



# MUNICIPAL OFFICIAL PLAN



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THIS DOCUMENT IS AN OFFICE CONSOLIDATION OF THE MUNICIPAL OFFICIAL PLAN FOR THE TOWNSHIP OF CENTRE WELLINGTON. THE CONSOLIDATION INCORPORATES THE FOLLOWING MODIFICATIONS AND/OR AMENDMENTS

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OPA #8 – Two Zone Floodplain	April 6, 2017
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**TOWNSHIP OF CENTRE WELLINGTON  
MUNICIPAL OFFICIAL PLAN FOR THE URBAN CENTRES**

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**A.1 PURPOSE AND INTENT OF THE PLAN**

The Municipal Official Plan is a policy document that sets out the Township's views on how land should be used. It provides direction for future planning activities and for public and private initiatives aimed at improving the existing physical environment. The Municipal Plan outlines goals, objectives, and policies to guide future physical, social, and economic development, and change within the Township.

The purpose of the Municipal Plan is:

- To make public the Township's overall land use planning policies, as well as the intended general land use for all properties in the community;
- To co-ordinate the effects of change and future development, in the best long-term interests of the municipality;
- To help private citizens, government agencies and businesses carry out specific activities and anticipate future land uses;
- To guide future municipal decisions and expenditures for roads, water supply, sewage disposal, parks and other public facilities;
- To provide the basis for future zoning by-law regulations and standards (such as lot size and building height);
- To provide a formal mechanism for evaluating conflicting land use demands in light of local, regional and provincial interests;
- To indicate leadership in bringing about positive community development and improvement.
- To maintain Centre Wellington's position as a desirable place in which to live, work, play and learn.

Once the Municipal Plan is in effect, it serves as a kind of "road map", providing direction for the Township's planning decisions.

The Municipal Plan is a policy document rather than a regulatory document. The policies

within the Plan are to be implemented by the use of zoning by-laws, as well as the powers given the Township by the Planning Act, the Municipal Act and any other Provincial statute or policy. The Municipal Plan is not used to restrict land use – this can only be done by a zoning by-law.

Following the adoption of this Plan, no zoning by-law shall be passed and no public works undertaken that do not conform to the policies of this Plan.

**A.2 RELATIONSHIP WITH THE COUNTY OF WELLINGTON OFFICIAL PLAN**

The County Official Plan provides a consistent set of planning policies for the entire County. The County Official Plan contains sufficient detail to provide appropriate official plan coverage for all of Centre Wellington.

The County Official Plan designates three major land use systems – the Greenlands system, the Rural system and the Urban system. The Greenlands system consists of natural heritage features. The Rural system consists of prime agricultural areas, and the Urban system consists of hamlets and urban centres.

In Centre Wellington, there are three Urban Centres, Fergus, Elora-Salem and Belwood. The remainder of the Township is part of the Greenlands and Rural systems.

The County Plan also provides for local municipalities to rely on the County's planning policies or to develop their own more detailed policies for all or parts of their community. The Township of Centre Wellington has chosen to prepare its own local municipal plan.

However, in order to avoid duplication, the Township has determined that the policies and land use plans of the County Official Plan pertaining to the Greenlands and Rural systems are appropriate for Centre Wellington. It is not necessary for the Township to maintain its own local municipal plan policies for the Rural and Greenlands areas.

Therefore, this Municipal plan applies to the Urban Centres of Centre Wellington only. The County Official Plan will govern land use in the rural areas, and will set out the broad policies applying to the urban areas, including the determination of the rural-urban boundaries, but the Township will provide detailed planning policies for land use within the boundaries of the Urban Centres.

## **SECTION "B"**

### **B.1 INTRODUCTION**

The Township of Centre Wellington was formed in 1999 by amalgamating the Town of Fergus, the Village of Elora and parts of the Townships of Eramosa, Nichol, Pilkington and West Garafraxa.

The Township has a population of approximately 25,000 persons. We are a strong, growing and vibrant community that retains its small town character and rural lifestyle. We have a rich cultural heritage and a unique natural setting with the Grand River as its focus.

### **B.2 COMMUNITY VALUES**

Centre Wellington is a unique community. Our citizens value their community for its unique qualities including:

- 1) Natural Beauty
- 2) Diverse Economy
- 3) Small Town Atmosphere
- 4) Mix of Urban and Rural Character
- 5) Culture and Heritage
- 6) Heritage Architecture
- 7) The Grand River
- 8) Availability of Amenities

### **B.3 VISION STATEMENT**

A Community Action Kit, engaging a large cross section of the population in the visioning exercise, guided the vision statement for this Plan.

Our vision recognizes that growth and change is inevitable. Our challenge is to make change work for Centre Wellington, protecting the best of what we have and preserving a sense of community identity and pride. Our vision is of a united community, exemplified by the motto appearing on the Township crest, "Unity is Strength".

The following summarizes the community's vision of what Centre Wellington is and will become in the future:

### **A Strong Community...**

- Diversified Economy
- Vibrant Community Spirit
- Cultural and Historical Preservation
- Common Goals
- Healthy Environment
- Self-Sufficient
- Commitment

### **With a Small Town Atmosphere...**

- Friendly
- Unique
- Safe
- Distinct Atmosphere
- Rural Preservation
- Peaceful
- Supportive of Families

### **And a Sustainable Economy.**

- Diversified Economy
- Well Marketed
- Thriving Downtown Centres
- Competitive
- Industry Harmonized with the Environment
- Supportive of Local Business
- Agricultural Industries Respected and Valued

### **A Picturesque Community...**

- Natural Beauty Accentuated
- Ample Green Spaces
- Clean and Tidy
- Attractive Streetscapes
- Plentitude of Trees, Flowers, and Shrubs
- Rural Landscapes
- Built Heritage preserved and accentuated

### **That is Well Planned...**

- Growth: planned and managed
- Meaningful Citizen Involvement in the Planning Process
- Development harmonized with natural and built environment

### **With Access to Community Services...**

- Transportation Routes designed to facilitate future requirements of the community
- Increased and Varied Recreational Services and Facilities
- Housing provided to meet a full range of community needs

- Sufficient Facilities to accommodate essential services such as schools, churches, and health care
- Trailways and Parks expanded and diversified
- Arts and Cultural Facilities
- Infrastructure including clean water, sewage disposal, storm drainage
- High Tech infrastructure such as fibreoptics

### **And an Environment that is Preserved for Future Generations**

- Clean Air, Water, and Soil
- A River System whose environmental integrity is protected and improved
- Preserved Built Heritage
- Preserved Cultural Heritage
- Reforested Landscapes
- Protection and Management of Resources that will ensure the health and safety of the community

## ***B.4 MAJOR GOALS***

The major goals of the Township of Centre Wellington are to:

1. Maintain the high quality of life which residents of Centre Wellington currently enjoy.
2. Protect the unique natural resources of the community.
3. Ensure that adequate lands and services are available to allow for the future needs of the community.
4. Provide opportunities for housing, shopping, employment and recreation to serve the needs of a growing community.
5. Encourage sustainable economic growth to provide employment opportunities and tax revenues for the Township.
6. Provide an adequate supply and diversity of housing to satisfy the varied needs of the community.
7. Promote a safe and efficient road and pedestrian system in the Township.
8. Set appropriate standards for development that encourages controlled growth that will represent a long-term benefit to the community.

9. Ensure that adequate parks and open spaces are available to meet the recreation needs of all ages.
10. Provide improved municipal services and community facilities to serve the needs of the community and to anticipate future needs.
11. Protect the unique cultural heritage resources of the community.
12. Ensure that new development is compatible with existing and approved land uses.
13. Create a culture of conservation, including water, energy and cultural heritage conservation and air quality protection.

**B.5 URBAN AREA EXPANSION**

An Urban Centre expansion may only occur as part of a municipal comprehensive review where it has been demonstrated that:

- a) sufficient opportunities to accommodate the allocation in the County growth forecast through intensification and in designated greenfield areas, using the intensification target and greenfield density targets, are not available;
- b) the expansion makes available sufficient lands for a time horizon not exceeding the growth forecast;
- c) the timing of the expansion and the phasing of development within the designated greenfield area will not adversely affect the achievement of the intensification target and density targets, and the other policies of this Plan;
- d) the existing or planned infrastructure required to accommodate the proposed expansion can be provided in a safe, efficient, financially and environmentally sound manner;
- e) in prime agricultural areas, there are no reasonable alternatives that avoid prime agricultural areas, and there are no reasonable alternatives on lower priority agricultural lands in prime agricultural areas;
- f) impacts on agricultural operations which are adjacent to or close to the urban

centre are mitigated to the extent feasible;

- g) in determining the most appropriate direction and location for expansion, the following are addressed:
  - i. the existing development pattern in the community;
  - ii. the potential impacts on people;
  - iii. the need to avoid mineral aggregate areas or where it is unavoidable to use lands of lower quality aggregate resources;
  - iv. the impacts on natural heritage systems and features;
  - v. the impacts on groundwater and surface water;
  - vi. the impacts on the safety and efficiency of existing or planned infrastructure;
  - vii. the impacts on archaeology, cultural heritage landscapes, and built heritage resources;
  - viii. logical boundaries based on existing property lines or recognized physical features where possible; and
  - ix. other planning criteria considered appropriate in the circumstances.
- h) The Township will plan to maintain or move significantly towards a minimum of one full-time job per three residents within or in the immediate vicinity of the urban centre.



## **SECTION "C" GENERAL POLICIES**

*The following policies apply to all development in all land use designations within the area affected by this Plan. In carrying out its responsibilities under the Planning Act, and in planning and implementing its public works program, the Township shall have regard for the following policies.*

### **C.1 THE GRAND RIVER**

The Grand River has been designated as a Canadian Heritage River. The Grand River is the single most important physical feature within Centre Wellington. The entire Township is within its watershed. The Grand has provided many of the physical features of the Centre Wellington landscape that have become symbols of our heritage and culture, such as the "tooth of time".

To the early settlers, the Grand River provided water for drinking, waste disposal, transportation, and a source of power for gristmills and saw mills. The millponds provided a source of recreation.

Today, the Township of Centre Wellington recognizes the contributions of the Grand River system to the lifestyle its residents enjoy. The river system provides a wide variety of recreational opportunities such as water sports, nature and scenic appreciation, fishing and hunting, trails and corridors and human heritage appreciation. In combination, the heritage resources and recreation opportunities provide the basis for our tourism industry.

Several areas of natural heritage significance associated with the Grand River are located in Centre Wellington, including the limestone gorges through Fergus, Elora and Salem, and the floodplain meadows south of Inverhaugh.

Through its own actions and in its review of development applications, the Township will undertake measures to enhance the rivers' water quality, to enhance the quality of the fishery, to prevent bank and steep slope erosion, and to provide for the filtration of stormwater runoff. The naturalization of the Grand River corridor is encouraged. Naturalization will improve the River's water

quality and the improvement of vegetation, wildlife and fisheries habitat associated thereto.

Public access to the river is encouraged. Development adjacent to the river should respect the riverscape. Vistas to the river should be maintained. Buildings should be designed to be attractive in appearance from both the street side and from the river side of the building.

In newly developing areas, development should be set back from the river, as a guideline 30 metres from the river edge or 15 metres from the top of bank where there is a steep slope adjacent to the river. A minimum 15 metre wide riparian buffer along the river should be provided.

Within the existing built up areas of the Township, minimum setbacks for infilling or redevelopment adjacent to the river shall be developed through an environmental impact assessment and implemented through the zoning by-law or through site plan control.

### **C.2 CULTURAL HERITAGE RESOURCES**

#### **C.2.1 Goals and Objectives**

1. To protect the Township's heritage resources from neglect, deterioration, demolition, alteration, redevelopment or changes in use which threaten their existence or integrity
2. To encourage and support the functional and economic use of heritage buildings
3. To identify, protect and enhance natural areas
4. To encourage public awareness and appreciation of the heritage resources of the Township and of the value of protecting these resources to both residents and visitors

#### **C.2.2 Designation of Heritage Properties**

The Township may designate, pursuant to the Ontario Heritage Act, buildings and structures or sites considered to be architecturally and/or historically significant where such building,

structure or site meets any one or more of the following criteria:

1. Represents a unique or rare example, or the only (or one of the few) remaining examples of its architectural style or period;
2. Constitutes a work of outstanding quality as a result of its plan, proportions, design, construction, materials or details;
3. Represents an early or otherwise noteworthy example of the work of a renowned architect, designer or builder;
4. Is representative of the early history of the development of the Township;
5. Is associated with some historically significant aspect or event in the history of development of the Township, the province or the county
6. Is associated with a person or group of persons who achieved local, provincial or international prominence.

### ***C.2.3 Designation of Heritage Conservation Districts***

The Township may designate, pursuant to the Ontario Heritage Act, heritage conservation districts that constitute:

1. An area associated with a particular aspect, era or event in the history of the development of the municipality; or
2. An area characterized by a style of architecture, design, construction or ambience which is considered architecturally or historically significant; or
3. An area considered unique or otherwise significant to the community as a result of its location or setting; or,
4. An area characterized by a group of buildings or structures that are not architecturally or historically significant individually but are when considered collectively.

### ***C.2.4 Procedures for Designating Heritage Conservation Districts***

Prior to the designation of a "heritage conservation district", the Township shall:

1. Pass a by-law defining the area or areas to be examined;
2. Undertake a study, in accordance with the Ministry of Tourism, Culture and Recreation Heritage Conservation District Guidelines, to determine the feasibility and merits of designation, the identification of district boundaries, and an evaluation of the areas historic character;
3. Encourage public participation in the preparation of the study;
4. Prepare guidelines governing the development, redevelopment, and alterations to properties located within the "heritage conservation district".

### ***C.2.5 Location of Heritage Properties and Heritage Conservation Districts***

The designation of heritage buildings, structures or sites, or the designation of "heritage conservation districts" under the Ontario Heritage Act, may occur throughout the Township and not necessarily restricted to locations with the designated "Heritage Areas" as shown on Schedule "A".

### ***C.2.6 Heritage Easements***

The Township may acquire easements on properties with heritage significance in order to ensure the preservation of these resources in perpetuity.

### ***C.2.7 Demolition of Designated Heritage Buildings and Structures***

The Township shall request accurate and adequate architectural, structural and economic data to determine the feasibility of rehabilitation and reuse versus demolition when considering applications to demolish buildings and structures designated under the Ontario Heritage Act.

**C.2.8 Documentation of Designated Heritage Buildings and Structures Proposed to be Demolished**

When considering applications to demolish designated heritage properties, Council shall ensure that it has accurate and adequate architectural, structural and economic information to determine the feasibility of rehabilitation and reuse.

The Township shall ensure that designated heritage buildings and structures that are to be demolished or significantly altered are documented for archival purposes including a history, photographic record and measured drawings prior to demolition or alteration. Such documentation shall be the responsibility of the applicant in consultation with Heritage Centre Wellington.

**C.2.9 Parking Exemption for Designated Heritage Buildings**

The Township may exempt designated heritage buildings from the parking requirements of the zoning by-law to facilitate their retention and maintain their integrity.

**C.2.10 Development and Redevelopment Within Heritage Areas**

This Plan identifies Heritage Areas on Schedule "A". It is the policy of this Plan that any development, redevelopment or public work, including the replacement or reconstruction of existing buildings, shall respect the goals and objectives relating to the protection and enhancement of heritage resources. In reviewing any development or redevelopment proposals within the Heritage Areas, the Township will use the legislative authority available to encourage the design of new development in a manner that is compatible, sensitive and sympathetic to any existing heritage buildings, neighbouring buildings and the area. Development projects requiring planning approval, which are of a size, scale or character not in keeping with the surrounding heritage resources, should not be allowed.

The Heritage Areas are broadly defined and contain many buildings that are not heritage resources. The intent of the Heritage Areas is

to identify an area in which a significant number of buildings contain heritage values and to ensure proper consideration is given to protecting these buildings when development proposals are put forward.

The re-use of heritage buildings is often a valid means of ensuring their restoration, enhancement or future maintenance. Projects to re-use heritage buildings may be given favourable consideration if the overall result is to ensure the long term protection of a heritage resource and the project is compatible with surrounding land uses and represents an appropriate use of land.

Council may pass by-laws under the Ontario Heritage Act to designate lands within the Heritage Areas as a Heritage Conservation District or to designate individual properties of historical, architectural or archaeological significance to the community. Such a by-law or by-laws would make the erection, alteration, demolition or removal of buildings or structures within the District subject to the provisions of the Ontario Heritage Act. If a by-law is passed to identify a Heritage Conservation District, an amendment to the plan may be passed to recognize the designated area and to alter the boundaries and policies of the Heritage Areas, as required.

**C.2.11 Public Works Within Heritage Areas**

Prior to undertaking public works within the Heritage Areas, the Township will evaluate the impacts on the heritage of the area, determine potential public safety considerations, identify alternatives, and implement any remedial measures to eliminate or reduce any adverse impacts.

**C.2.12 Zoning By-law**

The Township will update its zoning by-law to ensure that new development and redevelopment is in keeping with the established character, scale and form of heritage areas.

### ***C.2.13 Sign By-law***

The Township will update its sign by-law to ensure signage is in keeping with the design and character of existing or potentially affected heritage buildings, areas or corridors.

### ***C.2.14 Municipally Owned Heritage Buildings and Structures***

1. The Township should, where practical, restore and maintain municipally owned heritage buildings and structures to a high standard to physically express its commitment to the protection of heritage resources in the municipality and to provide a vivid example of the benefits of quality restoration and maintenance.
2. The Township should ensure that municipally owned heritage buildings or structures which are sold, leased or transferred to another owner or lessee are subject to a heritage easement agreement which will guarantee the buildings' preservation, maintenance, and use in a manner which respects its heritage significance. Where appropriate, the agreement shall require that the new owner or lessee to a standard acceptable to the Township carry out certain restoration works.

### ***C.2.15 Heritage Resources Inventory***

The Township will undertake, complete and maintain an inventory of heritage resources in the municipality to increase the awareness of our heritage resources to owners, potential owners and developers.

### ***C.2.16 Heritage Funding Programs***

The Township will participate in provincial heritage funding programs and may establish its own incentive program to protect, enhance and increase public awareness of heritage resources.

### ***C.2.17 Archaeological Remains***

Council recognizes that there may be archaeological remnants of prehistoric and early historic habitation within the municipality. Council will, therefore, encourage

archaeological survey and the preservation or rescue excavation of significant archaeological resources that might be affected in any future development, in co-operation with the Ministry of Tourism, Culture and Recreation.

In addition there is the potential for co-operation with the Ministry of Tourism, Culture and Recreation in conserving resources of archaeological value pursuant to Part VI of the Ontario Heritage Act.

Council may undertake the preparation of an Archaeological Master Plan. The Plan will identify and map known archaeological sites registered with the Province as well as lands within the municipality that have the potential for the discovery of archaeological resources. The Plan will also outline policies, programs and strategies to protect significant archaeological sites. Archaeological consultant licensed pursuant to the Ontario Heritage Act will undertake the Plan.

Where the Township becomes aware that a property of significant or known archaeological interest may be altered, damaged or destroyed as a result of a proposed development or development actually in progress, the Township will discourage any further adverse activity on the property and notify the Ministry of Tourism, Culture and Recreation and the persons responsible to determine the appropriate course of action.

### ***C.2.18 Heritage Centre Wellington (LACAC)***

The Township shall continue to appoint and support Heritage Centre Wellington to assist Council with matters associated with the identification, conservation, protection, and preservation of heritage resources.

The responsibilities of Heritage Centre Wellington generally include the following:

1. To prepare and maintain an inventory of the built heritage resources and cultural landscapes of significance in the community;
2. Advising the municipality on the development of municipal plan policies, cultural heritage resource master plans and municipal heritage guidelines;

3. Developing and promoting opportunities for heritage awareness and public education
4. To make recommendations on the designation of heritage buildings and structures and the designation of heritage conservation districts under the Ontario Heritage Act
5. To offer advice and assistance to those proposing to alter, repair or restore heritage buildings,
6. To advise on any other heritage related issues or matters facing the Township.

### ***C.2.19 Technical and Design Assistance***

The Township will provide general technical and design assistance to those proposing to alter, repair or restore heritage buildings.

### ***C.2.20 Legislative Authority***

The Township may undertake other measures to satisfy heritage conservation objectives pursuant to the Planning Act, the Municipal Act, the Ontario Heritage Act, and other relevant legislation. This may include:

1. By-laws providing for the acquisition by purchase, lease, or otherwise of any property or part thereof, designated under Part IV of the Ontario Heritage Act. Council may dispose by sale, lease or otherwise of any property or interest acquired under Part IV of the Ontario Heritage Act upon such terms and conditions as Council may consider necessary.
2. By-laws to ensure the protection of heritage features;
3. By-laws to regulate development so that it is sympathetic in character, location, height, and bulk to heritage resources;
4. By-laws to control demolition of heritage buildings or structures in a defined area;
5. Enter into easement agreements or covenants, pursuant to Section 37 of the Ontario Heritage Act, with the owner of any real property and register such easements or covenants against the real property in the land registry office for the purpose of:

- a) Conserving, protecting and preserving the heritage features of the property
  - b) Preventing any demolition, construction, alteration, remodeling or any other action which would adversely affect the heritage features of the property
  - c) Establishing criteria for the approval of any development affecting the heritage property;
6. Authorize a reduction or refund of taxes for designated heritage buildings in accordance with Provincial legislation;

### ***C.2.21 Cultural Heritage Landscapes***

Heritage resources encompass more than just “old buildings”; they can include complete landscapes as well. Cultural heritage landscapes represent the interrelationship between people and the natural environment, and the combined works of nature and man. Cultural heritage landscapes provide a sense of place and identity to the community.

Heritage Centre Wellington may record and identify significant cultural heritage landscapes, resulting in the creation of a mapped inventory of cultural heritage landscapes in Centre Wellington. The inventory may lead to the preparation of development design guidelines in identified cultural heritage landscapes, including preferred development types and densities, height restrictions, building styles and materials.

## ***C.3 NATURAL HERITAGE***

### ***C.3.1 Overview***

The Township of Centre Wellington encourages the protection and enhancement of the natural heritage of the Township. When planning for the future of Centre Wellington, the Township will give consideration to the protection, preservation and enhancement of significant natural features including rivers and streams and their valley lands, wetlands, flood plains, headwaters and water catchment areas, ground water supplies, environmentally significant features, wildlife and fish habitats and lands with ecological functions. This applies regardless of whether the lands are

designated Core Greenlands on the land use schedules.

Within the Natural Heritage System certain areas have greater sensitivity or significance. These areas will be identified in policy and protected. These areas have been included in a Core Greenlands designation on the land use schedules and include:

- Provincially significant wetlands
- Habitat of endangered or threatened species
- Floodways and hazardous lands

Specific policies for the Core Greenlands land use designation are found in Section D.8. The following policies apply to natural heritage issues in general, including lands and features that may not presently be designated on the land use schedules.

### ***C.3.2 Wetlands***

All provincially and locally significant wetlands are included in the Core Greenlands designation. The Township recognizes the hydrological, social, ecological and economic value of wetlands and their role within the natural environment. All other wetlands will be protected in large measure and development that would seriously impair their future ecological functions will not be permitted.

