

The logo of the Municipality of South Bruce is a circular emblem. At the top, the words "MUNICIPALITY OF" are written in a semi-circle. In the center, there is a stylized illustration of a sheaf of wheat. Below the wheat, the words "South Bruce" are written in a large, flowing, cursive script. The entire logo is rendered in a light gray color.

**THE OFFICIAL PLAN FOR THE FORMOSA,  
MILDMAY AND TEESWATER SETTLEMENT AREAS**

**The Urban Communities of the Municipality of South Bruce**

*ADDITIONS ARE INDICATED AS BOLD, UNDERLINED  
DELETIONS ARE INDICATED BY STRIKETHROUGH*

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## **SECTION 1: INTRODUCTION TO THE PLAN**

### **1.1 GENERAL**

This document is entitled "The Official Plan for the Formosa, Mildmay and Teeswater Settlement Areas" and may be referred to as the "Official Plan" or "Plan". This Official Plan has been prepared and adopted in accordance with "Part III" of the Planning Act, R.S.O., 1990.

The Official Plan for the Formosa, Mildmay and Teeswater Settlement Areas consists of the written text of this document and the attached Schedule 'A' Land Use Plan.

### **1.2 HISTORY OF THE OFFICIAL PLAN**

Prior to the adoption of this Official Plan, development activity in Mildmay was directed by the Village of Mildmay Secondary Plan. The Secondary Plan formed part of the County of Bruce Official Plan. In the same manner, the former Village of Teeswater Secondary Plan guided development within Teeswater.

The land use policies contained in the Secondary Plan for these two former municipalities were not identical as they reflected the views of different Municipal Councils.

No formal Secondary Plan had ever been established for the hamlet of Formosa and policy direction for development was taken directly from the Secondary Urban Communities section of the County of Bruce Official Plan.

Since the reorganization of local government in Bruce County, the new municipality of South Bruce determined that it was appropriate and desirable to provide consistency in the goals, objectives and policies for these three urban centres. Council has therefore adopted the Official Plan for the Formosa, Mildmay and Teeswater Settlement Areas.

### **1.3 LOCATION OF THE MUNICIPALITY OF SOUTH BRUCE**

The Municipality of South Bruce is situated in the south-easterly corner of Bruce County, abutting Huron County to the south and Grey County to the east.

The Municipality is located along Provincial Highway No. 9 which serves as the main transportation link throughout the southern section of Bruce County. South Bruce is approximately 1.5 hours north of the Highway 401 corridor.

### **1.4 LOCATION OF FORMOSA, MILDMAJ AND TEESWATER**

Located within the Municipality of South Bruce are several urban centres, the largest of which are Formosa, Mildmay and Teeswater.

Mildmay is located along Provincial Highway No. 9, within the easterly section of the Municipality. Formosa is situated at the geographic centre of South Bruce, along County Road No. 12. Teeswater is located in the westerly section of the Municipality, along County Road No. 4.

### **1.5 PROJECTED POPULATION**

The Municipality of South Bruce is comprised of four former Municipalities: **two** villages and two rural townships.

The chart below reflects the historical **trends** for Mildmay and Teeswater and provides a simple linear historical growth of population over the lifespan of this Official Plan.

Historical data of this nature does not exist for Formosa as census information has never been collected for this urban centre. The chart below does, however, provide an estimate of the current population of Formosa based on the number of developed residential lots. This figure was projected to 2011, 2016 and 2021 using growth rates that are consistent with those of Teeswater and Mildmay.

	1986	1991	1996	2001	2006	2011	2016	2021
<i>Mildmay</i>	979	1095	1110	1150	1207	1263	1321	1378
<i>Teeswater</i>	997	1066	1069	1109	1146	1183	1220	1258
<i>Formosa</i>					435	456	480	513

The Mildmay and Teeswater urban areas have historically grown at a modest rate and it is anticipated that this growth will continue. The greatest population increase will likely occur in areas where full municipal services are available.

The population in the rural areas of South Bruce has over the last 15 years remained relatively unchanged. The population in the future will not likely increase in the rural areas; however, the Formosa settlement area should attract new development, especially if municipal services are installed.

## **1.6 INTERPRETATION OF THE OFFICIAL PLAN**

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

## **SECTION 2: PURPOSE OF THE OFFICIAL PLAN**

The general purpose of the Official Plan is to provide a consistent policy framework to guide the public and private sectors in making decisions concerning future development and investment within the Municipality of South Bruce.

The Official Plan applies to all lands on Schedule 'A' which is attached to and forms a part of this Plan. The Official Plan is intended to function as a major policy document up to the year 2024 reflecting a 20 year time frame.

More specifically, the Plan purpose is:

1. To identify the physical, social, economic and environmental factors in Formosa, Mildmay and Teeswater affecting future development.
2. To establish social, economic and environmental goals that can be used by Council to evaluate proposed changes in the development of these communities.
3. To establish policies to guide future development and redevelopment based on the goals of the community.
4. To establish a pattern of land use consistent with the goals and development potential of the community.
5. To provide policy and guidelines for the Council of South Bruce, municipal administrators and the Bruce County Land Division Committee for the administration of the Comprehensive Restricted Area (Zoning) By-Law and amendments thereto, Plans of Subdivision, land severances and other Municipal affairs.
6. To provide information for the public and all public and private agencies concerned with the future development of Formosa, Mildmay and Teeswater in order to assist them in determining their future plans, needs and requirements.

### **SECTION 3: GOALS OF THIS OFFICIAL PLAN**

The Council of the Municipality of South Bruce will attempt to achieve the following goals through the implementation of this Official Plan.

1. To enhance the function of Formosa, Mildmay and Teeswater as local service centres for the surrounding agricultural community and as progressive, attractive communities in which to live, work and recreate.
2. To ensure that a variety of residential housing types, densities and tenure arrangements are provided in order to accommodate housing opportunities for all residents.
3. To maintain the downtowns as the major focus of commercial activity in Formosa, Mildmay and Teeswater and to promote an intensification of the downtowns through commercial, residential, recreational and institutional development.
4. To ensure that new development in Formosa, Mildmay and Teeswater is consistent with the level of services that can be provided in the community and in a manner that will minimize costs to the taxpayer.
5. To ensure that development within Formosa, Mildmay and Teeswater contributes to the creation of a small town rural environment.
6. To encourage the preservation and restoration of historic or older buildings.
7. To ensure that new development will respect the natural environment and to discourage incompatible development within environmentally sensitive areas of Formosa, Mildmay and Teeswater.
8. To encourage new industry within Formosa, Mildmay and Teeswater and to encourage its location in areas where appropriate levels of servicing are available and where the potential impacts on the adjacent land uses will be minimized.
9. To encourage new recreational facilities, such as multi-use trails and parks, in Formosa, Mildmay and Teeswater, and throughout the Municipality of South Bruce.

## **SECTION 4: LAND USE POLICIES**

### **4.1 INTRODUCTION**

It will be the policy of this Plan that the lands within the boundaries of Formosa, Mildmay and Teeswater be developed in accordance with the land use pattern depicted in Schedule "A" of this document.

For the purposes of developing detailed land use policy, the planning area will cover those lands on Schedule "A" that are within the urban or settlement boundary limits.

The policies relating to the development of Formosa, Mildmay and Teeswater for each land use designation are contained in the following sections:

4.2	Residential	4.6	Institutional
4.3	General Commercial	4.7	Open Space
4.4	Highway Commercial	4.8	Hazard Land
4.5	Industrial	4.9	Future Development

### **4.2 RESIDENTIAL**

Formosa, Mildmay and Teeswater are designated Secondary Urban Community in the County of Bruce Official Plan. It is an overall objective of the County Plan to encourage and strengthen the role of secondary urban communities by offering a range of residential housing types.

From a settlement and servicing perspective, the Municipality believes that it is a sound planning practice to encourage permanent population growth in the existing settlement areas within South Bruce, primarily Formosa, Mildmay and Teeswater.

Detached residential units form the predominant housing type in the Planning Area and it is the intent of the plan to continue this traditional growth pattern. It is also recognized that diversified, balanced and affordable housing opportunities should be provided for the residents in these urban centres. It is therefore the intent of the Municipality to encourage diversity and affordability by permitting residential infilling, conversion of existing buildings and the construction of medium density residential units in appropriate areas of the planning area. As a general rule infilling, intensification and conversion will be permitted only when the lot has access to both municipal sewer and municipal water services. At the present time, full Municipal services are only available in Mildmay.

Until such time as full municipal services are available in Formosa and Teeswater, development on partial municipal services (i.e. municipal water or sanitary sewers) or private services will be considered. When municipal services do become available within these communities, new residential development will be expected to connect to such infrastructure. Where full municipal services are available, the Municipality shall encourage the development of such lands at higher densities.

It should be noted that the Provincial Policy discourages partial services, except where necessary to address failed services, or because of physical constraints and that every effort should be made to explore how to upgrade those partial services systems to either communal or full municipal services.

#### **4.2.1 Goals**

- a) To recognize Formosa, Mildmay and Teeswater as the three primary settlement areas in the Municipality and the most logical location to direct population growth and community services.
- b) To continue the detached residential development pattern and provide opportunities for other higher density residential forms on full municipal services.
- c) To continue to provide an affordable supply of housing to meet the current and future needs of all residents of the Municipality.

#### 4.2.2 Actions

- a) To designate vacant blocks of lands as Residential to accommodate future residential growth.
- b) To recognize the existing built up areas of Formosa, Mildmay and Teeswater and provide opportunities for infilling and redevelopment.
- c) To permit through the Official Plan and Zoning By-law a wide range of housing types and densities.
- d) To encourage through the policies of this Plan, new residential development to be consistent and compatible with the historical character and charm of Formosa, Mildmay and Teeswater.
- e) To allow small scale economic development enterprises by permitting home businesses and bed and breakfast operations in the residential designation and selected zones.

#### 4.2.3 Policies

Lands designated Residential shall be predominately used for low and medium density residential uses. Other uses compatible with residential neighbourhoods may also be permitted such as bed and breakfasts, home businesses, group homes, garden suites, day nurseries and similar uses, subject to policies contained in this Plan. Institutional uses that are compatible with the residential neighbourhoods, such as parks, public uses, places of worship and public and private schools, may also be permitted.

