning By-law.
- c) Prior to permitting the creation of lots by Consent, the Municipality shall be satisfied that the development can be supplied with municipal services such as schools, fire protection, water supply, storm drainage, sewage disposal facilities and road access. Such development should not adversely affect the finances of the Municipality.
- d) The Municipality may enter into a Development Agreement as a condition of the approval of Consent applications. Such agreements shall ensure that the necessary internal or external services be provided by the developer to the specifications established by the Municipality.
- e) The Municipality shall support residential intensification where full municipal water and sewer services are available and provided the proposed scale of development is appropriate to the size and

characteristics of the lot on which it is to be constructed.

## 8.17 Property Maintenance and Occupancy

The Municipality has the authority to enact a by-law under the Building Code Act which prescribes minimum standards for the maintenance of land and buildings, and the occupancy of buildings within the community. Through a Property Maintenance and Occupancy By-law, the Municipality can legally require the repair of buildings or the cleaning up of properties that do not meet acceptable Municipal standards.

- a) It is the policy of the Municipality to maintain a Property Maintenance and Occupancy By-law, affecting all lands within the Municipal boundaries, regulating such matters as:
  - i) Garbage disposal, pest prevention, structural maintenance of buildings, and cleanliness of buildings;
  - ii) Excavation and stabilization of soils;
  - iii) The safety and maintenance of buildings;
  - iv) Services of buildings (plumbing, heating, electricity); and,
  - v) Maintenance of yards, removal of weeds, debris, rubbish, unlicensed or wrecked motor vehicles, trailers, and other structures not permanently fixed to the ground.
- b) The Municipality shall appoint a Property Standards Officer who shall be responsible for administering and enforcing the Property Maintenance and Occupancy By-law.
- c) The Municipality shall appoint a Property Standards Committee for the purpose of hearing appeals against an order by the Property Standards Officer.
- d) In addition to the enforcement of minimum standards on private properties, the Municipality shall undertake to keep all municipally owned properties and structures in a fit and well maintained condition, and to maintain in good repair municipal services such as roads, sidewalks, water and sewage facilities, etc.

## 8.18 Sign By-law

The Municipality has the authority to regulate, through a by-law and permit system, the placement of signs, notices, placards, or other advertising devices on private and public lands. Under such a By-law, the Community may require the removal of signs not in compliance with the By-law, levy fines against contravention to the sign by-law, and require licensing of those persons

supplying mobile signs.

## 8.19 Finance

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

It must be understood that the Official Plan has a life expectancy of 20 to 30 years and that all of the projects and priorities referred to in the Plan cannot be initiated or implemented as soon as the Plan is adopted.

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

- a) The Municipality shall not grant approval to any development unless it is in a financial position to provide the services required by such development.
- b) The Municipality shall promote the establishment of a diverse and stable economic base both in terms of job opportunities and tax revenue.
- c) The Municipality may undertake a Development Charges Study to determine the cost of providing services to new developments, and may implement a Development Charges By-law enabling the recovery of the costs of servicing new development.
- d) The Municipality shall use the following guidelines in making financial decisions:
  - i) Capital expenditures shall be guided by a Five Year Capital Forecast, reviewed annually;
  - ii) Outstanding debenture debt shall be limited to a percentage of taxable assessment and assessment eligible for grants-in-lieu of taxes - this percentage figure shall be reviewed annually in light of changing circumstances and responsibilities; and,
  - iii) Capital expenditures from current funds may be limited to a predetermined mill rate for each year
- e) The Municipality may establish and maintain a Historic Walkerton Community Re-Investment Fund and make annual contributions to pay for capital improvements and public service upgrades within the area. Funds may be expended without the guidance of a Community Improvement Plan.

## 8.20 Status / Spot Zoning

At the sole discretion of the Municipality uses of land that existed legally at the date of adoption of this Official Plan, or a corresponding amendment to the Official Plan, may be zoned to recognize its existing status regardless of the Official Plan designation of the land. Such uses may be zoned to reflect their present use and standards provided:

- a) The use to be zoned was established legally;
- b) The use to be zoned is not located in an Environmental Protection designation or similar zone, or in a floodway;
- c) The use to be zoned will not be unduly impacted by neighboring incompatible uses;
- d) The zone will not permit any significant change of use or zone provisions that will aggravate any situation detrimental to adjacent conforming uses;
- e) The use shall be zoned in such a way that any significant enlargement, expansion or change of use must be by amendment to the Zoning By-law;
- f) The use to be zoned does not constitute a danger to surrounding uses and persons by virtue of their hazardous nature or the generation of significant traffic;
- g) The use to be zoned does not pollute air and/or water to the extent of interfering with the ordinary enjoyment of neighboring properties; and
- h) The use to be zoned does not interfere with the desirable development or enjoyment of the adjacent area.