1. No development is permitted on provincially significant wetlands. Development on lands adjacent to provincially significant wetlands will only be permitted subject to the preparation of an Environmental Impact Assessment as outlined by the policies of this Plan. Development on or adjacent to locally significant wetlands will also be subject to the preparation of an Environmental Impact Assessment in accordance with Section E.1.3 of this Plan.
2. The interpretation and definition of the limits of locally significant wetlands and lands adjacent to those wetlands will be the responsibility of the Township, the Conservation Authority and any other agency or person(s) so requested by the Township.

3. Resource management activities in wetlands may be desirable for both environmental and economic reasons and such activities should be implemented through a wetland management plan prepared in consultation with the Grand River Conservation Authority or other appropriate agencies.
4. Private landowners with property in or adjacent to wetlands are encouraged to maintain their holdings in a manner that preserves the natural attributes of the wetland feature.
5. Council shall consider the designation of additional wetland areas that may be identified by the Ministry of Natural Resources, the Conservation Authority, or other appropriate agencies.
6. The Township will endeavour to ensure that public works and actions undertaken by the Township and other public agencies will not be detrimental to wetland areas.
7. Wetland policies may be implemented through the Zoning By-law by placing wetlands and associated buffers in a restrictive zoning category that permits only wetlands and uses that are compatible with the maintenance of wetland values such as conservation activities, forestry and wildlife management, as well as passive recreational pursuits.

### ***C.3.3 Habitat of Endangered or Threatened Species***

Development and site alteration will not be allowed in significant portions of the habitat of endangered or threatened species.

### ***C.3.4 Floodplain Policies***

Development or redevelopment is generally not permitted within the regulatory floodplain because of inherent dangers such as loss of life and property damage should flooding occur. The One Zone policy for floodplain management will be applied to all flood plains except where a Two Zone policy is designated through this Plan. Two Zone provisions may

be selectively applied where the floodplain is considered to be less hazardous, provided a hydraulic analysis is completed on a comprehensive reach basis. In Two Zone areas, the floodway and flood fringe areas are clearly delineated and the policies allow for development and redevelopment provided it meets specific flood proofing requirements.

#### Objectives

- a) To minimize conditions which may be hazardous to human life or may cause significant property damage due to flooding.
- b) To prevent the creation of new hazards caused by development within floodplains in new growth areas of the city and ensure existing hazards are not aggravated.
- c) To recognize existing development within the floodplain, and where flooding hazards will not be aggravated, provide for infill and redevelopment within the approved Two-Zone areas.

The following floodplain management policies shall apply.

Floodway Areas – The regulatory floodline of the Grand River in Elora-Salem and Fergus as determined by the Grand River Conservation Authority is part of the Core Greenlands system designated in the Official Plan. No new development is permitted in these areas except for buildings and structures that are intended for flood or erosion control or by their nature must locate in the Floodway. Approval of the Conservation Authority will be required. Renovation of existing buildings may be permitted provided the structure is appropriately flood proofed to the highest practical extent and there are no adverse effects on the hydraulic characteristics of flood flows. A Development, Interference with Wetland and Alterations to Shorelines and Watercourses Permit (O. Reg 150/06) will be required for any construction and approval for the placement or removal of fill will be obtained from the Conservation Authority. Replacement or rehabilitation of existing buildings destroyed by natural causes, other than flooding, may be permitted in accordance with the flood plain and riverine flooding

hazard policies and regulations of the Grand River Conservation Authority, as amended from time to time as well as the provisions of this Plan.

Lands in the floodway shall be appropriately recognized in the Zoning By-law in order to restrict new development. Existing buildings in the floodway will be recognized as non-conforming uses.

- b) Flood Fringe Areas - The flood fringe on Schedule "A-1" is the area between the floodway (hydraulic floodline where identified) and the regulatory flood line. The permitted uses established for the Land Use designations on Schedule "A-1" may be permitted within the flood fringe. New development, redevelopment, or a major addition or renovation to existing uses may be permitted provided it is in conformity with all other policies of the Plan and approval of the Conservation Authority has been obtained. A Fill, Construction and Alteration to Waterways Permit will be required from the Authority for any construction and for the replacement or removal of fill in the flood fringe.

The Zoning By-law will zone land in the Flood Fringe with an (F) suffix and specific regulations for permitted uses and flood proofing will be defined therein.

Open or uncovered parking areas are permitted within the flood fringe subject to the approval of the GRCA and Township. However enclosed parking structures should not be permitted below the elevation of the regulatory flood line, in the floodway or the flood fringe.

Where existing buildings have basement space below the regulatory floodline, such basement usage should be limited to storage. New basement level commercial space below the regulatory floodline shall not be permitted.

#### ***C.3.5 Fisheries Policies***

The Township of Centre Wellington recognizes the importance of the Grand River and its tributaries as a unique and significant local resource. The Grand River is a significant fishery resource, capable of supporting

coolwater or coldwater fish species such as trout. Development within the Township shall have regard for the following:

1. Council recognizes that the Township contains significant fishery resources that warrant protection. In accordance with this, the Township shall endeavour to protect fish habitat by maintaining water resources in a clean and healthy condition.
2. Landowners are encouraged to maintain tree cover where it exists adjacent to streams or river valleys. Landowners are also encouraged to re-establish vegetation along open waterways.
3. Council shall endeavour to protect surface waters from sediment loading that may occur as a result of inferior storm water management practices or other development-related activities.
4. Council shall endeavour to maintain or enhance the quality and quantity of groundwater reaching the Township's rivers and streams.
5. Council shall endeavour to provide and maintain public access to fishery resource areas through co-operation with public, quasi-public, and private landowners.
6. Where a proposed development may affect fishery resources, Council shall, where deemed necessary, require the proponent to submit an Environmental Impact Assessment pursuant to Section E.1.3.
7. Where a proposed development may have an impact on shallow groundwater tables and/or a fishery resource, Council may require the proponent to submit a hydrogeological study which must demonstrate that the proposed development will not elevate water temperatures or nitrate levels, nor will it result in a loss of baseflow to any coldwater stream.
8. The Township may implement fishery policy objectives within the Zoning By-

law, including the requirement for vegetative buffers along all watercourses.

### ***C.3.6 Plant and Wildlife Habitat***

Development and site alteration will not be allowed in significant wildlife or plant habitat unless it has been demonstrated that there will be no negative impacts on the habitat or its ecological functions.

### ***C.3.7 Natural and Scientific Interest***

Areas of natural and scientific interest (ANSI's) may be included in the Core Greenlands designation where they have been determined to be provincially significant or determined by the County to be regionally significant. Life science areas (plant and animal communities) will be protected from any development or site alteration that would have a negative impact on the life science feature or its ecological function. Earth science areas (drumlins, eskers, and spillways) will be protected in large measure from development or site alterations that would significantly alter their nature or earth science values.

### ***C.3.8 Streams and Valleylands***

All streams and valleylands will be protected from development or site alterations that would negatively impact on the stream or valleyland or their ecological functions.

### ***C.3.9 Woodlands***

The Core Greenlands designation may include wooded areas, particularly where these are also associated with other Natural Heritage features such as wetlands. Otherwise, the Core Greenlands designation includes only upland woodlands over 10 hectares in area. These woodlands will be protected from development or site alterations that would negatively impact the woodlands or their ecological functions. Good forestry practices will be encouraged.

The Township also recognizes that smaller wooded areas also have local significance. Wooded areas contribute to erosion control, groundwater storage and wildlife habitat. Where practical, these smaller woodlots



should be protected, even if they are not included in the Core Greenlands designation.

The Township adopts the following policies with respect to its wooded areas:

1. The Township encourages the protection and preservation of existing trees and woodlots;
2. The maintenance of forest cover along stream banks and river valleys is encouraged.
3. In instances where a development proposal may impact upon a significant woodlot, the Township will require that an Environmental Impact Assessment in accordance with Section E.1.3 be undertaken. However the Assessment should also address the following issues particular to an examination of the impact on a woodlot:
  - a) Contain a detailed inventory of the woodlot including size, age, composition and the occurrence of any other features containing important ecological functions such as buffer, linkage or hydrological flow characteristics;
  - b) Indicate the impact of the proposal on the woodlot including existing trees;
  - c) Indicate any measures that would reduce the impact of the proposal;
  - d) Where trees are to be removed, indicate the measures necessary to ensure the orderly extraction of trees or the possible relocation of trees, where practical, and the preservation of the remaining ones;
  - e) Include provisions for the replacement of trees removed as a result of the proposal;
  - f) Recommend no development where negative impacts of development cannot be mitigated due to the rarity, sensitivity or size of the woodlot.

### ***C.3.10 Environmentally Sensitive Areas (ESA's)***

Environmentally sensitive areas may be included in the Core Greenlands designation.

The areas will be protected from development or site alternations that would negatively impact them or their ecological functions.

### ***C.3.11 Ponds, Lakes and Reservoirs***

Ponds, lakes and reservoirs may be included in the Core Greenlands designation. These areas will be protected from development or site alterations that would negatively impact them or their ecological functions.

### ***C.3.12 Natural Heritage Corridors***

The boundaries of many natural heritage features overlap and inter-relationships frequently exist between these areas. The Township encourages the connection of Natural Heritage features. This may be achieved through the following means:

1. The protection and maintenance of all rivers and streams as environmental corridors, including provisions for minimum setbacks and vegetate riparian buffers;
2. Incorporating environmental corridors to be incorporated into the design of new developments or redevelopments, where practical.
3. Naturalization or vegetation of parks, open space and storm water management areas

### ***C.3.13 Natural Heritage Inventory***

The Township will undertake or assist in the undertaking of an inventory of natural areas in the Township to determine their significance; the management strategy required to protect their integrity and enhance their quality, and the appropriate means of achieving these objectives. Generally, these areas will consist of or be judged to demonstrate one or more of the following characteristics.

1. The occurrence of significant, rare or endangered indigenous species within the area;
2. Plant and/or animal associations and/or land forms which are unusual or of high quality within the area;

3. The classification of the area as one which is unique with limited representation in the area or one which constitutes a small remnant of once larger habitats which have virtually disappeared in the area;
4. The classification of the area as one containing an unusual diversity of plant and animal communities due to a variety of geomorphologic features, soils, water and microclimatic effects;
5. The recognition of the area as one demonstrating any of the above qualities but suffering from a minor reduction of its uniqueness or rareness as a result of an intrusion of human activities.

#### ***C.3.14 Natural Heritage Areas: Studies***

The Township, in consultation with the County of Wellington and the Grand River Conservation Authority, may conduct studies of natural areas to:

1. Determine the continued presence and status of significant environmental features.
2. Confirm, redefine or refine the interpretation of boundaries;
3. Evaluate the effectiveness of mitigation measures to be required of development within or contiguous to the area;
4. Define the nature of biophysical change which has occurred since last inventoried;
5. Identify ways in which damage to significant environmental features can be controlled or rectified by remedial measures.
6. The identification of the area as one that provides a linkage or natural refuge for the movement of wildlife between natural areas.

#### ***C.3.15 Stewardship***

The Township recognizes that often the best way to ensure the protection of natural heritage features is through stewardship, including:

1. Acquisition by the Township;

2. Requesting the Grand River Conservation Authority to acquire those lands associated with a hydrologic function and/or suitable for conservation purposes;
3. Entering into agreements with landowners to secure the protection of such lands;
4. Encouraging landowners to preserve or convey such land to a public agency or land trust.

However, where lands designated Core Greenlands are held in private ownership, this Plan does not imply that such lands will be acquired by the Township or any other public agency, or that the lands are open to the public.

### ***C.4 GROUND AND SURFACE WATER RESOURCES***

Land use planning policies and decisions shall be coordinated with and support related water initiatives such as subwatershed plans, fisheries management plans and remedial action plans.

#### ***C.4.1 Best Management Practices***

Best management practices and storm water management techniques will be implemented in accordance with the applicable provincial policies and guidelines. For large-scale development, sub watershed plans or subwatershed plans should be prepared. Such plans should demonstrate how water and related resources would be managed to meet surface and ground water quality and quantity targets.

#### ***C.4.2 Other Municipal By-laws***

The Township of Centre Wellington has adopted by-laws to control waste discharges to municipal sewers, and to protect and control the removal of topsoil and vegetation.

#### ***C.4.3 Sensitive Areas***

Development shall be directed away from or otherwise restricted in hydro-geologically sensitive areas such as fractured bedrock exposed at the surface or covered by very thin

permeable overburden, primary ground water recharge and discharge areas and critical headwaters.

#### **C.4.4 Water Quality Indicators**

Development should not adversely affect water quality and quantity as measured by indicators such as minimum base flow oxygen levels, chlorides, suspended solids, temperature, nutrients, hazards, contaminants etc. in accordance with applicable provincial policies and guidelines.

#### **C.4.5 Groundwater Management Plan**

The Township adopted a Groundwater Management Plan in the summer of 2002. The primary goal of the groundwater study was to develop a simple yet technically based groundwater management and protection strategy for the Township of Centre Wellington.

The primary objectives of the study were to:

- Evaluate the present quantity and quality of the groundwater resources in the study area;
- Recommend ways to manage the groundwater resources for future use;
- Suggest ways to protect the groundwater resources from potential contamination.

##### **C.4.5.1 Goals**

The following general management goals were adopted:

- a) Water Quantity
  - i) From a groundwater quantity perspective the management goal is to minimize the interference between private and public usage on the groundwater system.
  - ii) Control future private water taking in urban areas where municipal, communal water takings occur.
  - iii) Minimize future impact on surface water, aquatic and terrestrial habitat.
  - iv) Develop future water conservation program related to industry and new residential development.

- v) Introduce water conservation measures to reduce water usage on current supply.

- b) Water Quality

- i) Minimize groundwater contamination.
- ii) For historical land uses a program should be developed to assess the potential for contamination from historical sites through site audits and implementation of mitigative actions if necessary.
- iii) For existing land uses the goal is to minimize the potential risk of contamination site audits and voluntary corrective actions if required.
- iv) For future land uses we should minimize the potential for contamination through site-specific risk-based assessments of the physical vulnerability to contamination and the risk from a specific land use.

##### **C.4.5.2 Groundwater Management Areas**

Four types of groundwater management areas are proposed:

- Areas of high aquifer vulnerability
- Well field capture zones
- Areas of potential future water supply
- Recharge areas.

The general extent of these areas within and adjacent to the Fergus, Elora-Salem and Belwood Urban Centres are illustrated on Schedule "C". While the groundwater management areas are not a land use designation, they are provided for information purposes. The Township will develop more specific policies and guidelines regarding these groundwater management areas in consultation with the County of Wellington, the Ministry of Environment and the Grand River Conservation Authority. The Groundwater Management Areas shall be a factor to be considered in the review of development applications.

- a) Areas of High Aquifer Vulnerability

Areas of high aquifer vulnerability have been developed on the basis of estimated travel time of groundwater from ground surface to the bedrock aquifer. Areas of high aquifer vulnerability are considered to be sensitive to groundwater contamination and merit special consideration, particularly with respect to the location of industrial uses or other uses that have a potential to contaminate groundwater.

b) Wellhead and Capture Zone Protection

Well field capture zones have been delineated for the municipal wells in Fergus and Elora using the groundwater flow model developed as part of Groundwater Study. Schedule "C" shows the simulated area for the 2-year time of travel for the Fergus and Elora municipal wells. A 2-year time of travel zone is proposed to delineate an appropriate area for wellhead protection. This area warrants special consideration due to the increased potential for surface contamination to rapidly reach the well. There will be limited opportunity for mitigation of groundwater contamination in within this zone.

c) Potential Areas of Additional Future Water Supplies

As part of the groundwater study simulations were made using the groundwater flow model, to assess the potential for sustaining additional water taking from various areas near Fergus and Elora. Areas of potential additional future water supply were determined based on the simulations of the groundwater flow model extracting water from additional locations, minimizing potential future water taking in areas of high vulnerability to contamination and within the simulated capture areas of the existing municipal wells. Schedule "C" shows the areas with the greatest potential for additional water supply.

In order to develop a secure long-term water supply for Fergus and Elora, consideration shall be given to areas of potential additional water supply for Fergus and Elora for management of future water use in the urban centre of the Township. Under Ontario Regulation 283/99 the Ministry of the Environment can have regard for future water taking if it is recognized in the Official Plan. A

strategy should be developed to assess additional water supply potential in these areas. Additional plans should be developed to address future groundwater protection through land use protection.

d) Recharge Areas

Major recharge areas within and adjacent to the Urban Centres are shown on Schedule "C". These areas represent areas of higher permeability surficial deposits. Recharge areas are recognized for their contribution to the groundwater system. Education and awareness as well as potential methods of increasing recharge through specific management practices should be linked to drought management programs through the GRCA. The ability to potentially increase recharge over long periods of time, especially during periods of high precipitation and/or runoff, will aid in maintaining higher water table conditions on a more regional scale during dry periods. This will in turn, sustain baseflow for longer periods of time during drought conditions.

**C.5 HOUSING POLICIES**

**C.5.1 Variety of Housing**

The Township of Centre Wellington encourages the production of a wide range of housing types to meet future housing need. Council shall provide for the opportunity, through subdivision approval and zoning by-law approvals, for a variety of housing types to be provided. Prior to approving new development or redevelopment, Council will consider the housing need within the community and the housing market area and provide opportunities for a range of housing types throughout the community that are appropriate given existing site conditions, neighbouring developments, and servicing options.

**C.5.2 Supply of Residential Land**

The Township of Centre Wellington shall, as long as land is available within the Urban Centre limits, maintain a minimum ten (10) year supply of residentially designated land

within each Urban Area at all times.

The Township of Centre Wellington adopts as a guideline the maintenance of a minimum three- (3) year supply of housing units in registered and draft approved plans of subdivision, and applications approved

### ***C.5.3 Monitoring***

The Township of Centre Wellington will periodically prepare a housing monitoring report and amend, when necessary, the policies of this Plan in accordance with findings and recommendations in the report on changing housing needs and supply conditions within the Township. The monitoring report shall deal with:

1. Housing market activity such as housing starts and completions, building and demolition permits issued and the number of units rehabilitated, converted or otherwise intensified;
2. House sale prices and market rates for rental housing as well as the number of new affordable housing units being brought on-stream

### ***C.5.4 Affordable Housing***

For ownership housing, affordable means housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area.

For rental housing, affordable means a unit for which the rent is at or below the average market rent of a unit in the regional market area.

In consultation with the County of Wellington, the Township will ensure that opportunities exist to provide housing to moderate and lower income households. A substantial portion of the Township's existing housing stock is affordable. In order that this continues as Centre Wellington grows, the Township will support the County policy of ensuring that a minimum of 25% of new housing units in the County will be affordable.

Accessory residences, semi-detached, duplex, townhouse and low rise apartment units will

provide the bulk of affordable housing opportunities.

### ***C.5.5 Residential Intensification***

This Plan contains policies encouraging intensification primarily in the urban centres. The strategic approach to intensification intends to retain small town character and revitalize downtown areas which includes:

- a) supporting increased densities in newly developing greenfield areas with a broader mix of housing types than has been the norm in small towns;
- b) supporting appropriate intensification in all areas within the built boundary including adaptive re-use or redevelopment of brownfields and greyfields;
- c) encouraging added housing above commercial uses in and near the downtown, in residential transition areas, and in other main commercial areas;
- d) encouraging intensification within urban centres along major roadways and arterial roads;
- e) encouraging modest intensification in stable residential areas respecting the character of the area. Stable residential areas are considered to be established areas generally consisting of predominantly low density housing on local roads with the built boundary;
- f) conserving cultural heritage and archaeological resources where feasible, as built up areas are intensified;
- g) encouraging intensification which results in new rental accommodation;
- h) encouraging small scale intensification in rural areas and hamlets consistent with their character and servicing including accessory or second residences, limited severances and conversions; and
- i) encouraging the development of appropriate standards for residential intensification, redevelopment and new residential development which are cost

effective, environmentally sound and compatible with existing uses, small town scale and character.

### **C.5.6 Greenfield Housing**

In Greenfield areas, the Township will encourage increased densities and a broader mix of housing and will:

1. encourage approved but undeveloped plans of subdivision to consider revisions which add additional housing units in appropriate locations;
2. require new developments to achieve densities which promote the overall greenfield density target of 40 persons and jobs per hectare and specifically:
  - i. strive to attain at least 16 units per gross hectare (6.5 units per gross acre) in newly developing subdivisions;
  - ii. somewhat lower densities may be considered in newly developing subdivisions where physical and environmental constraints such as larger than normal storm water management requirements, parcel dimensions that do not yield efficient lotting patterns and the need for transition areas from adjacent land uses, or on small parcels of under 2 hectares (5 acres);
  - iii. In (i) and (ii) above gross hectares or gross acres means residential land excluding environmentally protected features and non-residential uses (schools, convenience commercial) but includes roads, parks, storm water management areas or other utility blocks; and
3. encourage the introduction of medium density housing types in new subdivisions and other Greenfield areas.

### **C.5.7 Special Needs and Seniors Housing**

The Township will provide opportunities for special needs housing to address the needs of seniors and persons with physical, sensory and mental health disabilities.

An aging population will result in greater need for senior's housing. Facilities such as senior citizen's complexes, homes for the aged, rest homes and nursing homes are encouraged in urban areas. Additionally "life-style" or "leisure" communities oriented to healthy seniors and usually providing common recreational amenities are increasingly being proposed. These housing facilities will be encouraged in urban areas with appropriate services.

## **C.6 MUNICIPAL SERVICES**

### **C.6.1 General Servicing Policies**

This Plan anticipates that all new development and redevelopment will have access to a full range of appropriate municipal services. These services will be expanded in a rational, cost-effective manner that minimizes the tax burden on existing residents. Servicing costs to new developments will normally be recovered from developers through servicing agreements and development charges.

It shall be the policy of the Township of Centre Wellington that:

1. All new development and redevelopment within the Fergus and Elora-Salem Urban Centres shall be provided with full municipal services, to such standards as may be required by the Township, including:
  - a) Sanitary sewage disposal facilities
  - b) Water supply facilities
  - c) Storm drainage facilities
  - d) Hydro
  - e) Public roads
  - f) Telecommunications
2. Telephone, cable television and natural gas services will be provided to all new development, wherever feasible and appropriate,
3. The Township may require and enter into agreements to provide for the staging of development in order to allow the

efficient and orderly provision of municipal services,

4. The Township may pass by-laws and enter into agreements, including financial arrangements with property owners, for the installation of municipal services,
5. As local municipal services become available along property frontage, adjacent owners may be required to connect to them and may be subject to service area charges.
6. Land/soil stripping during pre-servicing and servicing activities, as part of new development shall not be permitted unless prior written authorization has been received from the municipality. Maintenance of ground cover for erosion, sedimentation and dust control will be required. The Township controls the removal of topsoil through its Site Alteration By-law.

### ***C.6.2 Provision of Sewer and Water Services***

Municipal sewer and water services are not presently available in Belwood, nor are they expected to be available within the scope of this Official Plan. Within the Belwood Urban Centre, development on individual private services is permitted provided it is first demonstrated to be appropriate through the submission and approval of a pre-servicing report which addresses the viability of individual servicing and its impact on ground and surface water quality and quantity.

The Fergus and Elora-Salem Urban Centres have municipal sewer and water services. New development will be required to connect to these services where they are available. It is the long-term intention of the Township to eventually provide municipal sewage and water services to all of the areas that are designated as part of the Fergus and Elora-Salem Urban Centres.