##### 4.2.3.1 Low Density Residential

The Municipality considers single detached, semi-detached, duplex dwellings and converted dwellings, with no more than two units, to be low density residential development.

- a) Single detached development shall generally have a maximum gross density of 17 units per hectare (7 units per gross acre) when serviced with municipal sewer and water although higher densities may be considered. **Where only partial or private services are available development may occur at a lower density as determined by the Interim Servicing Policy contained in Section 6.20.**
- b) Semi-detached/duplex developments shall generally have a maximum gross density of 26 units per hectare (10 units per gross acre) where serviced with municipal sewer and water although higher densities will be considered. When development is proposed on partially serviced or private services, a lower density, as determined by site-specific conditions, may be required.  
  
"Gross density" shall be defined as the density of the residential development in an area, including all local roads and parks and hazard lands.
- c) Specific lots sizes and densities are dependant on the ability of the property to support the mode of servicing proposed. Individual site conditions may warrant larger lot sizes or lower densities.
- d) Where municipal sewer or water services are available, it shall be the policy of this Plan that all development be connected to these services.
- e) The Municipality's Comprehensive Zoning By-law may place single detached, semi-detached, duplex dwellings and converted dwellings in separate zoning classifications.
- f) Low density residential development may be subject to Site Plan Control.
- g) Where full municipal services are available, the Municipality shall encourage the development of such lands at higher densities.
- h) When municipal services do become available within these communities, new residential development will be required to connect to such infrastructure.



#### **4.2.3.2 Medium Density Residential**

The Municipality considers all buildings containing three or more dwelling units to be medium density residential development.

All new medium density development shall be serviced with municipal sewer and water services.

- a) Medium density residential development shall generally have a maximum gross density of 35 units per gross hectare (14 units per gross acre) although higher densities will be considered.
- b) All medium density residential development proposals shall be subject to the following design criteria:
  - i) compatibility with existing land uses in the immediate area;
  - ii) designed with a maximum of three (3) stories and a building profile which conforms visually with the surrounding residential structures;
  - iii) availability of adequate off-street parking and appropriate access and circulation for vehicular traffic, including emergency vehicles;
  - iv) necessary buffering from abutting uses;
  - v) suitable landscaping, lot grading, drainage and on-site amenities;
- c) Medium density residential development shall be placed in separate zones in the Comprehensive Zoning By-law.
- d) Medium density residential development may be subject to Site Plan Control.

#### **4.2.3.3 Residential Conversion**

The conversion of existing single detached residential dwellings into multiple unit dwellings is an acceptable method of providing affordable housing. Residential conversion is permitted in the Residential designation subject to the following requirements and the provisions of the Comprehensive Zoning By-law.

- a) All residential conversion proposals shall satisfactorily address the following development criteria:
  - i) the dwelling is structurally sound and of sufficient size to permit the creation of one or more dwelling units;
  - ii) the lot is of sufficient size to permit the required off-street parking;
  - iii) adequate amenity areas can be provided on the lot;
  - iv) required fire escapes are located at the side or rear of the building;
  - v) adequate access and circulation for vehicular traffic, including emergency vehicles is provided;
  - vi) suitable landscaping, lot grading, drainage and on-site amenities are provided; and,
  - vii) the dwelling is or can be provided with suitable private sewage facilities or municipal sewer and water services.
- b) Converted units may be placed within a separate zone in the Comprehensive Zoning By-law and may be subject to Site Plan Control.

#### 4.2.3.4 Bed and Breakfast

Bed and Breakfast operations may be permitted in detached dwellings subject to the provisions of this plan and the requirements of the Comprehensive Zoning By-law.

- a) The establishment of a Bed and Breakfast facility in a residential area will ensure:
  - i) that such use will not change the residential character of the area;
  - ii) that all provisions of the zoning by-law are met, including the provisions of adequate off-street parking, minimum floor area for guest rooms and maximum number of guest rooms;
  - iii) that such uses are only permitted in buildings which constitute the principal residence of the operator during the time in which the bed and breakfast is being operated;
  - iv) that the maximum number of guest rooms for overnight accommodations shall not exceed three and,
  - v) that any other regulation, including business licensing, deemed necessary by the Municipality, is satisfied.
- b) Bed and Breakfast operations may be subject to Site Plan Control.

#### 4.2.3.5 Home Business

Home businesses can be an appropriate means of creating small business start-ups and stay-at-home self employment. In order to ensure compatibility with surrounding land use, especially residential uses, home businesses will be subject to the provisions of the Comprehensive Zoning By-law and the following policy direction.

- a) The Comprehensive Zoning By-law shall **include the following provisions:**
  - i) permitted Home ~~Industry~~ **Business** uses shall be compatible with the residential character of the area and shall not generate additional noise, dust or vibration;
  - ii) employment shall be restricted to members of the family and up to two others;
  - iii) the external appearance of the residence and accessory structures as a residential use shall be maintained including the use of small architecturally compatible façade signs;
  - iv) any home industry shall have limited traffic impact on the area;
  - v) consideration may be given to permitting certain types of home businesses to be carried out within residential accessory buildings;
  - vi) the Comprehensive Zoning By-law shall include a detailed list of permitted home business uses that are compatible with the surrounding residential uses and do not generate large amounts of dust, noise and vibration as well as providing a maximum percentage or amount of the floor area of the residence and/or accessory buildings, which may be used for the home business;
- b) Home Businesses may be subject to Site Plan Control and shall require licensing by the Municipality.

#### 4.2.3.6 Day Nurseries

Day Nursery facilities that can be licensed by the Ministry of Community and Social Services or its equivalent may be considered as a compatible use with a residential designation provided the provisions of the Comprehensive Zoning By-law are met, and the following:

- a) ~~an applicant should~~ **When evaluating an application proposing a day nursery, the municipality shall ensure that:**
- i) ~~demonstrate that there is a community need for the facility;~~
  - ii) ~~ensure that the establishment of the facility does not change the residential character of the neighbourhood including signage, parking, drop-off and pick-up areas;~~
  - iii) ~~ensure that the facility shall only provide for the temporary care or guidance of children for a continuous period not exceeding 24 hours.~~
  - iv) ~~ensure that all requirements of the Comprehensive Zoning By-law, including yard setbacks, signage, parking, definitions and licensing requirements under the Day Nurseries Act, R.S.O., 1990,~~ **or other applicable governing legislation,** are satisfied.
- c) Day Nurseries may be subject to Site Plan Control.

#### **4.2.3.7 Group Home Policies**

- ~~a) Group Home facilities, that are licensed by the Provincial government may be considered as a compatible use in the residential designation.~~
- ~~b) When considering permitting Group Homes by zone change in Residential areas, the following policy is to be considered:~~
- ~~i) the group home is within a single detached dwelling and no physical alterations should be made to change the function of the structure as a single detached residential dwelling unit~~
  - ~~ii) the facility is licensed, regulated, financed and/or approved by the appropriate government regulatory body and the municipality is assured that the necessary supportive services are readily available for the residents;~~
  - ~~iii) that the building, in form and exterior amenities, is in keeping with the surrounding residential neighbourhood;~~
  - ~~iv) that no other group home is located within close proximity to the proposed site;~~
  - ~~v) that the building meets all health, fire safety and building code standards and,~~
  - ~~vi) that all other provisions of the Comprehensive Zoning By-law are satisfied.~~

#### **4.2.3.7 Group Homes**

**The term Group Home is used to describe a wide range of residential care facilities. Group Homes may be permitted within the Residential designation subject to the requirements of the Comprehensive Zoning By-law.**

- a) The Comprehensive Zoning By-law may provide regulations which permit group homes within residential zones that offer housing to persons such as seniors, developmentally or physically handicapped individuals and/or mentally ill individuals as a permitted use in all residential zones provided the following criteria are satisfied:**
- i) the housing is within a single detached dwelling;**
  - ii) the unit houses five or less individuals, not including live-in supervisory staff or receiving family; and,**

- iii) that no physical alterations be made to change the function of the structure as a single detached residential dwelling unit;
- b) The Comprehensive Zoning By-law may provide regulations which permit group homes offering housing to six (6) or more persons such as seniors, developmentally or physically handicapped individuals and/or mentally ill individuals within a special residential zone. The Municipality shall evaluate such homes on a case by case through the zone change process, provided the following criteria are satisfied:

  - i) that the facility is licensed, regulated, financed and/or approved by a government regulatory body;
  - ii) that the sponsoring body demonstrates that a need exists for the facility within the community;
  - iii) that necessary supportive services are readily available for the residents;
  - iv) that the building, in form and exterior amenities, is in keeping with the surrounding residential neighbourhood;
  - v) that no other group home is located within close proximity to the proposed site so that no land use impact results; and,
  - vi) that the building meets all health, fire safety and building code standards.
- c) The Comprehensive Zoning By-law may provide regulations which permit halfway houses offering housing for persons such as ex-offenders, young offenders, or individuals undergoing substance abuse rehabilitation within a special residential zone. The municipality shall evaluate such homes through the zone amendment process, provided the following criteria are satisfied:

  - i) the housing is within a single housekeeping unit;
  - ii) the unit houses 10 or less individuals, not including live-in supervisory staff or receiving family;
  - iii) that the facility is licensed, regulated, financed and/or approved by a government regulatory body;
  - iv) that the sponsoring body demonstrates that a need exists for the facility within the community;
  - v) that necessary supportive services are readily available for the residents;
  - vi) that responsible supervision, consistent with the requirements of the resident is provided;
  - vii) that the building, in form and exterior amenities, is in keeping with the surrounding residential neighbourhood;
  - viii) that no other group home is located within close proximity to the proposed site so that no land use impact results; and,
  - ix) that the building meets all health, fire safety and building code standards.
- d) All housing considered under the Group Homes Policies may be subject to Site Plan Control under Section 5.13 of this Plan.

