

THE CORPORATION OF THE TOWNSHIP OF PRINCE

BY-LAW 83-6

OFFICIAL PLAN ADOPTION: A by-law to adopt the Official Plan for the Corporation of the Township of Prince

THE COUNCIL of the Corporation of the Township of Prince pursuant to sections 13 and 17 of The Planning Act, R.S.O. 1980, chapter 379 and amendments thereto, ENACTS as follows:

1. ADOPTION OF OFFICIAL PLAN

The Council hereby adopts as the Official Plan of The Corporation of the Township of Prince the document attached as Schedule "A" to this by-law.

2. APPLICATION TO THE MINISTRY

The Clerk shall make application to the Ministry of Municipal Affairs and Housing for approval of the Official Plan.

3. EFFECTIVE DATE

This by-law comes into force on the date it is approved by the Minister of Municipal Affairs and Housing.

Read THREE TIMES and PASSED in open Council this 27th day of July, 1983.

D.V. Hammond

REEVE - DAVID EDGAR

L.K. Konkin

CLERK - LUCY KONKIN

**THE OFFICIAL PLAN
of the
TOWNSHIP of PRINCE.**

JULY 27, 1983.

This selected group of policies is taken from the Sault Ste. Marie and Suburban Planning Area Official Plan. They will guide the development of the Township of Prince until an Official Plan for the Township has been developed. It shall be known as the Township of Prince Official Plan.

COMMERCIAL

The predominant use of land in commercial areas shall be for the buying and selling of goods and services, offices, cultural, institutional, custom workshops i.e. tailoring, dressmaking, etc., and incidental uses where deemed appropriate, including apartments over commercial facilities, or in the rear of one-storey neighbourhood commercial facilities, except that the amenities necessary to preserve the residential environment shall be provided. Included in these areas in addition to retail stores and service establishments are: community halls, arenas, parks, parking areas, highway commercial uses, and automobile service stations. Highway commercial uses and service stations will be subject to the special policies set out below.

Automobile Service Stations

Shall mean land or buildings particularly designed so as to facilitate the sale of gasoline and may include the sale of oil, grease, minor servicing to the automobile and may include an area for work carried out by a licensed mechanic and may also include as accessory and incidental thereto, such commercial uses as restaurants, confectionery stores, gift shops but shall not include such work as normally carried out in an automobile body repair shop. Future sites will not be provided for in this plan but such sites will be the subject of amendments to the implementing zoning by-law applicable. The Council shall be completely satisfied that the principles governing the development of service stations and gas bars as outlined below will be complied with in all respects.

Free-standing gas bars may be permitted and gas bars may also be permitted when accessory to or associated with other automobile oriented uses. Accessory to or associated with shall mean having a direct physical relationship where physical space between the two uses is unimpeded by roads, driveways and buildings, between the gas bar and the other use and also shall mean a functional relationship with the other use - the other use must offer an automobile-oriented service such as car washing, auto sales, auto part sales, auto repairs, etc. Gas bars accessory or associated with car washes may be operated independently if the design of the operation allows such operation. Washrooms shall be available to the public.

In determining the suitability of any particular site for a service station or gas bar, the following principles shall govern:

1. The traffic flow on any street shall be examined in the area of the site and Council shall be satisfied that the proposed use at that location will not give rise to serious congestion or danger

to vehicular or pedestrian traffic.

2. The road grade adjacent to any particular site shall not create a traffic or safety hazard.
3. Sites will not be encouraged adjacent or opposite to school or public recreation property.
4. Each lot shall be large enough to permit proper location of the building and gas pumps and the lot should be as nearly rectangular as possible. All driveways and parking lots shall be paved with a durable, dust free, all weather hard surface, to maintain a high calibre of appearance.
5. Access points to each site shall be limited in number and designed in a manner which will minimize the danger to vehicular and pedestrian traffic in the immediate area.
6. Adequate buffering shall be provided as will be required in the implementing zoning by-law between any site and adjacent residential properties.

The following principles shall govern the development of commercial areas:

1. Sufficient off-street parking facilities shall be provided as will be required in the implementing Zoning By-law to avoid on-street parking. In respect to neighbourhood commercial centres, off-street parking in front yards shall be avoided whenever possible. All driveways and parking lots shall be paved with a durable, dust free, all weather hard surface, to maintain a high calibre of appearance.
2. Access points to such parking areas will be limited in number and located to minimize danger to pedestrians and traffic in the immediate area.
3. Adequate setbacks shall be instituted to guarantee the flow of sunlight to street level.
4. Adequate buffering shall be provided as will be required in the implementing Zoning By-law between commercial uses and adjoining residential properties in the form of landscaped areas, which may include a fence or hedge of suitable height.