As part of this Official Plan Review, the Township has prepared a Long Term Infrastructure Study. Schedule "B" illustrates the major trunk Sanitary Sewer Servicing Areas associated with the Fergus and Elora municipal infrastructure. In design of servicing for new growth, the Sanitary Sewer Servicing

Areas shall be considered and infrastructure sized accordingly. Inclusion of lands on Schedule "B" that are outside of the Urban Centre boundary does not imply that services will be extended beyond the Urban Centre boundary or that such lands can be developed without first being designated Urban Centre in accordance with all other applicable policies of this Plan.

New development or lot creation with individual private servicing is not permitted within the Fergus and Elora-Salem Urban Centres, except in the following circumstances:

- (A) Where municipal services are not expected to be made available, new development or lot creation on individual private services will not be allowed unless it is first demonstrated to be appropriate through the submission and approval of a pre-servicing report which addresses the viability of all reasonable servicing options and their impact on ground and surface water quality and quantity, and limited to the following circumstances:

1. To provide for the continued use of existing lots of record developed on individual services;
2. To allow small scale and low intensity uses on an existing lot of record in an area where municipal services are not available and are not reasonably expected to be available;
3. To recognize outstanding development approvals on individual services where municipal services are not available and are not reasonably expected to be available.

- (B) Where the extension of municipal services is not expected to occur for a considerable period of time (i.e. greater than ten years), but only if the following conditions are met:

1. If such lands were not located within the corporate limits of the

former Town of Fergus or the former Village of Elora.

2. If there are no documented history of problems associated with the malfunction of private sewage systems and related contamination of private wells in the vicinity of the proposed development.
3. If the character of surrounding development is of such low density that the extension of municipal services is uneconomical in the short term.
4. The lands are identified as a Policy Area by this Plan.

Where individual services are permitted, provision will be made through development agreements to ensure that municipal sewer and water services will be accommodated in the future and will be provided. These developments will be required to connect to municipal services when they become available.

### ***C.6.3 Extension of Services To Existing Development***

Prior to amalgamation, there was significant fringe area development in proximity to the former Town of Fergus and Village of Elora. For the most part, this development took place without the benefit of municipal sanitary sewer and collection treatment or water supply. There is a documented history of problems associated with the malfunction of private sewage systems and related contamination of private wells within fringe area developments.

Most of these "fringe areas" are now incorporated into the boundaries of the Fergus and Elora-Salem Urban Centres. It is the intention of the Township, over time and where practical, to provide municipal services to all lands within the designated Fergus and Elora-Salem Urban Centres.

It will be the Township's policy that the extension of municipal services to fringe development will only be undertaken if both sanitary sewers and watermain are extended together. The Township will not generally

consider the extension of sanitary sewers or watermain individually.

Council will set aside uncommitted reserve capacity for sewage treatment and water supply to accommodate extensions of full municipal services to fringe areas on a staged basis, allocating to reflect the number of units expected to be serviced within the next five (5) to seven (7) years.

The Township shall develop and adopt by by-law a detailed Fringe Area Servicing Policy that will address:

1. Methods of cost recovery of infrastructure capital costs related to the extension of full municipal services to fringe area development;
2. Continued use of private well or sewage disposal systems once full municipal services are available;
3. Abandonment of private well and sewage systems in accordance with current Provincial Regulations;
4. A system of prioritizing extension of full municipal services to fringe development
5. Such other matters as determined by Council.

### ***C.6.4 Sewer and Water Allocation***

New development will not generally be given draft subdivision approval unless adequate water and sewage treatment plant capacity is demonstrated to be available and has been allocated by Council to accommodate the proposed development. This must take into account commitments made to service other lands.

Section 70.3 of the Planning Act, R.S.O. 1990, authorizes the Province to enact regulations permitting municipalities to establish a system for allocating sewage and water services. In the event that such regulations are enacted, it is Council's intent to amend this Plan as necessary to implement a system of sewer and water allocation in compliance with the regulations.

In circumstances where capacity is tied to the construction of new or expanded treatment facilities, the capacity will be considered



available once Environmental Assessment Act approval has been given; and Council has passed a resolution approving a specific budget item that dedicates capital for the completion of facilities such that the facilities are completed prior to the commencement of construction of development.

### ***C.6.5 Sanitary Sewage Collection and Treatment***

#### ***C.6.5.1 Goals and Objectives***

1. To reduce water consumption and the quantity of extraneous flows into the sanitary sewage system
2. To improve the efficiency of the waste water treatment plants and the quality of effluent being discharged into the Grand River
3. To expand the capacity of the waste water treatment plants and the necessary expansions and extensions to the system to accommodate an increase of flows as a result of new development and growth
4. To undertake the necessary improvements and extensions to the system to meet the needs of future growth, development and redevelopment

#### ***C.6.4.2 Connection***

All new development in the Fergus and Elora-Salem Urban Centres shall be connected to the municipal sanitary sewage system except where this Plan provides a specific exemption. The system and its various components and appurtenances are permitted in all land use designations of this Plan.

#### ***C.6.5.3 Extension of Trunk Mains***

The extension of sanitary sewer trunk mains shall be in accordance with the Long Term Servicing Strategy. Sanitary sewer trunk mains shall be designed and constructed in a manner that they have sufficient depth and capacity to service all areas that ultimately may be connected to that part of the system including areas currently outside the Urban Centre boundaries that may be developed in the future.

#### ***C.6.5.4 Increasing Capacity***

The Township will undertake measures to optimise its waste water treatment plant capacity, including but not necessarily limited to, the reduction of water consumption and storm water entering sanitary sewers where they exist and the pre-treatment of sewage prior to it entering the plant. Construction of new, or expansion of existing municipal or private communal wastewater systems should only be considered where the plans for expansion or for new services are to serve growth in a manner that supports achievement of the intensification target and density target.

#### ***C.6.5.5 Industrial Waste Water***

The Township will continue to regulate, amongst other matters, the quantity and quality of industrially generated wastewater discharged to the sanitary sewage system.

#### ***C.6.5.6 Design Capacity***

The design capacity of the wastewater treatment plants will be expanded to meet the projected increases in demand resulting from population growth and development in the Township.

#### ***C.6.5.7 Improvements and Expansion***

Improvements to the sanitary sewage system, including extensions to the collection system and expansion of the wastewater treatment plant may, depending on their nature, be subject to the requirements of the Environmental Assessment Act.

#### ***C.6.5.8 Conservation Measures***

As part of the Township's efforts to ensure that there will be sufficient capacity in the waste water treatment plants to meet future needs, the Township will continue to explore various measures to reduce water consumption and extraneous flows into the sanitary sewer system.

### ***C.6.6 Water Supply and Distribution***

#### ***C.6.6.1 Goals and Objectives***

1. To operate and maintain a municipal water supply and distribution system

within the Fergus and Elora-Salem Urban Centres providing a potable supply of water for domestic, commercial, industrial and fire protection purposes in accordance with accepted standards

2. To encourage water conservation by all users of the Township's water supply system
3. To recognize the potential for future development beyond the existing boundaries of the Urban Centres and the cost benefits of sizing trunk mains accordingly
4. To undertake the necessary improvements and expansions to the system to meet the needs of future growth, development or redevelopment
5. To incorporate recommended measures related to wellhead protection and land use restrictions contained in the Municipal Groundwater Study.

#### ***C.6.6.2 Connection***

All new development within the Fergus and Elora-Salem Urban Centres shall be connected to the municipal water supply system except where this Plan provides for specific exemptions. The system and its various components and appurtenances are permitted in all land use designations of this Plan.

#### ***C.6.6.3 Extensions of Trunk Mains***

Extensions of new water supply trunk mains shall be in accordance with the Servicing Plan. The design and construction of trunk mains shall have sufficient capacity to service all areas that may ultimately be supplied including areas currently outside the Urban Centre boundaries that may be developed in the future.

#### ***C.6.6.4 Improvements***

Improvements to the water supply system will occur based on a capital infrastructure program that is reviewed and updated as circumstances dictate. Depending on the nature of these improvements, the requirements of the Environmental Assessment Act may apply. Construction of

new, or expansion of existing municipal or private communal water systems should only be considered where: strategies for water conservation and other water demand management initiatives are being implemented in the existing service area; and plans for expansion or for new services are to serve growth in a manner that supports achievement of the intensification target and density target.

### ***C.7 STORM WATER MANAGEMENT***

The Township of Centre Wellington encourages the effective management of storm water drainage and run-off through the implementation of best management practices and storm water management techniques in accordance with applicable provincial policies and guidelines.

1. No development shall occur without appropriate regard for storm run-off, on-site collection and channelling of storm water to an adequate outlet.
2. Detention/retention ponds may be used as part of the storm drainage system to maintain post development flows to pre-development levels.
3. Floodplains of natural streams shall be preserved and protected.
4. Municipal drains may be identified as floodplain and may have setback restrictions identified in the implementing zoning by-law.
5. Design of development proposals shall incorporate on-site control techniques to control quantities of suspended materials washed from the sites.
6. Permanent or temporary sediment retention basins may be required to control quantities of suspended materials washed from the sites.
7. Council shall encourage, develop, and adopt in consultation with all applicable government agencies comprehensive subwatershed planning in advance of new development or redevelopment.

8. Development shall be permitted only on lands having soil and drainage conditions that are suitable for development and only with appropriate storm water management and sediment control.
9. Artificial channelization of watercourses using concrete-lined channels that can impact the natural environment and fish habitat is discouraged.

### **C.7.1 Storm Water Management Plans**

Development or redevelopment applications shall be considered on the basis of the following factors with respect to storm water management:

1. The storm water capacity of the receiving watercourse
2. The ability for storm water to be managed in such a way that post-development storm water flows do not exceed pre-development flows for designated storms, unless it can be demonstrated that an increase in storm water flows will not have a negative affect downstream from the development
3. The preparation of a storm water management plan for the proposed development in conformity with the applicable Ministry of the Environment "Storm Water Management Practices, Planning and Design Manual and which details:
  - a) Existing run-off levels and any increases expected as a result of the proposed development
  - b) Measures for quantity and quality control
  - c) Measures to minimize or eliminate negative downstream impacts
  - d) Measures to control erosion and sedimentation during construction of the proposed development
4. Where drainage, for land proposed for development, crosses municipal boundaries, the receiving municipalities shall be consulted and requested for comment on the proposed storm water management plan.

5. All storm water management facilities shall be subject to the Class Environmental Assessment process.

### **C.7.2 Subwatershed Studies**

The Township of Centre Wellington may adopt Subwatershed Plans for developing areas through consultation with the Grand River Conservation Authority and/or any other relevant or affected agencies. When a Subwatershed Plan is approved by Council, applicants for approval of subdivisions, zoning, building permits and site-plan approval may be required to submit a storm water management plan that demonstrates how the proposed development would manage storm water in accordance with the Subwatershed Plan.

Until such time as Subwatershed Plans are approved, an application for approval of a subdivision, zoning, building permit or site plan, may be required to submit a storm water-management report providing the following information:

1. A plan for the provision of storm water-drainage facilities to accommodate the proposed development;
2. A grading plan for the proposed development;
3. An assessment of the pre-development and post-development discharge of water during flood conditions on any stream or watercourse;
4. An assessment of the impacts of the proposed development on the water quality of any stream or watercourse, particularly in terms of water temperature, base flow, and fisheries potential, and the means of mitigating any potential reductions in water quality;
5. An assessment of the storm water capacity on any proposed receiving watercourse;
6. The means of controlling erosion and sedimentation using the best available construction and management practices during and after the construction of the development;

7. An assessment of how development will maintain or enhance the minimum baseflow of a watercourse, and maintain storage levels during periods of minimum baseflow for flow augmentation;
8. The potential impact of the development and any proposed storm water management techniques on groundwater resources;
9. The location of any flood lines associated with open watercourses.

### **C.7.3 Natural Features**

The Township of Centre Wellington encourages the maintenance of existing natural features and natural drainage systems within new plans of subdivision.

### **C.7.4 Quality Control**

Storm water management systems shall provide quality control for all receiving water bodies that contain fish habitat. Infiltration of storm water at or near the source is the preferred method of treatment but where infiltration is not feasible, extended detention wet ponds will be used.

## **C.8 TRANSPORTATION**

The Township has established a hierarchy of roads. There are three levels within this hierarchy:

- a) Arterial Roads
- b) Collector Roads
- c) Local Roads

### **C.8.1 Arterial Roads**

Arterial roads constitute the major vehicular circulation routes within the Township of Centre Wellington, and are the major connecting links for inter-urban traffic. Arterial roads generally consist of Provincial Highways and County Roads, but some municipal roads may also be designated as arterial roads. It is intended that access to arterial roads be controlled in order to limit the number of individual access points.

### **C.8.2 Collector Roads**

Collector roads connect with arterial roads. They represent the preferred route for traffic moving between and within neighbourhoods or use districts.

### **C.8.3 Local Roads**

Local roads are intended to provide direct access to individual properties. Through traffic is discouraged on local roads.

### **C.8.4 Road Design**

The following design guidelines shall be promoted during the design of Roads:

1. The separation of vehicles and pedestrians along the right-of-way, and the allocation of priority space to pedestrians;
2. The maintenance of a minimum clear width of walkway for pedestrians along the right-of-way by establishing requirements applicable to the context of particular districts or neighbourhoods;
3. The expression of the function of the local street network through the distinctive design treatment of surfaces, lighting, vegetation and street furniture in the key areas, which is compatible with the architectural character of the district;
4. The provision of areas for snow storage in proximity to the local street to facilitate maintenance of a clear and unobstructed surface; and,
5. The provision of vehicle loading, service and deliveries from local streets to individual properties with minimal disruption to the design of buildings and pedestrian paths.

### **C.8.5 Gateways**

A gateway refers to the entry points to the Urban Centres located on major roads such as Provincial Highways and County Roads.

1. The strategic treatment of landscaping features, signage, the configuration of streets and massing of new development to enhance gateways into the Urban Centres, and to maximize desired views, and focus activities in public gathering

spaces, and to enhance the overall experience of natural features and landforms shall be supported.

2. Street fixtures such as traffic lights, traffic signs, lighting fixtures, fire hydrants, parking meters and cycle parking facilities shall be designed and placed within a consistent and integrated system of form, pattern, shape, colour and texture to avoid clutter and to facilitate readability.
3. The provision of boulevard and median strips on roads at strategic gateway areas, and along routes of four lanes or more shall be supported, for both urban design and safety reasons.

### ***C.8.6 Road Widenings***

1. The established road widenings are set out in Table 1 of the County of Wellington Official Plan. The designated road allowances constitute the extent of the proposed widenings to be obtained for each road.
2. Dedication of land to implement the designated road allowance may be required as a condition of development or redevelopment in areas designated as site plan control areas. In other areas, road dedication will be obtained through the subdivision process.
3. Land required to implement the designated road allowance will be taken equally from both sides of the existing road allowance wherever possible. If a widening is required from one side of the road greater than one half of the normal dedication, Council will purchase the land greater than the normal dedication.
4. Road widenings to be obtained for roads under the jurisdiction of the County of Wellington and the Province of Ontario will be acquired in accordance with appropriate policies in the Wellington County Official Plan

### ***C.8.7 Traffic Impact Assessment***

Where it is anticipated that any development or redevelopment may generate significant traffic volumes, or where there are deficiencies in existing traffic conditions, the Township of Centre Wellington or the County

of Wellington may require that the applicant provide a traffic impact assessment in accordance with Section E.1.4.

### ***C.8.8 Other Jurisdictions***

In addition to all the applicable municipal requirements, all development adjacent to any County Road or Provincial Highway is also subject to the requirements and permits of the County of Wellington or Ministry of Transportation.

### ***C.8.9 Roads Plan***

Schedule "B" incorporates a roads plan identifying existing and proposed future arterial and collector roads and their potential alignment as required to promote the safe and efficient movement of people and goods within the Township.

The Township will consult and cooperate with other levels of government such as the County and the Province in the preparation and implementation of the roads plan.

It is the intention of the Township of Centre Wellington to provide for intercity traffic to bypass the densely built up areas of the municipality, and in particular for intercity truck traffic to be routed away from the downtown cores and residential neighbourhoods.

### ***C.8.10 Environmental Assessment Act***

All new road planning shall, where necessary, meet the requirements of the Environmental Assessment Act.

### ***C.8.11 Bicycling***

It is the objective of the Township to encourage cycling as an alternative mode of transportation within and between the Urban Centres, and to provide for the safe, convenient and easy movement of bicyclists.

In order to meet these objectives, the Township may prepare a comprehensive bikeway plan for the purpose of ultimately establishing a bicycle route network (including standards for development).

Where the bikeway plan recommends the development of dedicated bicycle lanes, these will only be established on arterial roads and collector roads where there is no on-street parking. On local streets, bicyclists and vehicles will share the same travelled surface. Wherever possible and feasible, bikeways will be connected to and integrated with parks and recreation areas and provide linkage between intensification areas and adjacent neighbourhoods.

The Township may require, as a condition to the approval of development, the provision of adequate parking facilities for bicycles. Parking standards for bicycles may be specified in the zoning by-law.

The Township may establish accessible, sufficient and secure bicycle parking areas at municipally owned and operated facilities.

## **C.9 COMMUNITY IMPROVEMENT**

### **C.9.1 Definition**

Community improvement constitutes all public and private activities that maintain, rehabilitate and redevelop the existing physical environment to accommodate the social and economic priorities within the community.

### **C.9.2 Objectives**

The following are the objectives of the Township with respect to community improvement:

1. To provide for the maintenance, improvement, and rehabilitation of residential, commercial, industrial and institutional districts.
2. To provide for the more efficient utilization of the municipal physical infrastructure by infilling or redeveloping vacant or underutilized land while maintaining the compatibility of the land uses.
3. To upgrade the municipal physical infrastructure
4. To upgrade existing recreational or social service facilities

5. To enhance the viability of areas of commerce and industry
6. To delineate a planned approach to community improvement projects and the expenditure of public and/or private funds

### **C.9.3 Community Improvement Project Area**

The Township may from time to time delineate a Community Improvement Project Area. Areas to be selected as Community Improvement Project Areas shall generally demonstrate one or more of the following criteria:

1. Deficiencies in the sewer, water and hydro servicing network
2. Deficiencies in the supply of, or the condition of, parks, playgrounds, and other community service and recreational facilities
3. Inadequate housing and building conditions
4. Conflicting land uses
5. Inadequate management of storm water
6. Lack of off-street parking and amenities which enhance the shopping experience
7. Inadequate condition of sidewalks, street, lighting and landscaping
8. Lands with potential for infill development or redevelopment of existing or underutilized buildings and/or properties
9. To achieve environmental, social or community economic development objectives

### **C.9.4 Community Improvement Plan**

Community Improvement Plans shall be prepared in support of applications to the Province for funding assistance to implement the policies. The Community Improvement Plan will identify deficiencies in municipal infrastructure and other municipal services and propose a program for improvement. Phasing of improvements will be based on the urgency of need and on the financial impact of the project on the municipality.

### ***C.9.6 Implementation***

The Township of Centre Wellington intends to implement these policies in order to achieve its Community Improvement objectives by one or more of the following methods.

1. The designation of a Community Improvement Project Area for the purpose of the preparation and implementation of Community Improvement Plans pursuant to Section 28 of the Planning Act, R.S.O. 1990;
2. Participation in available Federal and Provincial funding programs to assist in the implementation of Community Improvement Plans;
3. Discussions and negotiations with owners of properties which are substandard with respect to maintenance and if such discussions and negotiations are unsuccessful, enforcement of the Maintenance and Occupancy By-Laws;
4. Application of the Ontario Heritage Act, to support the preservation of historic and/or architecturally significant buildings and the use of funding programs under the Act;
5. Encouragement of private initiatives that meet the objectives of a Community Improvement Plan, including infilling and redevelopment projects;
6. The acquisition, improvement, and disposal of land and buildings in a Community Improvement Project Area.
7. Support for, and cooperation with local service clubs and other organizations in the development of recreation and other facilities and services in the Community Improvement Area.

### ***C.10 ENERGY CONSERVATION AND RESOURCE MANAGEMENT***

The Township of Centre Wellington encourages the efficient use and conservation of energy. In order to achieve this goal, the following measures shall be encouraged:

1. The establishment of compact developed areas, minimizing distances between places

2. The provision of higher density uses along major transportation corridors rather than on local roads
3. The intensification of existing built-up areas
4. The re-use, renovation, and retrofit of existing buildings
5. The integration of compatible land uses
6. The location of interrelated uses in proximity to one another
7. The concentration of service and commercial activities within the Central Business District
8. The development of a transportation system that minimizes street length, reduces trip length, minimizes requirements for stops, and provides convenient pedestrian and bicycle routes
9. The arrangement and design of lots and buildings to take advantage of solar access, and in consideration of the solar access of neighbouring properties
10. The use of water and energy saving devices within new development or redevelopment
11. The application of reduce, reuse and recycle waste management principles in all economic activities
12. The use of alternative energy sources.

### ***C.11 LAND USE COMPATIBILITY***

For the purposes of this Plan a sensitive land use is defined as a use associated with residences, schools, hospitals and senior citizen homes or other land uses such as outlined in the Ministry of Environment's Separation Distance Guideline.

#### ***C.11.1 Noise***

Where it is proposed that sensitive land uses, including residential development, be located adjacent to land uses such as industrial facilities, transportation corridors or aggregate operations, the Township will endeavour to ensure that adequate noise attenuation measures are provided.

The Township, in consultation with the Ministry of Environment or its delegate, may require the submission of a noise evaluation study prepared by a qualified acoustical consultant. Such a study shall be prepared to the satisfaction of the Township in accordance with Ministry of Environment guidelines, and shall identify the total noise impact on the site from all sources, and demonstrate whether noise control measures are needed to meet the standard sound level of the Ministry of Environment. Where a need is demonstrated, the study shall recommend the noise reduction measures to be applied.

If the source of noise is a stationary source such as industry or aggregate extraction area or utility, the noise study shall be submitted to Council prior to the approval in principle of a development or land use change (i.e. prior to establishing the principle of development).

Generally, if the source of noise is a line or transportation source such as a Provincial Highway, railway, etc., the noise study shall be submitted prior to final approval or adoption, as the case may be, unless the impact of noise could restrict the principle of development.

Where development is proposed by plan of subdivision, the approved noise control measures shall be included in the fully executed subdivision agreement.

In addition to any noise impact mitigation measures, other mitigation and buffering measures, including but not limited to setbacks, intervening berms and security fencing may be required as a condition of subdivision approval or other development approvals.

### ***C.11.2 Site Re-Use***

It is the policy of the Township of Centre Wellington to plan in advance for the re-use of potentially contaminated sites. For sites that have been identified as being potentially contaminated or where there is a proposed change in land use from an industrial use to a sensitive land use, an analysis will be required to determine the nature and extent of contamination when development of such sites are proposed.

All identified sites that may be contaminated must be investigated thoroughly and a clean up plan prepared in accordance with the Ministry of Environment policies and guidelines prior to any approval in principle for redevelopment of the site being granted. A legally binding commitment to implement the clean up will also be secured.

### ***C.11.3 Industrial Uses***

Council shall strive to maintain compatibility between sensitive land uses and existing and proposed or zoned industrial facilities. Measures to ensure land use compatibility, which may include land use separation, shall be required between incompatible land uses. Minimum separation distances may vary depending on the nature of the industrial facility and the intervening land uses. Where appropriate separation distances are required, they shall be established in consultation with the Ministry of Environment or its delegate with reference to the applicable MOE guidelines.