## Section 9 - Definitions

**Additional Needs Housing:** means any housing, including dedicated facilities, in whole or in part, that is used by people who have specific needs beyond economic needs, including but not limited to, needs such as mobility requirements or support functions required for daily living. Examples of additional needs housing may include, but are not limited to long-term care homes, adaptable and accessible housing, and housing for persons with disabilities such as physical, sensory or mental health disabilities, and housing for older persons.

**Adjacent:** means:

- i) For the purpose of natural features and areas, those lands contiguous to a specific natural heritage feature or area where it is likely that development or site alteration would have a negative impact on the feature or area. The extent of the adjacent lands may be recommended by the Province or County.

**Adverse Effect:** as defined in the Environmental Protection Act, means one or more of the following:

- i) impairment of the quality of the natural environment for any use that can be made of it;
- ii) injury or damage to property or plant or animal life;
- iii) harm or material discomfort to any person;
- iv) an adverse effect on the health of any person;
- v) impairment of the safety of any person;
- vi) rendering any property or plant or animal life unfit for human use;
- vii) loss of enjoyment of normal use of property; and
- viii) interference with normal conduct of business.

**Affordable Housing:** means:

- i) In the case of ownership:, the least expensive of:
  - 1) housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low and moderate income households; or
  - 2) housing for which the purchase price is at least 10 per cent below the average purchase price of a resale unit in the Town.

This unit must remain affordable for a period of 25 years or more from the date that the unit is first sold.

- ii) In the case of rental housing, the least expensive of:

- 1) a unit for which the rent does not exceed 30 percent of gross annual household income for low and moderate income households; or
- 2) a unit for which the rent is at or below the average market rent of a unit in the County.

This unit must remain affordable for a period of 25 years or more from the date that the unit is first rented.

**Areas of natural and scientific interest:** means areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education.

**Built Heritage Resource or Features:** means a building, structure, monument, installation or any manufactured or constructed part or remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Indigenous community.

**Bulk Quantity/Quantities:** shall be defined as 201 litres [44.2 Imp gallons, 53.1 US gallons]; or more of a "hazardous substance" measured by volume or dry equivalent in a single tank or container.

**Child Care:** means the temporary care for or supervision of a child including providing for a child's safety, well-being or development, in the absence of the child's parent and for a continuous period that does not exceed 24 hours, in accordance with the Child Care and Early Years Act, 2014 including any amendments, or its successor.

**Complete Community:** means places such as mixed-use neighbourhoods or other areas within, and settlement areas that offer and support opportunities for equitable access to many necessities for daily living for people of all ages and abilities, including an appropriate mix of jobs, a full range of housing, transportation options, public service facilities, local stores and services. Complete communities are inclusive and may take different shapes and forms appropriate to their contexts to meet the diverse needs of their populations.

**Contiguous:** means lands located close enough to each other that development or site changes may lead to impacts such as changes in hydrological or hydrogeological conditions, removal of current vegetation, erosion and sedimentation, or significant alteration of natural linkages or habitats of important species.

**Cultural Heritage Landscape:** means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Indigenous community. The area may include features such as buildings, structures, spaces, views, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association.

**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. It does not include infrastructure work authorized under an environmental assessment process or works subject to the Drainage Act.

**Fish habitat:** as defined in the Fisheries Act, means water frequented by fish and any other areas on which fish depend directly or indirectly to carry out their life processes, including spawning grounds and nursery, rearing, food supply, and migration areas.

**Flood Fringe:** for river, stream and small inland lake systems, means the outer portion of the flood plain between the floodway and the flooding hazard limit. Depths and velocities of flooding are generally less severe in the flood fringe than those experienced in the floodway.

**Flooding hazard:** means the inundation of areas, under the flood resulting from the rainfall experiences in a the major Hurricane Hazel Hazard storm event or the 100 year storm, adjacent to a shoreline or a river or stream system and not ordinarily covered by water.

**Floodplain:** for river, stream and small inland lake systems, means the area, usually low lands adjoining a watercourse, which has been or may be subject to flooding hazards.

**Floodway:** for river, stream and small inland lake systems, means the portion of the flood plain where development and site alteration would cause a danger to public health and safety or property damage. Where the two zone concept is applied, the floodway is the contiguous inner portion of the flood plain, representing that area required for the safe passage of flood flow and/or that area where flood depths and/or velocities are considered to be such that they pose a potential threat to life and/or property damage. Where the two zone concept applies, the outer portion of the flood plain is called the flood fringe.

**Gross developable:** means the total area of the proposed development minus the area of any lands designated or zoned Hazard, Natural Environment or similar in the Official Plan and/or Comprehensive Zoning By-law.  
prime agricultural areas

**Habitat of endangered species and threatened species:** means habitat within the meaning of section 2 of the Endangered Species Act, 2007.