INSTITUTIONAL

Institutional shall mean those uses, designated, adapted, or used for medical, surgical, charitable, academic or vocational or religious instruction purposes, and treatment or care of persons either physically or spiritually.

The following principles of development shall guide the development of Institutional uses:

1. To promote a park-like setting in the area by adequate standards of setbacks and sideyard, which yards shall be landscaped to promote this desirable environment.
2. Sufficient off-street parking shall be provided as will be required in the implementing Zoning By-law, in order to avoid on-street parking. All driveways and parking lots shall be paved with a durable, dust free, all weather hard surface, to maintain a high calibre of appearance.

RESORT AREAS

Shall mean the use of land, building or structure for intermittent periods of the year the use of which results from some form of recreation activity such as a summer cottage, ski chalet, hunting lodge, retreat, or use of other buildings and structures for either active or passive forms of recreation. Commercial uses to serve these resort areas are also permitted. Permanent housing by people engaged in the servicing of these resort areas will be provided for in any implementing by-law. Septic tank fields shall be set back 30.5m from the high water mark of lakes and water courses.

The following principles shall govern the development of resort areas:

1. The resulting development will in no significant way contribute to the demand for the enlargement of schools, for extension of existing urban services or for demands for further urban services above the level presently provided by the municipality.
2. Soil and drainage conditions are suitable to permit the proper siting of buildings, supply of potable water and the installation of an adequate means of sewage disposal.
3. For any subdivision intended for cottage development along a major lake or water body, Council shall ensure that adequate areas for public recreational and conservational uses are secured in selected locations along such water frontage.
4. Summer cottage subdivisions should be so designed to avoid the complete encirclement of the shoreline of a lake with a single row of cottage lots. Instead, a comprehensive design should be encouraged rather than the individual and haphazard sale of cottage lots, assuring maximum use of the water frontage for both private and public use.

OPEN SPACE

Shall include lands held under private or public ownership and used for private recreational or agricultural purposes. Such land shall be kept open and free from all buildings and structures.

Wherever possible, an open space system, based on natural features, easements, etc., will be established throughout the area.

Where lands are held under private ownership, this plan does not indicate that open space areas are free and open to the general public nor does this plan indicate that the lands shall be purchased or acquired in some other manner by the municipality. If proposals are made to develop any such land and the municipality does not wish to acquire a right to the use of such lands through such means as purchase, easement agreements, dedication, etc., in order to maintain the open space, then an application for the rezoning of such lands for other purposes will be given due consideration by the municipality in co-operation with the Ministry of Natural Resources and the Medical Officer of Health. If development in accordance with the abutting land use is deemed appropriate, no amendment to the Official Plan is required.

The intent of this designation is to preserve natural features and as a prerequisite of any development on Open Space lands, the municipality shall require appropriate conditions to maintain this intent.

Subject to the above, development will not be permitted:

- (a) on lands covered by water or marsh
- (b) between the rims of a river bank or watercourse
- (c) between the top and toe of a cliff or embankment with a slope of 25% or more from horizontal
- (d) lands required for creek improvements
- (e) septic tank fields shall be set back 30.5m from the high water mark of lakes and water courses.

The Municipality will request the Minister to impose the condition of Section 28(5)(a) or 28(8) of The Planning Act in considering approval of plans of subdivisions.

erosion, desecration of vegetation or silting of the Reservoir or any other detrimental effect to the valley system, construction of buildings may be permitted up to a minimum of 10.7m from the valley rims of the tributary streams.

Slope Land Development

A. General Policy

It shall be the policy of the municipality to preserve and improve the escarpment and ravine areas designated Open Space in the Official Plan to:

1. protect the scenic vistas
2. protect environmentally fragile areas,
3. protect surrounding property values, and
4. preserve and develop open space systems for the benefit of the municipality at large.

B. Open Space Design Criteria

Design of the escarpment and ravine open space systems will be undertaken in co-operation with Municipal Officials and the following general criteria will apply:

1. Walkways will be required as part of a linked open space system. The walkways will be located on lands with less than 15% slope and shall preserve environmentally sensitive areas.
2. Walkways shall have a minimum width of 1.5m and a minimum buffer area of 4.6m on either side. (10.7m total)
3. Areas which make up part of the regional open space system should have a minimum width of 91.4m.
4. Final design subject to review by Municipal Officials and standards may be varied for specific proposals.