### ***C.11.4 Sewage Treatment Plants***

The Township shall strive to maintain compatibility between sensitive land uses and the Fergus and Elora Water Pollution Control Plants. As a means to reduce the adverse impacts of offensive odours that may occur during the normal daily functioning of the sewage treatment system, new sensitive land uses shall not be allowed within 100 metres of existing sewage treatment plants. The separation distance may vary depending on the sewage system and the adjacent land uses in accordance with the guidelines of the Ministry of Environment.

### ***C.11.5 Waste Disposal Sites***

It is the policy of the Township of Centre Wellington that an inventory of all known active or inactive waste disposal sites shall be prepared and identified on the Land Use Schedules.

A 500-metre radius surrounding the waste cell shall be considered a potential influence area of a waste disposal site. Where development



is proposed within the area of influence of land used for waste disposal:

1. The Ministry of Environment shall be consulted regarding actions necessary to identify and mitigate any potential adverse environmental effects.
2. Where appropriate, evidence shall be provided to the Township and the Ministry of Environment that such development can safely take place. This applies to the construction of buildings, structures, underground utilities and services, as well as hard surface paving.

Where necessary, development will incorporate measures, as required by the Township or the Ministry of Environment, including technical controls, buffering or rehabilitation, to prevent any adverse environmental effects having an impact on the proposed development.

Where technical controls are required, residential development may not be permitted on, or adjacent to, an existing or abandoned landfill site.

## **C.12 PARKLAND**

It is the policy of the Township of Centre Wellington to develop a system of parkland and recreation facilities suitable to meet the varied needs of the community. The Township shall ensure that adequate parkland is secured and used for the benefit of the community and that the Township takes advantage opportunities to add to its park inventory.

As recommended by the Township's Parks and Recreation Strategic Master Plan, the Township will endeavor to provide approximately 3 hectares of parkland or open space for every 1,000 people in Centre Wellington.

### **C.12.1 Parkland Dedication**

As a condition of the development, redevelopment or division of land, the Township of Centre Wellington shall require for parks purposes:

1. For residential development, the conveyance of up to 5% of the land area proposed for development;
2. For commercial and industrial development, the conveyance of up to 2% of the land area proposed for development;
3. For residential development, the Township may also pass by-laws pursuant to Section 42 of the Planning Act to require that land be conveyed to the municipality for park or other public recreational purposes at a rate of one hectare for each 300 dwelling units proposed.

### **C.12.2 Suitability of Land**

Only those lands suitable for parks development will be accepted as part of the required parkland dedication. These lands shall be, in the opinion of Council, suitable for use as municipal parkland and the following criteria shall be considered as desirable:

1. Lands adjacent to established parks, school yards or storm water management areas,
2. Lands within easy walking distance of the residential area served,
3. Lands located near the highest density residential developments,
4. Lands with adequate street frontage to provide for visibility and safety,
5. Lands that are level, regularly shaped and not susceptible to major flooding, poor drainage, or other environmental or physical conditions that would interfere with their development or use for public recreation.

Notwithstanding the above, the Township of Centre Wellington shall encourage the conveyance of lands with environmental constraints or significant natural features to the Township or the GRCA for passive recreation or conservation use. Where such lands are to be conveyed, the Township of Centre Wellington will generally exclude these lands from the developer's holdings for the purposes of calculating the required parkland dedication. Passive recreation refers to the use

of land for passive outdoor leisure activities such as conservation, walking, hiking and cycling, where buildings and structures are to be limited.

Lands that are conveyed to the Township as part of the required parkland dedication shall be provided in a condition that is acceptable to the Township of Centre Wellington. This will typically be provided for in subdivision, development or site plan agreements.

Storm water management areas will not contribute to the required parkland dedication, unless they are designed in such a manner as to be suitable for active recreational purposes.

### ***C.12.3 Cash-In-Lieu of Parkland Dedication***

In the following circumstances, the Township may accept cash-in-lieu of the parkland dedication described above:

1. If the required amount of parkland dedication would inhibit the development or redevelopment potential of the remainder of the site
2. If the required amount of parkland dedication would be insufficient to satisfy municipal objectives
3. If additional parkland is not needed, or if other more suitable parcels of land are available for park purposes
4. Where an area is adequately served by municipal or other open space lands,
5. Where the Township wishes to combine the parkland dedications of a number of small developments to provide for one large park area.

Cash-in-lieu payments shall be placed in a separate account and used for the acquisition of, or development of parklands within the Township.

### ***C.12.4 Parks Recreation and Culture Strategic Plan***

The Township of Centre Wellington has prepared a Parks Recreation and Culture Strategic or Master Plan. This Plan generally:

1. Outlines all open space areas, recreational facilities, cultural programs, recreational programs and special events operated by various service providers in the Township.
2. Identifies community needs with respect to the above programs, etc.
3. Assesses the need for additional recreational lands, facilities, and programs
4. Outlines an implementation plan for the planning and development of recreation and cultural facilities or programs, including the investigation of, and prioritization of sources of funding for such facilities and programs.

The recommendations of this Plan shall be implemented within the Municipal Plan and in making decisions on planning matters. The Plan shall be updated where necessary to reflect changing circumstances.

### ***C.12.5 Hierarchy Of Parkland***

The Plan establishes the following hierarchy of parkland:

- a) Neighbourhood
- b) Local
- c) District
- d) Waterfront
- e) Greenspace Corridors

When planning for new park space, for example through the plan of subdivision process, the hierarchy of parkland shall be used as a guide. Wherever possible, park spaces will be linked by walkways, bike paths and/or trails.

#### ***C.12.5.1 Neighbourhood Parks***

Neighbourhood Parks consist of those parks that primarily serve the needs of residents living in nearby residential areas, such as play lots, parkettes, floral gardens and other small parks intended to serve small portions of each residential neighbourhood. Neighbourhood Parks may consist of combined municipal parks/school sites. There will typically be more than one such park in each neighbourhood.

Neighbourhood parks shall generally be

developed in accordance with the following guidelines:

1. Should be located within walking distance of the residential area served
2. Should be combined with school sites where possible and desirable
3. Should be linked to other open space areas where possible
4. Where possible, should be visible from homes and traffic routes within the neighbourhood it serves, for safety reasons

#### ***C.12.5.2 Local Parks***

Local parks consist of those parks that serve the residents of the entire community. Such parks will typically contain recreational facilities such as ball diamonds, football, field hockey, lacrosse, or soccer pitches and other recreational and cultural facilities. Local parks will typically be used as fairgrounds or as the site of major local events. Secondary school sites and conservation areas may supplement the Local Parks.

Local Parks shall generally be developed in accordance with the following guidelines:

1. Should have access via an arterial or collector road;
2. Should contain sufficient parking to satisfy the needs of users
3. Should be linked to other open space areas, where possible

#### ***C.12.5.3 District Parks***

District parks consist of those parks that cater to residents of the Township of Centre Wellington, surrounding municipalities, and visitors. Such parks will contain major sports and recreational facilities such as arenas, recreation centres, special event facilities, golf courses, campgrounds, hiking trails, conservation areas, and museums and historic sites.

District Parks may be developed in conjunction with the Grand River Conservation Authority where appropriate and shall generally be

developed in accordance with following guidelines:

1. Should have access to an arterial or collector road
2. Should contain sufficient parking to satisfy the needs of users and staff
3. Should be linked to other open space areas, where possible
4. Should take advantage of the natural features and visual amenities of the site

#### ***C.12.5.4 Waterfront Parks***

Waterfront Parks consist of parkland developed along the banks of the Grand River and its tributaries, or along other bodies of water in the Township. It is the policy of the Township of Centre Wellington to pursue the development of linear parkland along the Grand River.

Waterfront Parks shall generally be developed in accordance with the following guidelines:

1. The Township will cooperate with other agencies and public bodies such as the Grand River Conservation Authority in acquiring land along the banks of the Grand River and its tributaries
2. The Township will cooperate with private land owners in obtaining leases, easements, rights-of-way, dedications and other means of acquiring access to waterfront lands for parks purposes
3. Waterfront Parks will typically consist of passive recreation uses only, particularly in areas where more intensive use will disrupt the natural environment of the watercourse. Passive recreation refers to the use of land for passive outdoor leisure activities such as conservation, walking, hiking and cycling, where buildings and structures are to be limited.
4. Lands that are designated Core Greenlands in this Plan may also be considered for Waterfront Park use of a passive nature
5. The Township shall encourage the establishment of a pedestrian and/or bicycle trailway within the Waterfront Park system

6. Waterfront Parks should be linked to other parks or open space land where possible
7. The Township shall attempt to gain public access to the Grand River or its tributaries, and discourages a loss of existing public access to the river system.

**C.12.6 Greenspace Corridors**

The Township encourages the development of continuous greenspace corridors throughout the Township by connecting parks and open space lands with natural heritage features and trailways. Greenspace corridors shall generally be used for passive recreation.

**C.13 PARKING**

It is the policy of the Township to ensure that adequate off-street parking and loading facilities, including access to such facilities, are provided to meet the needs of various uses of lands. For the purposes of this section parking facilities include provision for both bicycles and automobiles.

**C.13.1 Township Action**

In carrying out its objectives with respect to parking, the Township shall:

1. Set out standards for parking and loading for all land uses in the zoning by-law,
2. Acquire, develop and operate parking facilities,
3. Ensure in the site plan approval process that adequate parking and loading facilities, including access to such facilities are provided,

**C.13.2 Alternate Sites**

Where a development cannot provide adequate off-street parking on its site, the Township may permit the provision of required parking spaces on an alternative site provided that:

1. The alternative site is within convenient walking distance of the proposed development,

2. The developer enters into any necessary agreements to ensure the continued availability of the alternative site as a parking area.

**C.13.3 Cash-In-Lieu of Parking**

Where a development cannot provide adequate off-street parking on site, the Township may permit a cash payment in lieu of required parking, as determined appropriate by Council, to assist the Township in providing alternative off-street parking facilities.

**C.13.4 Downtown Areas**

The Township recognizes that many downtown uses are not normally able to provide off-street parking and the standards in the zoning by-law may recognize this situation. Where practical, Council may provide, or co-operate to provide additional parking facilities in or near the downtown area. Council shall encourage the efficient arrangement and use of on street parking in the downtown.

**C.13.5 Parking Lot Design**

1. The Township encourages the partial screening of surface parking lots through the use of low fences, walls and landscape elements. Where practical, parking lots should be located away from street view while still permitting views for orientation and safety.
2. A reduction in the scale of large surface parking lots shall be encouraged through their sub-division into smaller areas by means such as landscaping, fencing and walls.
3. The design of streetscaping elements to support on-street parking along commercial frontages shall be encouraged, in order to increase animation, reduce vehicle speeds, and to serve as a protective buffer between pedestrians and moving vehicles.
4. Where a parking structure abuts an arterial, collector or local road, the parking structure should be designed so that the street frontage will accommodate street oriented activities

such as shops, offices or residential dwellings.

#### **C.14 DEVELOPMENT CHARGES**

Municipalities are authorized to enact Development Charges By-laws to assist in paying for the capital costs of new growth. In preparing these by-laws, municipalities are expected to use the growth forecasts set out in this Plan but may make reasonable adjustments to account for clearly altered circumstances.

Following the adoption of this Plan, the Township will update its Development Charges By-law to incorporate the infrastructure requirements necessary to accommodate planned growth.

#### **C.15 COMMUNITY DESIGN**

The Township plans to achieve higher standards in the physical design of the built and natural environment in its Urban Centres. The higher standards relate to overall quality, environmental sensitivity, sustainability, efficiency, affordability, accessibility, achieving a sense of place and identity, and providing for public safety and security. Design standards will apply equally at the level of individual sites as well as at the level of new subdivisions, secondary plan areas, and to the community in its entirety. The objective is that when people live, work and visit in Centre Wellington they will have a tangible sense and impression that The Township is a well planned and well designed community.

##### **C.15.1 Goal**

To ensure that any development proposal from the individual site level, to the community level, is designed to achieve a high standard and to contribute positively in both form and function to the built and managed environment of The Township.

##### **C.15.2 Objectives**

1. To achieve a higher standard of architectural design in the built environment which is based on the compatibility of new urban development

with the existing pattern of urban development.

2. To enhance the enjoyment of the built environment
3. To achieve a varied pattern of built form that supports and enhances the urban experience through architectural design that addresses both aesthetic and functional requirements.
4. To achieve a complementary relationship between new buildings and existing buildings, while accommodating a gradual evolution of architectural styles, as well as accommodating innovative built forms.
5. To enhance the unique character of a district, neighbourhood, grouping of buildings or prominent building, based on an analysis of their identifiable architectural characteristics.
6. To maximize the richness and visual delight of the existing building architecture, specifically within the Central Business District, through attention to massing, proportion, façade articulation, architectural detail, materials, and their successful integration.
7. To identify and encourage the maintenance and enhancement of "gateway" entrances, both from a vehicular and pedestrian point of view, into the Urban Centres. Gateway entrances should reflect the unique character of the area where they are located.

##### **C.15.3 Design Guidelines**

1. The Township shall encourage the preparation of urban design and site planning guidelines that shall be applied to all development proposals. The Township may also establish from time to time Urban Design Guidelines that apply to a specific district or development proposal.
2. In general terms, The following urban design factors shall be used to determine the acceptability of development proposals:

- a) The extent to which the proposal attains the pertinent Urban Design objectives and policies of this Plan; and,
  - b) The extent to which the proposal fits within any Council-approved Urban Design guidelines which are applicable to a development site, its local area, and/or its neighbourhood or district.
3. Urban Design Guidelines shall generally ensure that proposed developments:
- a) Are compatible in architectural form with abutting neighbourhoods;
  - b) Form a cohesive and unified cluster of buildings which are architecturally compatible with each other;
  - c) Provide links with the pedestrian, cycle and vehicular routes on their perimeter by such means as the extension of existing pathways and local streets into or through the site; and,
  - d) Maintain and enhance remaining elements of valued historic development patterns in the layout of new development.
4. New development located within an existing established district or neighbourhood will be designed as an integral part of the area's existing larger pattern of built form and open spaces such as building mass, height, proportion, enclosed volume and position relative to street and site.
5. The preservation of the existing pattern of setbacks in the existing urban area shall be supported so that new buildings do not substantially alter the street relationship.
6. New developments within the Central Business District should support the creation of continuous building façades along streets frequented by pedestrians.
7. The street façades of publicly accessible buildings should be designed to encourage and facilitate public accessibility;
8. Except in the industrial designations building functions that do not directly serve the public, such as loading bays,

and blank walls, should not be placed directly along the street.

- 9. Community facilities, retail shops and similar uses on the ground floor should be located at grade and approximately level with the adjacent sidewalk.
- 10. Signage should clearly indicate street address and/or building, business or tenant name, and should integrate with the façade design.
- 11. The preservation of important views from strategically located viewpoints and the preservation of significant sequences of views of particularly important landmarks and features shall be encouraged to the extent possible.
- 12. The placement of a broad range of artworks in publicly accessible and visible locations such as parks, streets, plazas, and on buildings shall be encouraged, particularly those which foster civic identity by reflecting and/or interpreting the local history, traditions, culture and values of citizens.

#### ***C.15.4 Landscape Design***

The Township shall ensure that as many trees and other vegetation as possible are retained on site subject to development by requiring the submission of a tree inventory and saving plan for all applications, with priority being given to trees and other vegetation most suited to adoption of post-construction conditions, through the following criteria:

- 1. By ensuring that as much existing naturalized space on a site subject to development is retained as possible, and where retained is permitted to regenerate according to the process of natural succession of the native plant community, with minimal intervention;
- 2. Where retention of significant treed areas, individual trees or naturalized areas has been determined by the Township not to be feasible, in accordance with its policies and guidelines, the loss of such features shall be offset by requiring their replacement with an appropriate quantity and quality of vegetation on the site or elsewhere in the Township.

3. By establishing specific landscaping requirements in site plans for private development and for public projects which ensure the provision of trees and other vegetation in appropriate numbers, sizes, shape, texture and colour to achieve objectives such as to:
  - a) Maintain and enhance the character of existing neighbourhoods and settlement areas and other areas of the Township.
  - b) Provide features such as the definition of public open spaces, accent or screening of adjacent building forms, framing of views or focal points, reinforcing of location, direction of pedestrian movement and demarcation of areas within different functions; and,
  - c) Provide the maximum protection feasible to trees and other vegetation from snow removal operations such as ploughing and de-icing.
4. By establishing specific landscaping requirements in site plans for private development and for public projects which ensure the provision of trees and other vegetation which:
  - a) Maintain a predominance of native plant species;
  - b) Are tolerant of disease, drought and pollutants;
  - c) Suitable for the site with respect to soil and drainage conditions, similarity to other plants, relative shade tolerance and overall hardiness;
  - d) Provide seasonal variation in form, colour and texture;
  - e) Generally requires low maintenance and features and materials which enhance ecological stability;
  - f) Reflect the following aesthetic criteria: suitable mature dimensions, branching habits, shade pattern, colour and texture of foliate and bark;
  - g) Reflect the following functional criteria: density of shade, density of visual screening in all seasons, sound attenuation qualities, and ability to

buffer wind, control snow deposition and stabilize slopes; and,

- h) Limit mown turf grass lawn to areas of high pedestrian traffic, active recreation and landscape ornament in order to maximize areas inhabited by diverse, low maintenance meadow plant communities.

The Township shall encourage landscape design that supports the maintenance of naturalized space; replacement of lost vegetation, use of native species, and enhancement of ecological stability.

## ***C.16 TOURISM***

### ***C.16.1 Goals and Objectives***

1. To maintain and strengthen our identity and reputation as a natural heritage and cultural tourism centre;
2. To facilitate the establishment of complementary and support activities to meet the needs of the visitor population;
3. To protect and enhance the natural and heritage assets of Centre Wellington which are a vital part of our tourism image;
4. To protect, wherever feasible, residential neighbourhoods from the unwarranted intrusion of traffic, noise and other adverse impacts which are capable of being generated by tourism activity

### ***C.16.2 Tourist Promotion***

The Township will continue to promote Centre Wellington as a natural heritage and cultural tourism destination with the Grand River as its central focus and will endeavour to attract new tourism related activities and facilities which complement or do not conflict with this central focus.

### ***C.16.3 Tourist Resources***

The Township will protect and enhance its parks and open space systems, particularly its waterfront parks, the downtown cores, and other elements in view of the importance

these elements have on the area's tourism image and their special interest to visitors.

#### ***C.16.4 Tourist Accommodation***

The Township will encourage the upgrading of existing accommodation establishments and promote the establishment of new accommodation establishments and facilities in order to provide the widest variety possible to meet the needs of all visitors.

#### ***C.16.5 Accommodation in Private Homes***

The Township recognizes the importance of accommodating visitors in private homes (such as in bed and breakfast establishments) in a manner which complements the needs of tourists, while at the same time the need for measures to reduce conflicts arising from tourism activity impacting on residential areas. These establishments are frequently found in older dwellings, originally designed for residential occupancy, in higher quality residential areas. The Township will make every effort to ensure minimum standards of health, safety and occupancy are complied with and adequate measures are taken to protect residential areas from any adverse impacts arising out of the operation of these establishments.

Proposals for new establishments will be evaluated on the basis of the following criteria:

1. Suitability of the dwelling for the use intended;
2. Number of rooms proposed to be used;
3. Adequacy of the municipal water supply system and sanitary sewage system to handle increased flows;
4. External changes proposed to the dwelling and yards including parking areas, driveways, signage and building additions;
5. Accommodation of required parking;
6. Ability to meet the requirements of the Ontario Building Code;
7. Compliance with the zoning by-law

#### ***C.16.6 Tourism And Heritage***

The Township's built heritage is critical to fostering tourism activity. The Township will take appropriate measures to protect and enhance these buildings and landmarks for the enjoyment of future generations.

#### ***C.17 PROPERTY STANDARDS***

Property owners may be required to maintain their properties in accordance with standards adopted by Council. The Township may pass By-laws to regulate:

1. Garbage disposal and pest prevention;
2. Structural maintenance, safety and cleanliness of buildings;
3. The adequacy of a building or unit within a building for healthful occupancy in terms of sanitation, light and ventilation;
4. Keeping properties free from rubbish, debris, salvage, weeds, abandoned or in-operative vehicles, trailers, boats, mechanical equipment or building materials.

#### ***C.18 ECONOMIC DEVELOPMENT***

##### ***C.18.1 Supply***

The Township will ensure that sufficient land is designated and available to accommodate an appropriate range and mix of employment opportunities (including industrial, commercial and institutional uses) to meet projected needs for the growth forecast.

The Township will encourage and support decisions, which ensure that an adequate supply of employment lands is available at all times.

An adequate supply includes maintaining a range and choice of suitable sites of various sizes for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses.

##### ***C.18.2 Conversion***

Conversion of employment lands (Industrial, Highway Commercial and Future Employment Lands) within employment areas to non-



employment uses which, for the purposes of this sub-section includes major retail uses, may be permitted only through a municipal comprehensive review where it has been demonstrated that:

- a) there is a need for the conversion;
- b) the municipality will meet its employment forecast allocation;
- c) the conversion will not adversely affect the overall viability of the employment area, and achievement of the intensification target, density targets, and other policies of this Plan.
- d) there is existing or planned infrastructure to accommodate the proposed conversion;
- e) the lands are not required over the long term for the employment purposes for which they are designated; and
- f) cross-jurisdictional issues, if any, have been considered.

### ***C.18.3 Strategic Action Plan***

The Township has recently completed an Economic Development Strategic Action Plan. The purpose of the Economic Development Strategic Action Plan is to stimulate and guide economic growth for the Township by providing a vision and focus for Centre Wellington's economic development efforts.

It is the intention of the Township to implement the recommendations of the Action Plan, based on these five key principles:

1. Manage and channel the growth that will inevitably come to Centre Wellington, in order to ensure that it is both appropriate and sustainable, meaning:
  - a. Preservation and enhancement of unique and very high quality of life in Centre Wellington
  - b. Creation of sufficient jobs in the community to enable greater proportion of population to live and work in Centre Wellington
  - c. Provision for sufficient commercial space in the community that retail expenditure and associated jobs stay in the community
2. Provide the necessary infrastructure and related environment to provide for the

needs of growth and investment, including:

- a. Designation and servicing of area for industrial and commercial development
  - b. Development of an improved transportation infrastructure for the region
  - c. Ensuring that the telecommunications infrastructure of the community meets the needs of businesses today
  - d. Streamlined and efficient approvals processes
  - e. Provision of appropriate and useful information for investment decisions
3. Focus on the retention and expansion of the existing base of industry, identifying and meeting the needs of existing businesses and exemplifying a pro-active and anticipatory attitude towards business investment and development
  4. Build upon seven key sectors or clusters in the local and regional economy where Centre Wellington has a strong competitive or comparative advantage, including:
    - a. Arts, culture, recreation and tourism
    - b. Education, training and labour force development
    - c. Agricultural and related
    - d. Light manufacturing
    - e. Small business / home-based business
    - f. Retail and commercial
    - g. Health care and wellness
  5. Economic development in Centre Wellington will be pursued within the context of a healthy community overall, and following the principles of Smart Growth – this means that resources devoted to economic development by the Township will be allocated in balance with those allocated to social development, environmental improvement, recreational opportunities, health care, youth programs, etc

**SECTION "D"**  
**DETAILED LAND USE POLICIES**

**D.1 ALL DESIGNATIONS**

The applicable policies of Section "C" shall be considered in conjunction with appropriate policies under this Section.