**Hazardous forest types for wildland fire:** means forest types assessed as being associated with the risk of high to extreme wildland fire using risk assessment tools established by the Ontario Ministry of Natural Resources, as amended from time to time.

**Hazardous substances:** means substances which individually or in combination with other substances are normally considered to pose a danger to public health, safety and the environment. These substances generally include a wide array of materials that are toxic, ignitable, corrosive reactive, radioactive or pathological.

**Hazardous Lands:** means property or lands that could be unsafe for development due to naturally occurring processes. Along river, stream and small inland lake systems, this means the land, including that covered by water, to the furthest landward limit of the flooding hazard or erosion hazard limits.

**Hazardous Sites:** means substances which, individually, or in combination with other substances, are normally considered to pose a danger to public health, safety and the environment. These substances generally include a wide array of materials that are toxic, ignitable, corrosive, reactive, radioactive or pathological.

**Infrastructure:** means physical structures (facilities and corridors) that form the foundation for development. Infrastructure includes: sewage and water systems, septage treatment systems, stormwater management systems, waste management systems, electricity generation facilities, electricity transmission and distribution systems, communications/telecommunications including broadband, transit and transportation corridors and facilities, active transportation systems, oil and gas pipelines and associated facilities.

**Intensification:** means the development of a property, site or area at a higher density than currently exists. For the purpose of the plan intensification includes infill development, development on vacant, underutilized or brownfield sites, redevelopment of existing buildings and additional residential units.

**Negative Impacts:** Means:

- i) in relation to fish habitat, any harmful alteration, disruption or destruction of fish habitat, except where an exemption to the prohibition has been authorized under the Fisheries Act.
- ii) In relation to other natural heritage features and areas, degradation that threatens the health and integrity of the natural features or ecological functions for which an area is identified due to single, multiple or successive development or site alteration activities.
- iii) In relation to water resources, degradation to the quality and quantity of water, sensitive surface water features and sensitive ground water features, and their related hydrologic functions, due to single, multiple or successive development or site alteration activities.
- iv)

**Net Density:** means the density of the residential development on the site proposed for development, not including roads, parks and schools.

**Prime Agricultural Area:** means areas where prime agricultural lands predominate. This includes areas of prime agricultural lands and associated Canada Land Inventory Class 4 through 7 lands, and additional areas with a local concentration of farms which exhibit characteristics of ongoing agriculture. Prime agricultural areas may be identified by a planning authority based on provincial guidance or informed by mapping obtained from the Ontario Ministry of Agriculture, Food and Agribusiness and the Ontario Ministry of Rural Affairs or any successor to those ministries.

**Public Service Facilities:** means land, buildings and structures, including but not limited to schools, hospitals and community recreation facilities, for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health, child care and educational

programs, including elementary, secondary, post-secondary, long-term care services, and cultural services. Public service facilities do not include infrastructure.

**Sensitive Land Use:** means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. Sensitive land uses may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities.

**Settlement Area:** means the urban boundary of Walkerton.

**Significant:** means

- a. in regard to wetlands, coastal wetlands and areas of natural and scientific interest, an area identified as provincially significant using evaluation criteria and procedures established by the Province, as amended from time to time;
- b. in regard to woodlands, an area which is ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history. These are to be identified using criteria and procedures established by the Province;
- c. in regard to other features and areas in policy 4.1, ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or natural heritage system; and
- d. in regard to mineral potential, an area identified as provincially significant through provincial guidance, such as the Provincially Significant Mineral Potential Index.
- e. in regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest. Processes and criteria for determining cultural heritage value or interest are established by the Province under the authority of the Ontario Heritage Act.

**Valleylands:** means a natural area that occurs in a valley or other landform depression that has water flowing through or standing for some period of the year. Valleylands shall be defined as the slopes that are predominantly in a natural state and the relatively level land measured 30 metres (98.4 feet) back from the top of these valley slopes.

**Wetlands:** means lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens. Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition

**Wildlife habitat:** means areas where plants, animals and other organisms live, and find

adequate amounts of food, water, shelter and space needed to sustain their populations. Specific wildlife habitats of concern may include areas where species concentrate at a vulnerable point in their annual or life cycle; and areas which are important to migratory or non-migratory species.

**Woodlands:** means treed areas that provide environmental and economic benefits to both the private landowner and the general public, such as erosion prevention, hydrological and nutrient cycling, provision of clean air and the long-term storage of carbon, provision of wildlife habitat, outdoor recreational opportunities, and the sustainable harvest of a wide range of woodland products. Woodlands include treed areas, woodlots or forested areas and vary in their level of significance at the local, regional and provincial levels. Woodlands may be delineated according to the Forestry Act definition or the Province's Ecological Land Classification system definition for "forest."

DRAFT

**Appendix 'A'**  
**The Conservation & Maintenance of Storefronts**  
**(NOTE #8 Archaeological Conservation Notes)**