C. Development Criteria

1. Lands in excess of 25% slope are defined as hazard lands and no development will be permitted. In new development and new plans of subdivision, these lands should be dedicated to the municipality at no cost.
Where such lands are presently zoned for development, the municipality may purchase these lands at net residual value; i.e., lot-value - improvement cost.
2. While lands with a slope between 25% and 10% will be considered for development, lands with a slope between 15% and 25% are difficult to develop, usually require uneconomic improvements and are usually non-developable. Detailed review to the satisfaction of the Municipal Officials, Conservation Authority

and the Recreation Committee of the following may be required:

(a) Lands presently zoned to permit development:

1. Professional engineering consultant to conduct review of services required as above including soils and natural drainage.
2. Purchase of the lands at net residual value will be considered by the municipality where considered in the public interest in conformity with General Policy #A.
3. Lands with slope less than 10% shall be permitted to develop at single family.

In these cases, the studies similar to the above may be required to the satisfaction of Municipal Officials.

D. Land Acquisition

Public open space as it relates to slope lands will be acquired through purchase or dedication by the following means:

1. Lands over 25% slope will be dedicated to the municipality.
2. Five percent (5%) of the lands within a proposed subdivision will be dedicated to the municipality for park purposes (Section 33, subsection 5, of The Planning Act).
3. One point zero one hectares (1.01 ha) per 1,000 people above a single family density will be dedicated to satisfy the park levy.
4. Environmentally sensitive areas will be dedicated or prevented from developing under zoning and development control legislation.

E. Implementation and Enforcement

To implement the slope policies, the municipality should undertake a detailed review of:

1. Lands required as open space along the escarpment and ravines; i.e. having development problems and/or required as part of a recreational system. Where not presently included in the Official Plan, the Official Plan should be amended to designate these lands.
2. Lands identified under (1) should be clearly indicated on the municipality's "zoning consolidation maps" for detailed review by Municipal Officials before rezoning or issuance of a building permit.
3. The Conservation Authority should budget funds for the acquisition of slope lands where necessary.

4. The Township Engineer and Building Inspector should carefully inspect all sites which may present problems for development and require professional engineering design and construction supervision of any approved improvements. Improvements should be installed before building permit will be issued on other structures or buildings.
5. In the interest of retaining the quality of tree growth in ravines, a storm drainage system should be provided to protect existing ravines from any increased storm run-off.

PARKS AND RECREATION AREAS

Shall mean lands for private or public use for passive or active recreation purposes and such lands shall be kept open and free from all buildings and structures except for a small percentage on which buildings and structures may be erected for purposes incidental to recreational purposes. Such purposes include public parks, playgrounds, community centres, outdoor theatres, camp sites, beaches, tennis courts, arboretum, zoological gardens, scenic and historic sites and other publicly owned open space, and may include private recreational uses such as golf courses, etc.

Certain designations made on the plan include schools, for which it is desirable that additional lands may be required. New schools may be erected on lands designated as Park and Recreation only in the event that sufficient lands for both uses, based on the standards of this plan, are available.

Wherever it is possible an open space system, based on natural features, easements, schools, parks, etc., will be established to provide safe and pleasant pedestrian walks throughout the area.

Where any lands are designated for parks and recreation and are held under private ownership, this plan does not dictate that land will necessarily remain as such indefinitely, nor shall it be construed as implying that open space areas are free and open to the general public, or shall 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 designation of said lands for other purposes will be given due consideration by the municipality. Septic tank fields shall be set back 30.5m from the high water mark of lakes and water courses.

The municipality will request the Minister to impose the condition of Section 28(5)(a) or 28(8) of The Planning Act in considering approval of plans of subdivisions.

RURAL AREAS

These areas are outside the anticipated requirements for the growth of the urban area by 1985. The rural areas are protected from extensive development and subdivisions as a future reserve, and as greenbelts around the urbanized area. Full services and public utilities will not be available within the period of the plan. While the character of these areas are rural, they may include such uses as agriculture, reforestation, institutions, universities, colleges, existing schools (new schools should be discouraged in the Rural Area), extractive and lumbering industries, recreational areas, and limited residential development.

Residential development south of the Shield Line will be permitted subject to the policies under the sub-heading Rural Residential. The only form of development permitted as of right now is individual lot development. Other housing forms such as mobile home subdivisions and parks, strip residential, rural estates and hamlets will be subject to an Official Plan and Zoning By-law amendment.

Extractive land uses such as sand and gravel pits and quarries shall be the subject of further consideration under a sub-heading of "natural resources" as herewith provided at the conclusion of this paragraph. Uses such as asphalt and cement plants may be allowed but only by specific rezoning. However, Council before approving rezoning shall be satisfied that adequate provisions relating to setbacks, yards, and landscaping have been provided in order to protect surrounding uses. Other commercial uses may include a rural service centre necessary for the day to day needs of the rural population and tourist trailer parks on not less than 10 acres, subject to a site rezoning and subject to the Trailer Parking By-laws. (Section 379 of Municipal Act)

Partially undeveloped subdivisions, or lands whose development have been approved at the date of adoption of this plan, may be developed on the basis of existing services. No extension or enlargement of an area already approved for redevelopment will be considered in the rural area.