The following uses may be permitted in any land use designation subject to the provisions of the zoning by-law:

1. All electric power facilities, including all works as defined by the Power Corporation Act and telephone lines and multi-use cables, provided that the development satisfies the provisions of the Environmental Assessment Act and any other relevant legislation;
2. Utilities and services necessary for the transmission of municipal water, sewage, public roads, parking facilities and facilities for the detention, retention, discharge and treatment of storm water.

The Zoning By-law may establish zoning categories in which the above uses may not be permitted.

Administrative offices, sales outlets, garages, depots or yards of any public or quasi-public agency or utility shall conform to the appropriate land use designation and policies of the Plan.

**D.2 RESIDENTIAL**

**D.2.1 Overview**

The single-detached home is currently the dominant housing type in the urban centres and this situation is expected to continue. However, new housing types are needed to provide a greater variety of residential accommodation as well as a more affordable housing supply. The Municipal Plan anticipates that semi-detached, townhouse and apartment dwellings will be developed to respond to this need and that these units may eventually account for at least one quarter of all housing units in Fergus and Elora-Salem where full municipal services are available.

The Township is committed to preserving the character and integrity of existing residential areas and will make reasonable efforts to ensure that development is compatible with established. We are also committed to ensuring that controlled growth and development occur within the community in order to maintain and enhance the small-town character of urban centres.

**D.2.2 Objectives For Residential Development**

1. To ensure that an adequate supply of land is available to accommodate anticipated population growth over the planning period;
2. To provide a variety of dwelling types to satisfy a broad range of residential requirements including affordable housing;
3. To manage the rate of growth and the amount of residential development within the urban centres in order to maintain and enhance the small town character;
4. To support the development, at appropriate locations and densities, of residential facilities that meet the housing needs of persons requiring specialized care;
5. To ensure that an adequate level of municipal services will be available to all residential areas;
6. To minimize potential compatibility issues between residential and other land uses;
7. To encourage intensification, development proposals provided they maintain the stability and character of existing neighbourhoods;
8. To support the establishment of compatible neighbourhood amenities such as commercial and institutional uses in appropriate locations of the municipality;
9. To encourage residential developments which incorporate innovative and appropriate design principles which contribute to public safety, affordability, energy conservation and that protect,

enhance and properly manage the natural environment;

10. To monitor the housing supply by reviewing new development, demolitions, intensification, and the number of affordable housing units brought on stream.

### ***D.2.3 Permitted Uses***

The predominant use of land in those areas designated RESIDENTIAL on Schedule "A" of the Plan shall be residential development. A variety of housing types shall be allowed, but low rise and low-density housing forms such as single-detached and semi-detached dwelling units shall continue to predominate.

Townhouses and apartments, bed and breakfast establishments, group homes and nursing homes, may also be allowed subject to the requirements of the Zoning By-law and the applicable policies of this Plan.

In addition, non-residential uses such as schools, churches, clinics, local convenience stores, home occupations, neighbourhood parks and other public facilities may also be permitted within the RESIDENTIAL designation subject to the appropriate Zoning By-law regulations and the policies of the Municipal plan.

Garden suites, accessory to existing single-detached homes, are also permitted within the RESIDENTIAL designation, subject to the requirements of the Plan and in accordance with the Temporary Use provisions of the Planning Act, as amended.

### ***D.2.4 Low-Density Development***

This Plan considers single-detached, semi-detached and duplex dwellings to be low density housing forms. The Zoning By-law may provide separate zones for only single-detached, semi-detached or duplex dwelling units or a combination of any of the above.

The character of existing low density residential neighbourhoods should generally be protected and land uses which would cause significant loss of privacy, loss of view, or loss of sunlight due to shadowing or which would

be incompatible due to their nature shall be discouraged.

### ***D.2.5 Medium Density Development***

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

1. that medium density development on full municipal services should not exceed 35 units per hectare (14 units per acre) for townhouses or row houses, and 75 units per hectare (30 units per acre) for apartments, although it may not always be possible to achieve these densities on smaller sites.
2. That the design of the proposed height, setbacks, landscaping and vehicular circulation, will ensure that it will be compatible with existing or future development on adjacent properties;
3. That the site of the proposed development has a suitable area and shape to provide:
  - a) Adequate on-site landscaping to screen outdoor amenity areas both on the site and on adjoining property, to buffer adjacent residential areas and to improve the overall appearance of the development;
  - b) On-site amenity areas for the occupants of the residential units;
  - c) Adequate off-street parking, access and appropriate circulation for vehicular traffic, particularly emergency vehicles; and
  - d) Adequate grading to ensure that drainage from the property is directed to public storm drainage facilities and not to adjoining properties.
4. That adequate services such as water, sewage disposal, storm water, roads and hydro are available or shall be made available to service the development;
5. That within the built boundary, medium density is encouraged to locate on major roadways and arterial roads;

6. That in greenfield areas, medium density is encouraged to locate on major roadways, and roads designed to serve an arterial or collector function, while street townhouses are allowed on local roads.
7. That a separate zone(s) is established for multiple residential developments.

#### ***D.2.6 Residential Conversion***

The Zoning By-law may also provide for the conversion of existing dwellings to add one or more dwelling units provided that the following criteria are satisfactorily met:

1. That the building is structurally sound and of sufficient size to allow the creation of one or more dwelling units;
2. That the lot is of sufficient size to allow the required off-street parking without detracting from the visual character of the neighbourhood;
3. That adequate amenity area is retained on the lot for the use of the residents of the dwelling; and
4. That adequate water and sewage disposal services are provided to accommodate the increase in dwelling units.

In addition, the Zoning By-law may provide regulations which limit the size and number of units allowed in a converted dwelling and which specify the minimum lot area, frontage, off-street parking and floor area for the converted dwelling and each dwelling unit to be created.

#### ***D.2.7 Bed and Breakfast Establishments***

The Zoning By-law may provide for the establishment of a bed and breakfast operation within a dwelling provided that the following criteria are satisfactorily met:

1. That the dwelling is structurally sound and of sufficient size to allow for the creation of one or more rooms for let;
2. That the lot is of sufficient size to allow the required off-street parking without

detracting from the visual character of the area;

3. That adequate amenity area is retained on the lot for the use of the residents and/or patrons of the bed and breakfast establishment;
4. That adequate water and sewage disposal services are provided to accommodate the increase in dwelling units;
5. That the exterior appearance of the building is not substantially altered;
6. That signage is in keeping with the residential character of the area.

In addition, the Zoning By-law may provide regulations that limit the size and number of rooms for let and which specify the minimum lot area, frontage, and off-street parking for such a residential facility.

#### ***D.2.8 Home Occupations***

A dwelling unit may include a home occupation provided that the home occupation is a business that is clearly secondary to the residential use and does not generate noise, odour, traffic or visual impacts that may have adverse effect on nearby properties. The Zoning By-law shall contain provisions regulating home occupations.

#### ***D.2.9 Residential Care Facilities***

Rest homes, nursing homes and homes for the aged may be allowed subject to the appropriate zoning regulations and in general compliance with the location criteria established for multiple residential development.

#### ***D.2.10 Non Residential Uses***

Non-residential uses such as schools, churches, local convenience stores, medical clinics, professional offices, personal services, day care centres and nursery schools may be permitted provided that they meet the following criteria:

1. Non residential development should be located on an arterial or collector road; or in close proximity to the Central Business

District;

2. The design of the proposed development with respect to building height, setbacks, landscaping, parking and vehicular circulation will ensure that it will be compatible with surrounding uses of land;
3. Adequate municipal services such as water, sewer, storm water, roads and hydro shall be available or will be made available to service the development;
4. The zoning by-law establishes a specific zone or zones for these uses.

#### ***D.2.11 Compatibility of New Development***

There are some older residential neighbourhoods in the urban centres which have lots with larger than normal frontages and areas. These areas represent the community's heritage and exemplify a style of development typical of small town Ontario. Many people choose to live in Centre Wellington because of this heritage. This Plan attempts to preserve the charm and integrity of these neighbourhoods and will make efforts to ensure that future development is sensitive to and compatible with existing residential development.

The development of vacant or under-utilized properties for residential uses are encouraged but should be compatible with surrounding uses in terms of dwelling type, building form, site coverage and setbacks. Developments such as residential conversions, bed and breakfast establishments or home occupations that do not substantially alter the exterior appearance of the existing residences may also be permitted in accordance with the policies of this Plan and the applicable zoning provisions.

Where new residential development is permitted or proposed adjacent to an existing or zoned industrial use or other potentially incompatible land use, a planning impact assessment outlining measures to maintain land use compatibility, including but not limited to land use separation and buffering, shall be provided in accordance with applicable MOE guidelines.

#### ***D.2.12 Intensification Criteria***

Intensification within all residential land use designations shall be evaluated using the following criteria:

- a) the compatibility of the proposed development in built form including height, massing, scale, setbacks, orientation, use, built form, architectural character and materials, separation distances, shadowing and privacy. Compatible development is considered to be development that may not be the same as existing adjacent development but which can co-exist with existing development while not creating unacceptable adverse impacts;
- b) the degree to which building height and massing shall provide a transition between planned and existing development;
- c) the maintenance of a lotting pattern that is generally consistent and compatible with the predominant character of the area;
- d) the ability of roads or municipal infrastructure to accommodate the proposal;
- e) the impact of the development on the streetscape including, where feasible, the protection of municipal street trees;
- f) the degree to which impact on the adjacent properties is minimized in relation to grading, drainage, location of service areas, access and circulation, privacy, views, enjoyment of outdoor amenities, and shadowing; and
- g) the conservation of significant cultural heritage resources.

#### ***D.2.13 Residential Staging Policies***

The County Official Plan contains long-term population and housing growth forecasts for Centre Wellington and for its urban centres. These forecasts serve as a guideline in anticipating the future trends upon which this Plan is based.

However, there is a desire on the part of the Township to manage growth in a way that ensures that the small town quality and character of the community is retained, and so that community services and facilities are available and accessible to all residents.

Residential growth in the Urban Centres will be managed in such a way that the rate of growth remains consistent with the County Growth Strategy.

Growth management will be achieved through recommendations or decisions related to the registration of all or parts of plans of subdivision, the approval of new lots through severance, or the removal of holding provisions that would allow a building project to commence. Applications to remove holding zoning may be refused where the number of units in the proposed development may result in the level of new development in excess of that proposed by the Growth Strategy. Flexibility may be applied in certain circumstances, including:

1. To allow for logical staging decisions on individual development proposals;
2. To allow for approved multiple unit development proposals such as apartments that cannot reasonably be phased.
3. Where it is determined to be in the public interest to allow an exemption, such as to accommodate non-profit or public housing
4. To permit a development meeting a perceived need in the community such as seniors housing or affordable housing.

Where any development is exempted from this policy, or where flexibility is permitted, an amendment to this Plan shall not be required.

### ***D.3 CENTRAL BUSINESS DISTRICT***

#### ***D.3.1 Overview***

Central Business Districts are designated in the Fergus, Elora-Salem and Belwood Urban Centres. The predominant use of land in the areas designated CENTRAL BUSINESS DISTRICT (CBD) on Schedule "A" to the Plan shall be for general commercial purposes.

This Plan attempts to ensure that the downtown central business districts of Fergus and Elora-Salem are the focus for business, administrative, and cultural activities in the

community and remain the primary gathering place combining both commerce and social functions.

The downtown central business districts are important elements in the economic health and quality of life in the community. They are a symbol of community economic health, local quality of life, and pride and community history. They contribute to a stable economic foundation for community life, providing an ideal location for new small and independent businesses. Profits stay in the community; local families and community projects are supported. Healthy downtown cores also protect property values in surrounding residential neighbourhoods and increase the range of goods and services provided in the community.

The downtown cores provide locations where the community can congregate for parades, events and celebrations, and represent unique tourist attractions.

#### ***D.3.2 Objectives***

The objectives for the Central Business Districts are as follows:

1. To ensure that the downtown cores remain the primary focus for retail, office, service, administrative and cultural activities;
2. To provide adequate commercial facilities to serve the needs of the local community and surrounding population;
3. To maintain and promote compact and people-oriented downtowns by establishing a safe and pleasant pedestrian environment which encourages movement by foot and bicycle rather than by automobile;
4. To facilitate vehicular and pedestrian movement in the downtowns through improvements to roads, parking areas, pedestrian paths;
5. To protect the heritage buildings and structures in the downtown cores and ensure that the attractive streetscape is retained and, where possible, enhanced;
6. To enhance the appearance of and increase access to the natural areas in

the downtown cores for economic and recreational purposes;

7. To continually improve the image and level of services of the downtown cores;
8. To promote the Central Business Districts and the various commercial and business services they provide;
9. To encourage initiatives that endeavour to improve the economic viability of the downtown cores such as the development of residential uses above commercial uses, supporting local groups whose objectives include downtown business improvement, and providing other appropriate assistance.

### ***D.3.3 Permitted Uses***

The CENTRAL BUSINESS DISTRICTS as illustrated on Schedule "A" to the Plan shall accommodate a wide variety of retail, office, service, administrative, religious, cultural and entertainment uses. Service uses include restaurants, personal service establishments and financial institutions.

Residential development may be permitted within this designation provided that retail, office or service commercial uses are located at street level.

Certain commercial uses which rely upon and serve primarily vehicular rather than pedestrian oriented traffic, such as automobile sales and service establishments, building supply outlets and motels, are not permitted within the CENTRAL BUSINESS DISTRICTS and therefore any new uses shall be located within areas designated HIGHWAY COMMERCIAL. Existing non-conforming uses shall be governed by policies contained in this Plan.

Within the Central Business District in the Fergus Urban Centre, the Zoning By-law may permit residential uses at street level within the downtown core, except for St. Andrew Street West between Tower Street and St. David Street.

### ***D.3.4 Scale of Development***

The CENTRAL BUSINESS DISTRICT is intended to accommodate the most intensive

development within the urban centres. The Zoning By-law may provide for lower intensity uses in terms of height, density and site coverage where the CBD abuts low-density residential areas.

### ***D.3.5 Parking***

Adequate and well-located off-street parking facilities shall be provided to meet the demands generated by development in the downtown. Parking lot development will not be allowed on "main streets" where it is important to maintain continuous building facades.

Parking standards for new development may be established to satisfy the incremental demand for parking generated by the proposed development and the municipalities may accept cash payments in lieu of required parking, provided that any such payments are used to develop parking facilities to serve the commercial areas.

### ***D.3.6 Design Considerations***

When considering any development or redevelopment within the CBD, Council shall ensure that such proposals are both aesthetic and functional with respect to building height, bulk, setback, landscaping, parking and vehicular circulation. In addition, where any development or redevelopment is proposed adjacent to residential areas, appropriate measures shall be taken to provide adequate setbacks and screening for the residential areas.

Centre Wellington also encourages the re-use of existing buildings within the CENTRAL BUSINESS DISTRICT, where practical.

### ***D.3.7 Expansion Criteria***

Areas designated CENTRAL BUSINESS DISTRICT, as shown on Schedule "A" of the Plan, may be expanded to allow new development. In considering proposals to expand the CBD, Council may require a planning impact assessment as outlined in this Plan.

## **D.4 RESIDENTIAL TRANSITION AREA**

### **D.4.1 Overview**

Within Elora-Salem, the Central Business District is primarily intended to be a retail commercial area with shopping, restaurants and hotels catering to the tourist business and local retail needs.

Other commercial uses such as professional offices, clinics, personal services, day care centres, nursery schools, offices, private schools as well as churches and service clubs require sites to serve the community. These uses do not generate the same level of vehicular and pedestrian traffic as retail facilities for shopping, dining and overnight accommodation.

To accommodate these uses within the Elora-Salem Urban Centre, a RESIDENTIAL TRANSITION AREA has been identified on Schedule "A1" to provide an opportunity for non-retail commercial uses as well as other community services.

### **D.4.2 Objectives**

The objectives for the RESIDENTIAL TRANSITION AREA are as follows:

1. That all new non-retail uses and service functions shall maintain compatibility with existing residential uses and minimize impacts on surrounding land uses;
2. That the character of the existing residential neighbourhoods shall be protected;
3. That the Central Business District core remains the primary focus for commercial functions by encouraging only non-retail uses and service functions within the RESIDENTIAL TRANSITION AREA;
4. That adequate lands are provided for non-retail uses and service functions required to serve the community;
5. That adequate off-street parking is available;
6. That heritage buildings are protected; and

7. That initiatives are supported which improve the economic viability, level of services and aesthetic appearance of the RESIDENTIAL TRANSITION AREA.

### **D.4.3 Permitted Uses**

The RESIDENTIAL TRANSITION AREA as designated on Schedule "A" of the Plan shall permit uses allowed in the RESIDENTIAL designation, as well as a wide variety of non-retail uses and service functions including, but not limited to, professional offices, studios, clinics, personal services establishments, day care centres and nursing homes. Ancillary retail uses secondary to the main service function may also be permitted.

Churches, service clubs and other community-oriented facilities are also allowed. Accessory apartments may also be permitted in the RESIDENTIAL TRANSITION AREA, as well as bed and breakfast establishments subject to the policies of Section D.2.7. The establishment of uses within the RESIDENTIAL TRANSITION AREA designation shall comply with the provisions of the Zoning By-law.

### **D.4.4 Scale of Development**

The RESIDENTIAL TRANSITION AREA is not intended to accommodate intensive commercial development as is anticipated in the Central Business District. The Zoning By-law may require on-site parking, landscaping, setbacks from roads and lot lines and maximum lot coverage and other provisions.

### **D.4.5 Design Considerations**

The re-use of existing buildings located in RESIDENTIAL TRANSITION AREA designation is encouraged where practical.

### **D.4.6 Expansion Criteria**

The RESIDENTIAL TRANSITION AREA, as shown on Schedule "A", may be expanded to allow new development. In considering proposals to expand this area, Council may require a planning impact assessment as outlined in this Plan.



## **D.5 HIGHWAY COMMERCIAL**

### **D.5.1 Overview**

The predominant use of land within areas designated HIGHWAY COMMERCIAL on Schedule "A" shall be for commercial uses serving the travelling public, or uses not usually considered compatible within the downtown of the urban centre.

The Main Street of most urban centres supports considerable volumes of traffic into and through the urban centre, which often require goods and services such as automobile service, food and other items. The travelling public can best be served by providing appropriate commercial areas with access and visibility from this major road.

In addition, certain commercial uses, due to their nature, require large sites to accommodate their associated buildings, storage and parking requirements that are either not available or suitable within the downtown area of the community. Appropriate commercial areas for such land uses are required.

### **D.5.2 Objectives**

The objectives for highway-oriented commercial development are as follows:

1. To provide commercial services for the travelling public;
2. To provide sites for commercial uses which require large lots for buildings, storage and parking and which cannot locate in the downtown area;
3. To provide, on a limited basis, convenience facilities to serve the daily needs of the local residents;
4. To discourage "strip" or ribbon development along arterial roads.

### **D.5.3 Permitted Uses**

The HIGHWAY COMMERCIAL designation as illustrated on Schedule "A" of the Plan shall accommodate uses catering to the travelling public such as motels, automotive sales and service, general convenience commercial uses, recreational uses, restaurants and banquet

halls. Uses such as building supply outlets, wholesale outlets, churches, funeral homes, garden centres, furniture stores, home furnishing centres, liquor, beer and wine stores may also be permitted subject to the provisions of the Zoning By-law.

Residential uses may be permitted within mixed use developments provided that commercial uses are located at street level, and land use compatibility can be addressed.

### **D.5.4 Scale of Development**

The Zoning By-law will establish setback, height, lot coverage and parking standards that encourage low density and low coverage commercial development.

The Zoning By-law may also limit the gross floor area of any highway commercial development.

### **D.5.5 Access**

Site plan control by-laws and agreements shall be used to limit the number and location of road access points. In co-operation with the appropriate road authority, access to any road shall be carefully regulated to ensure the safe movement of vehicular and pedestrian traffic.

### **D.5.6 Design Considerations**

Site design standards will be encouraged which provide aesthetically acceptable development. Where HIGHWAY COMMERCIAL areas are adjacent to residential areas, appropriate measures shall be taken to provide adequate setbacks, landscaping and screening and to control design elements that may detract from the residential area. The Township may establish Community Design Guidelines for Highway Commercial districts.

### **D.5.7 Expansion Criteria**

The HIGHWAY COMMERCIAL area as shown on Schedule "A" may be expanded or new areas may be identified provided it does not detract from the viability of the Central Business District. In considering proposals for new or expanded HIGHWAY COMMERCIAL areas, Council may require an impact analysis as outlined in this Plan.

Highway Commercial development is encouraged to locate at major intersections as a "node". The establishment of "strip" or "ribbon" commercial development along Highway No. 6 in Fergus, County Road #7 in Elora-Salem and County Road #18 between Fergus and Elora-Salem is discouraged.

### ***D.5.8 Shopping Centres***

In the context of this Official Plan, a Shopping Centre is a collection of commercial establishments, which is planned and developed as a unit. Shopping Centre facilities provide a wide range of retail and service commercial uses, in locations outside of the Central Business District where access to parking is more readily available.

Uses permitted on Shopping Centre sites may include food stores, retail and service commercial uses, personal services, restaurants and offices. Complementary uses such as parking facilities, automobile service stations and gas bars may also be permitted.

This Plan recognizes existing and planned shopping centres within the Fergus Urban Centre, identified as "S.C." and/or as Policy Areas on Schedule "A".

New Shopping Centres shall be permitted within the Highway Commercial designation. However, proposals for new Shopping Centres will require an amendment to this Plan when the total gross leasable floor area of retail commercial space exceeds 9,290 square metres (100,000 square feet) or where a single retail unit including a food or grocery store is proposed which has a gross floor area greater than 2,500 square metres (26,910 square feet). In support of such an amendment, various impact assessments shall be submitted, including a market analysis which:

1. Estimates future trade area size and population
2. Identifies opportunities to recapture retail sales currently spent outside of the Township or County or to draw new retail sales to the area.
3. Assesses need for additional commercial

space

4. Assesses impact on the planned function of the Central Business District and other existing or planned commercial facilities;
5. Assesses off street parking, loading and circulation
6. Assesses compatibility with surrounding land uses

Where the Township requires an impact assessment to be submitted by an applicant in support of a shopping centre development, the Township will generally also commission a peer review. Normally the cost of the peer review will be passed on to the applicant.

## ***D.6 INDUSTRIAL***

### ***D.6.1 Overview***

In recent years, industrial growth in the Township has not kept pace with residential growth. The Township must ensure that adequate supplies of serviced industrial lots are readily available to prospective businesses. The development of an industrial base is essential to the future prosperity and vitality of the Township.

### ***D.6.2 Objectives***

The objectives for industrial development are as follows:

1. To diversify the local tax base by increasing industrial assessment;
2. To provide adequate industrial lands in appropriate locations to meet long term land use requirements;
3. To protect existing and planned industrial development from incompatible or sensitive land uses;
4. To ensure that fully serviced industrial lots are available;
5. To ensure that users of the industrial land are "clean" industries which do not have a detrimental effect on the urban centres and that any potential adverse impacts of industrial development on the natural environment and surrounding land uses are minimized;
6. To encourage attractive industrial areas

through appropriate design standards;

7. To protect groundwater from contamination by industrial uses.

### ***D.6.3 Permitted Uses***

The lands designated INDUSTRIAL on Schedule "A" of the Plan may be used for a variety of industrial uses including, but not limited to, manufacturing, processing, fabricating, assembly, warehousing and repair establishments. Public and private services and utilities, transport facilities, storage yards and a municipal sewage treatment plant may also be permitted. The Zoning By-law may prohibit certain industrial uses that, by their nature, would have a detrimental impact on the community.