#### 4.2.3.8 Range of Housing Types

It is the policy of the Municipality to encourage the continued supply of affordable housing units for present and future residents in the plan area through the following measures:

- a) The Municipality shall ensure that the standards of the Comprehensive Zoning By-law do not preclude the development of affordable housing opportunities.
- b) The Municipality shall support a range of housing types consistent with the needs of residents, with this range being reflected in zoning standards and subdivision design and density standards.
- c) **In conjunction with the County of Bruce and other agencies and groups, the municipality shall work to provide specific and targeted affordable housing options as identified in the Bruce County Housing study that was completed in 2005.**

### 4.3 GENERAL COMMERCIAL

The General Commercial designation applies to the Central Business areas of Formosa, Mildmay and Teeswater, where the majority of retail and service activities within the Municipality exist.

#### 4.3.1 Goal

- a) To recognize the downtown cores as the commercial and business focal points for Formosa, Mildmay, Teeswater and the Municipality of South Bruce.
- b) To encourage a variety of compatible land use activities within the core area that would help create a more healthy and vibrant downtown within these urban centres.

#### 4.3.2 Actions

- a) To provide opportunities through the Comprehensive Zoning By-law and other regulations, for a mixture of commercial, institutional, recreational and residential land uses in the downtown areas.
- b) To work with the public and private sectors in the downtowns, to improve these areas as places to shop, conduct business, reside and engage in recreation.
- c) To maintain the historic charm of the downtowns through zoning, site plan control other regulatory measures and special programs.

#### 4.3.3 Permitted Uses

In the General Commercial designation, a wide variety of retail and service commercial uses shall be encouraged. Permitted uses would include general retail stores, professional and business offices, financial institutions, restaurants, hotels, motels, personal services and places of entertainment, **and other similar uses, that are in keeping with the nature of the downtown cores .**

Institutional uses compatible with General Commercial uses, such as government offices, churches, post offices, etc., may also be permitted in accordance with the Section 4.6 of this Plan.

Residential uses in the form of accessory apartment dwellings shall be also be encouraged within the downtown cores. New single family or low density residential development on vacant lots of record will be discouraged.

#### 4.3.4 Policies

- a) The Municipality shall promote the infilling of vacant lots and the use of vacant floor space for a variety of retail and service commercial, institutional, recreational and residential uses within the General Commercial designation as a means of creating vibrant and healthy downtown cores.
- b) The establishment of new areas of commercial development in a random manner throughout Formosa, Mildmay and Teeswater will be prohibited.
- c) Retail outlets of all sizes should be encouraged to locate in the downtown area; however, consideration may be given to allowing large retail outlets of greater than **300** square metres (**3230** square feet) locating in the Highway Commercial area, if such retail establishment can not be accommodated in the downtown.
- d) All development and/or redevelopment within the downtowns shall provide adequate buffering and separation distances between commercial and adjacent residential uses.
- e) All development and/or redevelopment shall provide adequate off-street parking and loading facilities. Access to the parking shall areas be limited in number and designed to ensure traffic safety. Where it is not possible for adequate off-street parking to be provided, the Municipality may enter into an agreement with the owner to provide for the payment of cash-in-lieu of parking which shall be used by the Municipality for the development of municipal parking lots.

- f) Within Mildmay, the lands designated General Commercial and fronting on Peter Street, shall be considered a transition area between the downtown commercial core and the residential areas east and west of the core. This area has traditionally contained residential uses however, there has been an increasing number of commercial uses locating in this area, which shall be encouraged.

As a transition area, both independent residential uses and commercial uses, which do not negatively impact upon the existing physical residential character of the area, shall be permitted. Compatible commercial uses may include retail stores, personal service shops, offices, institutional uses, bed & breakfast operations, and home businesses, and other compatible uses. Residential uses shall also be permitted.

Efforts should be made to utilize the existing residential buildings and retain their façades when proposing commercial development in this area. This requirement will ensure that the residential appearance of the area is maintained.

This area may be placed in a separate zone in the Comprehensive Zoning By-law.

- g) **When considering new uses in the transition area, or redevelopment of existing uses, the following criteria shall be satisfied:** ~~Other general commercial uses not identified as permitted may be considered for this area through an amendment to the Comprehensive Zoning By law, provided the following criteria are satisfied:~~

- ~~i) the need for the proposed use of land taking into account other available lands or buildings in Mildmay;~~
- ii) the appropriateness of the site for the proposed use, taking into consideration the size and shape of the land and its ability to accommodate the intensity of the use proposed and the adequacy of municipal services;
- iii) the compatibility of the proposed use with adjacent land uses with consideration given to the height, location and spacing of any buildings in the proposed development, the nature of the use proposed and impacts from noise, odour, or other emissions, loss of privacy, shadowing or effect on heritage resources;
- iv) traffic impacts including traffic generation rates, traffic patterns and conflicts with pedestrian traffic;
- v) the exterior design in terms of bulk, scale and layout of buildings and other design elements;
- vi) measures which may be taken by the applicant to mitigate any adverse impacts on surrounding land uses; and,
- vii) other matters of concern identified by Council.

- h) Proposals for new or expanding uses within the General Commercial designation may be subject to Site Plan Control.

#### 4.4 HIGHWAY COMMERCIAL

The Highway Commercial designation is intended to provide opportunities for new commercial uses that rely on vehicular traffic and highway access for their existence but do not **adversely impact the planned function of downtown commercial core** ~~adversely affect the commercial activities of the downtown.~~

##### 4.4.1 Goal

- a) To promote the establishment of highway commercial uses in order to meet the needs of the travelling public.
- b) To promote highway commercial uses that do not **adversely impact the planned function of downtown commercial core** ~~adversely affect the commercial activities of the downtowns.~~
- c) To ensure that, from a visual perspective, new highway commercial uses are attractive and properly planned as additions to the commercial function of Formosa, Mildmay, Teeswater and the Municipality of South Bruce.

##### 4.4.2 Actions

- a) To provide design standards in the Comprehensive Zoning By-law and through Site Plan Control agreements such that the entrances to Formosa, Mildmay and Teeswater are attractive gateways to these urban centres and focus on design and landscaping and de-emphasized parking areas and signage.
- b) To promote the grouping of highway commercial uses while prohibiting the continuance of strip development in order to minimize access points onto the major thoroughfares.
- c) To work in conjunction with the County of Bruce Highways Department and the Ministry of Transportation to ensure that all new highway commercial areas are provided with safe and efficient access.

##### 4.4.3 Permitted Uses

Highway Commercial uses are those commercial activities that have **(1)** large lot area or building requirements and these requirements make locating in the downtown unfeasible, **or (2) are those uses which rely on vehicular traffic and highway exposure for economic existence.** In areas designated Highway Commercial, the various uses shall complement, not adversely impact ~~compete with,~~ the economic function of the downtown commercial core ~~and shall not have a negative impact on the economic viability of the downtown.~~

More specifically, permitted uses will include automobile service stations; automobile repair shops; automobile sales establishments; automobile washing establishments; retail stores having a minimum floor area of ~~200-300~~ square metres; restaurants; motels; places of entertainment (e.g. bowling alleys, curling rinks); agricultural and industrial equipment sales and service; boat, snowmobile and trailer sales and repair establishments; building supply sales; and, home furnishing sales, **and other similar uses.**

In the absence of municipal sewer systems, highway commercial uses that generate non domestic waste shall be prohibited. Highway commercial uses that generate domestic waste shall **may** be permitted on private septic services **in accordance with the interim servicing policy contained in section 6.20.** Examples of such uses would include automobile service stations, automobile repair establishments, convenience stores, equipment rental establishments, restaurants, and motels, **and other similar uses that produce only domestic waste.** Only these uses will be identified in the Zoning By-law as permitted uses for lands where municipal sewers are not available.

~~Where municipal sewers are not available but it can be demonstrated that a specific use which produces non-domestic waste can be developed on a particular property using a private septic system to the satisfaction of the Ministry of the Environment or its agent and where the Municipality considers such use to be in keeping with the intent of the Highway Commercial designation, the Municipality may entertain an application for rezoning to allow for such specific use. Examples of such uses are car washes and Laundromats. New uses of this nature will require an amendment to the Zoning By-law.~~



#### 4.4.4 Policies

- a) The Municipality shall encourage new Highway Commercial uses to be grouped in areas as opposed to scattered along the highway.
- b) In order to ensure that the Highway Commercial areas within this Official Plan are developed as attractive entrances to Formosa, Mildmay and Teeswater, it shall be a policy of the Municipality that the following site development standards be satisfactory addressed by all Highway Commercial development proposals:
  - i) landscaping shall be provided on the site of all Highway Commercial developments to buffer parking and storage areas from the road, except for designated entrances and exits;
  - ii) signs shall be limited in number and designed to be functional and avoid visual clutter and distraction and where possible, should be on consolidated on shared sign structures and placed on the building; and,
  - iii) underground wiring for hydro, telephone and other transmission lines shall be required.
- c) To allow for the safe and efficient movement of traffic, strip development shall be **prohibited** ~~strongly discouraged~~. Highway Commercial uses should be grouped for access and servicing advantages. Efforts shall be made to reduce access points by combining exits and entrances or be creating a service road where possible.
- d) Prior to the establishment of any new Highway Commercial use, the landowner must obtain a Commercial Entrance permit from the Ministry of Transportation or the County of Bruce Highways Department where applicable.
- e) Where necessary, off-street parking, driveways and/or loading areas adjacent to residential uses shall be suitably screened or buffered through the use of fences, berms or other appropriate landscaped treatment.
- f) All parking areas shall be appropriately illuminated to ensure the safety of pedestrian and vehicular access. Illumination shall be directed downward and away from all adjoining areas;
- g) Effects of Highway Commercial development on adjacent uses shall be minimized by the following measures:
  - i) lot size shall be dependent on the nature of the use, the topography and drainage, and the method of sewage treatment and disposal and,
  - ii) where feasible, similar uses should be encouraged to be grouped to avoid land use conflicts.
- h) Proposals for new or expanding commercial uses shall be subject to Site Plan Control.

## **4.5 INDUSTRIAL**

The Municipality recognizes that opportunities are needed to help diversify the area's economy and that future economic growth will result from new industrial development.

### **4.5.1 Goal**

- a) To encourage economic diversity by providing opportunities for new clean industrial and commercial development.
- b) To provide an adequate supply of vacant industrial land within the urban areas of South Bruce in order to attract new businesses.
- c) To provide opportunities which allow existing businesses to expand their operations.