Natural Resources

Shall include all of those uses such as the extracting, excavating, processing and mining of sand, gravel, coal, oil, gas or, without limiting the foregoing, minerals extracted by means of open pit and shaft mining operations which shall include quarries, and the establishment of sanitary land fill operations.

The following principles shall govern the development of natural resource areas:

- (1) The minimum area of land from which sand and gravel pit or quarry may be commenced shall be approximately 4.05 hectares.
- (2) A reasonable amount of undisturbed land shall be retained in order to buffer abutting properties and aid in rehabilitation of the operation.
- (3) Excavations shall be set back from any public road.
- (4) Vegetative screens, fences and earth berms shall screen the operation from public view.
- (5) The pit operations shall be set back from nearby residences in order to minimize noise from excavation machinery and pollution of the air by dust.
- (6) Public thoroughfares to be utilized by heavy truck traffic shall be of an adequate standard and reasonably free of residential development.
- (7) The implementing zoning by-law shall establish a natural resource zone and all future resource uses shall be subject to specific rezoning and approval of the Conservation Authority is required.
- (8) Extractive uses shall not be permitted in close proximity to any school.
- (9) Sand and gravel pits shall not be permitted along the Shield face in order to preserve this land forms scenic potential and natural beauty but may be permitted north of the Shield Line if sources south of the Shield Line are proven to be inadequate.
- (10) Sand and gravel pit operations shall not be permitted where there is a possibility of polluting the aquifer recharge area.
- (11) Pits and quarries shall not be permitted where they will drastically alter the surface drainage pattern.
- (12) Pit and quarry operators shall maintain adequate fencing of their property to prevent children from entering the pit and from snowmobile and other recreational vehicles from entering

the area.

- (13) New pit and quarry operations must file adequate development and rehabilitation plans prior to the commencement of any operations.
- (14) Abandoned pits and quarries shall have slopes stabilized by means of leveling and grading the floor and sides of the pit and the area within 91.4m of their edge or rim so that they will not be dangerous or unsightly, and this shall include re-establishment of vegetation in the area of the pit sides and floor.
- (15) Rehabilitation plans shall ensure adequate grading and slope stabilization to no more than the natural angle of repose, the re-establishment of natural tree cover and ground cover. The removal of all buildings or structures and the prevention of public vehicular access to the site.
- (16) After the completion of the extraction of minerals from the lands zoned in the implementing by-law, the same shall be rehabilitated in accordance with the plans filed with the municipality or, if abandoned, the pit shall be rehabilitated so as to blend into the natural landscape. This policy shall be implemented by a by-law passed under Section 35(a) of The Planning Act, or Section 354, paragraph 123, and Section 453, paragraph 6, of The Municipal Act R.S.O. 1970.

Rural Residential

1. General Policy Area

The following policies apply to residential development in the area designated "Rural" on Schedule "A" to the Official Plan.

2. General Policy Constraints

Rural Residential development will not occur in the following areas:

1. Environmentally sensitive areas where severe environmental damage might result from the development or where the characteristics of an area make it unsuitable for residential development.
2. Lands designated Parks and Recreation, and Open Space or lands having potential for Parks and Recreation or Open Space uses.
3. Lands north of the Shield Line.
4. Class II and III Agricultural Lands (with the exception of farm related severances).
5. Lands having potential for extraction of mineral aggregate.
6. Lands that should be preserved for Future Urban Development.
7. Lands that are adversely affected by noise sources such as airports, highways and industrial operations.
8. Areas where existing or proposed utilities, highways, railways, and hydro transmission lines would be adversely affected.

3. General Servicing Policy

The general servicing policy in the Rural Area can be summarized as follows:

- (i) All forms of development shall be serviced with individual wells or sewage systems to meet the requirements of the Algoma Health Unit and/or Ministry of the Environment.
- (ii) Class VI treatment systems or other sewage treatment systems will only be permitted where septic tanks are shown to be unsuitable. These Class VI systems have high maintenance costs and it is uncertain as to whether systems will be properly maintained. Ministry of Environment standards of 90,920 l.p.d. maximum flow will prevail (equivalent of 135 persons or 35-40 dwelling

units).

- (iii) The minimum lot size for a lot that is to be serviced with a private well and sewage system shall be 1393.5 square metres. All lots should be capable of supporting a second tile field. It should be noted that if fill must be imported for the field and development of the lot precludes the importation of soil for the second field, soil for both fields will have to be placed at the time of development.
- (iv) No development that requires municipal storm and sanitary sewers will be permitted.
- (v) All wells will be deep wells with a minimum casing depth of 6.1m.
- (vi) All Rural Residential Development should be serviced with a minimum paved road and open ditch.
- (vii) Special consideration shall be given to the water quality of surface and subsurface runoff in order to minimize the impact upon streams and aquifer recharge areas.