Certain commercial uses requiring large sites or which may not be suitable in a commercial area due to their nature may also locate within INDUSTRIAL areas. Such uses may include heavy equipment sales and services, factory or wholesale outlets, mini-warehouses, and truck or auto repair shops.

The Zoning By-law may also permit buildings, structures and uses accessory to a permitted use, such as a cafeteria or a retail outlet for goods produced on site, but excluding any residential uses.

The Zoning By-law may also provide for certain industrial uses to be prohibited or restricted in proximity to municipal well sites, or may limit industries to those uses which do not consume or discharge large volumes of water.

The zoning by-law may establish classes of industrial zones where business and professional offices, and other service commercial uses are permitted.

### ***D.6.4 Design Considerations***

When reviewing industrial proposals, Council shall encourage site design standards and architectural features such as building scale, orientation, colour and materials, which create industrial areas that confer a positive visual image and foster community pride.

In developing new industrial areas, consideration shall be given to the following:

1. Industrial traffic should be directed away from residential neighbourhoods wherever practical;
2. Appropriate setbacks, parking requirements, landscaping, screening, outdoor storage and yard requirements will be placed within the Zoning By-law;
3. Encouraging buildings which make use of attractive building materials, particularly on the front walls;
4. The Zoning By-law may contain a variety of industrial zones and shall include provisions for light industrial uses and setbacks from adjacent parks or other sensitive uses;
5. Visual screening such as plantings, fencing or other similar forms of buffering shall be required where an industrial area abuts a residential or institutional area and may be required adjacent to commercial areas. The zoning by-law shall establish standards for buffering in these situations and site plan control shall be applied to such properties;
6. Separation distances from existing incompatible land uses determined in accordance with applicable MOE guidelines.

### ***D.6.5 Scale of Development***

The Zoning By-law shall regulate lot coverage, building height, yard requirements and other matters so that the scale of industrial development will be compatible with adjacent uses of land.

### ***D.6.6 Connection to Municipal Services***

New industrial areas will only be permitted where full municipal services are available. Where full services are provided, industrial users must connect to the municipal system. The municipality will use all legislative authority available to it to ensure that industrial uses do not establish their own on-site wells to provide water.

### ***D.6.7 Expansion Criteria***

In considering new INDUSTRIAL areas or expansions thereto, Council may require an impact analysis as outlined in this Plan.

### ***D.6.8 Future Industrial Park***

It is the intention of the Township of Centre Wellington that a high quality, fully serviced industrial park should be developed in the south end of Fergus, with access to Highway #6.

## ***D.7 RECREATIONAL***

### ***D.7.1 Overview***

The RECREATIONAL designation on Schedule "A" includes both public and private lands used for passive and active recreational purposes. Where land within this designation is under private ownership, this Plan does not imply that it is open to the general public or that the municipality or any other public authority will acquire such land for public use.

### ***D.7.2 Objectives***

The objectives with respect to Recreational Areas are as follows:

1. To provide a wide variety of recreational opportunities for the residents of the community;
2. To recognize and maintain the natural areas and rivers as unique natural features and important community resources;
3. To co-operate with the appropriate Conservation Authority, local service clubs and other public and private agencies in providing and/or enhancing recreational and cultural facilities for the community;
4. To obtain land suitable for parkland development; and
5. To improve access to public open spaces wherever appropriate.

### ***D.7.3 Permitted Uses***

The permitted uses in the RECREATIONAL designation as illustrated on Schedule "A" of the Plan may consist of private and public parks, playing fields, playgrounds, arenas, community centres, fairgrounds, picnic areas, curling clubs, lawn bowling greens, hiking/trails, golf courses and other recreational uses and facilities. Minor accessory commercial uses may also be permitted. However, for land designated RECREATIONAL within the floodway, no buildings or structures shall be erected and no placement, movement or removal of fill shall be permitted without the prior written approval of the Conservation Authority.

## ***D.8 CORE GREENLANDS***

### ***D.8.1 Planning Approach***

General policies applying to the natural heritage of our community are found in Section C.2 of this Plan.

In addition, the land use schedules also incorporate a Core Greenlands land use designation. This designation is a composite of provincially significant wetlands, the habitat of endangered or threatened species and floodways and hazardous lands.

The following policies specifically apply to the Core Greenlands designation. They should be read in conjunction with Section C.3.

### ***D.8.2 Permitted Uses***

Upon lands designated Core Greenlands, no development or site alteration is permitted within Provincially Significant Wetlands, in provincially significant portions of the habitat of threatened or endangered species, or in the floodway. Uses shall be limited to conservation and resource management, open space and passive recreation. Such uses shall only be permitted where it can be demonstrated that:

1. There are no negative impacts on provincially significant features and functions and no significant negative impacts on other natural heritage features and functions;
2. Any natural hazards present can safely be overcome;

3. The development conforms to policies of the applicable adjacent or underlying designation.

Agriculture and other existing uses are permitted to continue

#### ***D.8.2 Zoning***

Lands designated Core Greenlands shall be placed in a restrictive zone that prohibits buildings, structures and site alternations except as may be necessary for the management or maintenance of the natural environment.

Zoning by-laws may recognize existing land uses in Core Greenlands areas, and, where appropriate, provide for reasonable expansions or alterations.

Zoning by-laws may also establish setbacks from Core Greenlands areas in which no buildings or structures shall be permitted.

#### ***D.8.3 Adjacent Lands***

For the purposes of this section of the Plan, adjacent lands are considered to be lands within 120 metres of provincially significant wetlands; and/or lands within 30 metres of all other Core Greenlands areas.

#### ***D.8.4 Mapping of Core Greenlands Features***

The Core Greenlands designations on the schedules to this Plan are based on mapping provided by the County in consultation with the Grand River Conservation Authority. The limits of the Core Greenlands designation may need to be refined by more detailed mapping on individual sites, such as when an Environmental Impact Study is prepared regarding a proposed development within or abutting such lands. Where more detailed mapping is available, minor adjustments may be made without an amendment to this Plan and the land use policies of the adjacent designation will apply as determined by Council.

Whenever the County Official Plan is amended to incorporate new or updated mapping of its

Greenlands System, this Plan shall also be amended.

### ***D.9 FUTURE DEVELOPMENT***

#### ***D.9.1 Overview***

There are certain areas within the urban centres, where it is not possible to predesignate for the future intended uses. Such lands may not be required over the planning period for development purposes or the specific nature of the intended land uses is not known at this time.

#### ***D.9.2 Objectives***

The objectives for areas designated FUTURE DEVELOPMENT are as follows:

1. To provide for the orderly future development of the unbuilt areas of the Urban Centre;
2. To limit development of such lands until an Municipal Plan Amendment including a proper site plan or concept plan for future uses has been submitted and approved;
3. To prohibit any major development of these lands until the necessary municipal services can be made available to such areas.

#### ***D.9.3 Permitted Uses***

The permitted uses within areas designated FUTURE DEVELOPMENT as illustrated on Schedule "A" of the Plan shall be limited to existing uses and non-intensive agricultural operations.

Consideration may be given to the creation of a new lot by consent provided such development is in accordance with the policies of this Plan.

#### ***D.9.4 Redesignation of Future Development Areas***

Development within the FUTURE DEVELOPMENT areas will be limited and restricted to ensure that premature provision of municipal services will not be required.

Redesignation of these lands may be considered if it is proven that additional land for development purposes is required. A comprehensive review of the need and impacts of developing this land on the surrounding area shall be undertaken with regard for the following:

1. That a need for additional land is demonstrated by the fact that a substantial portion of the land designated for development by this Plan are already developed;
2. That services of all kinds are or can be reasonably and economically provided to the proposed development;
3. That adequate development plans which indicate the type of development and facilities to be provided (such as, streets, schools, parks and shopping facilities) are or will be made available to the municipality;
4. That the proposed development is contiguous to and is a logical extension of existing development;
5. Any required impact studies have been completed.

#### ***D.10 SPECIAL POLICY AREAS***

Certain lands do not fit into a traditional land use designation at this time. This may be due to past development decisions, special characteristics of the area, and the need for future studies, servicing requirements or the potential for a mixture of uses or specialized uses. As such, these areas have been designated Policy Areas on Schedule "A" of this Plan.

All appropriate policies of this Plan apply except as specifically provided for under the policies of this section.

##### ***D.10.1 Objectives***

The objectives for Special Policy Areas are as follows:

1. To identify those lands which may have special functions to serve or which need further study before their best use can be determined;

2. To provide direction as to how future approvals for these lands are to proceed;
3. To indicate, where possible, the type of studies or information required to determine the appropriate use of these lands.

##### ***D.10.2 Policy Area Descriptions***

###### ***PA1-1 Little Folks (Elora)***

The following Secondary Plan policies shall apply to lands identified on Schedule "1" as PA1-1 (Little Folks Secondary Plan Area). Although all other policies of the Plan shall continue to apply, these policies provide specific guidance and direction for the physical development of this Secondary Plan Area. Where land use designations are identified for which no corresponding specific policy has been developed in this Secondary Plan, the reader should refer to the applicable policy contained in the general Official Plan text.

###### **Vision Statement**

In addition to the overall vision for the Township of Centre Wellington set out in Section B.3 of the Official Plan, the following vision for the Little Folks community seeks to describe the long term vision for what this community will become as it matures and establishes its role within the Village of Elora urban structure. This vision includes the creation of a healthy community structure through the integration of social, economic, environmental and heritage considerations.

The Little Folks Secondary Plan will promote and balanced growth and sustainable development strategy for these lands. It will be planned as a compact, pedestrian-oriented, urban community containing a broad range of commercial and residential opportunities.

The character and pattern of the community will be influenced by the built heritage and open space systems. Development will be in harmony with the existing natural systems and will also maximize opportunities to integrate natural area with built form.

This community will be known for its walkable streets, inter-connected public realm, intimate pedestrian-oriented commercial area, live

work opportunities and revitalized heritage structures.

### **Goals and Objectives**

The major goals and objectives of the Little Folks community are to:

1. Guide and manage growth consistent with the principles of sustainable development and healthy communities;
2. Restore and re-vitalize built heritage features, where feasible, as principle design components of a mixed use heritage district;
3. Provide a natural extension of the Elora Village commercial district;
4. Respect adjacent residential uses and create a living environment that promotes a desirable quality of life and social interaction;
5. Embrace the natural environmental edges of the river bank, while accommodating pedestrian and visual access;
6. Create a sense of identity and general continuity through the use of design and architectural treatments;
7. Create an ambiance that enhances and promotes Elora as a destination community ; and
8. Develop a clear, concise planning framework that results in a user friendly approvals process.

### **Mixed Use**

Integration of commercial and residential land uses is a critical component of achieving better places to live.

#### Goals and Objectives

The major goals and objectives of this mixed use community are to:

- Encourage mixed residential and commercial development to ensure intensive and efficient use of land;
- Provide new opportunities for housing and employment which support the growth and development of the community;
- Preserve existing non-residential buildings;
- Provide range of retail and service uses which serve the daily and weekly shopping needs of the community;
- Provide a range of retail and service uses that will compliment the existing tourist market within the community;

- Protect significant natural features which are not suitable for development due to physical constrained and to incorporate these land into Environmental/Protection or Open Space systems;
- Provide an environment which is pedestrian and cyclist friendly and ensures their comfort, safety and convenience; and
- Provide visual and pedestrian access to the river.

#### Policies

The following general policies are intended to assist in achieving the goals and objectives for a mixed use development of the Little Folks Secondary Plan Area.

- Mixed use areas are intended to provide for a range of commercial and residential opportunities;
- Mixed use areas are intended to provide greater overall density of development;
- Residential units may be integrated as apartment/condo units above non-residential use or may be located in district and separate buildings in the same area as non-residential uses. The actual scale of any development in Mixed Use Area in terms of building height, lot coverage, floorspace, density and setbacks may be included in the implementing Zoning By-law.
- The general commercial and residential targets for this Mixed Use area shall approximately 1,000 square metres of commercial and service type uses either freestanding or in "live-work" space and a combination of approximate 135 multiple and low rise residential units.
- Provision of sufficient parking to accommodate both residential and commercial will be required, although shared parking should be considered where appropriate.

#### **Core Greenlands**

The lands located below the top of bank setback along the Grand River, plus the Elora Gorge ANSI and the Elora Gorge ESA that extends from the eastern boundary of the cedar forest to the western limit of the Little Folks area, including a 5 metre buffer, shall be designated as "core Greenlands". In addition to the policies contained in Section D.8 of the Official Plan, the following specific policies

shall apply to the Little Folks Secondary Plan Area.

#### Environmental Policies

- Prior to any development, stormwater management reporting will be completed and approved by the Township and the Grand River Conservation Authority that address, infiltration water budget and infiltration gallery location. The stormwater management system shall infiltrate pre-development quantities of “clean” stormwater and will include a snow and ice management plan which will address snow melt quality. The stormwater management system shall replicate pre-development surface water flow paths and shall provide and Enhanced Level treatment for street run-off.
- To ensure no direct impacts on the Gorge, including habitat loss, no development shall occur within a 10 metre setback of the ESA except for the installation of infiltration galleries
- Prior to any development, a Sediment and Erosion Control Plan devised to prevent erosion and sediment transport during construction shall be approved by the Township and Grand River Conservation Authority before being installed.
- Prior to any development, a Tree Saving Plan shall address and approved by the Township. The Tree Saving Plan shall address and approved by the Township. The Tree Saving Plan shall address the 10 metre buffer adjacent to the ESA boundary and plantings/removals along the Grand River bank. Native Species will be utilized to provide cover, soil stabilization and wildlife movement.

#### **Heritage Attributes**

The Little Folks property has distinctive heritage attributes found in the remnant structures on the site, the cultural landscape and the relationship of the site to the adjacent designated and inventoried buildings. Redevelopment of this site must respect the following key attributes:

1. A large enclosed portion of the Mundell Factory Building circa 1851 named the Little Folks Administration Building;

2. A less complete ruin of a second section of the Mundell Factory Buildings named The Walser Building circa 1851;
3. The ruins, standing walls only, of the Potter Foundry Buildings (Ross & Company) named the Kiddie Car Building circa 1848;
4. The head race feature of the former water power system that drove the mills. The original channel circa 1840 altered with current material in 1911.
5. The cultural landscape setting created by the works as related to the views from the Gorge, Mill Street, Victoria Street and the relationship with the designated and inventoried buildings on the south side of Mill Street on the other side of the river; and
6. A relationship to the inventoried houses on Ross Street and Guelph Road.

In addition to the policies contained in Section C.2 of the Official Plan, the following specific policies shall apply to the Little Folks Secondary Plan Area.

#### Little Folks Administrative Building

Preservation and restoration of the Little Folks Administrative Building which may include:

- Reconstruction of missing form;
- Alteration of windows and doors to suit adaptive reuse;
- Reconstruction including alteration of the original roof design to include dormers for adaptive reuse;
- No restrictions on interior building work.

#### Walser Building

Preservation and restoration of the Walser Building may include;

- Reconstruction of missing form;
- New windows and doors to suit adaptive reuse;
- Reconstruction including alteration of the original roof design to include dormers for adaptive reuse;
- No restrictions on interior building work.

#### Kiddie Car Building

Preservation and restoration of the Kiddie Car Building which may include;

- Restoration of remaining walls;



- New interior structure for stabilization and use including new floors, roof, partitions, doors, windows and trim;
- Addition at northwest corner of existing structure;
- Modern doorway in original opening; and
- Addition of balconies

#### Head Race Feature

- All restoration of water power system; and
- Existing materials are not considered as being important heritage elements

#### Cultural Landscape Setting

Development on the Little Folks Secondary Plan area should respect the cultural landscape setting by following the principles set out below;

- New building on the site should draw their inspiration from the building history of the site; stone mill buildings in a simple industrial Georgian vernacular style
- Contemporary elements in new buildings such as residential balconies will be allowed; and
- The distribution of new buildings along the river bank and internal streets in a traditional and orthogonal pattern is considered appropriate; and
- End units of new buildings adjacent or opposite existing buildings on Ross Street and Carlton Place should step down a floor thereby reducing their height.

#### Conservation Plan

Prior to approving a Site Plan and issuance of Building Permits for the development of this site, a Conservation Plan should be developed that will include the following information:

- Identification of Heritage Principles to be applied to the site;
- Analysis of the resource as a follow-up to the Heritage Impact Assessment with added detail such as a building condition survey;
- Recommendation for conservation work in light of existing conditions of buildings, implementation, maintenance and required qualifications of those undertaking the conservation work;
- An implementation schedule, including short and long term maintenance, cost and any phasing; and
- A proposal for monitoring of resource and reporting program.

#### **Urban Design**

Given the unique Elora context, the approach to the design for the Little Folks area must sensitively address the prevailing scale and character of the existing built heritage. Similarly, attributes of the site must be carefully incorporated to achieve a successful market acceptance of the project.

#### Urban Design Guidelines

To assist in the achievement of the goals and objectives of the Plan, and the implementation of the principles of design and development, the urban design guidelines presented below may be applied on a general basis in keeping with the overall intent and spirit of the Plan; however, individual variations, where appropriate and justified, will be permitted.

- Create a natural extension of the Elora Village commercial district.
- Maintain a heritage character and scale in all new built form.
- Restore and reuse heritage structures with new purpose and vitality to ensure their on-going life as assets to Elora and to preserve memories of the site history.
- Respect existing adjacent residential lots and provide appropriate boundary conditions.
- Maintain public access to the south bank of the Grand River where environmentally feasible, while protecting the privacy of new residents.
- Create an interconnected public realm that is rich in planning and pedestrian amenity
- Respect the natural environment edges of the river bank and adjacent woodlot.
- Minimize the visual presence of cars on the surface.
- Vitalize the ground floor place of all streets and spaces with active uses at grade, such as retail, office and home studios.
- Ensure a year round vitality for the district.

#### Use of Holding Zone Provisions

The implementing zoning by-law shall apply holding zone provisions to the subject land holding zone. It is the intent that holding provisions be used to:

- a) Ensure appropriate phasing of development;

- b) Ensure appropriate provisions for municipal services and utilities are in place;
- c) Encourage good site plan design;
- d) Ensure appropriate studies and impact assessment (i.e. heritage impact assessments(s)) have undertaken or updated to the satisfaction of the Township;
- e) Provide for other conditions as deemed necessary by Council prior to proceeding.

Site Plan Control

The Township of Centre Wellington may pass a site plan control by-law for the subject plan pursuant to Section 41 (2) of the Planning Act. Such a by-law may provide for the consideration of matters related to exterior design, including without limitation the character, scale, appearance and design features of the buildings, and their sustainable design to the extent that it is a matter of exterior design; as well as the sustainable design elements on any adjoining highway, including without limitation tree, shrubs, hedges, plantings or other ground cover, permeable paving material, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities.

***PA1-2 Shopping Centre (Fergus)***

Notwithstanding any provisions in this Plan to the contrary, on the land identified as **PA1-2**, a Shopping Centre may be permitted subject to appropriate zoning. The maximum gross floor area of such a Shopping Centre shall not exceed 10,220 square metres.

***PA1-3 Cherry Hill Plaza (Fergus)***

Notwithstanding any provisions in this Plan to the contrary, the land identified as **PA1-3** may be used for a shopping plaza subject to the appropriate zoning. Permitted uses may include a mix of retail and service commercial uses, including a food and grocery store. The Zoning By-law shall govern the maximum gross floor area of the anchor store unit.

***PA1-4 Canadian Tire and Zellers Plaza (Fergus)***

Notwithstanding any provisions in this Plan to the contrary, the land identified as **PA1-4**

may not be used for a food or grocery store. For the purposes of this policy, a "food or grocery store" includes any retail or wholesale store:

1. With a gross floor area between 10,000 and 100,000 square feet with greater than 10% of its gross floor area displaying food or grocery merchandise; or,
2. Which has a gross floor area greater than 100,000 square feet with greater than 10,000 square feet of its gross floor area displaying food or grocery merchandise; or
3. Which has a gross floor area of greater than 5,000 square feet and sells fresh vegetables, produce or meat.

***PA1-5 Cherry Hill Mews (Fergus)***

Notwithstanding any provisions in this Plan to the contrary, the land identified as **PA1-5** shall be subject to the following special policies.

Permitted uses include retail stores, personal service shops, restaurants, and service uses. Food and grocery stores, and highway-oriented commercial uses such as automotive uses, motels, etc. shall not be permitted.

The zoning by-law may restrict the amount of commercial space that can be developed, in total or for individual commercial units.

***PA1-6 Grand River Raceway (Elora)***

Notwithstanding any provisions in this Plan to the contrary, the following policies apply to the lands identified as **PA1-6** on Schedule "A".

The 27.5-hectare property identified as **PA1-12** by this Plan is designated Highway Commercial, in part, and Industrial, in part. In addition to the permitted uses of the applicable land use designations, and notwithstanding anything else in this Plan to the contrary, a racing facility for horses including off-track betting lounges, offices or headquarters for Agricultural Societies, and a gaming facility as approved by the Province, conducted and managed by the Ontario

Lottery and Gaming Corporation, and located and developed only in conjunction with a racing facility for horses shall be permitted. Related accessory uses are also permitted. Other accessory uses which may be permitted and which may be incorporated into the Zoning By-law include but are not limited to recreation uses, a place of entertainment or recreation, offices and restaurants

The development of the property shall occur with full municipal services. The zoning by-law may permit industrial and highway commercial uses within the applicable designated areas provided such uses are consistent with the provisions of this Plan.

Holding zone provisions may be used to ensure that the development in the subject of a comprehensive development plan addressing site design, access, traffic, and storm water management issues prior to any highway commercial or industrial development occurring on the lands. Holding zone provisions shall be applied to these lands and the holding zoned shall not be removed until Council is satisfied that the following issues have been addressed through the signing of appropriate development and site plan agreements; road improvements required by the proposed development, site servicing, storm water management, landscaping and buffering, and parking.

Site plan control pursuant to Section 41 of the Planning Act shall also apply to any development occurring on these lands.

The Zoning By-law may also include specific provisions including but not limited to: maximum floor area of buildings or structures, the lot coverage, the number of parking spaces, the minimum required landscaped open space area, fencing and other measures to ensure adequate buffering and landscaping.

***PA1-7 St. Andrew St. E./Lamond St. (Fergus)***

**PA1-7** is located within an area characterized by existing residential development with larger lot sizes and private services. Recognizing that the extension of municipal services in this area is planned but may not occur in the short term, new development on individual private

services may be permitted on an interim basis, subject to the following:

1. It is first demonstrated to be appropriate through the submission and approval of a pre-servicing report that addresses the viability of individual private services and impacts on ground and surface water quality and quantity.
2. Development must proceed by plan of subdivision. Consents will not be permitted.
3. Development will be restricted to single detached residential building lots only.
4. Lots should be sized and configured so as to accommodate the future economical extension of municipal sewer and water services.
5. Lots may be designed and buildings sited so as to accommodate the creation of one additional building lot when services become available.
6. Subdivision agreements shall state that connection to municipal services will be required when they become available and that service area charges will apply.
7. When municipal sewer and water services become available, existing private sewer and water services shall be decommissioned to the Township's satisfaction at the owner's expense.