### **4.5.2 Actions**

- a) To ensure that sufficient lands are available within Formosa, Mildmay and Teeswater to accommodate new industrial growth and facilitate the expansion and/or relocation of existing industry.
- b) To promote the establishment of a business park on lands designated Industrial as a concentrated node of development, as opposed to scattered development.

### **4.5.3 Permitted Uses**

In areas designated Industrial, the predominant use of land shall be for: manufacturing; processing and fabricating; assembly goods and materials; warehousing; storage; contractor's yards; transportation and communications facilities; and, contractor's shops and yards. Other permitted uses may include: recreational facilities oriented to fitness activities; veterinary clinics; printing establishments; kennels; building supply establishments, and mini storage facilities.

Where municipal sewers are not available, permitted new light industrial uses that generate non domestic waste shall be prohibited. Industrial uses that generate domestic waste may be permitted provided that the interim servicing polices of Section 6.20 have been met.

~~Where it can be demonstrated that a specific use that produces non-domestic waste can be developed on a particular property using a private septic system to the satisfaction of the Ministry of the Environment or their agent and where the Municipality considers such use to be in keeping with the intent of the Industrial designation, the Municipality may entertain an application for rezoning to allow for such use.~~

### **4.5.4 Policies**

- a) The minimum lot size shall be dependent on the nature of the use, the topography and drainage, and the method of sewage treatment and disposal.
- b) All industries must meet the requirements of, and where necessary, obtain the approval of the Ministry of the Environment, or other governing body, with respect to water supply, waste water disposal, solid waste disposal, emissions into the atmosphere including noise, vibration and odours, and setbacks from sensitive land uses.
- c) To ensure that industrial development is visually compatible in the community, new or expanding industrial uses may be subject to Site Plan Control and the following site development standards shall be satisfactorily addressed:
  - i) landscaping shall be provided between any industrial use or parking areas, adjacent roadway, and abutting uses, except for designated entrances and exits;
  - ii) all outdoor storage should be located to the rear or side of the main building on the lot and shall be fenced or suitably screened from adjacent uses;

- iii) signs shall be limited in number and designed to be functional and avoid visual clutter and distraction and where possible, should be consolidated on shared sign structures and attached to the main building;
- d) Adequate off-street customer parking and loading facilities shall be provided and shall be located to the rear and side of the principal building fronting on the street.
- e) Off-street parking, driveways and/or loading areas adjacent to residential or commercial uses shall be suitably screened or buffered through the use of fences, beams or other appropriate landscape treatment.
- f) All parking areas shall be appropriately illuminated to ensure the safety of pedestrian and vehicular access. All lighting shall be directed downward and away from adjoining lands.
- g) Effects of industrial development on adjacent uses shall be minimized by:
  - i) providing distance separation and/or the construction and maintenance of buffer strips and/or screening between such uses;
  - ii) building design and site planning measures;
  - iii) the arrangement of lighting facilities and commercial signs to minimize impact on surrounding uses.

## **4.6 INSTITUTIONAL**

A range of Institutional services should be located in South Bruce that enhance the role of the settlement areas as central service providers for all residents in the municipality.

### **4.6.1 Goal**

- a) To ensure the provision of educational, institutional and cultural facilities in suitable locations to adequately serve all interest groups.
- b) To maintain and enhance the existing service centre function of the Formosa, Mildmay and Teeswater settlement areas.

### **4.6.2 Actions**

- a) Encourage the establishment of regional and community facilities and programs which address the changing needs of the community to locate within Formosa, Mildmay and Teeswater.
- b) Promote the use of government, park and school facilities as community facilities and multi-use facilities.
- c) Encourage institutional uses to locate within or near the core area where possible.
- d) Promote the development of cultural facilities.
- e) Promote the creative use of design to blend institutional uses into the surrounding community.
- f) Discourage or prohibit the construction of new community institutional areas outside of the Settlement Areas within the municipality.

### **4.6.3 Permitted Uses**

In the Institutional designation, the predominant use of land shall be for public and private Institutional uses.

Institutional uses are generally compatible with residential land uses and general commercial land uses and therefore some institutional uses may also be permitted in the Residential and General Commercial designations, as stated in the respective sections of this Plan.

Permitted Institutional uses shall include: uses associated with health, welfare and education such as hospitals, schools and public libraries; places of worship; day nurseries; fraternal association halls and other similar places of assembly; funeral homes; farmers markets; arenas and similar public recreation facilities; government information services and offices; sewer and water facilities; police or fire stations; public utilities and related uses and activities.

### **4.6.4 Policies**

It shall be the policy of the Municipality that the following criteria be satisfactorily addressed by all new institutional proposals:

- a) New institutional facilities shall be of a scale that is compatible with surrounding land uses in terms of traffic movements, height, coverage of the site design and off-street parking. New facilities should be able to function as a focal point for the neighbourhood or community and be multi-use in nature.
- b) The anticipated level of vehicular traffic shall be taken into consideration, as well as pedestrian links between the facility and the downtown.
- c) The proposed site should be located within close proximity to necessary support community facilities.

- d) The proposed site should be adequate to accommodate buildings, future expansions, accessory off-street parking and landscaping;
- e) Adequate buffer, planting or fencing shall be established between institutional land uses and adjacent land uses.
- f) All new institutional facilities shall be located within a Settlement Area as defined in Schedule "A" to the Official Plan.
- g) Proposals for new or expanding institutional uses may be subject to Site Plan Control.

## 4.7 OPEN SPACE

A variety of recreational uses should be provided to meet the existing and future active and passive recreational needs of the residents of the municipality.

### 4.7.1 Goal

The quality of the environment of South Bruce shall be maintained and enhanced by ensuring that sufficient land is preserved for recreational and open space purposes by maximizing the recreation opportunities on existing lands within recreational capability and by providing the necessary facilities to meet the future needs of the residents of South Bruce.

### 4.7.2 Actions

- a) Adequate parks and recreational facilities within the urban areas of Formosa, Mildmay and Teeswater will be provided.
- b) A full range of recreational programmes should be provided.
- c) The development of the tourist industry will be encouraged through improving and promoting recreational lands and facilities.

### 4.7.3 Permitted Uses

In areas designated Open Space, the predominant use of land shall be oriented towards active and passive recreation and conservation activities. Permitted uses shall include public parks, pedestrian walkways and bicycle paths, playgrounds, picnic areas, swimming pools, sport fields, community centres, arenas, incidental village fairs or circuses, farming, artisans or craft markets, tourist information centres, museum, cemeteries and other similar public or private recreation uses but shall not include golf courses or campgrounds **unless owned or managed by the municipality or public body.**

### 4.7.4 Policies

- a) It shall be the policy of the Municipality to develop and maintain a system of parkland and recreation facilities necessary to meet the varied needs of the community.
- b) The establishment of future parkland shall, wherever feasible, be coordinated with the School Boards and other public or private groups in order to achieve the integration of facilities and to maximize the recreation opportunities and use of facilities.
- c) It will be the policy of Council to preserve and enhance the Valley of the Otter Creek in Mildmay. The Municipality will seek the assistance of the Saugeen Valley Conservation Authority in order to carry out a study of this area and will consider preparing a master plan for its development. This master plan should evaluate the possibility of reforesting the Valley. When complete, the Plan will be adopted as an amendment to this Official Plan.
- d) Where any lands designated for Open Space are under private ownership, this Plan is not intended to infer that such land will necessarily remain as open space indefinitely, nor shall it be construed as implying that open space areas are free and open to the general public or will be purchased by the Municipality. If proposals to develop any such lands that are in private ownership are made and the Municipality does not wish to purchase such lands in order to maintain the open space, then an application for the redesignation of such lands for other purposes will be given due consideration by the Municipality.
- e) It shall be the policy of the Municipality to require the dedication of parkland, in accordance with the Planning Act, for all ~~residential and commercial~~ **new** developments, redevelopments and plans of subdivisions. These lands shall be suitable for use as municipal parkland and shall be assessed based on meeting one or more of the following criteria:

- i) the lands are located near or adjacent to established parks, schoolyards, natural areas or storm water management areas;
  - ii) the lands are within easy walking distance of the residential neighbourhood to be serviced;
  - iii) the lands have adequate street frontage to provide for visibility and safety.
- f) The Municipality may accept additional lands over and above the parkland dedication required under the Planning Act and may incorporate these lands into its park system. Such lands may include:
  - i) storm water management areas;
  - ii) lands having environmental or physical conditions which render them unsuitable for development; and,
  - iii) lands which have important scenic vistas, possess unique natural qualities or are areas of natural or scientific interest.
- g) The Municipality may require cash-in-lieu of parkland, as provided for in the Planning Act, under the following circumstances:
  - i) the amount of parkland to be dedicated in accordance with the Planning Act is of insufficient size to be usable for normal public recreational activities;
  - ii) the neighbourhood is adequately serviced by existing municipal parks or open space;
  - iii) the Municipality wishes to combine the parkland dedications of a number of small developments in order to provide for one large park; and,
  - iv) the required dedication would render the remainder of the site unsuitable or impractical for development.
- h) Cash-in-lieu of parkland payments shall be required for all residential and commercial development, including consents and placed in a separate account and used for the acquisition or development of parkland within the community.

## 4.8 HAZARD LAND

The Hazard Land classification applies to lands having environmental constraints such as permanent water holding areas, organic soils, wetlands, flood and erosion susceptibility, steep slopes, poorly drained areas or any other physical conditions which make development impractical or unsafe.

### 4.8.1 Goal

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

### 4.8.2 Actions

- a) Identify areas that are hazardous or pose a threat to human life or property because of steep slopes, unstable soils, flood susceptibility, or other physical restraints.
- b) Take necessary precautions to ensure that human life or property is not threatened.