4. General Rural Residential Policy

The policies set out in this section relate to single family residential units that are not related to a farm or other rural use (i.e., non-farm residential development).

- (i) Rural Residential Development approvals shall not exceed 100 lots or units per annum (individual lot development shall be excluded).
- (ii) Rural Residential Development allocations will be reviewed on an annual basis.
- (iii) Rural Residential Development shall retain and enhance wherever possible the qualities of the rural landscape.
- (iv) Rural Residential Development shall not take place at such a density or in such a set of physical circumstances that may make urban services necessary or extensions possible in the future.
- (v) Only existing lots can be utilized within the existing and proposed airport noise zones. These dwellings must conform to existing Provincial and Federal regulations.

5. General Procedures

All applications for rural residential development (including

severances) shall be subject to the following considerations:

- A report from the Planning staff stating an opinion on the proposal in relation to established planning policies and zoning regulations.
- A report from the Algoma Health Unit and/or the Ministry of the Environment as to the likelihood of suitable water supply being available and evidence of their requirements and approval of the proposed system of sewage treatment and disposal.
- A report from municipal staff which considers such aspects as access, suitability of site for buildings and other related municipal matters;
- and
- Reports from governmental agencies such as the Conservation Authority, Ministry of Natural Resources, Ministry of Transportation & Communication, etc., as considered desirable.

All applications for Rural Residential Development will be judged on their merits and subject to the adopted policies of the Official Plan for the Rural Area and guidelines adopted by the municipality from time to time.

Applications for Rural Estate, Mobile Home Development, Infill Residential and Village Development shall require an Official Plan Amendment prior to rezoning and subdivision approval and specific development control agreements may also be required.

Applications for individual lot development will require a severance application.

Applications for infill residential development shall be by plan of subdivision if more than two lots are to be created.

6.1 Specific Policies

Individual Lot Development

Development by individuals on lots on existing roads requires a policy. This form of individual lot development has been the basis of most Rural Residential Development. In general, the following policies will guide individual lot development or severances as it is sometimes referred to.

- All individual lot development shall be governed by the general rural residential policies and policy constraints.
- Individual developments should be in conformity with Rural Area Official Plan policies.
- Variances beyond 10% should not be granted.
- Severances for individual lots will be limited to two (2) per existing parcel on October 21st, 1968.
- Land subject to the severance application should front on a public road which is of an acceptable standard of construction. Severances should front on a minor road if possible and not a Provincial Highway.
- Where the land to be severed fronts on a Provincial Highway, the Ministry of Transportation & Communications and/or the Municipal Engineering Department should be satisfied that the Highway will not be detrimentally affected.
- A severance for individual lot development should not be granted if a potential traffic hazard would be created because of limited sight lines on curves or grades.
- Individual lot development should not be permitted if the development creates a strip development or extremely isolated, remote residential development. Consents for Individual Lot Development will not be granted unless the Ministries of Agriculture and Food, Natural Resources and Environment indicate provincial interests will not be affected.
- Consents for rural non-farm residential severances (on Class II and III Agricultural Land) should generally be discouraged - consents may be considered under the following circumstances, however;
 - A lot to be retained by a farmer for his personal use when he retires or sells the farm. Such a lot need not be restricted to the farm under consideration but rather may consist of a parcel located elsewhere in the rural area of the same municipality which may be deemed most suitable.
 - When two or more farms are amalgamated and an existing

house becomes surplus to the need of the farmer, this house may be severed by consent.

- Where a bonafide farmer wishes to sever a lot for persons, who are also engaged in agricultural work on a full time basis on his farm.
- Where a bonafide farmer wishes to sever a lot for his immediate family who are engaged in agricultural work on the farm on a part time basis.
- Consents, for non-farm residential that is non-rural related, if permitted, should be located in an area of infilling or concentrated existing residential uses, i.e., part of the existing settlement pattern of the Rural Area.
- Records shall be maintained of all severances based on the pattern of ownership at the time severance policy was established in the municipality.

6.2 Infill Residential Development

Infilling or strip development occurs as a result of an accumulation of severances on a main road frontage subdivision or a series of small, older lots created prior to subdivision control. The following shall be considered as part of an overall review:

- Infill residential should not be permitted in an undeveloped or isolated areas.
- Infilling should not be permitted unless it constitutes infilling between existing development.
- Infilling residential development shall front on a public street which is of a reasonable standard of construction.
- Infilling residential shall not be permitted on Provincial Highways or arterial routes.