***PA1-8 South River Rd/Gilkison (Elora)***

**PA1-8** is located within an area characterized by existing residential development with larger lot sizes and private services. Recognizing that the extension of municipal services in this area is planned but may not occur in the short term, new development on individual private services may be permitted on these lands on an interim basis, subject to the following:

1. It is first demonstrated to be appropriate through the submission and approval of a pre-servicing report that addresses the viability of individual private services and impacts on ground and surface water quality and quantity.
2. Development must proceed by plan of subdivision. Consents will not be permitted.

3. Development will be restricted to single detached residential building lots only.
4. Lots should be sized and configured so as to accommodate the future economical extension of municipal sewer and water services.
5. Lots may be designed and buildings sited so as to accommodate the creation of an additional building lot when services become available.
6. Subdivision agreements shall state that connection to municipal services will be required when they become available and that service area charges will apply.
7. When municipal sewer and water services become available, existing private sewer and water services shall be decommissioned to the Township's satisfaction at the owner's expense.

***PA1-9 Grand River Community Church***

Notwithstanding any policies of this Plan to the contrary, the lands designated **PA1-9** may be used for church and similar institutional purposes subject to appropriate zoning and the provision of adequate private services.

The zoning by-law may include provisions regarding permitted land uses, building setbacks, off-street parking, lot coverage, minimum landscaped areas, and other regulations, to provide for the appropriate development of the property.

***PA1-10 CBM/St. Mary's Cement***

Notwithstanding anything else in this Plan to the contrary, the continued operation, expansion and improvement of an existing ready-mix concrete batching plant shall be permitted on the lands designated **PA1-10**. The zoning by-law shall permit a ready-mix concrete batching plant and accessory uses, buildings and/or structures, including the outside storage of materials.

***PA1-11 Bridge St./First Line***

The lands identified as PA1-11 on Schedule "A-1" are designated Recreational but may only be used for non-residential purposes permitted by Section D.2.10 of this Plan

subject to appropriate zoning. Notwithstanding the above, non-residential uses that are considered sensitive land uses pursuant to MOE Guidelines (senior citizen homes, schools, hospitals, day care facilities and similar institutional uses) shall not be permitted by the implementing zoning by-law. Residential uses are prohibited.

***PA1-12 Loblaw Properties Ltd. Shopping Centre (Fergus)***

Notwithstanding anything else in this Plan to the contrary, on land designated **PA1-12** by this Plan, a Shopping Centre including a retail food store is permitted. The site shall generally be developed in accordance with the provisions of Section D.5.8. Zoning regulations shall be used to limit the gross floor area of a retail food store and shall also include minimum and maximum floor areas for retail commercial units in separate buildings, to implement the recommendations of a retail market impact assessment. The zoning regulations will also contain a minimum landscaped open space requirement and a maximum parking space requirement. Holding zone provisions may be applied in the zoning by-law. Without limiting the generality of the foregoing, the holding zone provisions may address infrastructure improvements including storm drainage, road access, sanitary sewage collection and water supply; site design guidelines and development standards; and a requirement for public notification prior to removal of the holding zone symbol.

***PA1-13 Anchor Canadian Reformed Association for the Handicapped (Fergus Urban Centre)***

Notwithstanding anything else in this Plan to the contrary, on land identified as PA1-13, the permitted uses will include a church, a manse, an existing group home, and complementary institutional or recreational uses, and uses accessory thereto. The church/manse and group home may be placed on separate lots. Zoning regulations shall ensure that the permitted uses do not include a day care centre or a school. The zoning by-law shall initially apply holding zone provisions to ensure that any appropriate studies or agreements deemed necessary by the municipality to provide for the proper and

orderly development of the lands, including but not limited to servicing assessments or agreements, noise assessments, development agreements, site plan agreements or environmental impact assessments/Conservation Authority permits are completed prior to the issuance of any building or site alteration permits to facilitate the construction of a church or manse.

***PA1-14 Sheldon Creek Apartment Building (Fergus Urban Centre)***

Notwithstanding anything else in this Plan to the contrary, on land identified as **PA1-14**, the permitted uses shall include an apartment building with a maximum of 50 units or a maximum density of 85 units per hectare. Two zone flood plain provisions shall be applied to the subject land. Portions of the site that are within the floodway shall be zoned so as to prohibit development. Development is permitted in the flood-fringe in accordance with Section 5.4.5 of the County of Wellington Official Plan.

***PA1-15 North West Fergus***

The following Secondary Plan policies shall apply to lands identified on Schedule "A1" as PA1-15 (North West Fergus Secondary Plan Area). Although all other policies of the Official Plan shall continue to apply, these policies provide specific guidance and direction for the physical development of this Secondary Plan Area.

**Vision Statement**

The North West Fergus Secondary Plan Area is envisioned to be focused on a village centre surrounded by four pedestrian-oriented sub-neighbourhoods that are connected through an integrated system of natural open spaces, parkland, and streets. The village centre acts as a central focal element of the community, and complements the present development pattern of main streets in the Township which is characterized by street related commercial buildings with opportunities for mixed uses. Higher density building forms, such as live-work units and street townhouses, surround the focal element of the sub-neighbourhoods, while the rest of the community is envisioned with lower density housing. Amenity areas are located within a 2- to 5-minute walk from

each sub-neighbourhood, linked to the community wide open space system through trails and roads. A medium density lifestyle oriented block and an elementary school are also envisioned to complement the broader needs of the community, and to provide greater choice to its future residents.

**Objectives**

The objectives for development within North West Fergus are:

- a) To create a neighbourhood that is compact, complete and connected;
- b) To promote and encourage a healthy and sustainable neighbourhood;
- c) To establish a scale and function that complements adjacent residential areas, natural features, agricultural lands, and roads/streets;
- d) To create a neighbourhood with defined centres and edges;
- e) To provide high quality streetscapes that accommodates natural heritage where appropriate;
- f) To establish a neighbourhood with a system of linked parks and open spaces;
- g) To create a neighbourhood with an integration of natural features as part of its character and open space system;
- h) To facilitate the development of a neighbourhood that encourages a high degree of regional accessibility;
- i) To provide a diversity of public domain experiences through a variety of scales, changing views, and natural and built environments;
- j) To create a neighbourhood with a permeable street system that supports pedestrians, bicycles, utility vehicles and automobiles;
- k) To establish environmentally appropriate design reflecting the site's natural features and position in the region's broader environmental context
- l) To create a neighbourhood that integrates and commemorates cultural heritage resource as part of development plans; and,
- m) Exploring, and incorporating where feasible and practical, sustainable design practices and technologies, at

the neighbourhood, site and building levels.

### **Land Use Policies**

The following general policies apply throughout North West Fergus:

- a) Live/work units are permitted in all designations where residential dwellings are permitted.
- b) Accessory dwelling units are permitted in all single detached dwellings.
- c) Stormwater management facilities and all municipal facilities and utilities, shall be permitted on lands in any land use designation, with the exception of lands designated 'Natural Area, subject to further study.
- d) Opportunities to establish Low Impact Development (LID) approaches for stormwater management shall be explored during the plan of subdivision process, only where they do not cause undo long-term maintenance issues for the Township.
- e) Developments are encouraged to incorporate sustainability practices and technologies at all design scales (neighbourhood scale, site scale, and building scale) with consideration for the broad range of sustainability themes (including neighbourhood structure, site layout, energy efficiency, water efficiency, materials, indoor environments).
- f) The detailed design of public and private spaces within the NWFSPA should consider incorporating neighbourhood initiatives that enhance the sense of place and neighbourhood character, where practical and feasible. This may include consideration of such elements as community gardens, public art or distinct streetscape or park elements, among others.

### **Neighbourhood Residential**

The following policies apply to land identified as "Neighbourhood Residential" on Schedule A-3 of the Official Plan:

- a) Single detached housing will be the primary form of housing in the Neighbourhood Residential designation. It is expected that single detached housing will comprise at least 85% of the dwelling forms in the Neighbourhood Residential designation.
- b) Ground-oriented multiple dwellings such as semi-detached dwellings, duplexes, and street townhouses are also permitted in the Neighbourhood Residential designation, and will be directed to areas surrounding neighbourhood focal points such as parks or abutting to higher order streets. It is expected that these dwelling types will account for no more than 15% of the dwellings in the Neighbourhood Residential designation.
- c) The minimum residential density with the Neighbourhood Residential designation is 22 units per net hectare.
- d) The distribution of housing by density and mix will be further refined through the Plan of Subdivision process.
- e) Development along the eastern edge of the area abutting existing residential lots should provide appropriate measures of transitioning to these larger lots. Appropriate measures could include wider frontage lots, deeper lots, and abutting lot line plantings.
- f) A mix of dwelling types, lot sizes and widths, and elevation types shall be distributed throughout each sub-neighbourhood. The distribution will be regulated through zoning following the approval of plans of subdivision.

### **Multiple Residential**

The following policies apply to land identified as "Multiple Residential" on Schedule A-3 of the Official Plan:

- a) Ground-oriented multiple dwellings such as semi-detached dwellings, duplexes, cluster townhouses, and street townhouses are permitted in the Multiple Residential designation. Low-rise

- apartment buildings, generally up to four storeys in height, are also permitted.
- b) The minimum residential density for the designation is 30 units per gross residential hectare
  - c) The housing distribution will be refined through the Plan of Subdivision process
  - d) A mix of dwelling types, lot sizes, and elevations types shall be distributed throughout each sub-neighbourhood. The distribution will be regulated through zoning following the review and approval of subdivision plans.
  - e) The exact location and configuration of Multiple Residential areas surrounding parks may be adjusted without an Official Plan Amendment, provided the general area of the Multiple Residential area remains relatively the same.

#### **Mixed Use**

The following policies apply to land identified as "Mixed Use" on Schedule A-3 of the Official Plan:

- a) The zoning by-law will further define the specific permitted uses within the Mixed Use designation. This should include a range of retail, restaurant, personal service, offices, and community-type uses for non-residential uses; as well as townhouses and low-rise apartments, either stand-alone or as part of a mixed-use building, and live-work units for residential uses.
- b) Development within the Mixed Use designation is to be consistent with the concept of the area as a "village centre" for the neighbourhood. This concept includes smaller scale uses, pedestrian-oriented streets, and buildings that define street edges.
- c) Non-residential uses should be small scale in nature in keeping with the intended character for the Mixed-Use designation. "Small scale" is generally seen as up to 500 square metres per floor and up to three stories in height.

- d) The existing farmhouse is situated within the Mixed Use designation situated west of Street "A". The preference is to maintain the existing farmhouse in its current location, either as a standalone building or incorporated as part of a new development. However, if construction or engineering conditions are such that it is unfeasible to maintain the existing location, other options should be explored to preserve the building's heritage value.

#### **Commercial**

The following policies apply to land identified as "Commercial" on Schedule A-3 of the Official Plan:

- a) A range of retail, restaurant, personal service, offices, and community-type uses are permitted uses in the Commercial designation.
- b) The zoning by-law will further define the specific permitted uses within the Commercial designation establish where commercial, residential, and office uses.
- c) Development within the Commercial designation should strive for a form that includes smaller scale uses and buildings that define the street edges.
- d) The maximum commercial floor space permitted within the Commercial is 3,000 square metres.

#### **Natural Area**

The following policies apply to land identified as "Natural Area" on Schedule A-3 of the Official Plan:

- a) No development will be permitted on land designated Natural Area, other than conservation uses, resource management uses, open space uses, and trails.
- b) Public trails are permitted on land designated Natural Area provided that, as per Section D.8.2 of the Township Official Plan, the feature or its functions are not negatively impacted and natural hazards can be avoided.
- c) Buffer areas have been included within the area identified as Natural Area to

preserve the features and their functions, and further buffering is not required on adjacent land. The buffers include a 67.5 metre total corridor for the Nichol Drain No. 1; 15 metre buffers from the wetland boundaries; and, 10 metre buffers from the woodlot dripline.

- d) Accommodation of a buffer for the unnamed North Drain will be explored through the detailed design stage of the Draft Plan of Subdivision process, in keeping with the NWFSPA Environmental Implementation Report.
- e) As per Section C.12.2 of the Township Official Plan, all land designated Natural Area will be conveyed to the Township of the GRCA.
- f) Lands conveyed shall be graded, landscaped, restored, and/or enhanced as required by the Township and, where relevant, in accordance with the Environmental Impact Statement supporting the Secondary Plan.
- g) Mitigation measures surrounding natural heritage features will be undertaken, as necessary, as development proceeds in keeping with the NWFSPA Environmental Implementation Report.

### **Park and Open Space**

The following policies apply to land identified as "Parks and Open Space" on Schedule A-3 of the Official Plan:

- a) A complete range of recreation uses are permitted with the Park and Open Space designation, which varies depending on the type of the park.
- b) All land designated park and open space are intended to be municipally owned and maintained.
- c) Areas may either be identified as "Park" are intended to be more structured recreational spaces in terms of facilities, while those areas identified as "Open Space" are intended to be less structured and complementary to abutting neighbourhood features (such as stormwater ponds or trails).

- d) The North West Fergus Urban Design Guidelines shall guide the design and construction of parks and open spaces within North West Fergus.
- e) The park between the Nichol Drain and Street 'B' is intended to generally be 2.0 to 2.5 hectares in size; be co-located with the elementary school site; generally be square or rectangular in shape; accommodate a sports field among other recreation uses; and have significant exposure to the street, abutting opens spaces, and the elementary school.
- f) The parks west of Street 'B' and south of Street 'C' are intended to be generally up to 0.5 hectares in size; be square or rectangular in shape; and accommodate a range of smaller scale recreation uses.
- g) The specific size and configuration of each park will be determined through the Draft Plan of Subdivision process in keeping with Section 8.0 below.
- h) The design of the principal park must be coordinated with the design of land designated School to ensure connections and the interface is appropriate, and to accommodate the potential joint use between the Township and School Board.

### **Stormwater Management Area**

The following policies apply to land identified as "Stormwater Management Area" on Schedule A-3 of the Official Plan:

- a) Stormwater management facilities, conservation uses, passive recreation uses, and public trails will be permitted in the Stormwater Management Area designation.
- b) The stormwater management facilities on the Land Use Plan are generally sized at 2.0 hectares and a preliminary configuration has been identified. Specific sizing and configuration will be determined through the detailed design of such facilities as approved by the Township and the GRCA.
- c) Should all or any part of the land designated Stormwater Management Area



not be used for stormwater management purposes, the alternative land use designation for this remaining land will be the abutting residential land use designations, as per the above respective policies. An amendment to the Official Plan is not required to utilize this alternative land use provision.

- d) Stormwater management facilities shall be designed and implemented in keeping with the Functional Servicing Report completed in support of the Secondary Planning Study and the applicable policies and requirements of the Nichol Drain No. 1 Subwatershed Study.
- e) Stormwater management facilities are to be designed as neighbourhood amenities, contributing to the natural heritage system and parkland system while still providing their utility functions.

### **School**

The following policies apply to land identified as "School" on Schedule A-3 of the Official Plan:

- a) An elementary school and associated uses are permitted in the School designation
- b) Should all or any part of the land designated School not be used for school purposes, at the discretion of the School Board, the alternative land use designation for the school site is Multiple Residential as per Section 3.3.3 above. An Official Plan Amendment is not required to utilize this alternative land use provision.
- c) The design of the School site must be coordinated with the design of the land designated Park and Open Space to ensure connections and the interface is appropriate, and to accommodate the potential joint use between the Township and School Board.
- d) The school will be an important public building within the NWFSPA from a community identity perspective. Accordingly, the school site and building should be designed in keeping with the Northwest Fergus Urban Design

Guidelines, which speak to building architecture, building orientation, and siting, site design, and landscape treatment.

### **Transportation Policies**

#### **Colborne Street**

The following policies apply to Colborne Street on Schedule A-3 of the Official Plan:

- a) Colborne Street will have a right-of-way width of 22.0 metres, to be confirmed through draft plan of subdivision process.
- b) Subject to detailed design at the Draft Plan of Subdivision stage, the Colborne Street right-of-way may include: two travel lanes; two bike lanes; and a boulevard space which includes sidewalks and street trees. Lay-by parking spaces may be permitted.
- c) In accordance with Township collector road standards and detailed design at the Draft Plan of Subdivision stage, lots fronting onto Colborne Street may be permitted.
- d) Reverse frontage development is not permitted abutting Colborne Street.
- e) Colborne Street shall be designed in keeping with the public realm guidelines of the North West Fergus Urban Design Guidelines.

#### **Collector Streets**

The following policies apply to Collector Streets on Schedule A-3 of the Official Plan:

- a) Collector Streets will have a maximum right-of-way width between 20.0 and 22.0 metres.
- b) While a higher order street within the neighbourhood, Street 'C' may be identified

#### **PA1-16 – 350 Wellington Road 7**

Notwithstanding Policy D.5.3, back-to-back townhouses, cluster townhouses, and live-work townhouses are permitted as additional uses and building types on the lands

municipally known as 350 Wellington Road 7 at grade and above a live-work unit. Furthermore, live-work units within the first 20 metres of Wellington Road 7 shall constitute commercial uses for the purposes of this designation.

#### ***D.11 SECONDARY PLAN AREAS***

Preparation of secondary plans represents a method that the Township may use to undertake more detailed planning of undeveloped areas of the municipality to facilitate the orderly and ultimate development of these areas. These plans usually address the mix, arrangement and density of land uses; the local street pattern; the size and location of neighbourhood parks and school sites; and the location of major services.

The secondary plan provides a conceptual framework for an area that may be characterized by multiple land ownership and provides the basis for the preparation of plans of subdivision and other more detailed development proposals.

Development within a Secondary Planning Area shall not be permitted until a secondary plan is prepared and adopted by amendment to this Plan.

##### ***D.11.1 Objectives***

To plan effectively for the future development of large undeveloped areas in advance of the consideration and approval of specific development proposals or public works projects.

##### ***D.11.2 Lands Affected***

This Official Plan identifies two Secondary Plan Areas within the Fergus Urban Centre. Both are areas of future urban expansion. The Secondary Plan process establishes a more detailed planning framework for these areas

##### ***D.11.3 Future Land Use***

Schedule A1 identifies future Residential and Employment Land areas within the Secondary Plan areas. These classifications are not land use designations and are illustrated for public notice to show the general desired mix of land

uses in each area as presently contemplated by the Township.

#### ***D.11.4 Secondary Plan Requirements***

1. Secondary Plans are considered amendments to the Official Plan and shall be subject to the same public consultation requirements as an Official Plan or Official Plan Amendment.
2. If the major landowners within a Secondary Plan Area initiate a Secondary Plan Study, the Township shall require that Secondary Plans and background studies be carried out by the Township at the cost of the major landowners in each area. However, where the Township itself proposes to initiate the Secondary Plan process, the costs may be included in the Township's Development Charges By-law.
3. Secondary Plans shall include, but not be limited to:
  - a) A general statement of the intended character of the area along with detailed objectives for the development of the area;
  - b) A conceptual plan for the area which establishes the boundaries of the area, and a land use and transportation framework for the lands, together with a description of the concept and desired future for the area;
  - c) Policies establishing a strategy for the provision of housing, employment, community facilities, open space, commercial services and other land use matters including location, form and intensity of development for such uses, desired forms of housing, range of housing densities and unit types and opportunities for modestly priced housing;
  - d) Detailed urban design policies and directions;
  - e) A detailed transportation plan, including pedestrian and bicycle paths;

- f) Detailed strategy for the protection of the natural environment including the preservation of natural areas, woodlots and vistas and the maintenance or enhancement of water quality, and establishment of an open space system and recreation facilities;
- g) Servicing strategy;
- h) Population capacity and employment targets, the location, types and density of proposed land uses, and the proposed phasing, servicing and financing of development; and,
- i) Other implementation measures including leisure design policies, environmental/servicing design policies and heritage and archaeological requirements.

**D.11.4 Background Studies**

In the course of preparing a Secondary Plan, the following background studies shall be required.

- a) Stormwater Management or Subwatershed Management Plans
- b) Transportation Plans;
- c) Environmental Impact Assessment;
- d) Servicing Strategy;
- e) Urban Design Guidelines;
- f) Market Analysis;
- g) Development Charges Studies;
- h) Development Phasing Studies;
- i) Fiscal Impact Studies
- j) Parks Concept Plan;
- k) Archaeological Assessments;
- l) Heritage Resource Assessment;
- m) Hydrogeological and Groundwater Impact Assessment;

**SECTION "E"  
IMPLEMENTATION**

**E.1 IMPACT ASSESSMENTS**

**E.1.1 General**

In assessing the merits of any development application requiring approval under the Planning Act, the Township may require studies to be undertaken to measure various impacts and to propose methods of reducing or eliminating negative impacts. Qualified professionals shall prepare these studies and will include, but are not limited to:

- Planning impacts
- Environmental impacts
- Traffic impacts
- Agricultural impacts
- Fiscal impacts

Studies prepared as part of an environmental assessment, licensing procedure or other planning process may fulfil all or part of the requirements of this section.

**E.1.2 Planning Impact Assessment**

Planning impact assessments may be required to evaluate:

1. The need for the proposed use other than for aggregate operations, taking into account other available lands or buildings in the area;
2. The appropriateness of the proposed site for the use proposed taking into consideration the size and shape of the land and its ability to accommodate the intensity of use proposed;
3. The adequacy of the proposed method of servicing the site;
4. The compatibility of the proposed use with consideration given to the height, location, proximity and spacing of buildings; the separation between various

land uses; impacts from noise, odour, or other emissions from the proposed use and from adjacent land uses; loss of privacy, shadowing or effect on heritage resources;

5. The impact on natural resources such as agricultural land and mineral aggregate deposits;
6. The exterior design in terms of bulk, scale and layout of buildings and other design elements;
7. The possibility that site contamination has occurred or the site may contain historic petroleum wells or associated works, and if so, demonstrate compliance with provincial regulations;
8. Methods of reducing or eliminating negative impacts;
9. Other planning matters considered important by the Township.

### ***E.1.3 Environmental Impact Assessment***

Environmental impact assessments prepared by a qualified person may be required to evaluate the impacts a proposed development may have on the natural environment and the means by which negative impacts may be reduced or eliminated. An environmental impact assessment may include some or all of the following:

1. A description of the proposal, including a statement of purpose;
2. A description of the existing land use on the subject lands and adjacent lands, as well as the relevant land use regulations;
3. An identification of proposed land uses and activities and potential environmental impacts;
4. A delineation of any environmental constraint area on a site plan;
5. A description of the terrestrial and aquatic resources, natural and built landforms, surface and groundwater and other significant environmental features or functions on the site;
6. A statement of the relative environmental and ecological significance of the natural

features and functions affected by the proposal;

7. A statement that there are no negative impacts on provincially significant natural heritage features and functions and a description of the means by which negative environmental impacts will be mitigated in other natural heritage areas.
8. A consideration of the potential for enhancement of environmental features or functions through site design alternatives;
9. A proposal for monitoring, where needed;
10. Such additional concerns as the Township may consider relevant.

The Township may, in consultation with the Grand River Conservation Authority, provide consideration for a scoped environmental impact assessment format for use by proponents of development applications that are generally minor in nature with limited potential impacts.