### 4.8.3 Permitted Uses

**On lands designated Hazard Land, permitted uses shall be limited to essential flood, erosion and sediment control measures undertaken by a public authority and passive and active outdoor recreation uses not requiring enclosed buildings. Buildings or structures for essential municipal services such as water and sewer pumping stations may be permitted when approved by the Saugeen Valley Conservation Authority (SVCA). Nonetheless, any building or structure for essential municipal services which could be reasonably located outside the Hazard Land designation should not be permitted.**

### 4.8.4 Policies

- a) It shall be the policy of the Municipality that all lands within the Hazard Land designation be placed in a zone in the implementing Zoning-By-law which recognizes their intended use. Such uses and appropriate regulations, in addition to those of the SVCA, shall be set out in the Zoning By-law.
- b) Expansion or enlargement of any existing non-conforming uses within Hazard Land areas shall be discouraged. Minor extensions or enlargements to existing buildings or structures in the floodplain may be permitted with the written approval of the SVCA subject to its Construction Regulations. The Municipality shall, with the SVCA, consider upstream and downstream effects and flood damage reductions measures which may be required. Such flood proofing may include setbacks, basement elevations, minimum opening, placement of fill and strengthening of basement walls.
- c) The removal of fill materials within Hazard Land or the addition of fill materials shall be discouraged. Such activities may be permitted for the enhancement or conservation of the natural environment or for public services after consultation with the SVCA.
- d) Approval from the SVCA shall be obtained for any building or structure in the Regional Storm floodplains, in accordance with its Construction Regulations.
- e) Upon additional changes to the information and flood plain mapping by the SVCA or when any flood control project or other work is proposed, which would substantially affect any Hazard Land designation, appropriate amendments will be made to this Plan.
- f) For new development proposed within 50 metres of a Hazard Land Area, the applicant may be required to submit an Environmental Impact Study in accordance with Section 4.3.5 of the ~~Bruce County Official Plan~~ **5.1 of this Plan**. It is the policy of Council to consider waiving this requirement upon the recommendation of the Saugeen Valley Conservation Authority if the proposal is of such a minor nature, or site conditions indicate that the preparation of an Environmental Impact Study is unwarranted, or would serve no useful purpose.



- g) Minor adjustments to the Hazard Land boundary may be completed without requiring an amendment to this Plan, provided the SCVA has been duly consulted and is in support of the minor boundary adjustment.
- h) Where any land designated as Hazard Lands is under private ownership, this Plan does not intend that this land is free and open to the general public or that the land will be purchased by the Municipality or any other public agency. There is no public obligation to either redesignate or to purchase such lands if there is an existing or potential hazard that would be difficult or costly to overcome.
- i) It shall be the policy of this Plan that in considering an application for the redesignation of Hazard Land for other purposes, Council will consider redesignation if all of the following can be satisfied:
  - i) The hazards can be safely addressed and new hazards are not created or existing ones aggravated. This may include the preparation of an engineering study to the satisfaction of Council and the SVCA.
  - ii) No adverse or negative environmental impacts will result. The Municipality, in consultation with the Conservation Authority, may require an Environmental Impact Study to be prepared at the expense of the proponent.

## 4.9 FUTURE DEVELOPMENT

Within the urban boundaries of the Formosa, Mildmay and Teeswater Settlement Areas and as shown on Schedule 'A' to this Plan (Maps 1, 2 and 3), there are areas that will not likely be developed for several years although they may be required during the time frame of this plan. **An amendment to this Plan will be required prior to development occurring and such amendment shall take into consideration the applicable provisions of Section 5 of this Plan.** ~~It is assured that the majority of these lands will be developed for residential purposes, although other uses may be deemed appropriate for these lands at some point in the future. In the mean time, the Municipality has designated these lands Future Development.~~

### 4.9.1 Goal

Preserve the status quo of lands designated Future Development until such time as there is a demonstrated need for the conversion of these lands to an urban use.

### 4.9.2 Actions

Fragmentation of existing parcels of land designated Future Development will be discouraged. The use of such lands will be maintained in an agrarian or similar use that will not jeopardize the appropriate and orderly development of these lands and adjacent properties in the future.

### 4.9.3 Permitted Uses

The use of land designated Future Development shall be limited to existing ~~agricultural~~ uses, environmental protection uses, forestry, recreation and open space activities and existing uses.

### 4.9.4 Policies

- a) Existing agricultural operations will be permitted to continue their operations but will not be permitted to expand without amendment to the zoning bylaw.
- b) Severances shall be limited to the creation of public parks, environmental protection properties, minor lot line adjustments or for the provision of public services.
- c) The redesignation of lands from Future Development to another land use category for full urban use shall occur by an amendment to this Plan if and when development in other land use areas is reaching its full capacity and when basic service extensions of water, roads, sanitary sewers and storm drainage become economically feasible.

## **SECTION 5: GENERAL DEVELOPMENT POLICIES**

### **5.1 ENVIRONMENTAL REVIEW**

An asset that sets Bruce County apart from many areas of the Province is its natural beauty and clean environment. It is the intention of the Municipality of South Bruce that all new development and redevelopment will proceed with the utmost respect for the environment. One of the major objectives of this Plan is to ensure that the natural environment is maintained and enhanced.

#### **5.1.1 Policies**

- a) It is a policy of the Municipality to require all land use proposals to be reviewed by Council and appropriate government agencies, in order to ensure that development that has the potential to negatively affect the environment in the short and long term will not be permitted in the Municipality.
- b) The environmental review of development proposals shall assist in determining the nature of environmental safeguards that should be required, if any.
- c) Depending on the scale, intensity and nature of development being proposed, in addition to normal servicing and related studies, an environmental study as outlined in Section 5.1.2, may be required prior to the Municipality rendering a decision on the development.

#### **5.1.2 Environment Review ~~Studies~~ Policies**

~~The following subsections identify the issues to be considered and/or studied as part of the environmental review of all development proposals.~~

**Depending on the scale, intensity and type of development being proposed, environmental studies, as determined by the Municipality or various government agencies, may be required prior to the Municipality making a decision on development proposals.**

**The environmental review of all development proposals shall assist in determining whether the development should be endorsed by the Municipality and if so, what environmental safe-guards shall be required.**

##### **a) Land use Compatibility and Sensitive Land Uses**

~~The Municipality shall consider land use compatibility when new residential, commercial, industrial, transportation and utility uses are proposed in proximity to sensitive environmental areas and to existing uses.~~

**The Municipality shall consider the land use compatibility between sensitive land uses such as residential, and transportation, utility and industrial facilities.**

**Land uses which are incompatible because of noise, dust, odour, vibration and other adverse environmental impacts should generally be kept separate from sensitive land uses.**

**The Municipality shall strive to maintain compatibility between sensitive land uses and industrial facilities. Measures including land use separation, buffering, screening and site design measures shall be provided between incompatible land uses in accordance with the guidelines of the Ministry of the Environment. Distances shall vary depending on the nature of the industrial facility and the intervening land use.**

##### **b) Water Quality and Quantity**

The Municipality shall assess the potential impact a development may have on the quality and quantity of the Municipality's water resources. Such an assessment should take into account the cumulative effects over time that a development may have on the subject lands and adjoining lands.

The assessment referred to above will include the following:

- i) the impact upon water resources;
- ii) the impact on the quality and quantity of surface and ground water resources and,
- iii) where applicable, the promotion of water conservation and the efficient use of water resources.

**c) Site Re-Use – Soil Quality Assessment (Brownfield Development)**

- i) The Municipality shall require residential and commercial development proposals involving the redevelopment of industrial, transportation or utility sites to include investigations into the potential contamination of the site as a result of the previous use.
- ii) Contaminated sites must be thoroughly investigated and a rehabilitation plan prepared in accordance with Ministry of the Environment guidelines prior to the Municipality's consideration of the re-development proposal.

**d) Aquatic and Wildlife Habitat**

- i) It shall be a policy of the Municipality that development be permitted only where there will be no net loss of aquatic habitat or habitat for significant or endangered species and where possible, the development will create a net gain in aquatic habitat.
- ii) Where identified as a concern, new developments must demonstrate that there will be no negative impacts on the aquatic habitat or habitat for significant or endangered species.
- iii) ~~No~~ **New development shall generally be prohibited be permitted within 30 50 metres of the banks of a cold water stream or a warm water stream without providing an Environmental Impact Study and the support of the Saugeen Valley Conservation Authority.** Landowners are encouraged to re-forest the area within 30 metres of any stream in order to maintain and improve fish habitat and the ecological function of the stream.
- iv) Any new development proposed on lands adjacent to the Provincially, Regionally or Locally significant wetland, must ensure that there will be no negative effect on the features or the ecological functions of the wetland.

**e) Provincially Significant Wetlands**

**No development , including filling, excavating or regarding , except for essential infrastructure permitted in the Provincial Policy Statement shall be permitted within the Otter Creek Provincially Significant Wetland.**

**5.2 Surface Water Management**

The Municipality shall require a review of surface water runoff and its effects within the planning area when a new multi-lot or large scale commercial or industrial use is being proposed. New development and large scale redevelopment will comply with the storm water management standards at the time the development application is processed and will be considered by the Municipality only after consultation with the appropriate Government agencies.

**5.2.1 Stormwater Management Policies**

~~The Municipality shall require a surface water management plan, to be completed by a qualified professional, for any new development consisting of five or more lots, or a commercial or industrial development that will create large amounts of impervious areas.~~

The Municipality, in consultation with the Saugeen Valley Conservation Authority, for areas with existing drainage problems, or where runoff could significantly affect adjacent lands, after due consultation with the Saugeen Valley Conservation Authority shall, require water quality and surface water management plans for any development.