A full consideration of traffic hazards and safety factors shall be carried out for all infilling residential developments.

All infill development proposals that involve more than two new lots being created shall be carried out by plan of subdivision.

The following procedures will guide the review of infilling

development.

- Amendment to the Official Plan will be required for expansion of any infill area or designation of any infill area. Rezoning will be necessary to permit an infill residential project in the Rural Area.

6.3 Rural Estate Subdivision Development

In general, Rural Estate Subdivisions are the preferred form of development because it provides the desired rural atmosphere and limits impact upon municipal infrastructure.

The following components will make up the policy:

- Rural Estate Subdivisions shall always be carried out by plan of subdivision.
- All Rural Estate Subdivisions shall be for single family residences, together with such other uses as parks, recreation facilities, and public utilities and shall be serviced by an internal public street system.
- The following areas are unsuitable for development as Rural Estate Subdivisions:
 - Areas forming an extension of any hamlet or concentrated existing residential area.
 - Areas within or adjacent to existing or future commercial or industrial lands.
 - Areas in proximity to existing or future dumps or quarries
 - Areas liable to flooding or otherwise with a high water table and adjacent to stream valleys.
 - Areas which are featureless by way of being flat and treeless.
 - Areas which would form an extension to an existing strip residential development along a concession road.
 - Areas which are unacceptable for a residential environment

because of their location in relation to major highways, airports, railways, hydro transmission lines and other surface utilities.

- Areas in proximity to existing or proposed intensive or specialized agricultural uses which are of an obnoxious nature.
- Areas subject to the policy constraints previously mentioned.

The physical scale and nature of the residential development shall be such that the rural character of the area is not replaced by a built-up urban appearance.

The site proposed must have scenic potential, good vegetative cover and rolling topography.

Access to significant scenic vistas and landforms should be preserved.

The total number of lots in one complete development should not exceed fifty (50) lots.

The design of Rural Estate Subdivisions shall provide for a range of lot shapes directly related to the site's topography, vegetation, soil and drainage characteristics, the governing criterion being to retain a semi-rural character in the development and discourage urban density forms and appearance.

Rural Estate Subdivisions shall be subject to all other Municipal policies relating to dedication of park space, slope land policies and other criteria as adopted from time to time.

The naming of estate residential developments shall be to the satisfaction of Council.

6.4 Village/Hamlet-Area Policies (Residential Centres)

A number of potential village/hamlets may exist in the Rural Area. The municipality may wish to identify preferred locations for this form of development. However, general policy guidelines can be outlined and are now described. They are set out as follows:

- All forms of rural housing are permitted in the identified "hamlet" areas, except rural subdivision and rural estate subdivisions.
- The following policies should be determined:
 - "Hamlets" should be differentiated to determine which centres will be encouraged to expand, and which will be limited in growth.
 - For those hamlets in which growth is to be encouraged, a Secondary Land Use Plan should be prepared as part of the Official Plan. This would provide specific designations for residential, commercial and industrial growth.
 - It is a policy that no development in village/hamlet areas is connected to the urban water supply and sewage treatment system.
 - Where lands are designated as "hamlet", the predominant use of land shall be for housing within the confines of small rural settlements. Other permitted uses shall include community facilities, institutional and local commercial uses designed to serve the hamlet and the surrounding rural area. Limited craft and home-based industries will be permitted provided they are compatible with the overall character of the hamlet, together with rural service industries.
 - Development around the existing hamlets shall be confined within areas designated on the Secondary Plans.
 - Where new housing is planned within a hamlet, its form and setting should be appropriate to the features and character of the hamlet.
 - Existing public institutions within the hamlets, including churches, schools, post offices and meeting halls should be retained and expanded where possible to fulfill present or anticipated needs.
 - The scale of new development in hamlet areas shall generally be such that no significant demand for additional municipal services will be required.

- Large retail commercial uses which do not primarily serve the hamlet and its surrounding rural area shall be discouraged.
- Residential subdivisions forming a major extension to a hamlet should not be allowed.
- In general, new lots which economize on the use of land without disturbing the existing pattern of development or prejudicing the layout of future development shall be considered acceptable.
- Proposed severances which would have the effect of blocking potential points of access or further fragmenting ownership of lands should be refused pending study of the area and approval of an overall development plan.
- Uses rendered obnoxious by reason of noise, odour, dust, fumes, vibration, inappropriate lighting or signs, refuse matter or waste, hazards, invasion of privacy, unnecessary overshadowing, interference with radio and television reception, unsightly appearance, unsightly outside storage of display, or other incompatible features, shall not be permitted in hamlet areas.