### ***E.1.4 Traffic Impact Assessment***

Where a development proposal may add significant volumes of traffic to a road system or where development is proposed in an area with recognized road deficiencies, the Township may require a traffic impact assessment. The assessment may include any or all of the following:

1. Pre and post development traffic patterns and volumes;
2. Structural adequacy and capacity of the existing and proposed road system;
3. Convenience, accessibility and safety of the site for people and vehicles and the effect on traffic customarily on the road;
4. Sight distance visibility;
5. Grade (slope) of road;
6. Assessment of required right of way width to accommodate required road standard in accordance with municipal servicing standards;
7. Suitability of the road for all weather conditions;
8. Suitability of the site or roads for snow

- plowing and removal;
- 9. Pedestrian and bicycle traffic flows and potential conflicts, particularly where schools, senior facilities or other institutional uses are nearby;
- 10. Ability of new roads to meet municipal standards;
- 11. Means by which negative impacts will be reduced or eliminated;
- 12. Such additional concerns as the Township may consider relevant.

**E.1.5 Fiscal Impact Assessment**

The Township may require a fiscal impact assessment where a development proposal or proposals is so substantial that it may:

- 1. Create negative impacts on existing commercial facilities to the extent that it threatens the existing commercial life of a traditional downtown or the planned function of other commercial areas;
- 2. Impose severe or unusual financial burdens on the municipality’s fiscal well being.

It is not the intent of the Township to regulate competition, but the Township wishes to retain healthy communities and traditional downtowns and protect public investment in our community.

**E.1.6 Peer Review**

Where the Township requires an impact assessment to be submitted by an applicant in support of a development, the Township may also commission a peer review of any impact assessments. Normally the cost of the peer review will be passed on to the applicant.

**E.2 ZONING BY-LAW**

A Zoning by-law will be one of the most important means whereby this Plan is implemented. The use of land, buildings, and structures, and the location and character of buildings and structures within Centre Wellington shall be regulated by the use of a Zoning By-Law pursuant to Section 34 of the Planning Act, R.S.O. 1990. Such a Zoning By-Law shall conform to the objectives and

policies of this Municipal Plan and the County of Wellington Official Plan.

A new Township Zoning By-Law will be prepared following the adoption and approval of this Plan. Until such time as a new Zoning By-Law is enacted, the existing by-laws shall remain in effect. However, any amendments to the existing Zoning By-Laws, following the adoption and approval of this Plan, shall be in conformity with this Plan. No zoning by-law amendment will be passed that is not in conformity with this Plan.

Where a land uses designation in this Plan authorizes a range of uses that may be allowed, the local zoning by-law may allow all or some of those uses based on local needs and circumstances. The by-law also may establish appropriate regulations related to those uses.

**E.3 NON-CONFORMING USES**

Non-conforming uses are legally established uses of land that do not conform to the Municipal plan or Zoning By-law. The long-term intent of the Municipal plan is to ensure that all uses eventually conform to the policies of the Plan.

Non-conforming uses may vary considerably in the nature and extent to which they do not meet planning policies and standards and their impact on surrounding uses. Non-conforming status can impose serious hardship on a property owner and it is often appropriate to consider relief to recognize, extend or enlarge non-conforming uses in a rational manner.

**E.3.1 Status Zoning**

A legally established use that does not conform to the policies of this Municipal Plan may be recognized as a permitted use in the Zoning By-law in accordance with its current use and performance standards. A Council may also consider zoning the property to allow a similar or more compatible use or to provide for a limited expansion of the current use. Council shall have regard for the following:

- 1. The need for the change or extension of use;

2. The proposed use is not offensive with regard to noise, vibration, smoke, dust fumes, odour, lighting and complies with the Health Protection and Promotions Act;
3. Compatibility with the surrounding uses of land
4. The need for landscaping, screening, buffering and setbacks;
5. Traffic impacts and parking;
6. Adequacy of services;
7. Impacts on the natural environment.

### ***E.3.2 Extensions or Similar Uses***

Council may consider applications to extend a non-conforming use or to allow a similar or more compatible use of land. The provisions of the Planning Act and Section E.2.2.1 should be considered.

### ***E.3.3 Non-Complying Uses***

A zoning by-law may contain separate provisions with respect to uses that are permitted but do not comply with various regulations such as setbacks, yard requirements and parking standards.

## ***E.4 SITE PLAN CONTROL***

The Township of Centre Wellington shall use the Site Plan Control powers provided for in Section 41 of the Planning Act, R.S.O. 1990.

### ***E.4.1 Objectives***

The objectives of the municipality in using Site Plan Control include the following:

1. To improve the treatment of site plan details and maintain a consistent municipal development standard in a site plan control area
2. To ensure safety and efficiency of vehicular and pedestrian access
3. To minimize land use incompatibility between new and existing development through buffering and landscaping, etc.

4. To provide functional and attractive on-site facilities such as landscaping and lighting
5. To control the placement and provision of required services such as driveways, parking, loading facilities and garbage collections
6. To secure easements or grading and alterations necessary to provide for public utilities and site drainage
7. To ensure that the development proposed is built and maintained as approved by council
8. To ensure that appropriate storm water management and erosion and sediment control facilities are designed and implemented.

### ***E.4.2 Proposed Site Plan Control Area***

All lands and property within the corporate limits of the Township of Centre Wellington are hereby designated as a proposed Site Plan Control Area. Council may from time to time, by a by-law passed under Section 41 (2) of the Planning Act, R.S.O. 1990, designate the whole or any part of the municipality as a site plan control area.

### ***E.4.3 Exemptions From Site Plan Control***

A By-law passed by Council pursuant to Section 41 (2) of the Planning Act, R.S.O. 1990 may exempt certain uses defined therein from Site Plan Control. Without limiting the generality of the foregoing, this may include:

1. Single detached, semi-detached and duplex dwellings, unless the purpose of site plan control is for grading or drainage purposes, addressing design for intensification, or to protect a feature of the natural heritage system or unless the residential units are part of a land lease project;
2. Agricultural buildings and structures associated with farming operations of a size and nature typical to the area;
3. Buildings or structures for flood control or conservation purposes.

## **E.5 HOLDING BY-LAWS**

Where the use of land for a particular purpose has been established but details related to design, servicing, phasing, environmental considerations and other matters have not been completely resolved, the Township may use holding provisions in accordance with the Planning Act. Holding provisions will enable the municipality to identify the uses ultimately intended for specific lands, but to defer their actual development until such time as certain identified conditions are met.

The symbol "H" or "h" used in association with a zone symbol will indicate that holding provisions are in effect.

### **E.5.2 Conditions for Removal of Holding Zone Provisions**

When Holding Zone provisions are applied to land, the zoning by-law shall contain general provisions specifying the conditions that must be met before the holding zone symbol can be removed. These may include the following:

1. Demonstration of the developer's commitment to proceed through the signing of, and compliance with the necessary subdivision and servicing agreements;
2. Indication from the municipal engineer that water and sewer services are available;
3. Indication from appropriate utilities that the necessary utilities are available,
4. Indication from provincial, county or local authorities having jurisdiction that road access is available,
5. Satisfactory provisions for the completion of any necessary drainage works, including downstream or off-site improvements;
6. Conformity with the Township's growth management policies.

Site-specific requirements for removal of holding zone provisions may also be incorporated into amending zoning by-laws.

Prior to removing a holding symbol, local council shall be satisfied that all requirements or conditions related to the unresolved details have been met.

### **E.5.3 Interim Use While Holding Provisions Apply**

Use of lands subject to holding zone provisions prior to the removal of the holding zone shall be restricted within the Zoning By-law. Such restricted uses may include:

1. Agricultural uses
2. Existing uses
3. Open space uses
4. A single detached dwelling
5. Accessory uses
6. Other uses deemed appropriate by Council

Each holding zone by-law passed by Council shall specify the uses that are permitted while the holding zone provisions are in effect.

Holding zone provisions may be removed in stages. In such cases, a holding zone removal by-law shall specify the uses for which the holding zone provisions are to be removed, or any uses for which the holding zone provisions are to remain in effect.

## **E.6 TEMPORARY USE BY-LAWS**

The Township of Centre Wellington may utilize the temporary use by-law provisions of Section 39 of the Planning Act to allow the temporary use of land for a purpose that is otherwise prohibited by the Municipal Plan or Zoning By-law.

Temporary Use By-laws may allow a use otherwise prohibited by the municipal plan or zoning by-law for a period of no more than 3 years, subject to further renewal. In the case of a Garden Suite as defined by Section 39 of the Planning Act, the initial period of approval can be a maximum of ten years.

1. In considering a temporary use by-law, regard shall be had for the following

2. The compatibility of the proposed temporary use with surrounding land uses.
3. The availability of appropriate access to the proposed use.
4. The proposed design and layout of the proposed temporary use.
5. The ability of the proposed use to cease when the By-law expires
6. The availability of water and sewer services, if necessary, for the proposed use.
7. The need for an impact assessment
8. General conformity with the policies of this Plan.

**E.7 INTERIM CONTROL BY-LAWS**

The Township of Centre Wellington may pass Interim Control By-laws, pursuant to Section 38 of the Planning Act. Interim Control By-laws allow the municipality to control development in areas where it wishes to review the existing land use and development policies, or where new policies will be developed.

An interim control by-law may be in effect for a period of one year. This may be extended provided the by-law does not go beyond two years of its original date of passage.

An interim control by-law shall only be enacted where Council has, by by-law or resolution, directed that a review or study be undertaken in respect of planning policies in the Township or any defined area or areas thereof.

Prior to passing an interim control by-law, Council will ensure that the planning rationale behind the interim control by-law is substantiated and will proceed with the authorized review of planning policies fairly and expeditiously.

**E.8 COMMITTEE OF ADJUSTMENT**

Council has appointed a Committee of Adjustment and delegated its authority to:

1. Grant minor variances from the provisions of any by-law passed pursuant to Section 34 or 38 of the Planning Act, R.S.O. 1990;
2. Permit the enlargement or extension of a legal non-conforming use;
3. Permit a use similar to an existing legal non-conforming use, or more compatible with the uses permitted by the by-law;
4. Permit a use that conforms with the uses permitted in the by-law, where the uses permitted in the by-law are defined in general terms

**E.8.1 Minor Variances**

In consideration of minor variance applications, the Committee of Adjustment shall have regard for the following:

1. The variance should be minor in nature
2. The variance should be desirable for the appropriate development or use of the land, building or structure
3. The variance should maintain the general intent and purpose of the zoning by-law
4. The variance should maintain the general intent and purpose of this Municipal Plan
5. Any appropriate conditions that should be attached to approval of the variance

The Committee may also consider whether compliance with the by-law would be unreasonable, undesirable or would pose an undue hardship on the applicant.

**E.8.2 Extension or Enlargement of Legal Non-Conforming Uses**

When considering an application for an extension or enlargement of a legal non-conforming use, or to allow a use similar to a non-conforming use, or to allow a use more compatible with the permitted uses, the Committee of Adjustment shall have regard for the following:

1. The use of the property must have been continuous
2. The expansion must only be on property originally owned by the applicant



3. Conformity with the provisions of Section E.3.1

### **E.9 LOT CREATION AND LAND DIVISION**

A new building lot is created by one of three methods: plan of subdivision, consent, or part lot control exemption. The County of Wellington is the approval authority for these lot creation methods.

#### **E.9.1 Plans Of Subdivision**

It is the intention of the Township of Centre Wellington that new building lots will generally be created by the Plan of Subdivision process. A plan of subdivision shall normally be required when:

1. Four or more lots (including the retained) are being created, or
2. A new road or a substantial extension to an existing road is required, or
3. Where special concerns or issues exist which would best be dealt with through a plan of subdivision.

#### **E.9.2 Approval Criteria**

Only those plans that generally satisfy the following criteria will be recommended for approval:

1. The proposed plan of subdivision conforms to the objectives, General Policies of Section "C" and land use designations of this Municipal Plan, as well as the County of Wellington Official Plan
2. Necessary services, utilities, and community facilities can be provided to the proposed subdivision.
3. The proposed plan of subdivision will not negatively affect transportation networks, abutting land uses, and other features of the natural or built environment.
4. The proposed plan of subdivision is not considered to be premature, and is within the public interest.
5. The proposed plan of subdivision is compatible with the existing built form of

the Township, including adjacent land uses and road patterns.

6. The proposed plan of subdivision will not unreasonably impact the financial position of the Township in terms of the cost of providing additional services to the new development.

The Township of Centre Wellington may enter into subdivision agreements with an applicant, imposed as a condition to the approval of a plan of subdivision. Items that may be addressed in such agreements may include parkland dedication, road widening dedication or any other items that may be deemed necessary and appropriate by Council.

#### **E.9.3 Consents**

Division of land by consent to sever may be permitted when a plan of subdivision is deemed to be unnecessary. When a proposal for consent is considered, it shall be evaluated according to the following criteria:

1. The undue extension of any major service is not required;
2. The land fronts on an existing public road which is of a reasonable standard of construction;
3. Regard shall be had to the provisions of the Planning Act, and to the objectives, policies, and land use designations of this Municipal Plan;
4. All parcels shall comply with the provisions of the Zoning By-law. Zoning compliance shall be a condition of the approval of all new lots created by consent.
5. The size and shape of all parcels shall be appropriate for the intended use, and shall be generally compatible with adjacent lots;
6. The proposed severance will not unduly contribute to traffic congestion or create a traffic hazard;
7. The availability of water and sewage services to accommodate the proposed use;
8. Compliance with the environmental protection policies of this Plan.

Lot line adjustments for the purposes of boundary alterations, right-of-ways, easements, and conveyances to abutting properties may be permitted. In no case, however, shall such consent result in a lot that does not comply with the requirements of the Zoning By-law.

#### ***E.9.4 Part Lot Control Exemption By-laws***

Where land to be subdivided is part of a registered plan or plan of subdivision, Council may pass a by-law exempting any part of such plan of subdivision from the part lot control provisions of the Planning Act. This effectively allows the land to be subdivided without requiring the approval of a consent.

Part lot control exemption is typically used to facilitate the division of individual lots used for semi-detached and freehold street townhouse dwellings, following the registration of a plan of subdivision creating a larger lot or block of land. Part lot control exemption by-laws may be used in other circumstances where a plan of subdivision or consent is deemed to be unnecessary. Prior to passing a part lot control exemption by-law, Council shall be in receipt of a plan identifying the proposed division of land and shall ensure that any site plan, subdivision or development agreements necessary to ensure the appropriate development of the lot have been executed.

Part lot control exemption by-laws shall provide for the expiration of the by-law within a specified time period or upon conveyance of all or any parts of the reference plan.

#### ***E.9.5 Studies***

In considering the creation of new lots and in particular lots created by plan of subdivision, the Township, in consultation with the County, may require studies to ensure that the policies of this Plan are appropriately addressed. This may include plans of subdivision will be accompanied by:

- Planning impact assessments
- Environmental impact assessments
- Preliminary storm water management plans

Where a plan of subdivision is to be developed on individual or communal water or sewer services, the following studies will also be required:

- A pre-servicing report
- A hydrogeological study

Other studies may be required depending on individual circumstances.

Lots created by consent may also require studies to evaluate merit. In particular, lots created in or adjacent to the Greenland system may require an environmental impact assessment.

#### ***E.10 SPECIAL STUDIES***

It is not always possible to anticipate or deal with at the time of plan preparation, all of the planning problems and issues facing the community. Some of these problems and issues are evident today while others may arise in the future. Where a specific planning problem or issue is identified or arises, the Township may undertake a study prior to determining its future actions. The public will be notified that a study may be, or is being, carried out; the intended scope and timing of the study; and opportunities which may be provided for public input. The Township may undertake special studies as a means of analyzing problems, identifying the options and alternatives available and identifying a desirable course of action.

##### ***E.10.1 Goals and Objectives***

1. To respond to planning issues which may arise in an objective and timely fashion;
2. To assess areas of the Urban Centres which exhibit specific or particular planning problems which warrant addressing and to take appropriate courses of action.

##### ***E.10.2 Public Input***

The findings arising out of a special study and any proposed recommendations will be presented to the public prior to the study being presented in final form to Council for endorsement.

### ***E.10.3 Interim Control***

Once having decided to undertake a special study, council may adopt an interim control by-law pursuant to the Planning Act to restrict the use of lands, buildings or structures within the area affected or potentially affected by the study.

### ***E.10.4 Effect***

After a special study is endorsed by Council, the study shall serve as a guideline to deal with the issues addressed in the study and may lead to subsequent actions such as an amendment to the Municipal plan, the adoption or amendment of municipal by-laws, the undertaking of public works or other measures.

## ***E.11 SECONDARY PLANS***

### ***E.11.1 Overview***

Preparation of secondary plans represents a method that the Township may use to undertake more detailed planning of undeveloped areas of the municipality to facilitate the orderly and ultimate development of these areas. These plans usually address the mix, arrangement and density of land uses; the local street pattern; the size and location of neighbourhood parks and school sites; and the location of major services. Secondary Plans may also be undertaken which focus on areas of existing development where substantial redevelopment is anticipated.

The secondary plan provides a conceptual framework for an area that may be characterized by multiple land ownership and provides the basis for the preparation of plans of subdivision and other more detailed development proposals.

The content of a Secondary Plan shall generally include, but not be limited to:

- a) A general statement of the intended character of the area along with detailed objectives for the development of the area;

- b) A conceptual plan for the area which establishes the boundaries of the area, and a land use and transportation framework for the lands, together with a description of the concept and desired future for the area;
- c) Policies establishing a strategy for the provision of housing, employment, community facilities, open space, commercial services and other land use matters including location, form and intensity of development for such uses, desired forms of housing, range of housing densities and unit types and opportunities for modestly priced housing;
- d) Detailed urban design policies and directions;
- e) A detailed transportation plan, including pedestrian and bicycle paths
- f) Strategy for the protection of the natural environment including the preservation of natural areas, woodlots and vistas and the maintenance or enhancement of water quality, and establishment of an open space system and recreation facilities;
- g) Servicing strategy;
- h) Population capacity and employment targets, the location, types and density of proposed land uses, and the proposed phasing, servicing and financing of development; and,
- i) Other implementation measures including leisure design policies, environmental/servicing design policies and heritage and archaeological requirements.
- j) Identification and assessment of the impacts of the proposed new development or redevelopment on such areas; and,
- k) A comprehensive urban design master plan for the area that addresses the community-wide policies in Section 2.0 of this Plan.

### ***E.11.2 Public Input***

Prior to the adoption of any secondary plan, a public meeting will be convened for purposes of obtaining public input and comment. The public meeting shall be held in accordance with the requirements of the Planning Act governing official plan amendments.

### ***E.11.3 Requirement for Conformity***

Upon completion of the secondary plan and its adoption by Council, the subsequent preparation of detailed development proposals (i.e. plans of subdivision, development of specific sites) and the location and nature of any municipal facilities and services shall conform to the secondary plan unless otherwise amended by Council.

### ***E.12 FLEXIBILITY***

Generally, the policies of this Municipal Plan are to be given a broad interpretation with a view to furthering its policy objectives. Zoning by-laws or public works that implement the spirit and intent of this Plan shall be considered to conform to the Plan.

Boundaries between land use designations, shown on the attached Schedules have been created to correspond where possible to clearly defined physical features such as existing roads, railway lines, transmission lines, utility corridors, or watercourses. However, these limits are to be interpreted with some flexibility. Provided that the intent of the Plan is maintained, minor adjustments to the boundaries may be permitted without the need to amend the Plan.

Quantitative figures contained within this Plan are also intended to permit flexibility in interpretation. Deviation from such figures will be permitted, as long as the spirit and intent of the Plan is maintained.

### ***E.13 REFERENCES TO STATUTES***

Where any Act or portion of any Act is referred to in this Plan, such references shall be interpreted as referring to any subsequently renumbered sections of the Act and/or changes to the date of the Act.

### ***E.14 PERIODIC REVIEW***

Change is inevitable and this plan may be amended to reflect new community directions, needs or standards. The Municipal plan should be reviewed and amended periodically to reflect changing circumstances. It is the responsibility of Council to monitor the Municipal plan to ensure that it remains relevant and is responsive to the changing needs of the community.

Once this Municipal plan takes effect, Council shall hold a special public meeting, at least once every five years, for the purpose of determining the need for a revision of the Municipal plan. In considering the need for a revision, Council shall have regard for the following:

1. Population, land use, economic and development trends,
2. Housing conditions,
3. The supply and demand for land for various purposes,
4. The adequacy and availability of municipal services
5. Transportation needs
6. Changes to the County of Wellington Official Plan or Provincial Policy Statements
7. Other matters determined by council

### ***E.15 REQUESTS FOR AMENDMENTS***

Individuals may request changes to this Plan and an appropriate application process will be established to provide for fair and timely consideration of such requests.

The Township will require adequate information and studies to demonstrate the impacts of proposed changes and to indicate how various policies in this Plan are met.

The Township will ensure the amendments to this Plan are only considered after appropriate public notice and consultation takes place and that adequate information is made available to allow the public to understand proposed changes.

The Township will also consult with appropriate public agencies to receive their advice on proposed changes in which they have an interest.

#### **E.16 PUBLIC CONSULTATION**

It is a policy of the Township to encourage public involvement in all land use decisions affected by this plan. The Township will endeavour to provide information to the general public on all planning matters and proposals in a manner that is informative, understandable, timely, and cost effective.

1. The Township will endeavour to make decisions on planning applications as efficiently as possible and in accordance with the general guidelines set out in the Planning Act.
2. Those submitting applications for development approval are encouraged to engage in preconsultation with Township, County and Conservation Authority staff prior to submitting an application. The preconsultation will determine which impact assessments, if any, will be required. Applicants are encouraged to submit their impact assessments with their planning application. Council may defer making a decision on any planning application until such time as it is satisfied that it has been provided with adequate information upon which to make a decision.
3. Where a planning or related matter under consideration by the Township has a statutory requirement for public notice and input, the Township may extend the minimum municipal requirements under the Planning Act and provide additional opportunities for public participation where such matters are considered to be complex, have significant or potentially significant adverse impacts, or where significant public interest is generated.
4. While the planning act requires at least one public meeting prior to any amendment to the municipal plan or zoning by-law, council may consider holding as many information meetings or additional public meetings as it deems appropriate so as to provide the public

with a full opportunity to express their views and concerns.

5. The Township may establish and maintain a register of individuals, interest groups and organizations, businesses, and agencies who have indicated an interest in being kept informed on a regular basis of planning matters and proposals, studies and activities in the
6. Township and will distribute such information to these persons or bodies as it becomes available.
7. Where a planning or related matter is under consideration by the Township and there is no statutory requirement for public participation under the Planning Act, the Township may provide opportunities for public input prior to making a decision on the matter.
8. In the preparation of a secondary plan, community improvement plan, heritage conservation district plan, special study, five year municipal plan review or similar initiative, the Township may appoint an advisory committee or task force of interested citizens and stakeholders as a means of providing pro-active, sustained and substantive input.
9. At times an amendment to the County Official Plan is required. The Township endorses the current procedure of holding a joint public meeting at the local municipality to consider both the local and county amendments

#### **E.17 TECHNICAL AMENDMENTS**

The following changes to the Municipal plan and local Zoning By-laws may be made without the need for a public meeting and without the adoption of a formal amendment to this Plan:

1. For editorial change including such things as section or page numbering, changing references, provincial statutes or place name changes;
2. For changing the size, colours or symbols used on maps or the names of places, roads or other physical features;

3. For consolidation of provisions;
4. For deletion of obsolete provisions.