- a) It shall be a policy of the Municipality to undertake to develop a Municipal Master Drainage Plan, in cooperation with the Saugeen Conservation Authority, Ministry of Environment, and the Ministry of Natural Resources, in order to control the quantity and flow of surface water.
- b) It is a policy of the Municipality that once a Master Drainage Plan is approved, development proposals shall be required to include a drainage plan which manages drainage in accordance with the Master Drainage Plan.
- c) It is a policy of the municipality to require "at-source best management practices and techniques" to maintain Stormwater quality and quantity.
- d) Development shall incorporate Stormwater management practices to control runoff up to the Regulatory Flood level.
- e) The Municipality, in consultation with the Saugeen Valley Conservation Authority, for areas with existing drainage problems, or where runoff could significantly affect adjacent lands, after due consultation with the Saugeen Valley Conservation Authority, shall require water quality and surface water management plans for any development.
- f) Until such a time as a Master Drainage Plan is approved, development proposals shall be required to submit a drainage management report which meets the quality and quantity requirements of the Municipality, Saugeen Conservation Authority, the Ministry of Environment, the Ministry of Natural Resources and/or Ministry of Transportation.
- g) Where deemed appropriate by the Saugeen Valley Conservation Authority all new development shall incorporate the following system concepts.
  - i) The Stormwater Management system shall be designed to control runoff from the site to pre-development levels, and where necessary shall require detention or temporary storage facilities to control discharge rates. Where feasible detention must be provided on-site.
  - ii) A minor system shall accommodate runoff from more frequent storms up to the design capacity of an existing receiving system and, where necessary, shall require retention or storage facilities. New collection systems shall be designed in accordance with the Municipality's servicing standards.
- h) It is a policy of the Municipality that natural drainage systems used in the design of new subdivisions and major watercourses be left, as much as possible in their natural state, including existing vegetative buffers. Channelization shall be discouraged. Detention and retention facilities may be permitted in open space areas to ensure controlled runoff into receiving streams.
- i) Any modification to an existing natural watercourse shall preserve floodplain storage capacity and shall require approval from the Saugeen Conservation Authority.
- j) The Municipality shall assume ownership and/or maintenance responsibilities for new stormwater management facilities/structures.

### 5.2.2 Municipal Wellhead Protection

It is the intent of the Municipality of South Bruce to review the risks to the Municipal water supply. In recognition of the fact that the aquifers supplying water to these wells may be vulnerable to contamination from land use activities, and that protection of groundwater resources is vital to ensure an adequate supply of safe, potable water, it is the intent of the Municipality to establish

**Municipal Wellhead Protection Areas (MWPAs) and to develop appropriate management plans for these areas.**

**The delineation of MWPAs is an important means for directly and immediately safeguarding the public water supply. A MWPA is defined as the surface and subsurface area surrounding a municipal wellfield which contribute groundwater that is used by a public water system through which contaminants may pass and eventually reach the water well or wellfield.**

**The Municipality acknowledges that comprehensive mapping of the location of the municipal wellhead areas is not available at this time. In order to address this the Municipality will undertake the following tasks:**

**i) In association with other partners, undertake a program to delineate capture zones which contribute groundwater to existing municipal wells and wellfields;**

**ii) Identify and assess existing and potential contaminant sources within the capture zones;**

**iii) Through a public consultation process develop and implement a municipal wellhead protection area management plan for the protection of the municipal wells and wellfield.**

### **5.3 MUNICIPAL SERVICES**

The success of the Formosa, Mildmay and Teeswater Settlement Areas as service centres, depends on the Municipality's ability to provide affordable and relevant services over the long term to all residents and sectors of the Municipality. Services must be provided in a context of decreasing provincial revenues and an increasing demand for a higher standard of services.

#### **5.3.1 Goals**

Provide a full range of affordable, municipal services to meet the needs of the community and to protect the environmental integrity of the community.

#### **5.3.2 Actions**

- a) To continue efforts to provide municipal water and sanitary sewers throughout Formosa, Mildmay and Teeswater Settlement Areas in a phased and planned approach.
- b) To ensure through the approval and regulatory process, that all new developments that take place on private sewer and/or water services do not have a detrimental effect on ground water resources, rivers, streams, ponds or the environment in general.

#### **5.3.3 Policies**

- a) The Municipality shall undertake the necessary studies to determine the feasibility of providing full municipal services throughout the urban areas of Formosa, Mildmay and Teeswater.
- b) The Municipality shall make every reasonable attempt to implement such servicing strategies in order that municipal water and sanitary sewers are made available throughout these urban centres.
- c) Given that municipal water and sanitary sewers already exist in Mildmay, all new development within Mildmay will be permitted only on the basis of full municipal services which includes the provision of piped water, sanitary and storm sewers, street lights, sidewalks and roads.
- d) Until such time as municipal sewers are available in Teeswater, new development may be permitted on municipal water and private and/or communal septic systems subject to approval by the Ministry of Environment or its agent **the Interim Servicing Strategy (section 6.20).**

- e) Until such time as municipal water and sanitary sewers are available in Formosa, new development may be permitted on private wells and private and/or communal septic systems subject to approval by the Ministry of Environment or its agent **the Interim Servicing Strategy (section 6.20)**.
- f) Adequate reserve capacity in the municipal water and/or sewage works (where the services exist), must be demonstrated by the proponent of an individual development. Limitations in the capacity of the water/sewage works shall be recognized as a constraint to the timing of new development.
- g) The Municipality shall pass by-laws and enter into agreements, including financial arrangements, with property owners for the installation of municipal services.

## **5.4 TRANSPORTATION**

### **5.4.1 Goal**

Promote an efficient and safe transportation system that serves the needs of the local residents as well as tourism and business traffic.

### **5.4.2 Actions**

- a) Promote an improved system of local roads that provide for the safe and efficient movement of local and through traffic.
- b) Promote the continual maintenance of a high quality provincial highway and county road network.

### **5.4.3 Road Classification**

Roads in the Plan area shall be classified into the following categories:

Arterial Roads are designed to handle high volumes of traffic within or through Municipality. Right-of-way width is 20 to 30 metres (66 to 100 feet).

Local Roads are designed to handle predominantly local traffic at low operating speeds on two traffic lanes and providing direct access to individual properties. Local roads shall generally have a minimum right-of-way width of 18 metres or less.

### **5.4.4 General Road Policies**

- a) No new development and/or redevelopment shall be permitted unless such lands are accessible by an open public street that is of an acceptable standard of construction to accommodate the traffic to be generated by the new development.
- b) The Municipality may require, as a condition of approval of any new development or redevelopment, that sufficient lands be conveyed to the Municipality to provide for a road right-of-way width in accordance with the road classification identified on Schedules 'A' to this Plan.
- c) The Municipality shall not assume any roads that do not meet the minimum acceptable standards of the Municipality.
- d) Road widening shall take place in conformity with the standards outlined in Section 5.3.3 Road Classification, where deemed necessary by the Municipality. Privately owned land required for road allowance widening may be acquired by the appropriate road authority through purchase or dedication as a condition of subdivision, severance, or site plan approval or other appropriate means.

- e) Where development will add significant volumes of traffic to the road system or where it is proposed in an area with recognized road deficiencies, the Municipality shall require a traffic impact assessment. This assessment may include a review of the following:**
- i) Traffic generation rates;**
  - ii) Traffic patterns;**
  - iii) Impacts on individual roads and intersections;**
  - iv) Impacts on existing development;**
  - v) Conflicts with pedestrian traffic;**
  - vi) Corrective measures including improvements; and,**
  - vii) Other matters as determined by the Municipality.**



## SECTION 6: IMPLEMENTATION

### 6.1 PURPOSE OF THE IMPLEMENTATION SECTION

The purpose of this section is to explain how the policies of the Official Plan for Formosa, Mildmay and Teeswater shall be put in place, reviewed and altered. The Implementation section lists the regulatory measures that the Municipality has at its disposal to manage growth and development.

This Section is a guide to those for those who propose developments within the Plan Area.

#### 6.1.1 AMENDMENT APPLICATIONS

The municipality is not obligated to accept any application to amend the Official Plan, Zoning Bylaw or any other Bylaw or matter contained in this Official Plan or the Planning Act, unless the application is deemed to be complete, by the Municipality or its designate.

**The requirements for a complete application are included in the procedure guide attached to the municipalities Planning Act applications.**

~~For an application to be deemed 'complete' the following is required:~~

- ~~a) — Completion of application form with require enclosures.~~
- ~~b) — A planning justification study that considers:
  - ~~— Provincial Policy~~
  - ~~— County or Regional Policy~~
  - ~~— Policies of the Local Official Plan and Zoning~~
  - ~~— Land use compatibility~~~~
- ~~c) — Required servicing studies include:
  - ~~— Method of water supply and sewage disposal and adequacy of the systems~~
  - ~~— Roads including upgrades~~~~
- ~~d) — Required hydrogeological and hydrology including storm water management~~
- ~~e) — Required Environmental Impact Studies~~

### 6.2 OFFICIAL PLAN AMENDMENT REQUIREMENTS

Circumstances may arise where an individual proposes a development that does not conform to the policies of this Official Plan. In order to proceed with a development, the individual must submit an application to amend the Official Plan. The Municipality shall give fair consideration to all Official Plan Amendments and notify the general public and government agencies of the proposed amendment, in accordance with the requirements of the Planning Act.

- a) **When a submission is made for an** ~~The submission of an Official Plan Amendment to the Municipality, **Council shall have due regard to the following matters when evaluating the proposed amendment:** shall be accompanied by Planning Justification Report that includes site, building and landscaping plans and addresses the following questions:~~
  - i) Is this amendment in keeping with the Vision, Goals and Actions of the Official Plan?
  - ii) If the amendment does not further the Goals and Actions, have circumstances altered how the Goals and Actions should be viewed in relationship to the proposal?
  - iii) Is the amendment consistent with Provincial and County policy?
  - iv) Is there a demonstrated need for the proposed development?

- v) Can the lands affected be adequately serviced to accommodate the proposed development? What improvements are required to properly service the land?
- vi) What impacts will the proposed development have on surrounding land uses, traffic movements, servicing, and natural environment? How can these impacts be eliminated or minimized?

**b) A five year review shall be undertaken to the plan every 5 years. As part of this review, the Municipality may undertake a review of the boundaries of the plan area. If the Municipality feels there is need to extend development beyond the limits set by Schedule 'A', such extension shall require a comprehensive review.**

**If such a review of plan boundaries is undertaken, the review shall include:**

- i) An evaluation of projected population growth that may warrant the expansion.**
- ii) An evaluation of the existing vacant land inventory within the existing urban areas that could accommodate the projected growth,**
- iii) An evaluation of alternative options to accommodate the projected growth, including redevelopment, intensification.**
- iv) If expansions of the urban boundary are proposed within the "Agricultural" designation, an acceptable rationale as to the new growth cannot be accommodated on lands of lesser capability.**
- v) A consideration of the integration of any expanded areas with infrastructure and public facilities.**

### **6.3 THE COMPREHENSIVE ZONING BY-LAW**

The Municipality of South Bruce Comprehensive Zoning By-law is the principal tool available to implement the policy direction contained in the Official Plan. The Comprehensive Zoning By-law sets out detailed regulations that implement the broader policies of this Plan.