OTHER MAJOR USES

Major publicly owned uses not covered by any of the above categories are indicated by this designation. These include the Federal Airport, Provincial Fish Hatchery, Provincial Sea Plane Facilities, Municipal Sewage Disposal Plant, Water Treatment Facilities and Municipal cemeteries, etc. In most instances, this category is intended to confirm existing uses and to permit the subject lands to be zoned for the existing use, subject to appropriate regulations. In the case of new uses, each will be considered on its own merits before amendments to this plan and implementing Zoning By-laws are made.

Non-Conforming Uses

It shall be the policy of the Council to reduce the number of non-conforming uses wherever and whenever possible by their replacement with compatible conforming uses. The Council will accomplish this by the Maintenance and Occupancy By-law and the conservation, rehabilitation and redevelopment programs.

Where an application to permit an extension or enlargement to a non-conforming use is for a purpose which does not conform with the land use designation of the Official Plan, Council may pass a by-law pursuant to Section 35(21) of The Planning Act, to permit such an extension or enlargement, without amending the Plan. Prior to such action, Council shall require a report from the Planning Board commenting, where appropriate, on the following matters relating to the non-conforming use.

The Committee of Adjustment in reviewing any application for an extension of a non-conforming use or the restoration and renovation of a non-conforming use shall have regard to the same matters outlined below.

- (a) The proposed extension or enlargement of a non-conforming use shall have regard to the policies of the Official Plan and standards of the zoning by-law.
- (b) The proposed extension or enlargement shall be related to the size of the non-conforming use on October 21st, 1968.
- (c) If the acceptance of the request would extend the boundary of the land use designation in the Official Plan, it shall only be considered if it is a minor adjustment allowed under the flexibility clause. Major adjustments will require an Official Plan amendment.
- (d) Adverse effects of this expansion or enlargement of the non-conforming use such as noise, vibrations, fumes, smoke, dust, odours, lighting and traffic generation capacity shall be considered and if the extension would significantly increase or add any of these nuisance factors, the application should be denied.

- (e) Neighbouring conforming uses to the Official Plan shall be protected through landscaping, buffering, screening, setbacks and regulations governing outside storage, lighting and advertising signs.
- (f) Traffic safety and parking conditions will not be adversely affected and appropriate governing by-laws should apply.
- (g) Adequate provision should be made for off-street parking and loading facilities.
- (h) Adequate municipal services should be available or can be made available.

In addition to the above, in all cases where an established non-conforming use seriously affects the amenity of the surrounding area, consideration shall be given to the possibility of ameliorating such conditions, especially when public health and welfare are directly affected.

See also policies on Special Industrial Area and Holding Category.

Waterfront Lots

All those water lots adjacent to land or the existing shore line shall be designated the exact land use as the land which it abuts.

Housing and Urban Renewal

The enforcement of minimum standards of the maintenance and occupancy by-law consistent with an upgrading of these areas with municipal services will be carried out, as finances permit, in the municipality.

General

The Thoroughfare Plan is designed to facilitate the movement of people and goods to and from the various land use areas within the municipality as well as through the municipality. The plan is intended primarily as a guide to Council in acquiring land for the improvement of the network of streets and roads. When considering plans of subdivision and restricted area by-laws, setbacks, access and right-of-way width shall be established in accordance with the policies expressed in the Thoroughfare Plan.

Road Pattern

The Thoroughfare pattern as shown on Schedule "D", Thoroughfare Plan, is based on the following principles:

1. The overall road pattern should be in harmony with the Provincial Highway system.
2. Arterial and collector roads should provide convenient access to and from the various land use areas.
3. Local streets should provide land access only to the areas in which such local streets are located and should not serve major traffic generating areas.

Classification

The roads of the municipality, both existing and proposed are classified on Schedule "A" according to their ultimate function in order to provide for the organized circulation of traffic and to minimize congestion and interference with the flow of traffic.

(a) Arterial Streets

Arterial streets are designed to facilitate the movement of large volumes of traffic from one portion of the City to another. Only a limited amount of access from abutting uses will be permitted. Cross streets should be kept to a minimum. A right-of-way width of from 30.5m to 36.6m should be reserved for this facility to provide for future lanes and service roads.

(b) Collector Streets

Collector streets are designed to drain or collect traffic from local streets to arterial streets and from local traffic generators such as shopping centres, etc. Therefore, access to abutting property should be limited. A right-of-way width of 26.2m should be reserved for this facility.

(c) Local Streets

Local streets are designed to provide access to abutting lands. Through traffic, buses and trucks should not be allowed, except where abutting land uses are commercial or industrial. A right-of-way width of 20.1m should be reserved for this facility.

PART 3 - INTERPRETATION

LAND AREA, POPULATION DENSITIES, ETC.