- a) It is the policy of the Municipality to amend the Comprehensive Zoning By-law to bring it into compliance with this Official Plan.
- b) It is the policy of the Municipality to refuse amendments to the Comprehensive Zoning By-law which do not conform to this Official Plan.

### **6.4 HOLDING PROVISIONS**

Through the Comprehensive Zoning By-law, the Municipality may determine that certain lands may be pre-zoned for development. In such cases, the Municipality may place a Holding symbol on the lands which prevents any development from taking place until the Municipality is satisfied that certain technical, servicing or environmental conditions have been completed to their satisfaction.

- a) The Municipality may use the Holding symbol where:
  - i) the owner/developer is required to enter into a Site Plan Control or Subdivider's Agreement to the satisfaction of the Municipality, but has not yet done so;
  - ii) the owner/developer is required to make satisfactory arrangements for the installation of sanitary or storm sewer, water and road services, but has not yet done so;
  - iii) the owner/developer is still seeking final approval for a plan of subdivision or condominium from the County, and/or the owner has not yet met all the conditions for having the lots or units ready for release;

- iv) the owner/developer is required to make satisfactory arrangements for parking, including a cash-in-lieu of parking, but has not yet done so;
  - v) the owner/developer has not yet demonstrated that the development and/or redevelopment within commercial and industrial lands is in accordance with the design and site criteria established by the Municipality; and,
  - vi) other matters, relating primarily to servicing issues, as deemed appropriate by the Municipality, which need to be addressed.
- b) When lands are placed under the Holding symbol, the use of the lands and buildings shall be limited to those that existed prior to the Holding symbol being placed on the property. In some circumstances, the Municipality may allow additions or alterations to existing uses.
  - c) The Municipality shall pass a by-law removing the Holding symbol from the property once it is satisfied that conditions are met and/or agreements entered into, which ensure for the orderly development of the lands.
  - d) the Holding By-law may reflect the conditions for removal, however, only any conditions shall comply with this section.

### **6.5 MINOR VARIANCES TO THE COMPREHENSIVE ZONING BY-LAW**

In certain instances, a proposal to construct a new structure or expand an existing structure, may not be able to satisfy one or more of the provisions of the Comprehensive Zoning By-law. In such cases, the individual may request the Committee of Adjustment to grant a "minor variance" from one or more of the requirements of the Zoning By-law in order to permit the development to proceed. ~~Where more than two variances are required, the application shall be deemed not to be minor.~~

- a) The Committee of Adjustment may consider granting a minor variance to a proposed development that cannot reasonably meet all the provisions of the Zoning By-law provided the development meets ~~complements~~ sound planning principles.
- b) Prior to considering a minor variance application, the Committee of Adjustment may require the applicant to demonstrate that the development is:
  - i) in keeping with the intent of the Official Plan;
  - ii) in keeping with the intent of the Comprehensive Zoning By-law;
  - iii) an appropriate and desirable use of land; and,
  - iv) truly minor in nature.
- c) If a minor variance application is approved, the Committee of Adjustment may impose conditions that shall ensure that the development has minimal impact on surrounding uses and satisfies reasonable planning criteria.
- d) The Chief Building Official for the Municipality shall be satisfied that all the conditions of the minor variance are met prior to the issuance of a building permit.

### **6.6 LEGAL NON-CONFORMING USES**

Certain uses, which legally existed prior to the passage of the Comprehensive By-law, but are not permitted in the new Zoning By-law are referred to as legal non-conforming uses.

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

- a) It is the policy of the Municipality that legal non-conforming uses should cease to exist in the long run. Additions, expansions or changes in use, which do not meet the policies of the Official Plan and the requirements of the Comprehensive Zoning By-law, should be discouraged.
- b) The Municipality recognizes that circumstances may exist where changes to legal non-conforming uses may be desirable given their economic, cultural, social or historical importance to the community. In such cases, the Committee of Adjustment may grant permission for an addition, expansion or change in use.

A change in use of a legal non-conforming use to a use which is still not in compliance with the Comprehensive Zoning By-law, but which is more compatible than the existing use, may be permitted by the Committee of Adjustment.

The Committee of Adjustment shall use the following criteria to assess the fore mentioned proposals. Failure to meet one or more of these criteria may provide grounds for refusal of the application by the Committee of Adjustment.

- ~~i) The proposed addition, expansion or change of use, shall not further increase the non-conforming nature of the property.~~
- i) The proposed addition, expansion or change of use, shall be in appropriate proportion to the size of the existing use.
- ii) The proposed addition, expansion or change of use, shall have minimal impact on the surrounding built environment in terms of projected levels of noise, vibration, fumes, smoke, dust, odours, lighting and traffic generation.
- iii) The proposed addition, expansion or change of use shall include the protection of surrounding uses through the provision of landscaping, buffering, or screening, appropriate setbacks for buildings and structures, or other measures which improve compatibility with the surrounding area.
- iv) The traffic and parking conditions shall not be adversely affected by the proposed addition, expansion or change of use - appropriately designed ingress and egress points to and from the site and improvements to sight conditions shall be considered in order to promote maximum safety for pedestrian and vehicular traffic.
- v) The site includes the adequate provision of off-street parking and where applicable, loading and unloading facilities.
- vi) The development is provided with, or can be serviced by municipal services such as storm drainage, water supply, sanitary sewers and roads.
- c) The Committee of Adjustment may place conditions on the approval for the addition, expansion or change in use of legal non-conforming uses. These conditions may include, but are not limited to, application of Site Plan Control, cash-in-lieu of parking, the installation of services and bonding.

## **6.7 LEGAL NON-COMPLYING USES**

Situations may exist where the present use of a parcel of land is permitted in the zone in which it is located, but the buildings located on the property do not meet one or more of the provisions of the zone. These situations shall be referred to as legal non-complying uses.

- a) It is the policy of the Municipality to permit the expansion, alteration and addition of non-complying uses, without Committee of Adjustment approval, provided that:
  - i) the expansion, alteration or addition does not further aggravate the existing non compliance of the use; and,

- ii) the expansion, alteration or addition does not create another non-compliance with the By-law.

## **6.8 INTERIM CONTROL BY-LAWS**

The Municipality has the authority, under the provisions of the Planning Act, to place a temporary prohibition on development where Council determines that special studies or a review of land use within a defined area is required before development proceeds.

The initial Interim Control By-law can be in effect for a one-year period, with a one-year extension if required.

The prohibition on development is to permit the Municipality to undertake a thorough review of its policies and take the necessary action to address any problem areas that are found.

- a) It is the policy of the Municipality to use Interim Control in circumstances where an immediate policy review of specific issues is required.
- b) After placing lands under Interim Control, the Municipality shall undertake a study of the issues associated with the lands forthwith and bring forward the necessary corrective action.

## **6.9 CASH-IN-LIEU OF PARKING REQUIREMENTS**

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

If a development is unable to provide enough parking spaces, the Municipality has the authority to offer an exemption from the parking requirements of the Comprehensive Zoning By-law and except a cash payment in-lieu of each parking space not provided.

- a) The Municipality shall adopt a Cash-In-Lieu By-law enabling it to accept cash payments in compensation for insufficient parking spaces involving development/ redevelopment proposals.
- b) It is the policy of the Municipality to consider the payment of cash-in-lieu of parking as an effective mechanism for encouraging a compact, efficient and viable downtown core.
- c) Monies raised through cash-in-lieu shall be placed in a special reserve fund, separate from general revenues, dedicated to managing existing public parking facilities and/or establishing new parking facilities.
- d) In order to encourage development/redevelopment within the downtown cores of Formosa, Mildmay and Teeswater, the Municipality may wish to have a cash-in-lieu fee which is less than the true cost of providing new parking spaces.

## **6.10 SITE PLAN CONTROL**

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

The Municipality may also require a proponent to enter into an agreement to ensure that work is carried out in accordance with the site plan.

- a) All lands within this Official Plan may be designated as a Site Plan Control Area.
- b) The Municipality may require drawings showing plans, elevation and cross section views for any building to be erected for any purpose.

- c) The Municipality may require the signing of a Site Plan Agreement as a condition of the development of the lands. Such agreements shall be required prior to the issuance of a building permit.
- d) Upon the execution of a Site Plan Agreement, the agreement may be registered on title of the lands and be binding on all future landowners.
- e) The Municipality may require the following provisions to be provided through the Site Plan Approval and Agreement process:
  - i) road widening of streets to the minimum road right-of-way widths in accordance with Municipal standards;
  - ii) off-street vehicular loading and parking facilities;
  - iii) lighting facilities of lands, buildings or structures;
  - iv) all means of pedestrian access;
  - v) landscaping;
  - vi) facilities for the storage of garbage and other waste material;
  - vii) required municipal easements;
  - viii) grading or alteration in elevation or contour of the land and disposal of storm, surface and waste water from the land; and,
  - ix) letter of credit or comparable security.

#### **6.11 HISTORICAL BUILDINGS**

Council will encourage the preservation and rehabilitation of buildings of historical significance in Formosa, Mildmay and Teeswater. Council will encourage the property owners to rehabilitate the buildings, and may place plaques on or near historical buildings which outline their importance and significance to the community.

#### **6.12 PLANS OF SUBDIVISION**

**New development shall generally occur by plan of subdivision or plan of condominium. Creation by consent shall occur only when a plan of subdivision is deemed not to be required by the Municipality.**

Prior to approving a Plan of Subdivision, the County requires that a developer satisfy all conditions placed upon the development by the Municipality or by the various government agencies and ministries. This process usually involves the developer entering into a Subdivision Agreement with the Municipality.

A Subdivision agreement provides the Municipality with a legal and binding mechanism to ensure that the design and servicing of the subdivision meets municipal standards, as well as allowing for some method of performance bonding should any costs be incurred by the Municipality in the completion of the subdivision.

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

**The Municipality should be satisfied that the terms of the Subdivider Agreement have been met prior to the lots being developed.**

- a) The Municipality shall not support Plans of Subdivision that do not conform to the policies of the Official Plan

- b) Prior to permitting the development of a Plan of Subdivision, the Municipality shall be satisfied that the development can be supplied with municipal services such as schools, fire protection, water supply, storm drainage, sewage and/or septic disposal facilities and road maintenance. Such development should not adversely affect the finances of the Municipality.
- c) The Municipality shall enter into a Subdivision Agreement as a condition of the approval of a Plan of Subdivision. Such agreements shall ensure that the necessary internal or external services will be provided by the developer to the specifications established by the Municipality, as expressed in Section 4.2 Municipal Services.

### **6.13 CONSENT TO SEVER LAND**

The Bruce County Land Division Committee has the authority for creating lots by consent and the granting right-of-ways and easements within the Plan Area. The County Land Division Committee shall consult with the Municipality in order to determine appropriate conditions that may be placed on the approval of any consent. The conditions required for a Plan of Subdivision are applicable to consents to sever.

- a) The Municipality may support applications to create lots by consent when:
  - i) the scale of development proposed or the total development potential of lands designated Residential would not require a plan of subdivision;
  - ii) the application represents infilling in an existing built up area and the proposed lots are in keeping with the lot area, frontage and density pattern of the surrounding neighbourhood. Infilling shall be defined as the creation of a lot between two existing principal buildings which are located on lots of a similar size and which are situated on the same side of the road;
  - iii) the creation of lots would not create or unduly affect traffic, access or servicing problems or create strip development;
  - iv) the lot or lots are located on an open public street of suitable standard and,
  - v) the application represents an orderly and efficient use of land and its approval would not hinder the development of the retained lands.
- b) The Municipality shall not support consent applications that do not conform with the policies of the Official Plan and the provisions of the Comprehensive Zoning By-law. Any alterations to the Zoning Bylaw shall be approved prior to the consent being granted.
- c) Prior to permitting the creation of lots by consent, the Municipality shall be satisfied that the development can be supplied with municipal services such as schools, fire protection, water supply, storm drainage, sewage disposal facilities and road maintenance. Such development should not adversely affect the finances of the Municipality.
- d) The Municipality may enter into a Subdivision Agreement and/or a Site Plan Control Agreement as a condition of the approval of consent applications. Such agreements shall ensure that the necessary internal or external services be provided by the developer to the specifications established by the Municipality.
- e) The Municipality may require land or cash in lieu under Section(s) 51.1(1), (2), (3), (4) and (5).

### **6.14 PROPERTY MAINTENANCE AND OCCUPANCY**

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

- a) The Municipality may utilize a Property Maintenance and Occupancy By-law, affecting all lands within the Plan area, regulating such matters as:
  - i) garbage disposal, pest prevention, structural maintenance of buildings, and cleanliness of buildings;
  - ii) servicing of buildings (plumbing, heating, electricity); and,
  - iii) maintenance of yards, waterfront areas, removal of weeds, debris, rubbish, abandoned boats, unlicensed or wrecked vehicles, trailers, vehicles etc.
- b) The Municipality may appoint a "Property Standards Officer" who shall be responsible for administering and enforcing the Property Maintenance and Occupancy By-Law.
- c) The Municipality may appoint a Property Standards Committee for the purpose of hearing appeals against an order by the Property Standards Officer.
- d) In addition to the enforcement of minimum standards on private properties, the Municipality shall undertake to keep all municipally owned properties and structures in a fit and well maintained condition and maintain, in good repair, municipal services such as roads, sidewalks, water and sewage facilities, etc.

#### **6.15 SIGN BY-LAW**

The Municipality has the authority to regulate, through a by-law and permit system, the placement of signs, notices, placards or other advertising devices on private and public lands. Under such a By-law, the Municipality may require the removal of signs not in compliance with the By-law, prohibit certain signs, levy fines against contraventions to the sign by-law, require licensing of those persons supplying mobile signs, in order to maintain the open landscape quality of the municipality and to compliment the integrity of the built environment.

In order to ensure the visual integrity of the roadside environment, it is the policy of the Municipality to adopt a Sign By-law addressing such matters as:

- i) appropriate location and dimension for signs advertising home businesses ;
- ii) prohibiting bill boards or similar advertising devices and third party signs;
- iii) criteria for locating directional and information signs on public streets and on public lands; and,
- iv) appropriate location and time limits for or the prohibition of promoting façade signs for the built environment that compliment the architecture of the structure and the neighbourhood.
- v) mobile signs

#### **6.16 PUBLIC CONSULTATION AND PLAN REVIEW**

The Official Plan attempts to clarify the planning direction and policies for those who become involved in the planning process in the Municipality.

It is the policy of the Municipality that all development applications are to be dealt with in a fair and expedient manner without undue time delays. The Planning Act, R.S.O., 1990 sets out regulations that strive to ensure that this policy is achieved.

In order to meet this goal the Municipality will require "complete" applications prior to initiating the review process.

The municipality shall initiate a review of this Plan every five years or such other time as specified in the Planning Act.



## 6.17 FINANCE

This Plan makes reference to a number of community initiatives under the responsibility of the Municipality. However, the Municipality shall provide and improve services in a fiscally responsible manner. This Official Plan has a life expectancy of 15 to 20 years and all of the projects and priorities referred to in the Plan cannot be initiated or implemented as soon as the Plan is adopted.

- a) The Municipality shall not grant approval to any development unless it is in a financial position to provide and or to maintain the services required by such development.
- b) The Municipality shall promote the establishment of a diverse and stable economic base both in terms of job opportunities and tax revenue.

## 6.18 PUBLIC WORKS AND THE OFFICIAL PLAN

It is the policy of the Municipality that all public works shall be carried out in accordance with the policies of this Official Plan.

## 6.19 SEWER SYSTEM AND MUNICIPAL WATER PHASING

This Plan promotes the installation and connection to, full municipal services, throughout the Plan area but recognizes that this level of infrastructure may not be realistic because of physical and economic constraints. **For Teeswater and Formosa the interim servicing policies of section 6.20 shall apply. Development in Mildmay shall occur on full municipal services.**

~~As such, this Plan has provided for development on private services, partial services and for full municipal services.~~ **Essentially**, the Plan encourages land uses which produce large amounts of wastewater, **and all non domestic sewage waste producers** to be located in areas serviced by municipal sewer systems.

- a) It is the intention of the Municipality to expand the existing level of municipal servicing to areas that can be reasonably serviced with sanitary sewers and/or municipal water.
- b) In order to ensure that new developments are properly serviced, proponents of new development shall be required to provide information and/or plans addressing the following items:
  - i) sanitary sewers, including all necessary manholes and service connections to each lot;
  - ii) water mains, hydrants, valves, valve chambers, and connecting services to each lot;
  - iii) road width, surfacing, elevations, etc.;
  - iv) storm water drainage works and overland surface water flow, diversion of weeping tile or roof drainage from the sanitary system;
  - v) seeding or sodding of boulevards between curb line to property line driveway entrances;
  - vi) foot and cycle paths;
  - vii) electrical distribution, street lighting and street signs and,
  - viii) where development is proposed on individual or communal water supply and subsurface sewage treatment systems, information on availability of bedrock water supplies and potential interference with nearby wells, suitability of soils percolation rates, soil depth and type, ground water impacts including, nitrate loading, elevation of water table, karst situations, and surface water impacts.

## 6.20 INTERIM SERVICING STRATEGY

The Mildmay settlement area is fully serviced while Teeswater provides municipal water only and Formosa contains no municipal water or sewer services. It is the long term objective of this plan to have full services in all three settlement areas and to initiate the necessary environmental studies to obtain this goal.

In the interim, in order to be consistent with the provincial policy statement and County Official Plan, development should be controlled in such a manner as to ensure the protection of ground water resources. For this reason development on partial or partial services shall meet the following development criteria:

- Uses are limited to those uses that would not normally require excessive amounts of water or generate large volumes of waste water and limited to those that produce only domestic waste;
- new lots for residential development should be of a size and dimension to permit the lots to be divided to create two or more suitable sized lots serviced by full municipal services;
- Development of new lots shall be a minimum of 2 acres on private services, and 1 acre on partial municipal services;
- Permitted lot areas may be reduced, provided the municipality undertakes a comprehensive settlement capacity study, which examines the ability of the entire given settlement area to accommodate new growth;
- Large Commercial, Residential and Industrial development or redevelopment proposed on partial or private services must demonstrate that the development can adequately be serviced by partial or private services without causing detrimental effects to the existing services and environment. These uses shall be encouraged to locate in Mildmay. If multi-unit residential redevelopment is proposed on a single lot, an examination of the ability of the lot to accommodate the development on private or partial services shall be undertaken in accordance with MOEE Guideline D-5-4. The results of such investigations may dictate larger lot sizes;
- Where development is proposed on individual or municipal water supply and subsurface sewage treatment systems, the municipality may require additional information to ensure that (1) bedrock water supplies are protected (2) interference with nearby wells is avoided (3) soils are of a suitable percolation rate (, soil depth and type) are suitable, (3) ground water impacts including ( nitrate loading, elevation of water table, karst situations, and surface water are avoided.

## 6.21 PHASING OF DEVELOPMENT

The Municipality's Phasing Plan represents the ideal strategy given the servicing capabilities of the Municipality at the time of adoption of this Plan. The Phasing Plan recognizes that there are significant undeveloped lands within the urban boundaries to which the provision of municipal sewer and water can be costly. The Plan therefore directs short term growth to certain areas within the urban boundaries until such time as the existing municipal sewer and water infrastructure can be expanded to include all of the urban area.

Minor adjustment to the boundaries of the Phased Areas shall be permitted without an amendment to this plan.

Development shall proceed in accordance with the following Phasing policies:

### a) Phase One Area

The Phase One area has top priority for municipal service allocation. This area represents the urban area which is currently designated for development.

Prior to development of any areas outside of the Phase One Area, the Municipality shall be satisfied that adequate capacity shall be available to Area One. Additionally, the Municipality shall be assured that enough capacity exists to permit infilling and intensification within Phase One Area.

**b) Phase Two Area**

The Phase Two Area represents the area designated for Future Development, but which is not yet serviced by municipal sewer and water services. It is intended that municipal services shall not be extended to the Phase Two Areas unless it can be shown that sufficient capacity exists to service the phase One area well into the future (including opportunities for infilling and intensification in Phase One Area).