It is intended that all figures and quantities in the Official Plan will be considered as approximate only and not absolute. Amendments to this plan will not be required for any reasonable variances from any of the proposed figures.

LAND USE PLAN - SCHEDULE A

The boundaries between categories of land uses are intended to be somewhat general and do not define the exact limits of the uses.

Minor adjustments may be made for the purpose of any implementing Zoning By-law without formal amendment to the plan except where boundaries coincide with a road, street, railroad or other physical barrier. With the exception of the above adjustments, all changes shall require a formal amendment to the plan.

THOROUGHFARE PLAN - SCHEDULE A

The Thoroughfare Plan is intended to show the approximate location of streets and roads. Therefore, amendments to this Plan will not be required in order to make minor adjustments to the location of streets and roads provided that the general intent of this Plan is preserved.

The minimum requirements for right-of-way width for existing roads may be reduced to meet conditions imposed by existing development where it would be impractical to secure additional land.

A formal amendment to the plan will be necessary when a major change is made to this plan such as the introduction of a new highway to the system or any major change in the right-of-way widths for new streets or roads.

THE TEXT

Amendments will be required to the Text where a statement of policy or a principle is deleted or altered, or where a new policy or principle is added.

PART 4 - IMPLEMENTATION

The policies and proposals of this date will be implemented within the powers conferred upon Council by The Planning Act and The Municipal Act in the following manner:

Capital Improvements Program

A Capital Improvement Program should be developed for the municipality to guide the municipalities financial expenditures over the next five years dealing with specific projects, schedule or priorities and methods of financing. Through this type of capital programming, the public improvements as provided for in the Official Plan can be gradually undertaken and the municipality can be assured that various projects can be carried out on the basis of need and ability of the citizens to pay for these improvements.

Subdivision Control

Subdivision Control By-laws will be updated so as to take full advantage of all the provisions of The Planning Act respecting part lot control, and the deeming of plans of subdivision not to be plans of subdivision.

Consents will generally be discouraged and shall only be granted when a plan of subdivision is deemed unnecessary in the public interest. Regard shall be had to the following criteria:

1. Consents will be limited to two to existing parcels in the Rural Area.
2. Consents to properties in remote areas of the municipality which require the extension of municipal service should not be granted.
3. Consents should not be granted unless the land fronts on a public road which is of a reasonable standard of construction.
4. Consents should not have the effect of extending the area of urbanization but should rather constitute a filling in of existing urban area.
5. Consents should not be granted to established urban lot sizes unless all municipal services are available.

Residential Standards By-law

The restoration of areas that have fallen under the influence of slums and blight has been successfully achieved by a partnership with the Federal government, however, it is realized that there is a limit to the amount of capital available for public renewal. Under Section 30(a) of The Planning Act, 1960, the Provincial Government empowered cities to pass a Maintenance and Occupancy By-law, a program designed to fight blight with prescribed minimum standards for the maintenance of residential properties, and for those municipalities

who desire to undertake an Urban Renewal Project, this by-law must be adopted and enforced to ensure that slum and blight will not shift from one area to another, thus causing a continuous cycle of Urban Renewal Projects.

Upon approval of the Maintenance and Occupancy By-law of this municipality, a Housing Standards Committee was appointed and it will conduct a systematic survey of housing standards enforcement. Based upon this survey, a schedule of priorities will be developed and as needs or conditions necessitate, priorities may be altered.

In areas that are found to be below prescribed minimum standards, the Maintenance and Occupancy By-law will be enforced to correct deficiencies.

Finally, it will be a policy of this municipality that as the Maintenance and Occupancy By-law is enforced, the municipality will engage in the necessary steps to ensure neighbourhood improvement. As finances permit, adequate municipal services will be installed.

Zoning By-law

The implementing Zoning By-law will translate the intent and policies of the Official Plan into appropriate legal regulations applicable to land and land uses in the municipality.

Certain areas designated for specific land uses on the Official Plan may be zoned otherwise under a "holding category" in order to delay their development for their designated use until they appear to be ready for such development and until the standards appropriate to the designated use can be satisfied. Under the "holding category" the lands may be zoned for agricultural use, for parks or recreational use, for open space uses, for other temporary uses, for existing uses (preferably with a restriction prohibiting all enlargement) or for their designated use with a suffix "H" to indicate a temporary holding status. Prior to zoning lands under a holding category, the municipality shall be satisfied that the use permitted by such zoning will not exert any adverse effect upon any adjacent existing use, will not jeopardize the future development of the land in conformity with the Official Plan designation and that all services deemed necessary are provided. When Council receives application for a development project which is deemed suitable by council and which is in accordance with the designation and policies of the Official Plan, the holding category may be removed from the implementing by-law by an amending by-law without any need for an amendment to the plan.